To: Jeanine Townsend, Clerk to the Board

Re: **March 15, 2011, Board Meeting, UST Case Closure**
908 20th Street, Sacramento, CA
USTCF Claim No. 3594

Concern over rational provided for case closure based on the Case Closure Summary (CCS).

The CCS states that a direct push borehole sampled petroleum contaminated groundwater from a depth of 67 ft yet it is not thought to be site related. The rational provided is that the boring log indicated a 14 foot clay layer and you do not know of a driving force to get the hydrocarbons deeper.

No concentrations and no water levels between the two water bearing zones are provided. If the shallow groundwater has a higher potentiometric surface than the deeper zone then there is a downward gradient. Also, there does not appear to be any information concerning the extent of the clay or frequency of sampling in the borehole.

On pg. 6 it states "…hydrocarbons that are light non-aqueous phase liquids need a mechanism to be drawn downward… No such mechanism exists…" Supposedly there is no free product at the site so this statement does not pertain to the site. Dissolved phase petroleum can sink- as is demonstrated by it being found in the deeper zone (regardless of the source area- unless you think a deep source exists). Hydrocarbons have been found at deeper levels around the state, impacting existing wells.

The final paragraph states that standard construction practices and requirements would prevent impacts from the contaminated area. Maybe this refers to sealing the upper annular space, it does not say. However, for private domestic wells and agricultural wells only the top 20 feet are required to be sealed. For community supply wells only the top 50 feet are required to be sealed. However, at this site the contamination is already at 67 ft, so obviously the clay layer and well construction standards would not be protective (whatever the source is). This rational does not pertain to the site and should not be used.