From:	Rob Rau
To:	Yen-Vy Van
Bcc:	Rob Rau
Subject:	Former Smitty Conoco Corrective Action Objective
Date:	09/23/2011 01:54 PM

Hi Yen-Vy:

With regard to the Corrective Action Plan, I wanted to point out one thing regarding the stated cleanup objectives that will require a revision to the document. As we discussed, there is a chance that the proposed action may not achieve clean closure standards (i.e., MTCA A for soil & groundwater throughout the site) within a reasonable time frame, or specifically within the few years anticipated in the CAP, as written. I believe that this is particularly true for the soils under the building in the smear zone. While clean closure is clearly the overall goal, It is not clear at this time what the details of a conditional or risk-based closure would look like if post-cleanup sampling does not fall below cleanup standards. Specifically, what future land uses, if any, may be restricted or prohibited, and whether it would be necessary to formalize that in a property deed restriction. This of course is the trade-off with more costly cleanup approaches such as knocking down the station building and digging that up, and more highly engineered approaches towards groundwater cleanup. Clean closure would be demonstrated with two consecutive quarters of groundwater monitoring showing COC concentrations less that MTCA A. At that point, I think it would be warranted to collect confirmation soil samples and compare those to MTCA A standards. This would best be accomplished with using angle borings and a push rig. Considering this, you may want to collect samples for VOC analysis from the smear zone under the building while advancing borings for the first Regenesis application. That way have an idea of what the concentrations are now, and how close it is to cleanup levels.

I think we need to clearly state in the CAP that additional cleanup measures and/or a risk-based site closure may be necessary at this site should cleanup goals not be met. This is actually specified in our regulations at 40 CFR 280 parts 66 and 67(d). If this language is not included in the CAP, it would be necessary to go out for another public notice as described in the regulations.

Also, I was wondering if you have made contact with the owner of the commercial property just west of MW-10? In addition to the owner of the El Charrito property, I would like to directly send this person a copy of the draft CAP as well. Because these individuals are likely to have greater concern for the proposed action as compared to the community at large, I would like to send them copies directly rather than rely of the public notice process. If you have their name and contact information, that would be great.

Thanks very much, and I apologize for not including this remark in my email comments of 9/20. If you have any questions, please give me a call.

Rob
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