



December 19, 2018

USTCF- Comment Letter- Proposed Order SOMA Environmental Engineering, Inc.

My name is Pargat Singh, the owner and operator of small gasoline service station at 525 W. A Street, Hayward, California. I purchased this property in 2016 and before purchasing it, I contacted SOMA Environmental Engineering, In. (SOMA) to review the environmental conditions of the property and advise me if the remaining residual contamination is low enough that I can receive regulatory closure from the Regional Water Quality Control Board, San Francisco Bay Region (RWQCB), the oversight agency for this property in a timely manner. Upon reviewing the past and current groundwater monitoring reports, SOMA recommended that the site has minor environmental issues and should be able to receive no further action status by the RWQCB. SOMA advised me that as a part of sales agreement if I can request and receive an assignment from the current owner/claimant, SOMA can start preparation of site closure request by following the Threat Closure Policy (LTCP) criteria set forth by the RWQCB.

In 2016, the sale went through and I became the site owner. Through the sale agreement I requested to receive an assignment of claim from the seller, however, the seller indicated that the responsible party E-Z Serve and RPMS. RPMS, is apparently, an inactive oil company in Florida. The claimant is Mrs. Janet Cesadeli and USTCF claim number is 2874. I found out Mrs. Cesadeli is an elderly woman and has hired Mr. Noel Shenoy, the owner of CalClean as a project manager to conduct environmental cleanup. Mr. Shenoy has retained Environmental Geological Solutions (EGS) as the consultant. EGS is planning to utilize CalClean to conduct further remediation at the site. After long negotiation with Mr. Shenoy he did not accept to give me the assignment to hire SOMA to initiate the site closure processes.

Although the previous consultants including EGS had installed more than 20 groundwater monitoring wells in on and off-site areas, through a new workplan, EGS had requested installation of additional 6 more monitoring wells and preparation of Corrective Action Plan using Calclean's MPE equipment at the site. The workplan for installation of additional 4 monitoring wells had been approved by RWQCB, and EGS was seeking site access to install the wells and initiate the site cleanup, while the site was eligible for closure using LTCP criteria. Based on the SOMA's recommendations I did not grant access to EGS, since EGS has not been an effective consultant during their 7 years operation at the site. Instead I hired SOMA to go ahead with closure process and use my own money to get the closure.

EGS and Mr. Shenoy were pushing hard to implement the approved workplan and conduct unnecessary work and waste taxpayers' money and make profit. They were arguing that the MtBE plume emanating from this property is comingling with another gasoline station MtBE plume across the A Street and impacting two irrigation wells in the downgradient neighborhood.

SOMA reviewed EGS reports and found that the EGS approved workplan for installation of the 6 additional wells is not needed and discussed their findings and reasoning with Mr. John Jang of

RWQCB. RWQCB accepted SOMA's technical recommendations and allowed installing shallow borings and vapor probes using hand auger for cost saving purposes. Groundwater samples from the hand-augered borings and vapor samples from vapor probes did not indicate the presence of MtBE and petroleum hydrocarbons in the neighborhood. In addition, the results of two rounds of groundwater monitoring events indicated that a minor MtBE concentration in one of the irrigation wells (6 ppb) and non-detect in the other one. The reported MtBE concentration showed MtBE concentration is consistently below ESLs value for irrigation water (18 ug/L). SOMA's report dated April 6, 2018 concluded that the site is eligible to receive NFA status the RWQCB.

In this process, thanks to SOMA's expertise and honesty I spent less than \$35,000 from my own pocket without asking USTCF for reimbursement. If ESG was involved Calclean would waste taxpayer's money and by conducting unnecessary cleanup activities. This would unreasonably interrupt my business in addition would be a big waste of resources by CalClean.

Per RWQCB letter dated November 26, 2018 SOMA is in process of preparing closure documents to be sent for RWQCB's final approval. As a station owner I keep recommending SOMA to every claimant to utilize SOMA's expertise in reducing cleanup costs. I believe SOMA's expertise should be utilized to expedite USTs closure process and save taxpayers money. I believe penalizing SOMA as presented in USTCF website is very unwise decision and is not justified.

In addition, I own another gasoline service station located at 3519 Castro Valley Blvd., Castro Valley, California, which was effectively remediated by SOMA and I received closure. Therefore, I strongly believe that penalizing SOMA is wrong and all charges against such a reliable consultant firm should be dropped immediately.

As it becomes clear SOMA saved over \$200,000 by not allowing EGS and Cal Clean rob the USTCF and waste taxpayers' money and instead I spent my own money to remediate my property. Please do not hesitate to call me at (510) 314-3019, if you have any comments.

Sincerely,


Pargat Singh

Owner and Operator
525 W. A Street
Hayward, Ca