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Attorneys for Petitioners Peter J. Suk and Helen Suk

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

In the Matter of Cleanup and Abatement Order No. RI-2014-0018

PETITION FOR REVIEW

Cal. Water Code §13320

Petitioner Peter J. Suk ("Petitioner") submits this petition for review of the Cleanup and Abatement Order issued by the North Coast Regional Water Quality Control Board pursuant to California Code of Regulations, title 23 section 2050, as more fully described below.

I. CONTACT INFORMATION FOR PETITIONER

Petitioner's contact information is:

Peter J. Suk
3515 Kendall Hill Drive
Santa Rosa, CA 95404
Telephone: (707) 486-3115
Email: peterjs@sbcglobal.net

Petitioner should be contacted through his counsel:

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II. THE SPECIFIC ACTION REQUESTED FOR REVIEW

Petitioner requests the State Water Resources Control Board (the "State Board") review Cleanup and Abatement Order No. R1-2014-0018 (the "Order") issued by the North Coast Regional Water Quality Control Board (the "Regional Board") on or about February 27, 2014 regarding Stony Point Cleaners, 469 Stony Point Road, Santa Rosa (the "Site"), Case No. 1NSO898. A copy of the Order, its transmittal letter and accompanying technical memorandum is attached as Exhibit A to this petition.

Specifically, for the reasons set forth in Section IV, Petitioner requests the State Board remove Petitioner as a discharger from the Order and otherwise relieve Petitioner of any and all obligation to participate in the investigation or cleanup of the Site.

III. THE DATE ON WHICH THE REGIONAL BOARD ACTED

The Regional Board issued the order on or about February 27, 2014. However, counsel for Petitioner did not receive a copy of the Order until March 6, 2014. A copy of the email transmitting the order to counsel for Petitioner is attached as Exhibit B to this petition.

IV. A STATEMENT OF REASONS WHY THE ACTION WAS INAPPROPRIATE

During the course of the five year long legal action which preceded the Order (Sonoma County Superior Court Case No. SCV 244318), no facts came to light which implicated Suk in any way with the contamination at issue. For example, Gribi Associates recently completed a "Report of PCE Source Area Investigation" on behalf of the current owner of the Site, David Paslin dba Ben

Brett/Manaff. Despite the fact that Suk played no role in commissioning the Source Report, the Source Report exonerates Suk from any responsibility for the contamination at issue. See Exhibit C.

Suk operated the Cleaners between 1989 and 1996. The report finds that PCE contamination is the result of contact water spills from five gallon buckets during the early to mid-1980s. These spills travelled into the subsurface through a crack in the concrete slab in the area of the dry cleaning machinery. The report also implicates operator failure to obtain hazardous materials storage permits, which require the segregation and treatment of contact water, between 1981 and 1987. Exhibit C at 3, 6-8.

According to documentation provided by Paslin, secondary containment measures were put in place in August/September 1987 in order to prevent the accidental discharge of contaminants into the subsurface. Thus, secondary containment measures were in place by the time Suk began operating at the Site. The existence of a secondary containment system by the time Suk began operations substantially limits any opportunity for contamination to have occurred during his tenure. For example, according to a December 9, 2009 letter from Brian Kelleher, a project coordinator working on behalf of Paslin, to the NCRWQCB:

> In particular, the Phase I and II site investigations conducted on Mr. Brett's behalf by AEI in 2006, the reports of which were previously submitted to your office, collectively serve to demonstrate that there is PCE in soils 14 inches directly below the building slab (SB-1 and SB-2) in the immediate area of dry cleaning equipment that could only have been released prior to July 28, 1987 when a secondary spill containment system was installed under city permit. This is the only place PCE has so far been detected in soils underlying the slab and is clearly the result of unauthorized release from the immediate area of the machine. In the absence of any other data on contaminant source, we believe the Board should also take into consideration the strong likelihood that the same accidental PCE releases that impacted the shallow soils due to lack of secondary containment also impacted the shallow water table below the machine due to lack of secondary containment. Shallow groundwater was encountered within 10 feet from grade during the 2006 investigations.

See Exhibit D.

Since there is no record of any failure of the secondary containment system and no good reason to believe there ever was such failure, there is simply no credible reason to attribute any of the contamination at issue to Suk's post-secondary containment operation of Stony Point Cleaners from 1989 to 1996.

Furthermore, there is a substantial record showing that the current operators, Stanley Kim and Do W. Lee, who have operated the Cleaners since 1996, have been sloppy with respect to storing, handling and disposing of PCE and have contributed to the contamination at issue. For example, Santa Rosa Fire Department records indicate that a Cease and Desist Order was issued by the Santa Rosa Utilities Department to Stanley Kim on April 29, 2002. This Order resulted from an inspection conducted on April 26, 2002, which identified perchoroethylene ("PCE") in a private sewer lateral connected to the Cleaners. The inspection report indicated that PCE contamination of the Site had occurred because Stanley Kim failed to maintain properly carbon filters from the dry cleaning machine prior to discharge. According to Stanley Kim's own admission, contact water from the dry cleaning machine was routinely poured into the bathroom toilet at the Cleaners. Stanley Kim was ordered to haul all future contact water to an off-site treatment facility to prevent further PCE contamination of the sewer lines. Thus, assuming any contamination can be attributed to the sewer lateral, such contamination cannot be attributed to Suk's operations.

By April 26, 2002 when the citation and Cease and Desist order was issued, it had been approximately six years since Defendant Suk had last operated the Cleaners. Any negligence in the cleaning or replacement of carbon filters which resulted in the disposal of PCE-laden contact water in the facility toilet was therefore the fault of Stanley Kim and not Suk.

Accordingly, Suk is not responsible for the contamination of the Site. The contamination is the result of some combination of operators at the Site prior to 1987, pre-secondary contaminment and before current PCE-waste disposal practices became widespread, as well as the current operators, who have been cited for their sloppy operations.

Above and beyond the fact that Suk has not played any role in the contamination of the Site, Suk was never in a position to mitigate any existing contamination. He was not an owner of the Site and could not have remedied any existing contamination at the time he operated the Cleaners.

Even assuming, arguendo, Suk fell within the definition of a discharger, he does not have any insurance which could potentially cover the cleanup of the Site. All of Suk's insurance policies contain absolute pollution exclusions. Furthermore, Suk's financial resources are limited. He simply cannot afford to shoulder the financial burden of remediating the Site. This contrasts with the current, longtime owners and operators at the Site, who not only have access to the Site, but have already begun conducting substantial environmental investigatory work. The current owner and operators also have the revenue stream to pay for the required remediation.

V. THE MANNER IS WHICH PETITIONER IS AGGRIEVED

Petitioner is aggrieved by virtue of the obligations placed on him pursuant to the Order, which include cleanup and abatement of contaminants at the Site, as well as the scheduled investigation into the contamination required by the Order. The Order requires substantial time and financial expenditure by Petitioner for contamination which he played no role in causing.

VI. THE SPECIFIC ACTION WHICH THE PETITIONER REQUESTS OF THE REGIONAL OR STATE BOARD

Petitioner requests the State Board remove Petitioner as a discharger from the Order and otherwise relieve Petitioner of any and all obligation to participate in the investigation or cleanup of the Site.

VII. A STATEMENT OF POINTS AND AUTHORITIES

Petitioner incorporates those facts set forth in Section IV. Those facts show that Petitioner played no role in the contamination of the Site. There is a causation requirement for the issuance of an order requiring Petitioner to participate in or fund the investigation or cleanup of the Site pursuant to, *inter alia*, California Water Code sections 13304 and 13267. This causation requirement has not been met. Furthermore, equitable considerations warrant the removal of Petitioner from the Order.

VIII. STATEMENT THAT THE PETITION HAS BEEN SENT TO THE APPROPRIATE REGIONAL BOARD

A copy of this petition has been transmitted to the Executive Offer of the Regional Board on March 27, 2014 via U.S. Mail.

IX. STATEMENT THAT THE PROPOSED ISSUES OR OBJECTIONS WERE PREVIOUSLY RAISED TO THE REGIONAL BOARD

The issues raised in this petition were previously raised to the Regional Board. Attached as Exhibit E is a copy of Petitioner's comments and request for removal as a proposed named discharger from the proposed version of the Order.

Respectfully submitted,

DATED: March 27, 2014

STANZLER LAW GROUP

By: /s/ Jeffrey M. Curtiss
Jeffrey M. Curtiss

Attorneys for Defendants

Exhibit A

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

North Coast Regional Water Quality Control Board

February 27, 2014

Pacific Development Group (PDG)
c/o Denis Berryman, Partner
One Corporate Plaza # 250
Newport Beach, CA 92660

Pacific Investors Group (PIG)
c/o Dennis Berryman, President
One Corporate Plaza
Newport Beach, CA 92660

Stony Point Associates (SPA)
c/o James Hawley, Esq.
Hoge, Fenton et al
60 S. Market Street, Suite 1400
San Jose, CA 95113

Dr. David Paslin
dba Ben Brett
ManAff (Management Affiliates)
2287 Cobblehill Place
San Mateo, CA 94402

M.A.F. Inc
c/o Vicki A. Maffei
46 El Bonito Way
Benicia, CA 94510-2215

Elmer B. (Pat) Knapp and
Jeanette Herron aka Jeanette (Jan) Knapp:
5227 California Way
Paradise, CA 95969

Seung Ui (Tim) and Young Hahn
Creekside Dry Cleaners
1511 Sycamore Avenue, # G
Hercules, CA 94557

Peter Suk
3515 Kendall Hill Drive
Santa Rosa, CA 95404

Stanley Kim and Do W Lee
Stony Point Cleaners
469 Stony Point Road
Santa Rosa, CA 95401-5969

Dear Ladies and Gentlemen:

Subject: Transmittal of Cleanup and Abatement Order No. R1-2014-0018

File: Stony Point Cleaners, 469 Stony Point Road, Santa Rosa, Case No. 1NSO898

Enclosed is Cleanup and Abatement Order No. R1-2014-0018 (Order) issued by the California North Coast Regional Water Quality Control Board (Regional Water Board) for Stony Point Cleaners, 469 Stony Point Road in Santa Rosa, California. The Order requires

you, as the named dischargers, to submit and implement workplans for: 1) the installation of interim remedial measures and 2) indoor air monitoring.

Regional Water Board staff issued a draft version of this Order on December 6, 2013, and received several comments regarding the naming of dischargers. Attached to this letter is a Technical Memorandum with our response to these comments. Cleanup and Abatement Order No. R1-2014-0018 is being issued as the draft as written, except for minor edits to Attachment A. All dischargers have the option of petitioning to the State Water Board to review this action.

If you have any question please contact me by email at Beth.Lamb@waterboards.ca.gov or call me at (707) 543-2669.

Sincerely,

Original signed by

Beth Lamb, C.E.G.
Engineering Geologist

140227_BML_er_Stony Point CAO final cover

Enclosures: Technical Memorandum
CAO Order No. R1-2014-0018

Certified - Return Receipt Requested

cc: Brian Kelleher, bkellehr@ix.netcom.com
Gregg S. Garrison, gsgarrison@garrisonlawcorp.com
James Gribi, JGribi@gribiassociates.com

California Regional Water Quality Control Board
North Coast Region

CLEANUP AND ABATEMENT ORDER No. R1-2014-0018

For

DAVID PASLIN (DBA BEN BRETT),
MANAFF (MANAGEMENT AFFILIATES),
PACIFIC DEVELOPMENT GROUP
PACIFIC INVESTORS GROUP
STONY POINT ASSOCIATES
M.A.F. ENTERPRISES INC.,
ELMER B. (PAT) KNAPP AND JEANNETTE (JAN) HERRON KNAPP
SEUNG UI (TIM) HAHN AND YOUNG HAHN
PETER SUK AND HELEN SUK
AND
STANLEY KIM AND DO W LEE
STONY POINT CLEANERS
469 STONY POINT ROAD
SANTA ROSA CALIFORNIA

Sonoma County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. Stony Point Cleaners is located at 469 Stony Point Road, in Santa Rosa California, Sonoma County Assessor's Parcel No. 146-040-027-000 (Site). David Paslin (dba Ben Brett) is the current property owner, and Stanley Kim and Do W Lee are the current operators of Stony Point Cleaners.

2. Stony Point Cleaners has been in operation since June 1981. The initial facility operator was M.A.F. Enterprises Inc. In October 1981, the business was sold to Elmer B. (Pat) Knapp and Jeannette (Jan) Herron Knapp. Mr. and Mrs. Knapp operated Stony Point Cleaners until September 5, 1984 when the business was sold to Seung Ui (Tim) Hahn and Young Hahn. The Hahns operated the business until October 19, 1989. The Hahns sold Stony Point Cleaners to Peter and Helen Suk who operated the cleaners until April 18, 1996 when it was sold to the current owners.

3. In May 1981, when Stony Point Cleaners started operation, the property was owned by the Pacific Development Group. On February 22, 1982, Pacific Development group sold the property to Pacific Investment Group. On February 1, 1984, Pacific Investment Group sold the commercial property to Stony Point Associates who, in May 31, 1985, sold the property to the current owner.

4. All former operators and owners of the property are hereinafter collectively referred to as "the Dischargers."

5. Past practices at the Site resulted in a release or releases of dry cleaning solvents to the subsurface. In July 2006, subsurface borings installed adjacent to Stony Point Cleaners detected tetrachloroethene (PCE) in soil and groundwater. Since that time numerous soil, soil vapor, and groundwater samples have been collected and analyzed to determine the vertical and lateral extent of contamination associated with a release of the dry cleaning solvent PCE.

6. The highest concentrations of PCE have been detected near the boiler at the back of the Stony Point Cleaners facility. Soil vapor sampling has detected concentrations of PCE at 4,565,094 micrograms per cubic meter (µg/m3) in a sample taken at 4 feet below the floor of the dry cleaner. This indicates that there is a potential for worker exposure to elevated concentrations of PCE in the indoor air. An evaluation of the indoor air quality is now needed.

7. Groundwater sampling from both shallow (between 5 and 15 feet below ground surface, bgs) and deep (25 to 30 feet bgs) monitoring wells show that the highest concentrations of PCE are from wells constructed inside the building. Specifically, during the most recent monitoring event (March 28, 2013), a groundwater sample from shallow well MW-1S detected concentrations of PCE at 8,700 parts per billion (ppb) and groundwater from deep monitoring well MW-1 detected concentrations of PCE at 1,100 ppb. Both wells are located inside the dry cleaner building.

8. The chemical PCE is a human carcinogen, and is listed by the State of California, pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986, as a chemical known to the State to cause cancer. PCE degrades to trichloroethene (TCE), cis and trans -1,2-dichloroethene (1,2-DCE), and vinyl chloride (VC). These breakdown products are also human carcinogens.

9. Interim remedial measures (IRMs) were proposed in *Revised Report of Remedial Investigation and Workplan for IRMs and Shallow Soil Gas and Groundwater Monitoring,* dated June 10, 2011, prepared by the environmental consulting firm Gribi Associates. Since that time additional characterization of the source area inside the dry cleaners has been conducted and now revisions to the proposed remedial measures are needed prior to begin cleanup of this property.

10. The Water Quality Control Plan for the North Coast Region (Basin Plan) designates beneficial uses of the waters of the State, establishes water quality objectives to protect those uses, and establishes implementation policies to attain water quality objectives. The beneficial uses of areal groundwater include domestic, agricultural, and industrial supply.

11. The site is located within 1,500 feet of Santa Rosa Creek which is a tributary to the Laguna de Santa Rosa which flows into the Russian River. The existing and potential beneficial uses of the Laguna de Santa Rosa and the Russian River include:

a. municipal and domestic supply
b. agricultural supply
c. industrial process supply
d. groundwater recharge
e. navigation
f. water contact recreation
g. non-contact water recreation
h. commercial and sport fishing
i. warm freshwater habitat
j. cold freshwater habitat
k. wildlife habitat
l. migration of aquatic organisms
m. spawning, reproduction, and/or early development
n. fresh water replenishment
o. estuarine habitat
p. rare, threatened or endangered species.

12. The Dischargers have caused or permitted, cause or permit, or threaten to cause or permit waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance. Continuing discharges are in violation of the Porter-Cologne Water Quality Control Act and provisions of the Water Quality Control Plan for the North Coast Region (Basin Plan).

13. The California Water Code, and regulations and policies developed thereunder apply to the Site and require cleanup and abatement of discharges and threatened discharges of waste to the extent feasible. Discharge prohibitions contained in the Basin Plan also apply to this site. Specifically, the Basin Plan incorporates State Water Resources Control Board (State Water Board) Resolutions No. 68-16, No. 88-63, and No. 92-49.

a. Water Code section 13267(b) authorizes the Regional Water Board to require dischargers and suspected dischargers to provide technical or monitoring program reports.

b. Water Code section 13304 authorizes the Regional Water Board to require dischargers to cleanup and abate the effects of discharged waste.

c. State Water Board Resolution No. 68-16 ("State of Policy with Respect to Maintaining High Quality Waters in California") protects surface and ground waters from degradation. It provides that high quality waters shall be maintained unless any change will be consistent with the maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial uses and will not result in water quality less than that prescribed in the policies.

d. State Water Board Resolution 88-63 requires Regional Water Boards to protect the beneficial use of groundwater as a source of drinking water. The Basin Plan establishes the beneficial use of groundwater as a source of drinking water for all areas within the North Coast Region. The Basin Plan identifies water quality objectives for petroleum constituent levels in groundwater to protect its beneficial use as a source of drinking water.

e. State Water Board Resolution No. 92-49 ("Policies and Procedures for the Investigation and Cleanup of Discharges Under Section 13304 of the California Water Code") specifies that alternative cleanup levels greater than background concentration shall be permitted only if the discharger demonstrates that: it is not feasible to attain background levels; the alternative cleanup levels are consistent with the maximum benefit to the people of the State; alternative cleanup levels will not unreasonably affect present and anticipated beneficial uses of such water; and they will not result in water quality less than prescribed in the Basin Plan and Policies adopted by the State and Regional Water Board.

14. Water quality objectives in the Basin Plan are adopted to ensure protection of the beneficial uses of water. The most stringent water quality objectives for protection of all beneficial uses are selected as the protective water quality criteria. Alternative cleanup and abatement actions must evaluate the feasibility of, at a minimum: (1) cleanup to background levels, (2) cleanup to levels attainable through application of best practicable technology, and (3) cleanup to the level of water quality objectives for protection of beneficial uses. A table of applicable Water Quality Objectives for groundwater is incorporated in this Order as Attachment A.

15. The Regional Water Board will ensure adequate public participation at key steps in the remedial action process, and shall ensure that concurrence with a remedy for cleanup and abatement of the discharges at the site shall comply with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). Because the Regional Water Board is unable, pursuant to Water Code section 13360, to direct the manner and method of compliance, the Regional Water Board will not have any plan for actual cleanup of the Site until the responsible parties have identified in a draft remedial action plan the proposed method of cleaning up the Site. Once the discharger has submitted a remedial action plan, the Regional Water Board will ensure that prior to granting concurrence with the final remedial action plan, it has complied with the requirements of CEQA. Until the Site has been investigated and a remedial action plan has been proposed, it is impossible for the Regional Water Board to identify and mitigate potentially significant adverse impacts associated with the cleanup of the Site. Because of the need to initiate investigation of the contamination of the Site before the Regional Water Board is able to identify how the Site will be cleaned up and any potentially significant impacts that could result to the environment from the cleanup, this CAO only requires immediate investigation of the Site, and defers actual cleanup until the Regional Water Board has concurred with a final remedial action plan and has complied with the requirements of CEQA.

16. Any person affected by this action of the Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050. The petition must be received by the State Water Board within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request. In addition to filing a petition with the State Water Board, any person affected by this Order may request the Regional Water Board to reconsider this Order. To be timely, such request must be made within 30 days of the date of this Order. Note that even if reconsideration by the Regional Water Board is sought, filing a petition with the State Water Board within the 30-day period is necessary to preserve the petitioner's legal rights. If the Dischargers choose to appeal the Order, the Dischargers are advised that they must comply with the Order while the appeal is being considered.

17. This Cleanup and Abatement Order (CAO) in no way limits the authority of this Regional Water Board to institute additional enforcement actions or to require additional investigation and cleanup at the Site consistent with California Water Code. This CAO may be revised by the Executive Officer, as additional information becomes available.

18. Failure to comply with the terms of this Order may result in enforcement under the California Water Code. Any person failing to provide technical reports containing information required by this Order by the required date(s) or falsifying any information in the technical reports is, pursuant to Water Code section 13268, guilty of a misdemeanor and may be subject to administrative civil liabilities of up to one thousand dollars ($1,000.00) for each day in which the violation occurs. Any person failing to cleanup or abate threatened or actual discharges as required by this Order is, pursuant to Water Code section 13350(e), subject to administrative civil liabilities of up to five thousand dollars ($5,000.00) per day or ten dollars ($10) per gallon of waste discharged.

19. Reasonable costs incurred by Regional Water Board staff in overseeing cleanup or abatement activities are reimbursable under Water Code section 13304 (c) (1).

THEREFORE, IT IS HEREBY ORDERED that, pursuant to Water Code sections 13267 (b) and 13304, the Dischargers shall clean up and abate the discharge and threatened discharge forthwith and shall comply with the following provisions of this Order:

A. Submit in a format acceptable to the Executive Officer a revised IRM Workplan within 45 days of the date of this order.

B. Implement IRMs within 90 days of Executive Officer concurrence with the IRM Workplan revisions.

C. Within 60 days of construction of IRMs, submit an installation and first remedial operational status report.

D. Submit quarterly IRMs status reports within 30 days of the end of each calendar quarter.

E. Submit an indoor air testing workplan to determine the human health risks to workers inside the building within 45 days of the date of this order.

F. Upon completion of indoor air testing issue a public notice of all the results to all tenants, business owners, and property owners in the Stony Point Shopping Center.

G. Conduct all work in accordance with all applicable local ordinances and under the direction of a California Professional Geologist or Civil Engineer experienced in soil and groundwater pollution investigations and remediation projects including chlorinated hydrocarbons. All work plans and reports must be signed and stamped by the licensed professional in responsible charge of the project. All necessary permits shall be obtained prior to conducting work.

H. Comply with the requirements specified in Monitoring and Reporting Program Order No. R1-2013-0082.

I. The Dischargers shall pay all cost recovery invoices within 30 days of issuance of the invoice.

J. If, for any reason, the Dischargers are unable to perform any activity or submit any documentation in compliance with the work schedule contained in this Order or submitted pursuant to this Order and approved by the Executive Officer, the Dischargers may request, in writing, an extension of time. The extension request must be submitted a minimum of five business days in advance of the due date sought to be extended and shall include justification for the delay and a demonstration of a good faith effort to achieve compliance with the due date. The extension request shall also include a proposed time schedule with a new performance date for the due date in question and all subsequent dates dependent on the extension. An extension may be granted for good cause by written concurrence from the Executive Officer.

K. Violations of any of the terms and conditions of this Order may subject Dischargers to possible enforcement action, including civil liability under applicable provisions of the Water Code.

Original signed by

Ordered By: _____

Matthias St. John
Executive Officer
February 27, 2014

Attachment A: Water Quality Objectives

Attachment A

Table of Water Quality Objectives

STONY POINT CLEANERS
469 STONY POINT ROAD
SANTA ROSA CALIFORNIA
Case No. 1NSO898

The California Water Code, and regulations and policies developed thereunder require cleanup and abatement of discharges and threatened discharges of waste to the extent feasible. Cleanup and abatement activities are to provide attainment of background levels of water quality or the highest water quality that is reasonable if background levels of water quality cannot be restored. Alternative cleanup levels greater than background concentration shall be permitted only if the discharger demonstrates that: it is not feasible to attain background levels; the alternative cleanup levels are consistent with the maximum benefit to the people of the State; alternative cleanup levels will not unreasonably affect present and anticipated beneficial uses of such water; and they will not result in water quality less than prescribed in the Basin Plan and Policies adopted by the State and Regional Water Board (State Water Resources Control Board Resolutions Nos. 68-16 and 92-49).

Water quality objectives in the Basin Plan are adopted to ensure protection of the beneficial uses of water. The Basin Plan provides that "whenever several different objectives exist for the same water quality parameter, the strictest objective applies". Accordingly, the most stringent water quality objectives for protection of all beneficial uses are selected as the protective water quality criteria. Alternative cleanup and abatement actions must evaluate the feasibility of, at a minimum: (1) cleanup to background levels, (2) cleanup to levels attainable through application of best practicable technology, and (3) cleanup to protective water quality criteria levels. The table below sets out the water quality objectives for waters of the State impacted by discharges from the identified constituents of concern:

Constituent of Concern	Practical Quantitation Limit µg/L	Water Quality Objective µg/L	Reference for Objectives
Trichloroethene	< 0.5	1.7	California Public Health Goal (PHG) in Drinking Water (Office of Environmental Health Hazard Assessment) applied to GENERAL water quality objective in the Basin Plan
Tetrachloroethene	< 0.5	0.06	California Public Health Goal (PHG) in Drinking Water (Office of Environmental Health Hazard Assessment) applied to GENERAL water quality objective in the Basin Plan
Cis-1,2-Dichloroethene	< 0.5	6	California Department of Health Services Maximum Contaminant Level applied to the CHEMICAL CONSTITUENTS water quality objective in the Basin Plan
Trans-1,2-dichloroethene	< 0.5	10	California Department of Health Services Maximum Contaminant Level applied to the CHEMICAL CONSTITUENTS water quality objective in the Basin Plan
1,1-Dichloroethene	< 0.5	6	California Department of Health Services Maximum Contaminant Level applied to the CHEMICAL CONSTITUENTS water quality objective in the Basin Plan
1,1,1-Trichloroethane	< 0.5	200	California Department of Health Services Maximum Contaminant Level applied to the CHEMICAL CONSTITUENTS water quality objective in the Basin Plan
Vinyl Chloride	< 0.5	0.05	California Public Health Goal (PHG) in Drinking Water (Office of Environmental Health Hazard Assessment) applied to GENERAL water quality objective in the Basin Plan

REGIONAL WATER QUALITY CONTROL BOARD
NORTH COAST REGION

Technical Memorandum

Date: February 25, 2014

From: Beth Lamb, C.E.G., CHg

Subject: Response to Comments for Draft Cleanup and Abatement Order No. R1-2014-0018 for Stony Point Cleaners

File: Stony Point Cleaners, 469 Stony Point Road, Santa Rosa
Case No. 1NSO898

Background

On December 6, 2013, a draft of Cleanup and Abatement Order (CAO) Order No. R1-2014-0018 was transmitted by the California North Coast Regional Water Quality Control Board (Regional Water Board) for Stony Point Cleaners at 469 Stony Point Road in Santa Rosa, California (Site). The Draft Order requires the dischargers to submit workplans for: 1) installation of interim remedial measures and 2) indoor air monitoring.

Comments were received from the following:

1. Christopher M. Mooney, Paul Hastings LLP, on behalf of Pacific Development Group and Pacific Investors Group (Pacific) letter received January 10, 2014.

2. Jesse A Boyd, Buty & Curliano LLP, on behalf of Stony Point Associates (SPA), letter received on January 13, 2014.

3. Jeffrey M. Curtiss, Stanzler Law Group, on behalf of Peter Suk, letter received January 10, 2014.

4. Vicki Maffei, M.A.F. Inc, letter received January 22, 2014.

5. Gregg Garrison, Garrison Law Corporation, on behalf of Ben Brett/ManAff, letter received February 10, 2014.

Staff's General Response to Comments:

As stated in the CAO, past practices at the Site resulted in a release or releases of dry cleaning solvents to the subsurface. Specifically, concentrations of tetrachloroethene (PCE) have been detected in soil, soil vapor and groundwater at the Stony Point Shopping Center in Santa Rosa with the highest concentrations being detected near the boiler at the back of the active dry cleaning facility. It has been established in numerous technical documents that dry cleaners discharged PCE to the subsurface through a variety of mechanisms including dry cleaning equipment leakage, improper operation and maintenance, poor solvent storage and disposal practices, and permitted and unpermitted discharges to

sanitary sewers or storm sewers. All former operators of the Stony Point Dry Cleaner facility used a dry cleaning solvent containing PCE and therefore are suspected of discharging PCE to the subsurface. Landowners are also responsible for discharges on their property whether or not they personally caused the discharge.

The CAO names all former property owners and all dry cleaner operators as dischargers without apportioning responsibility. Apportioning responsibility is not a function of the Regional or State Water Boards. Responsibility for cleanups under the Porter-Cologne Water Quality Control Act is joint and several. (See In the Matter of the Petition of Union Oil Company of California, (SWRCB Order No. WQ 90-2).) The landowner is responsible for discharges on their property, regardless of whether that person caused or contributed to the discharge. (See e.g. In the Matter of the Petition of Wenwest (SWRCB Order No. WQ 92-13).)

Summarized Comments:

1) M.A.F., Inc. – First owner/operator of dry cleaner from March 1981 to October 1981.
   - Comment – They were the first operator, only operated the facility for 3 months until sold in October 1981, and that they only bought 90 gallons of solvent to use in the machines.

     Response – Improper use and disposal of 90 gallons of solvent in the time period M.A.F., Inc. operated could be sufficient to create the soil and groundwater impacts seen on this property.

2) SPA - Building owner from February 1, 1984 to May 24, 1985.
   - Comment –No evidence of PCE discharges during SPA tenure 1984 to 1985 (16 months).

     Response – There is evidence that there were multiple sources for soil and groundwater contamination. It is not possible to date the age of all the releases. Standard dry cleaning operations prior to enforcement of regulations were known to have impacted soil and groundwater.

   - Comment – The contamination plume is not older than 20 years based on the lateral and vertical extent combined with the calculated groundwater velocity and relatively low concentrations of chemicals.

     Response – There is insufficient data to come to this conclusion. The plume is not completely defined and groundwater velocity is unknown. It is unknown what quantity of solvent was discharged, where the discharge occurred, or what biological and chemical degradation processes control this plume.

- Comment – Contamination was caused by the current operator.

  Response – The first inspection of the property was in 1987 when City of Santa Rosa Fire Department inspected the facility. There is no evidence to show that prior to the first inspection that earlier operators were not using the same practices which led to a release to the subsurface. Soil sampling shows that there may have been multiple sources of contamination including sewer discharges, dripping or spills inside the building, disposal into the dumpster, and a discharge to the planter outside the dry cleaner.

- Comment – No legal basis to name SPA on the CAO because a showing of causation is required under Water Code 13304 and 13267.

  Response – Under Water Code section 13267, the Regional Water Board may require technical or monitoring reports from "any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region...." Under Water Code section 13304, "any person who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state...shall upon order of the regional board, clean up the waste or abate the effects of the waste...." As stated above, former owners and operators of the Stony Point Dry Cleaner facility used a dry cleaning solvent containing PCE and therefore are suspected of discharging PCE to the subsurface. Landowners are also responsible for discharges on their property whether or not they personally caused the discharge because they "permit" or threaten to permit discharges. This is sufficient for the Regional Water Board to exercise its authorities under these code sections.

3) Peter Suk – Dry cleaner operator from 1989 to 1996.
   - Comment – No evidence that there was a release during time Mr. Suk operated the dry cleaner from 1989 to 1996.

     Response – The operator used a solvent containing PCE. Standard dry cleaning operations, poor housekeeping and accidental releases prior to enforcement of regulations were known to have impacted soil and groundwater. There is evidence that there were multiple sources for soil and groundwater contamination. While it is not possible to date the age of all the releases, there is sufficient evidence to conclude that any operator using PCE caused or threatened to cause discharges.

4) Pacific - Property owner from 1981 to 1984.
   - Comment – There was evidence of PCE release during current ownership and operations.

     Response – There is evidence that there were multiple sources for soil and groundwater contamination. It is not possible to date the age of all the releases. Standard dry cleaning operations prior to enforcement of regulations were known to have impacted soil and groundwater. Even after regulations were put in place, an unauthorized release can occur which is evidence by the finding in 2002 that wastewater containing PCE was found in the sewer lateral at Stony Point Cleaners.

   - Comment – There is a lack of evidence of PCE release during prior ownership and operations.

     Response – There is no evidence that there was not a release. Most dry cleaners of this age had releases to the subsurface. Some standard operating procedures like disposing of condensate water into bathroom sinks were common but were later found to have caused soil and groundwater contamination.

   - Comment – Historical operations and onsite testing and sampling results refute Dr. Paslin's clams of pre-1987 releases.

     Response – Staff does not agree. The first inspection at this site was conducted in 1987 by the Santa Rosa Fire department. However, prior to that time standard practices may have resulted in a release at the site either through improper or proper use of chemicals. The fact that in 2002 there was evidence of improper disposal does not preclude the fact that these practices were a continuation of earlier practices. Staff does not have the data to date the release or more likely releases to the subsurface.

5) Ben Brett - Current property owner.
   - Comment – All parties that owned the facility from 1981 to May 1985 are jointly and severally liable for the PCE contamination based on Federal and State Court rulings.

     Response – Staff concurs.

   - Comment – Owners and operators were out of compliance with Resource Conservation and Recovery Act (RCRA) regulations which required cradle to grave management of hazardous materials.

     Response –There is no evidence of any compliance with RCRA until the site was first inspected by Santa Rosa Fire Department in 1987.

The CAO is being issued as the draft was written. All named dischargers have the option of petitioning to the State Water Board, as stated in the CAO:

> "Any person affected by this action of the Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050. The petition must be received by the State Water Board within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request. In addition to filing a petition with the State Water Board, any person affected by this Order may request the Regional Water Board to reconsider this Order. To be timely, such request must be made within 30 days of the date of this Order. Note that even if reconsideration by the Regional Water Board is sought, filing a petition with the State Water Board within the 30-day period is necessary to preserve the petitioner's legal rights. If the Dischargers choose to appeal the Order, the Dischargers are advised that they must comply with the Order while the appeal is being considered."

Exhibit B

Gmail by Google

Jeffrey Curtiss <jeff.curtiss@gmail.com>

FW: Stony Point Cleaners, 469 Stony Point Road, Santa Rosa

Sharran Rodd <srodd@stanzlerlawgroup.com> Thu, Mar 6, 2014 at 4:04 PM
To: Jeffrey Curtiss <jeff.curtiss@gmail.com>

Suk

From: Lamb, Beth@Waterboards [mailto:Beth.Lamb@waterboards.ca.gov]
Sent: Thursday, March 06, 2014 3:18 PM
To: christophermooney@Paulhastings.com; Jesse A. Boyd (jboyd@butycurliano.com); Sharran Rodd
Subject: FW: Stony Point Cleaners, 469 Stony Point Road, Santa Rosa

Sorry you were not included on original transmittal. -Beth

From: Poe, Donna@Waterboards
Sent: Thursday, February 27, 2014 4:52 PM
To: bkellehr@ix.netcom.com; gsgarrison@garrisonlawcorp.com; JGribi@gribiassociates.com
Cc: Lamb, Beth@Waterboards; Reynolds, Evelyn@Waterboards
Subject: Stony Point Cleaners, 469 Stony Point Road, Santa Rosa

Attached is a document regarding the Transmittal of Cleanup and Abatement Order No. R1-2014-0018 Stony Point Cleaners,

469 Stony Point Road, Santa Rosa, Case No. 1NSO898

3 attachments

140227_BML_er_Stony Point CAO final cover.pdf
93K

140227_BML_er_Stony Point Cleaners CAO Comments.pdf
100K

14_0018_Stony_Point_Cleaners_CAO.pdf
131K

Exhibit C

KELLEHER & ASSOCIATES
Environmental Mgmt LLC

5655 Silver Creek Valley Road
PMB 281
San Jose, CA 95138
408-677-3307 (P)
408-677-3272 (F)
bkellehr@ix.netcom.com

September 4, 2013

Beth Lamb
North Coast Regional Water Quality Control Board
5550 Skylane Blvd, Suite A
Santa Rosa, CA 95403

In Reference To: Stony Point Cleaners: 469 Stony Point Road, Santa Rosa, CA unauthorized PCE release site ("Site"); Case No. 1NS0898.

Subject: Technical Report Submittal: *Report of PCE Source Area Investigation*, September 4, 2013.

Dear Ms. Lamb:

Via Geotracker and US Mail, please find enclosed herewith in connection with the above-referenced property (Site) a copy of the above-referenced technical report prepared by Gribi Associates, Benicia, CA (Gribi). On behalf of the responsible parties, I declare under penalty of perjury that I have reviewed the information contained in the enclosed document and believe that it is true and correct to the best of my knowledge.

The report describes and documents the collection of eleven soil gas samples and seven soil samples from three shallow borings in the boiler room area at the north end of the Stony Point Cleaners facility. The source area investigation was recommended in the semi-annual groundwater monitoring report submitted to the Regional Board in April 2013 and was considered an extension of the remedial investigation (RI) work in progress under a June 18, 2010 RI workplan. At the Regional Board's request, a detailed scope of work was submitted to the Regional Board on August 1, 2013, by way of notification. The investigation results were needed for a mandatory settlement conference held on August 12, 2013, in connection with the ongoing litigation over liability.

According to a prior owner/operator of Stony Point Cleaners, during the early and mid 1980s (prior to enforcement of current hazardous waste management and hazardous materials storage regulations) contact water from the PCE' machine's water separator was collected in 5-gallon buckets, hand-carried into the boiler room, and discharged to the sanitary sewer system via a floor drain.

With this information in hand, Gribi conducted investigations to determine if this prior waste management practice resulted in subsurface PCE discharges. They found the floor drain in a difficult to reach location with access to the top obstructed by numerous pipes discharging wastewater from various sources.

On the basis of the investigation results, Gribi concluded that the primary PCE discharge point to the subsurface was at a low spot in the concrete slab floor just in front of the floor drain at the point most prone to receiving spillage during the manual discharge of contact water to the drain. In particular they discovered there was a crack in the 4-inch thick concrete slab floor crossing the low spot that acted as a preferential pathway for contaminant migration. The soil gas sample collected at 4 feet directly below the crack contained 4,565,094 ug/m3 PCE and the soil sample collected at 1.5 feet contained 170 ppm PCE and had a strong solvent odor. As part of the investigation, Gribi

measured the width of the crack as it passed through the low spot at 7 mm and tested the rate of gravity drainage into the subsurface via the crack at 10 ml/sec.

On the basis of the above, Gribi is recommending that currently-proposed IRMs be more focused on remediating the identified primary discharge point in the boiler room, to include removal and replacement of a portion of the rear wall to facilitate access to the boiler room and focused removal of contaminated soil in the area of the identified primary PCE discharge point. Toward that end, Gribi is recommending an addendum to the June 2010 IRM workplan.

Anticipating Regional Board approval of the recommendation to amend the IRM workplan, we have authorized Gribi to complete this task.

We appreciate the Regional Board's patience in this matter.

Please do not hesitate to contact me at 408-677-3307 with any questions you may have. Thank you for your ongoing courtesy and cooperation.

Sincerely,

Brian Kelleher
Project coordinator

Cc w partial enclosures or no enclosures via e-mail and/or US mail
Ben Brett;
Gregg S. Garrison, R.E.A. & C.E.I, Attorney at Law;
Pacific Investments,/Pacific Development, c/o Paul, Hastings, Janofsky, & Walker;
Stony Point Associates, c/o Buty & Curliano LLP;
Elmer B (Pat) Knapp and Jeanette Herron aka Jeanette (Jan) Knapp;
Tim, Seoung and Young Hahn, Creekside Dry Cleaners;
Maffee (former operator dba Stony Point Cleaners);
Tom Scott, General Manager, Oliver's Market;
CVS Caremart, c/o Diana Boiselle, Lease Administrator;
Jim Gribi, Gribi Associates (cover letter only).

GRIBI
ASSOCIATES

September 4, 2013

Ben Brett/Manaff
c/o Brian Kelleher
Kelleher & Associates Environmental Mgmt LLC
5655 Silver Creek Valley Road PMB 281
San Jose, CA 95138

Subject: Report of PCE Source Area Investigation
Stony Point Cleaners, 469 Stony Point Road, Santa Rosa, California
NCRWQCB Case No. 1NSO898, Geotracker Global ID No. SL0609767669

Dear Mr. Brett:

Gribi Associates is pleased to submit this *Report of PCE Source Area Investigation* on behalf of Ben Brett/Manaff and other parties of interest for the property located at 469 Stony Point Road in Santa Rosa, California (Site) (see Figure 1 and Figure 2). This report describes and documents the collection of eleven soil gas samples and seven soil samples from three shallow borings in the boiler room area at the north end of the Stony Point Cleaners facility. The source area investigation was recommended in the semi-annual groundwater monitoring report submitted to the Regional Board in April 2013 and was considered an extension of the remedial investigation (RI) work in progress under a June 18, 2010 RI workplan. At the Regional Board's request, a detailed scope of work was submitted to the Regional Board on August 1, 2013, by way of notification. The investigation results were needed for a mandatory settlement conference held on August 12, 2013, in connection with the ongoing litigation over liability.

1.0 BACKGROUND AND PROJECT APPROACH

Previous Site investigations revealed elevated concentrations of tetrachloroethylene (PCE, or "perc") in shallow soil, groundwater, and soil vapor emanating from the north end of the Stony Point Cleaners facility. Based on information provided to the project coordinator during a March 2013 interview with a former Stony Point Cleaners operator, there is evidence that prior to approximately 1987, water condensate from the dry cleaning machine (contact water) was collected in 5-gallon buckets approximately once per week, hand carried into the boiler room and poured into a floor drain. This recollection of events by the former operator is substantiated by Santa Rosa Fire Department records showing that in February 1987 the facility was visited by a hazardous material storage inspector who first informed the operator of his obligations to comply with the City of Santa Rosa hazardous materials storage ordinance adopted in the mid 1980s. The hazardous material storage ordinance required compliance with all hazardous waste regulations subject to permitting and annual inspections, including the need to segregate and

treat contact water prior to discharge into the sewer. Considering the encumbered location of the drain coupled with the presence of multiple pipes entering it from the top obstructing access, some degree of spillage onto the boiler room floor was inevitable, particularly considering the absence of any awareness of the consequences.

In order to assess potential PCE subsurface releases from floor drain spillage within the boiler room, we adopted a project approach which included conducting detailed inspections of the boiler room both before and after sampling, then collecting shallow soil gas samples at the north end of the dry cleaning facility to attempt to identify sub-slab PCE "hot spots," and finally, conducting soil sampling in identified "hot spot" areas.

2.0 DESCRIPTION OF SOIL VAPOR AND SOIL SAMPLING ACTIVITIES AND RESULTS

On July 31, 2013, Gribi Associates conducted a detailed inspection of the boiler room and the north end of the dry cleaning facility. During this inspection, we noted one southwest-trending floor crack in the boiler room beginning at the southwest corner of the floor drain, and one east-west trending crack south of the boiler room adjacent to the dry cleaning machine. It was also noted that the floor drain in the boiler room is raised 1.5 inches above the surrounding concrete slab flooring, with a raised concrete skirt surrounding the metal drain and drain sump. There were several pipes entering the drain delivering waste water from various locations, including the boiler itself. The floor drain does not receive drainage from the floor and, because it is raised, is more appropriately called a floor sink.

2.1 Soil Vapor Sampling

Gribi Associates contracted Optimal Technologies to conduct soil vapor sampling and mobile lab analysis at eleven locations (SG-A through SG-D, SG-F through SG-H, and SG-J through SG-N) on August 2, 2013 (see Figure 3). Soil gas sampling consisted of advancing a hollow soil gas sampling rod with retractable screened sampling tip to the desired depth, and then retracting the tip to allow for soil gas sampling. Sampling depth was determined individually at each sampling point based on flow, with sampling conducted only if sufficient flow was attainable. Vapor sampling depths ranged from 3.0 feet to 5.0 feet below ground surface. After allowing the sample train to equilibrate for several minutes, the soil gas sample was collected after purging approximately three times the internal volume of the sample train. Soil gas samples were collected in clean, glass syringes and injected directly into Optimal Technology's mobile lab equipment for gas chromatographic analysis. Soil gas samples were analyzed for halogenated volatile organic compounds (HVOCs) by EPA Method 8021B. During sampling, a tracer gas, isobutane in shaving cream, was placed adjacent to the sampling apparatus, and isobutane was included in the lab analysis for each sample. A more detailed description of field methods is contained in the Optimal Technology sampling and laboratory data reports, included in Attachment A.

Results of the soil gas survey are summarized on Figure 4. Vapor PCE concentrations ranged from 2,022 ug/m3 at SG-0, located just outside the rear wall of the boiler room, to 4,565,094

ug/m3 at SB-D, located directly in front of the floor drain and intercepting an open crack in the floor. The median concentration for the eleven samples was 341,534 ug/m3. Relative to the median, the following results indicated three possible points of discharge:

- **2 feet southwest of the floor sink/drain:** SG-D at 4,565,094 ug/m3, adjacent to the crack in the floor;
- **6 feet west of boiler room floor sink/drain:** SG-B at 1,641,386 ug/m3); and.
- **1 foot west of the floor sink/drain:** SG-C, at 804,984 ug/m3 located just a few feet north of SG-D.

2.2 Shallow Soil Sampling

On August 9, 2013, Gribi Associates collected soil samples from three shallow borings (B-A, B-B, and B-C) located at or near the three possible points of discharge identified via soil vapor sampling (see Figure 3). Soil sampling consisted of, first, coring through the concrete using a coring machine, and then digging to the desired depth using hand tools (digging bar and hand auger). Photos 1 and 2 in Attachment B collectively show the obstructed floor sink/drain and the three boring locations. Two soil samples were collected from borings B-A and B-B, and three samples were collected from boring B-C. All soil samples were preserved in the field utilizing EPA Method 5035 (Close-System Purge and Trap and Extraction). This method involves using a specialized soil sampler to collect a known amount of soil (approximately 5 grams) and placing this soil in a VOA containing a pre-measured amount a liquid solvent (for each sample, two VOAs with methanol and one VOA with sodium bisulfate). The VOA is then quickly sealed, labeled, and placed in cold storage for transport to the laboratory.

The slab itself was 4 inches thick and was underlain by a layer of plastic sheeting (membrane) that comprised a moisture barrier. Due to the coring, Gribi personnel could not tell the condition of the membrane at the boring locations. It is assumed, however, that the moisture barrier membrane was breached during the installation of the nearby floor drain slab if not by chronic exposure to the solvent properties of liquid or vapor phase PCE.

Soils beneath the concrete slab flooring generally consisted of approximately 4 inches of medium-grained sand, followed by silty coarse gravel to total depths investigated. Moderate to strong solvent odors were noted in boring B-C in the silty gravel (below the sub-slab sand), starting at about 10 inches below the floor. No solvent odors were noted in soils in borings B-A or B-B.

Soil laboratory analytical results are summarized in Table 1 and on Figure 4. The laboratory data report is contained in Attachment C.

SUMMARY OF SOIL LABORATORY ANALYTICAL RESULTS
Stony Point Cleaners

Sample ID	Sample Depth	Concentration, in milligrams per kilogram (mg/kg)				
		PCE	TCE	c-1,2-DCE	t-1,2-DCE	VC
B-A-0.5'	0.5 ft	**0.038**	<0.0050	<0.0050	<0.0050	<0.0050
B-A-1.0'	1.0 ft	**0.520**	**0.012**	<0.0050	<0.0050	<0.0050
B-B-1.0'	1.0 ft	**0.820**	<0.0087	<0.0087	<0.0087	<0.0087
B-B-1.5'	1.5 ft	**10**	**0.014**	<0.0044	<0.0044	<0.0044
B-C-0.5'	0.5 ft	**0.063**	<0.0093	<0.0093	<0.0093	<0.0093
B-C-1.0'	1.0 ft	**85**	**0.031**	<0.0050	<0.0050	<0.0050
B-C-1.5'	1.5 ft	**170**	**0.056**	<0.0050	<0.0050	<0.0050

PCE = Tetrachloroethylene
TCE = Tetrachloroethylene
c-1,2-DCE = cis-1,2-Dichloroethylene
t-1,2-DCE = trans-1,2-Dichloroethylene
VC = Vinyl Chloride
<0.0050 = Not detected above the expressed value

Highly elevated PCE concentrations were encountered in soil samples collected at 1.0 foot and 1.5 feet below ground surface in boring B-C, located at the floor crack just southwest of the sink/drain. A moderate PCE concentration was encountered at 1.5 feet in depth in boring B-B, located immediately west of the floor sink/drain. Boring B-B is little more than a foot away from B-C and from the floor crack, and the PCE contamination at B-B is considered to be associated with the same discharges via the crack.

3.0 DESCRIPTION AND ASSESSMENT OF FLOOR DRAIN AND FLOOR CRACKS

3.1 Initial Assessment, August 9, 2013

During soil sampling on August 9, 2013, Gribi Associates inspected the floor drain and associated floor crack in the northeast corner of the boiler room. Photo 1 in Attachment B shows boring B-C intercepting the crack. The crack radiates from the southwest corner of the floor sing/drain and extends southwesterly about six feet toward the boiler.

The crack was carefully inspected before and after the coring. It was observed to penetrate the 4-inch-thick slab from top to bottom. The portion of the crack where it was intercepted by the boring was observed to be greater than 2 millimeter (mm) wide.

3.2 Detailed Assessment, August 23, 2013

On August 23, 2013, Gribi Associates conducted a detailed assessment of the floor drain and cracks in the boiler room. This assessment included: (1) Thorough inspection of all floor areas

in the boiler room; (2) Measurement of floor crack widths; (3) Elevation survey of the concrete floor to delineate drainage patterns; and (4) Water pour testing to assess actual flow into floor cracks.

3.2.1 Inspection of Floor Areas

A thorough inspection of the floor area revealed the presence of a seam in the concrete enclosing a rectangular area measuring approximately 6 feet by 2.5 feet and which surrounds the floor sink and drain and the water heater area. The width of this seam is variable, generally ranging from 4 to 8 mm, and the seam appears to have been sealed. This rectangular area appears to have been cut out of the main concrete floor when the floor sink/drain was installed and connected to the main sewer line at the inception of the dry cleaning business. As shown on Figure 3, the main sewer line for the Site building runs beneath the north side of the Site building, just south of the sink/drain location, which accounts for the large size of the rectangular cut out.

The sink/drain area is raised approximately 1.5 inches above the surrounding floor surface. The sink/drain is constructed of metal, and a fairly significant gap is present at the southwest corner of the sink, where the concrete lip appears to have degraded away from the metal sink. The crack that propagates southwest from the southwest edge of the metal sink begins where this concrete degradation has occurred. This crack appears to end at the sealed concrete seam and moves "en-echelon" approximately four inches southward before again beginning to propagate southwestward.

3.2.2 Measurement of Floor Crack Widths

Widths of the southwesterly floor crack, which are shown on Figure 5, vary from 0.5 millimeter (mm) to approximately 7 millimeters. The crack is widest, at about 7 mm, just southwest of the sink/drain and generally decreases in width away from the sink/drain area. A feeler gauge was extended into the cracks and generally extended more than two inches into the crack in the thickest locations. Also, the photos of the B-C boring location, taken on August 9 after coring through the concrete, clearly show that the crack extends fully through the 4-inch thick slab. The measured crack widths, which are typically greater than 2 mm, are classified by U.S. General Services Administration (GSA) standards as wide.[1] Crack widths increase moving toward the floor sink/drain.

3.2.3 Measurement of Floor Elevations

Relative floor elevations were measured to the nearest millimeter using a laser level. These measurements, which are shown on Figure 5, indicate a low spot in the floor between the compressor and the sink/drain area, just northwest of the floor crack. Also, the southeast side of the floor crack is approximately 1 mm higher than the northwest side of crack. The overall elevation differences in the boiler room are generally less than 5 mm.

1 *Types of Cracks in Concrete and Typical Causes*, US General Services Administration, Procedure Code 0373202S, 02/24/2012.

Given the presence of the boiler, compressor, and water heater, all of which are very heavy, and stemming from the fact that the crack emanates from the corner of the floor sink/drain saw cut and runs diagonally away from the cut, the crack is presumed to fall under the category of tension cracking according to GSA classification. Thus, we conclude that the crack was caused by cutting out sections of rebar in an area of heavy load in installing the floor drain/sink and connecting it to the sanitary sewer line that runs under the building. This crack was observed to contain water, even though the surrounding floor was dry, clearly indicating that a nearby up-stream section of the crack is actively draining the water currently leaking on the boiler room floor (see Attachment B Photo 1).

The crack is at its widest in proximity to the drain in the very area that was most prone to receiving spillage associated with haphazardly pouring 5-gallon buckets full of water into the only accessible area. In particular, there is a conspicuous low point in the area of most concern, where the crack in the floor is widest.

3.2.4 Water Pour Testing

Photos 3 through 8 in Attachment B were taken during the pour testing.

The initial pour test involved constructing a small (6-inch length) basin over the crack using modeling clay, then pouring 200 to 300 milliliters (ml) of water into the basin, and timing the water discharge into the crack. Results of this test were that the water discharged into the crack almost immediately and that, upon addition of more water, the crack continued to accept water. In this case, 300 ml of water discharged into the crack in less than 30 seconds.

The second pour test involved pouring 4 to 5 gallons of water onto the boiler room floor at the southwest edge of the sink/drain, and tracking flow and discharge visually. Results of this test were that water entered the section of the crack between the water heater and boring B-C, as well as the area of the crack just southwest from B-C, rapidly and steadily. In this case, most of the 4 to 5 gallons of water were absorbed into the floor crack within 3 to 4 minutes.

It is clear from these results that the majority of contact water spilled on the boiler room floor in the vicinity of the sink/drain would readily enter the subsurface via the floor crack immediately southwest of the sink/drain. Water from the pour test entered the crack so quickly that accidental spillage of contact water in the past would presumably have been unnoticed by the operator because it disappeared quickly, with minimal puddling on the floor.

4.0 CONCLUSIONS

Results of this investigation clearly identified a primary PCE discharge point into the floor crack immediately southwest from the boiler room floor drain/sink, which was a primary containment area for PCE waste handling. In particular, it is concluded that:

1. The specific section of the transverse crack identified as the discharge point is the exact area that provided obstructed access to the obstructed top of the floor drain/sink. This is

identified as a breach in a hazardous waste handling primary containment area as well as a classic preferential contaminant migration pathway to the subsurface.

2. Using a U.S. government slab construction classification system, the crack is considered wide and is tentatively identified as a tension crack that was caused by breaching the rebar in installing the floor drain/sink in an area of very heavy load. On this basis, it is assumed to date to the time of dry cleaning tenant improvements.
3. Given the absence of any particular concern by the previous operators about spilling contact water on the boiler room floor in the early and mid 1980s, coupled with the obstructed access to the sink/drain and the inherent susceptibility to spillage using 5-gallon buckets to accomplish the discharge, it is concluded that, with each discharge to the sink/drain, there was some degree of spillage onto the floor in the exact area of the crack and, as such, many occasions of substantial spillage.
4. There was sufficient PCE in the spilled contact water to account for much of the PCE distribution discovered in the subsurface during the course of remedial investigations. According to published sources, PCE contact water typically contains PCE levels that approach or exceed the saturation point (150 milligrams per liter) and, upon cooling, typically form some dense separate phase.
5. By operator accounts, PCE discharges to the subsurface within the boiler room occurred approximately weekly during the period from when PCE dry cleaning operations commenced in 1981 through approximately 1987 when the operator was compelled to get a hazardous material storage permit and comply with applicable regulatory requirements for hazardous waste management, including segregation and treatment of the contact water.
6. The PCE discharges occurred when a portion of the spilled contact water puddled or otherwise wetted the floor in the area of the preferential migratory pathway and then drained/seeped by gravity into the subsurface after traveling a mere 4 inches through the concrete floor.
7. Once the PCE-contaminated water entered the subsurface, the liquid phase rapidly percolated into the permeable strata underlying the slab and ultimately entered the perched water zone, creating the recalcitrant shallow and deeper groundwater plumes depicted in Figures 6 and 7. In addition, vapor phase PCE emanating from impacted soil and groundwater migrated vertically and laterally via preferential pathways, creating much of the recalcitrant PCE vapor plume depicted in Figure 8.
8. The contact water was intended to be discharged entirely to the sanitary sewer rather than to the subsurface, and the primary containment area was presumed tight. On this basis, the repeated small volume PCE discharges to the subsurface were unintended/accidental.
9. Upon the contact water entering the crack, the aqueous phase PCE discharges to the subsurface occurred quickly via gravity drainage/seepage. Due to the infiltration of contaminated water into the pores of the concrete and to the retention of minor amounts of contaminated water in the crack after the spill event ended, there was presumably a gradual diffusive vapor phase component associated with the escape of PCE from the contaminated concrete.

10. The unintended discharges resulted from the failure to seal the boiler room floor before dry cleaning operations commenced in 1981, followed by repeated exposure to the same harmful conditions. The discharges could have been prevented by sealing the floor with a thick coat of epoxy resin.

RECOMMENDATIONS

On the basis of the above conclusions, we recommend that currently-proposed IRMs be more focused on remediating the identified primary discharge point in the boiler room, to include removal and replacement of a portion of the rear wall to facilitate access to the boiler room and focused removal of contaminated soil in the area of the identified primary PCE discharge point. Toward that end, we propose to prepare an addendum to the June 2010 IRM workplan.

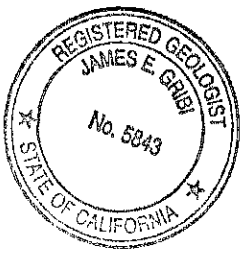
We appreciate this opportunity to provide this report for your review. Please contact us if there are questions or if additional information is required.

Very truly yours,

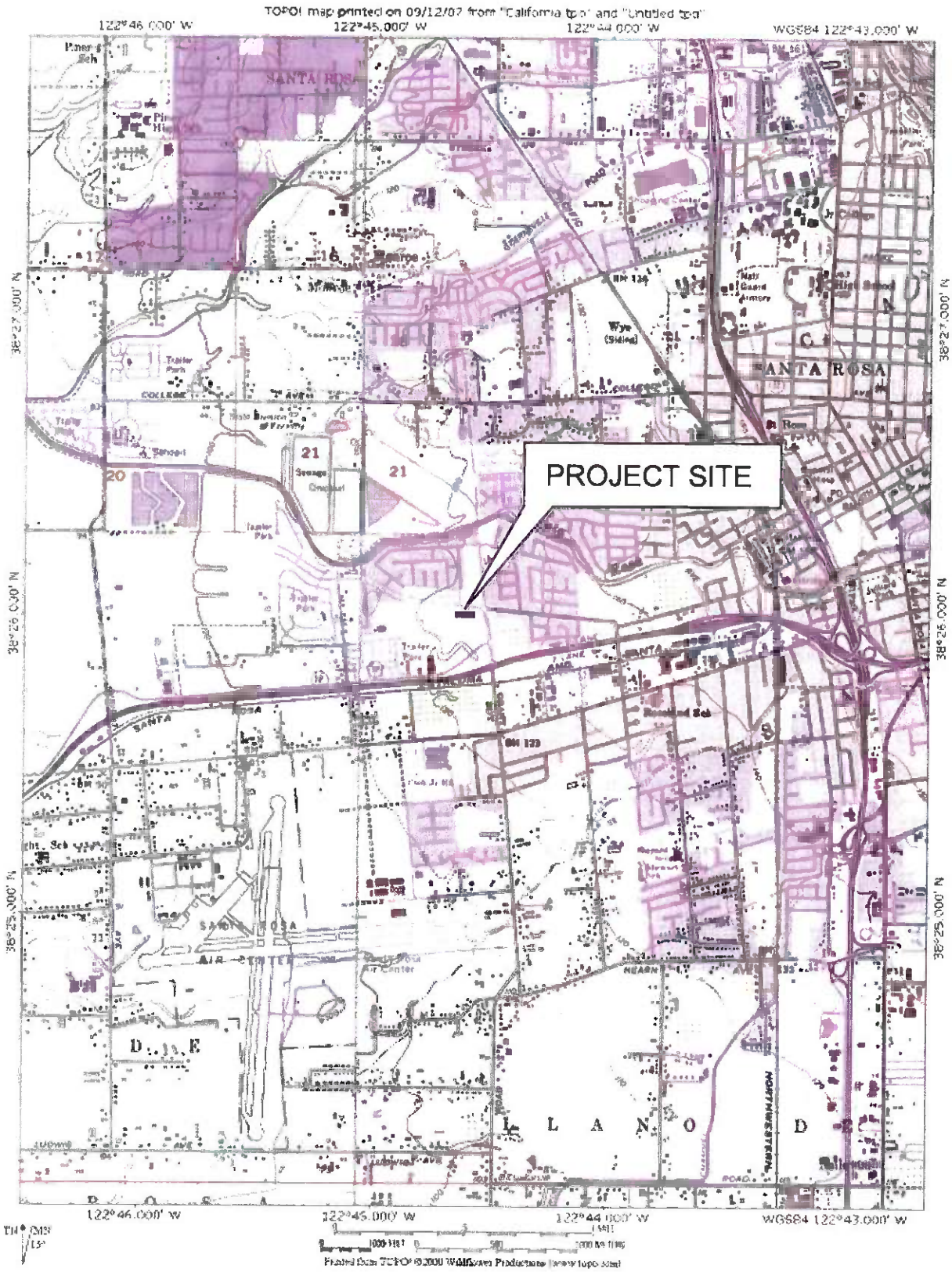
Matthew A. Rosman
Project Engineer

Enclosure

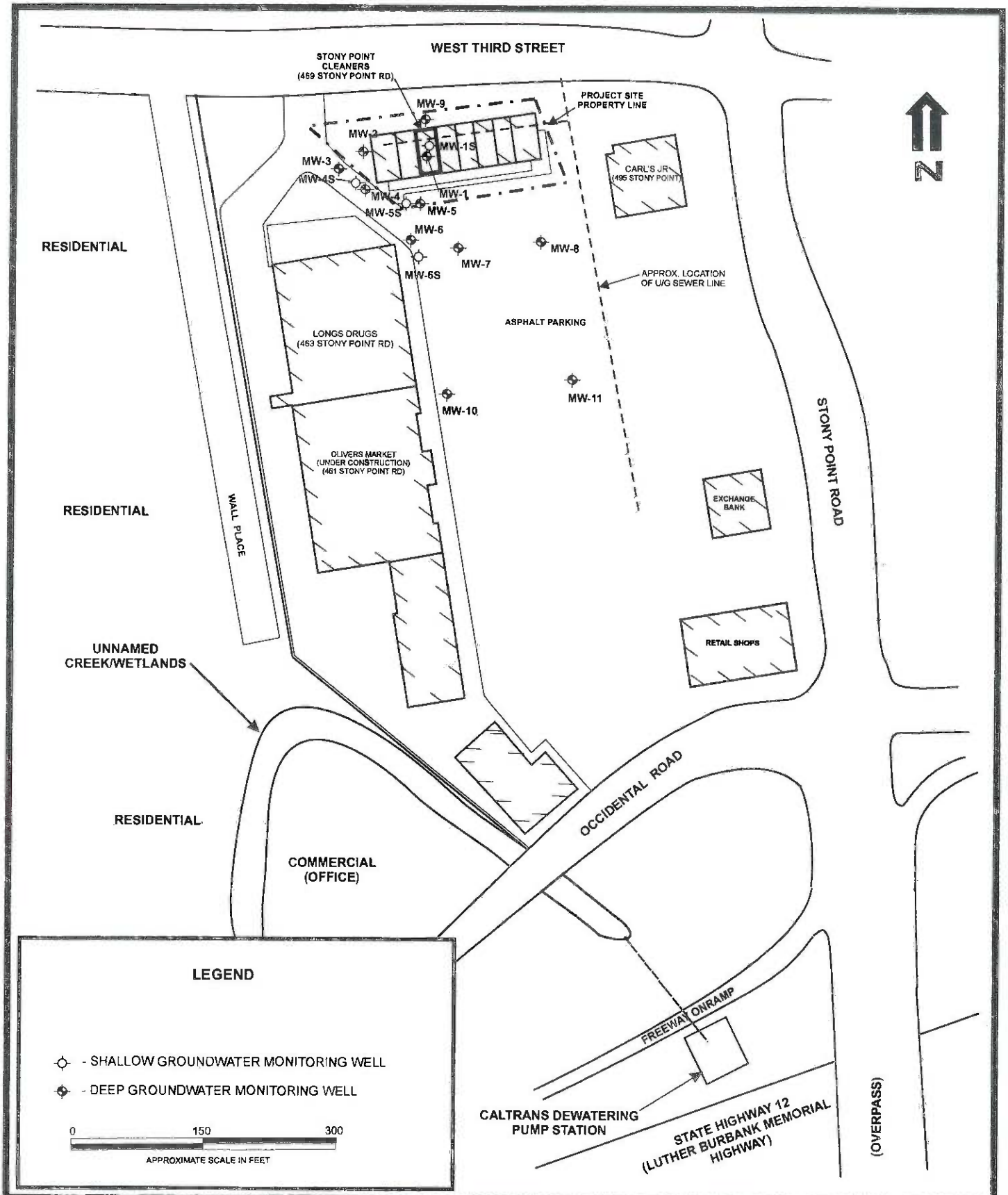
James E. Gribi
Professional Geologist
California No. 5843



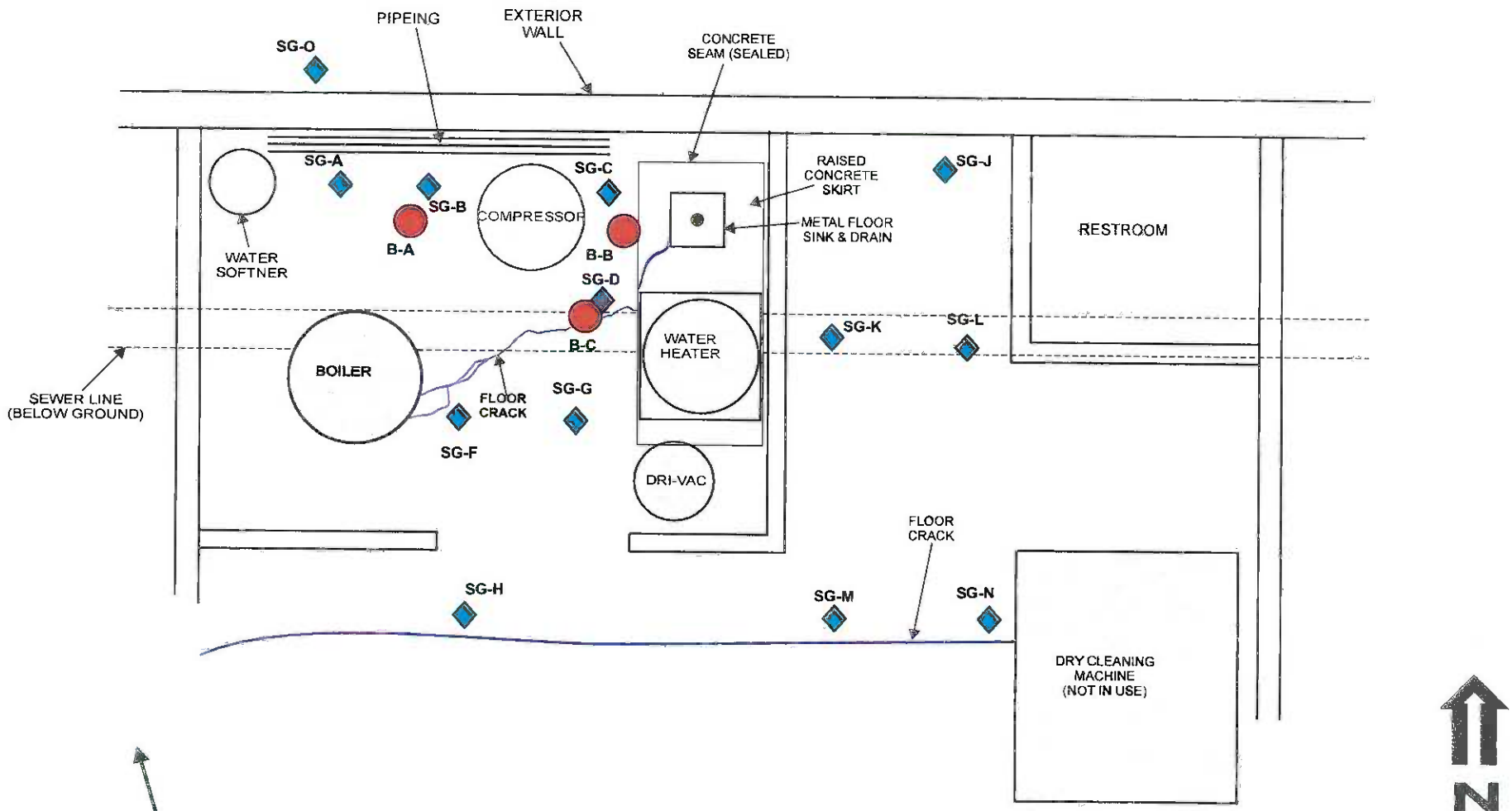
FIGURES

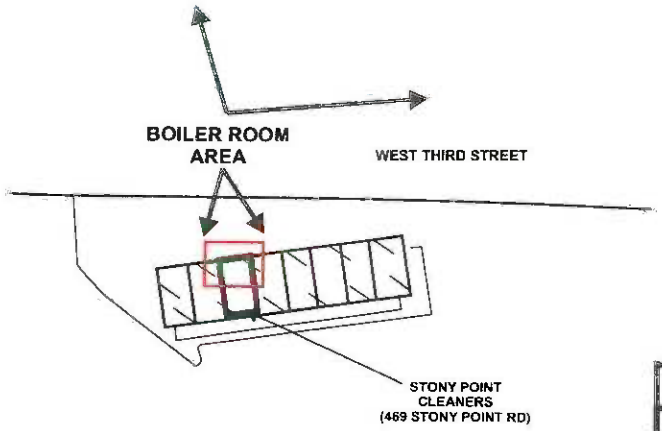


DESIGNED BY:	CHECKED BY: JEG	**SITE VICINITY MAP**	DATE: 09/04/2013	FIGURE: 1
DRAWN BY: MAR	SCALE:			
PROJECT NO:		469 STONY POINT ROAD SANTA ROSA, CALIFORNIA		



DESIGNED BY:	CHECKED BY: JEG	SITE PLAN	DATE: 09/04/2013	FIGURE: 2
DRAWN BY: MAR	SCALE:			
PROJECT NO:		469 STONY POINT ROAD SANTA ROSA, CALIFORNIA		





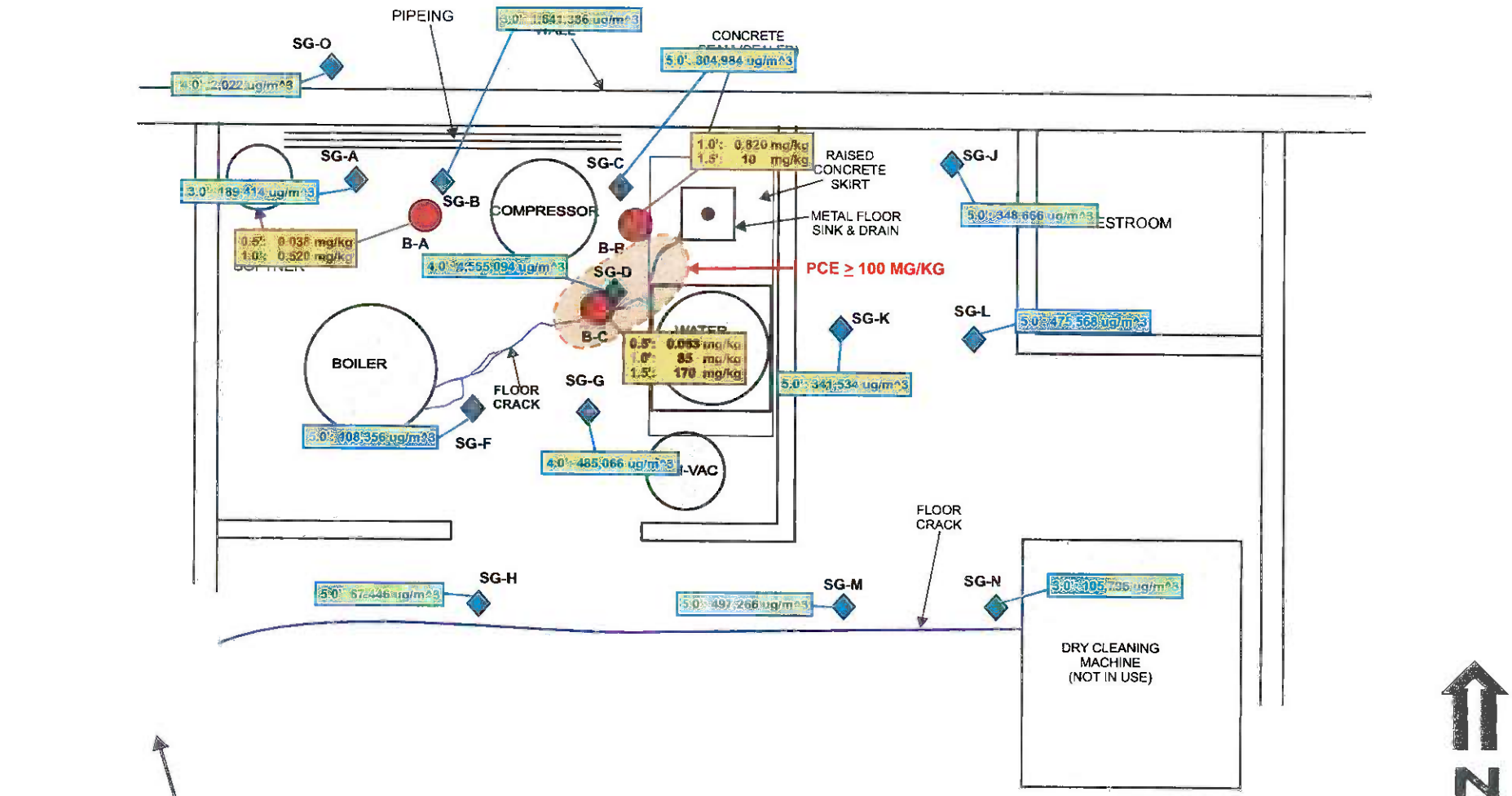
- SOIL GAS SAMPLE LOCATION

- SOIL SAMPLE LOCATION

0 3.0 6.0

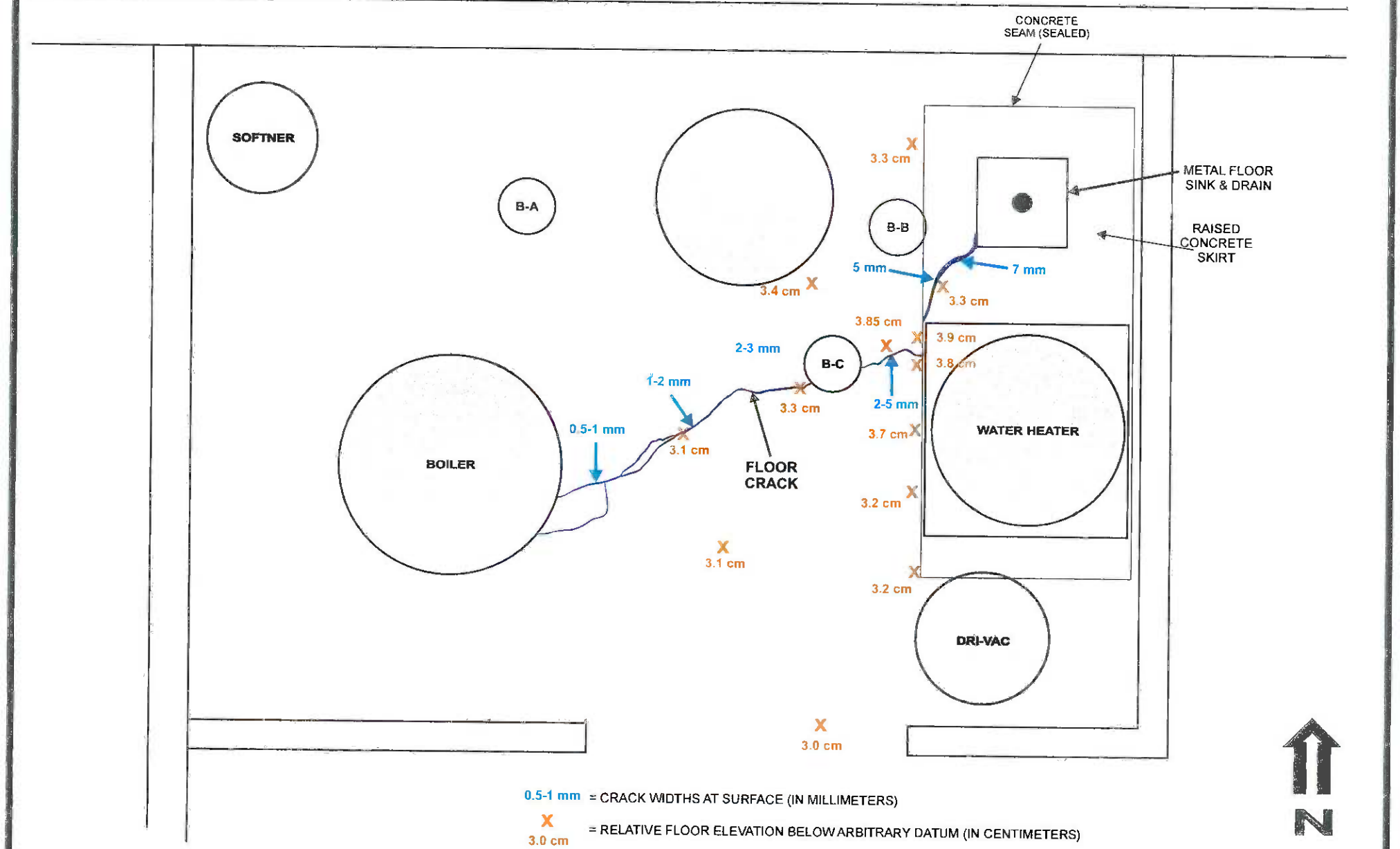
APPROXIMATE SCALE IN FEET

DESIGNED BY:		BOILER ROOM INVESTIGATION PLAN	DATE: 09/04/2013 FIGURE: 3
DRAWN BY: RB	SCALE:	STONY POINT CLEANERS 469 STONY POINT ROAD SANTA ROSA, CALIFORNIA	GRIBI
PROJECT NO:			



DESIGNED BY:		SOIL & SOIL GAS PCE RESULTS STONY POINT CLEANERS 469 STONY POINT ROAD SANTA ROSA, CALIFORNIA	DATE: 09/04/2013 FIGURE: 4
DRAWN BY: RB	SCALE:		
PROJECT NO:			

GRIBI



0.5-1 mm = CRACK WIDTHS AT SURFACE (IN MILLIMETERS)

X 3.0 cm = RELATIVE FLOOR ELEVATION BELOW ARBITRARY DATUM (IN CENTIMETERS)

0 1.5 3.0

APPROXIMATE SCALE IN FEET

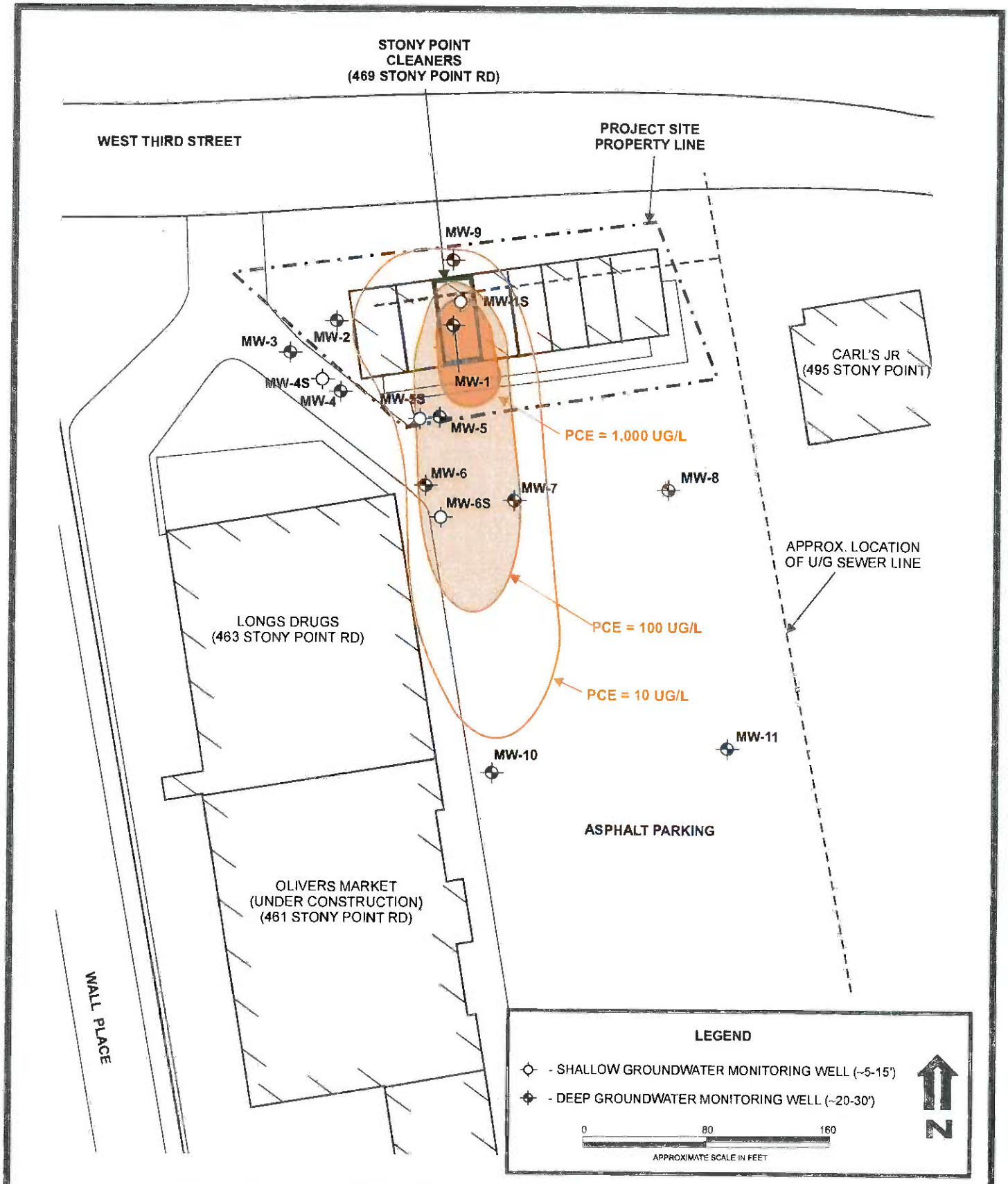
DESIGNED BY:	CHECKED BY: JEG
DRAWN BY: RB	SCALE:
PROJECT NO:	

FLOOR ELEVATIONS & CRACK WIDTHS

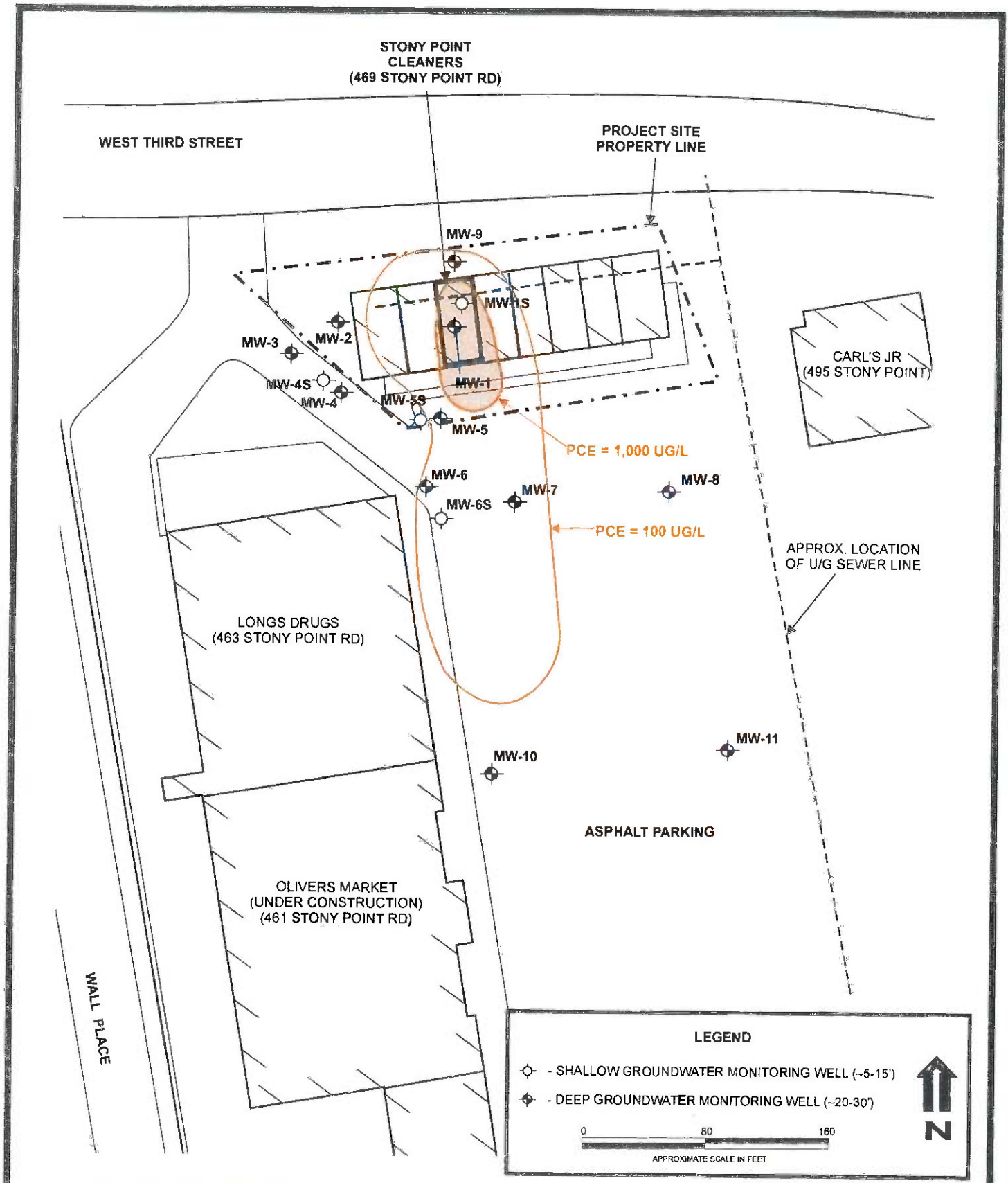
STONY POINT CLEANERS
469 STONY POINT ROAD
SANTA ROSA, CALIFORNIA

DATE: 09/04/2013 FIGURE: 5

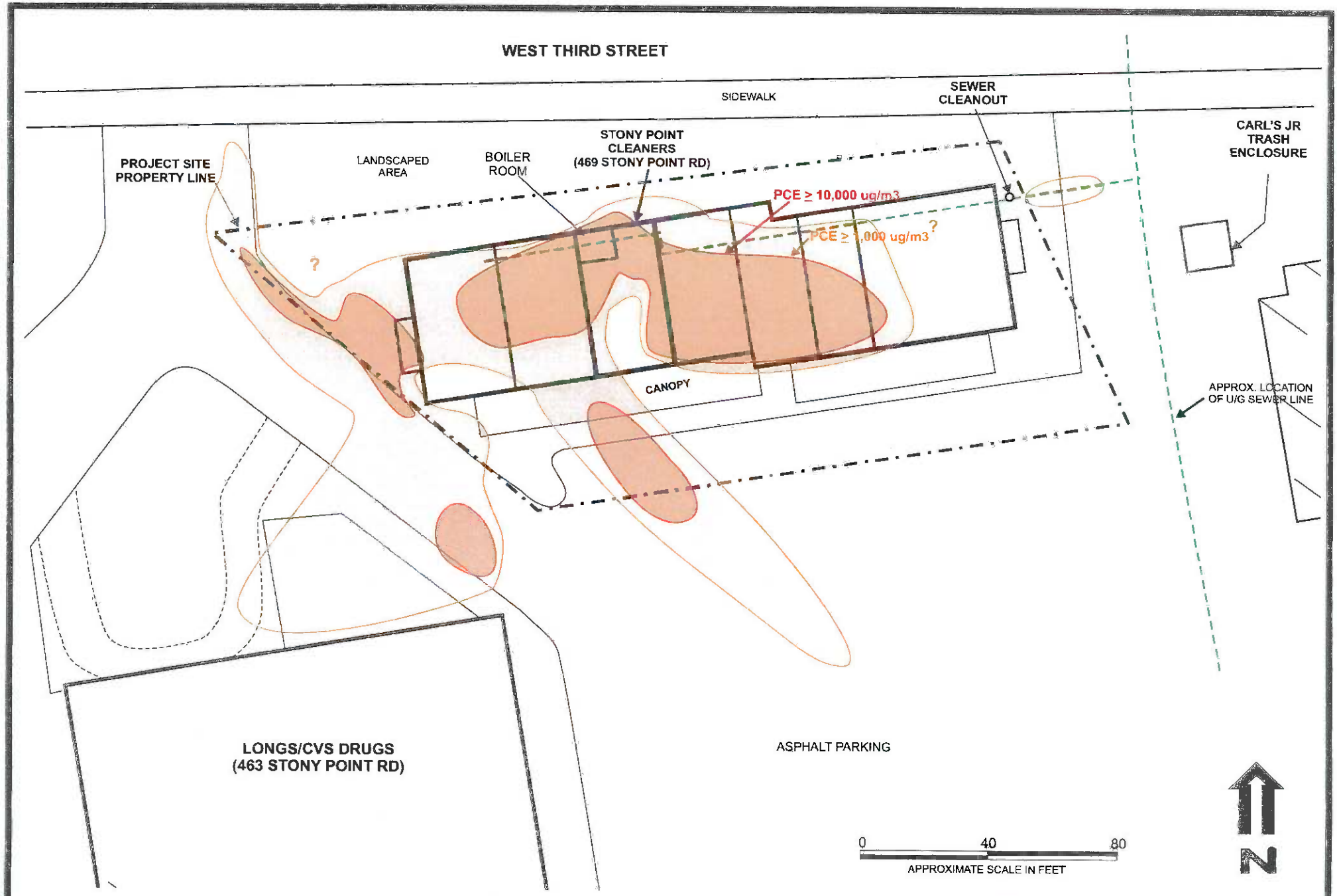
GRIBI



DESIGNED BY:	CHECKED BY: JEG	SHALLOW GROUNDWATER HVOC RESULTS, 03/28/2013	DATE: 09/04/2013	FIGURE: 6
DRAWN BY: MAR	SCALE:			
PROJECT NO:		469 STONY POINT ROAD SANTA ROSA, CALIFORNIA		GRIBI



DESIGNED BY:	CHECKED BY: JEG	DEEP GROUNDWATER HVOC RESULTS, 03/28/2013	DATE: 09/04/2013	FIGURE: 7
DRAWN BY: MAR	SCALE:			
PROJECT NO:		469 STONY POINT ROAD SANTA ROSA, CALIFORNIA		



DESIGNED BY:		RI INVESTIGATION SOIL VAPOR PCE CONTOURS STONY POINT CLEANERS 469 STONY POINT ROAD SANTA ROSA, CALIFORNIA	DATE: 09/04/2013
DRAWN BY: RB	SCALE:		FIGURE: 8
PROJECT NO:			GRIBI

ATTACHMENT A

OPTIMAL TECHNOLOGY
SOIL GAS SAMPLING REPORT

OPTIMAL TECHNOLOGY
Specializing in Environmental Field Services

August 5, 2013

Mr. Matt Rosman
Gribi Associates
1090 Adams Street, Suite K
Benicia, CA 94510

Dear Mr. Rosman:

This letter presents the results of the soil vapor investigation conducted by Optimal Technology (Optimal), for Gribi Associates on August 2, 2013. The study was performed at 469 Stoney Point Road, Santa Rosa, California.

Optimal was contracted to perform a soil vapor survey at this site to screen for possible chlorinated solvents and aromatic hydrocarbons. The primary objective of this soil vapor investigation was to determine if soil vapor contamination is present in the subsurface soil.

Gas Sampling Method

Gas sampling was performed by hydraulically pushing soil gas probes to a depth of 3.0-5.0 feet below ground surface (bgs). An electric rotary hammer drill was used to drill a 1.0-inch diameter hole through the overlying surface to allow probe placement when required. The same electric hammer drill was used to push probes in areas of resistance during placement.

At each sampling location an electric vacuum pump set to draw 0.2 liters per minute (L/min) of soil vapor was attached to the probe and purged prior to sample collection. Vapor samples were obtained in SGE gas-tight syringes by drawing the sample through a luer-lock connection which connects the sampling probe and the vacuum pump. Samples were immediately injected into the gas chromatograph/purge and trap after collection. New tubing was used at each sampling point to prevent cross contamination.

All analyses were performed on a laboratory grade Hewlett Packard model 5890 Series II gas chromatograph equipped with a Hewlett Packard model 5971 Mass Spectra Detector and Tekmar LSC 2000 Purge and Trap. An SGE capillary column using helium as the carrier gas was used to perform all analysis. All results were collected on a personal computer utilizing Hewlett Packard's 5971 MS and chromatographic data collection and handling system.

Quality Assurance

5-Point Calibration

The initial five point calibration consisted of 20, 50, 100, 200 and 500 ul injections of the calibration standard. A calibration factor on each analyte was generated using a best fit line method using the HP data system. If the r^2 factor generated from this line was not greater than 0.990, an additional five point calibration would have been performed. Method reporting limits were calculated to be 10-1000 micrograms per cubic meter (ug/m^3) for the individual compounds.

A daily calibration check and end of run calibration check was performed by preparing a calibration solution from a pre-mixed standard supplied by CPI International. The standard contained common halogenated solvents and aromatic hydrocarbons (see Table 1). The individual compound concentrations in the standards ranged between 0.025 nanograms per microliter (ng/ul) and 0.25 ng/ul.

TABLE 1

Dichlorodifluoromethane	Carbon Tetrachloride	Chloroethane
Trichlorofluoromethane	1,2-Dichloroethane	Benzene
1,1-Dichloroethene	Trichloroethene	Toluene
Methylene Chloride	1,1,2-Trichloroethane	Ethylbenzene
trans-1,2-Dichloroethene	Tetrachloroethene	m-/p-Xylene
1,1-Dichloroethane	Chloroform	o-Xylene
cis-1,2-Dichloroethene	1,1,1,2-Tetrachloroethane	Vinyl Chloride
1,1,1-Trichloroethane	1,1,2,2-Tetrachloroethane	Freon 113
4-Methyl-2-Pentanone	Cyclohexane	Acetone
Chlorobenzene	2-Butanone	Isobutane

Sample Replicates

A replicate analysis (duplicate) was run to evaluate the reproducibility of the sampling system and instrument. The difference between samples did not vary more than 20%.

Equipment Blanks

Blanks were run at the beginning of each workday and after calibrations. The blanks were collected using an ambient air sample. These blanks checked the septum, syringe, GC column, GC detector and the ambient air. Contamination was not found in any of the blanks analyzed during this investigation. Blank results are given along with the sample results.

Tracer Gas

A tracer gas was applied to the soil gas probes near each point of connection in which ambient air could enter the sampling system. These points include the top of the sampling probe where the tubing meets the probe connection and the surface bentonite seals. Isobutane was used as the tracer gas, found in common shaving cream. No Isobutane was found in any of the samples collected.

Scope of Work

To achieve the objective of this investigation a total of 15 vapor samples were collected from 13 locations at the site. Sampling depths, vacuum readings, purge volume and sampling volumes are given on the analytical results page. All the collected vapor samples were analyzed on-site using Optimal's mobile laboratory.

Subsurface Conditions

Subsurface soil conditions at this site were predominately silty-clay and clay from ground surface to 5.0 feet bgs. These soil conditions offered sampling flows at 0-45" water vacuum. Depth to groundwater was unknown at the time of the investigation.

Results

During this vapor investigation all fifteen samples contained levels of Tetrachloroethene (PCE). PCE levels ranged from 2,022 ug/m^3 at SG-O to 4,565,094 ug/m^3 at SG-D. Ten samples contained levels of Trichloroethene (TCE). TCE levels ranged from 180 ug/m^3 at SG-G to 16,374 ug/m^3 at SG-B. None of the other compounds listed in Table 1 above were detected above the listed reporting limits. A complete table of analytical results is included with this report.

Disclaimer

All conclusions presented in this letter are based solely on the information collected by the soil vapor survey conducted by Optimal Technology. Soil vapor testing is only a subsurface screening tool and does not represent actual contaminant concentrations in either the soil and/or groundwater. We enjoyed working with you on this project and look forward to future projects. If you have any questions please contact me at (877) 764-5427.

Sincerely,

Attila Baly
Project Manager

OPTIMAL TECHNOLOGY
Specializing in Environmental Field Services

SOIL VAPOR RESULTS

Site Name: 469 Stoney Point Road, Santa Rosa, CA
Analyst: A. Baly **Collector:** A. Baly
Method: Modified EPA 8260B

Lab Name: Optimal Technology
Inst. ID: HP-5890 Series II
Detector: HP-5971 Mass Spectrometer

Date: 8/2/13

SAMPLE ID	BLANK-1	SG-J	SG-L	SG-L Dil.	SG-K	SG-N	SG-M	SG-M Dup
Sampling Depth (Ft.)	N/A	5.0	5.0	5.0	5.0	3.0	5.0	5.0
Purge Volume (ml)	N/A	1,500	500	5,000	1,500	1,500	1,500	1,500
Vacuum (in. of Water)	N/A	0	0	0	15	10	10	10
Injection Volume (ul)	50,000	50,000	50,000	5,000	5,000	5,000	5,000	5,000
Dilution Factor	1	1	1	10	10	10	10	10

COMPOUND	REP. LIMIT	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)
Dichlorodifluoromethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Chloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Trichlorofluoromethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Freon 113	1000	ND	ND	ND	ND	ND	ND	ND	ND
Methylene Chloride	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Chloroform	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Carbon Tetrachloride	20	ND	ND	ND	ND	ND	ND	ND	ND
1,2-Dichloroethane	40	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene (TCE)	100	ND	**1,477**	**713**	**641**	**1,953**	**580**	ND	ND
1,1,2-Trichloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene (PCE)	100	ND	**348,666**	**OS**	**475,568**	**341,534**	**105,796**	**483,151**	**497,266**
1,1,1,2-Tetrachloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1,2,2-Tetrachloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	10	ND	ND	ND	ND	ND	ND	ND	ND
Acetone	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethene	1000	ND	ND	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	1000	ND	ND	ND	ND	ND	ND	ND	ND
2-Butanone (MEK)	1000	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Cyclohexane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Benzene	30	ND	ND	ND	ND	ND	ND	ND	ND
4-Methyl-2-Pentanone	1000	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Chlorobenzene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene	400	ND	ND	ND	ND	ND	ND	ND	ND
m/p-Xylene	1000	ND	ND	ND	ND	ND	ND	ND	ND
o-Xylene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Isobutane (Tracer Gas)	1000	ND	ND	ND	ND	ND	ND	ND	ND

Note: ND = Below Listed Reporting Limit; OS = Off the electronic scale of detector

OPTIMAL TECHNOLOGY
Specializing in Environmental Field Services

SOIL VAPOR RESULTS

Site Name: 469 Stoney Point Road, Santa Rosa, CA
Analyst: A. Baly **Collector:** A. Baly
Method: Modified EPA 8260B

Lab Name: Optimal Technology
Inst. ID: HP-5890 Series II
Detector: HP-5971 Mass Spectrometer

Date: 8/2/13

SAMPLE ID	SG-H	SG-G	SG-F	SG-D	SG-C	SG-B	SG-A	SG-O
Sampling Depth (Ft.)	5.0	4.0	5.0	4.0	5.0	3.0	3.0	4.0
Purge Volume (ml)	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Vacuum (in. of Water)	0	0	0	25	10	0	10	45
Injection Volume (ul)	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Dilution Factor	10	10	10	10	10	10	10	10

COMPOUND	REP. LIMIT	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)	CONC (ug/m3)
Dichlorodifluoromethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Chloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Trichlorofluoromethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Freon 113	1000	ND	ND	ND	ND	ND	ND	ND	ND
Methylene Chloride	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Chloroform	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Carbon Tetrachloride	20	ND	ND	ND	ND	ND	ND	ND	ND
1,2-Dichloroethane	40	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene (TCE)	100	ND	**180**	ND	**4,940**	**3,576**	**16,374**	**1,666**	ND
1,1,2-Trichloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene (PCE)	100	**67,446**	**485,066**	**108,356**	**4,565,094**	**804,984**	**1,641,386**	**189,414**	**2,022**
1,1,1,2-Tetrachloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1,2,2-Tetrachloroethane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	10	ND	ND	ND	ND	ND	ND	ND	ND
Acetone	1000	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethene	1000	ND	ND	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	1000	ND	ND	ND	ND	ND	ND	ND	ND
2-Butanone (MEK)	1000	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Cyclohexane	1000	ND	ND	ND	ND	ND	ND	ND	ND
Benzene	30	ND	ND	ND	ND	ND	ND	ND	ND
4-Methyl-2-Pentanone	1000	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Chlorobenzene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene	400	ND	ND	ND	ND	ND	ND	ND	ND
m/p-Xylene	1000	ND	ND	ND	ND	ND	ND	ND	ND
o-Xylene	1000	ND	ND	ND	ND	ND	ND	ND	ND
Isobutane (Tracer Gas)	1000	ND	ND	ND	ND	ND	ND	ND	ND

Note: ND = Below Listed Reporting Limit

ATTACHMENT B

SITE PHOTOS

Photo 1: View of three soil borings in boiler room. B-A on left, B-B on upper right, and B-C on lower right side of photo. Floor crack at B-C readily visible on left side of photo.

Photo 2: View of floor sink/drain area. Note crack in concrete on lower right side of photo, emanating from corner of sink. Boiler water collects along left wall because there are no breaches in concrete at that location (crack area is normally dry).

Photo 3: View of pour test in clay basin, just southwest of sink/drain area (boring B-C on lower left side of photo). Open crack, where water fell through crack, is visible in lower portion of basin.

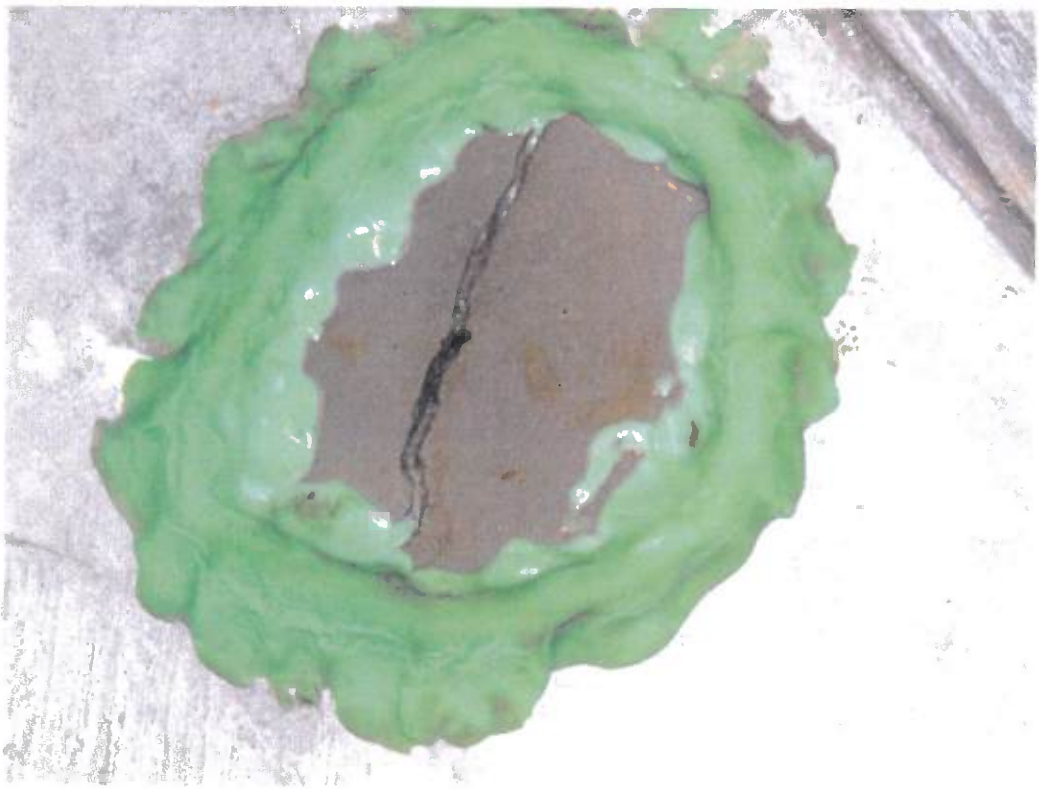


Photo 4: Close-up view of pour test in clay basin, just southwest of sink/drain area. Again, open crack, where water fell through crack, is visible on lower side of photo.

Photo 5: View of sink/drain area during 5-gallon pour test. Note crack on lower right side of photo does not have free water (water has infiltrated into crack).

Photo 6: View of crack following 5-gallon pour test. Note width of crack and lack of pooled water. Also, some small white flecks are visible in crack, having got caught as water fell into crack.

Photo 7: View of crack following 5-gallon pour test. Note width of crack and lack of pooled water. Also, some small white flecks are visible in crack, having got caught as water fell into crack.

Photo 8: View of crack following 5-gallon pour test. Note open (no liquid) portion of crack, where water fell into crack.

ATTACHMENT C

LABORATORY DATA REPORTS AND CHAIN-OF-CUSTODY RECORDS

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

13 August 2013

Jim Gribi
Gribi Associates
1090 Adam Street, Suite K
Benicia, CA 94510

RE: Stony Point Cleaners

Enclosed are the results of analyses for samples received by the laboratory on 08/10/13 09:05. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Daniel Chavez For John Shepler
Laboratory Director

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

ANALYTICAL REPORT FOR SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
B-A-0.5	T131747-01	Soil	08/09/13 10:55	08/10/13 09:05
B-A-1.0	T131747-02	Soil	08/09/13 11:05	08/10/13 09:05
B-B-1.0	T131747-03	Soil	08/09/13 10:40	08/10/13 09:05
B-B-1.5	T131747-04	Soil	08/09/13 10:50	08/10/13 09:05
B-C-0.5	T131747-05	Soil	08/09/13 10:15	08/10/13 09:05
B-C-1.0	T131747-06	Soil	08/09/13 10:25	08/10/13 09:05
B-C-1.5	T131747-07	Soil	08/09/13 11:15	08/10/13 09:05

SunStar Laboratories, Inc.

Daniel J Chávez

Daniel Chavez For John Shepler, Laboratory Director

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-A-0.5

T131747-01 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
SunStar Laboratories, Inc.									
Volatile Organic Compounds by EPA Method 8260B									
Bromodichloromethane	ND	5.0	ug/kg	1	3081211	08/10/13	08/12/13	EPA 8260B/5035	
Bromomethane	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	**38**	5.0	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	ND	5.0	"	"	"	"	"	"	
Vinyl chloride	ND	5.0	"	"	"	"	"	"	
Surrogate: Toluene-d8		*98.5 %*	*85.5-116*	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*120 %*	*81.2-123*	"	"	"	"	"	
Surrogate: Dibromofluoromethane		*122 %*	*95.7-135*	"	"	"	"	"	

SunStar Laboratories, Inc.

Daniel J Chávez

Daniel Chavez For John Shepler, Laboratory Director

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949.297.5027 Fax

Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-A-0.5

T131747-01 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-A-1.0

T131747-02 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Bromodichloromethane	ND	5.0	ug/kg	1	3081211	08/10/13	08/12/13	EPA 8260B/5035	
Bromomethane	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	**520**	5.0	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	**12**	5.0	"	"	"	"	"	"	
Vinyl chloride	ND	5.0	"	"	"	"	"	"	
Surrogate: Toluene-d8		*99.6 %*	*85.5-116*	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*112 %*	*81.2-123*	"	"	"	"	"	
Surrogate: Dibromofluoromethane		*115 %*	*95.7-135*	"	"	"	"	"	

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-A-1.0

T131747-02 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-B-1.0

T131747-03 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Bromodichloromethane	ND	8.7	ug/kg	1	3081211	08/10/13	08/12/13	EPA 8260B/5035	
Bromomethane	ND	8.7	"	"	"	"	"	"	
Carbon tetrachloride	ND	8.7	"	"	"	"	"	"	
Chlorobenzene	ND	8.7	"	"	"	"	"	"	
Chloroethane	ND	8.7	"	"	"	"	"	"	
Chloroform	ND	8.7	"	"	"	"	"	"	
Chloromethane	ND	8.7	"	"	"	"	"	"	
Dibromochloromethane	ND	8.7	"	"	"	"	"	"	
Dibromomethane	ND	8.7	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	8.7	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	8.7	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	8.7	"	"	"	"	"	"	
1,1-Dichloroethane	ND	8.7	"	"	"	"	"	"	
1,2-Dichloroethane	ND	8.7	"	"	"	"	"	"	
1,1-Dichloroethene	ND	8.7	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	8.7	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	8.7	"	"	"	"	"	"	
1,2-Dichloropropane	ND	8.7	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	8.7	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	8.7	"	"	"	"	"	"	
Methylene chloride	ND	8.7	"	"	"	"	"	"	
Styrene	ND	8.7	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	8.7	"	"	"	"	"	"	
Tetrachloroethene	**820**	8.7	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	8.7	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	8.7	"	"	"	"	"	"	
Trichloroethene	ND	8.7	"	"	"	"	"	"	
Vinyl chloride	ND	8.7	"	"	"	"	"	"	
Surrogate: Toluene-d8		*94.5 %*	*85.5-116*	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*103 %*	*81.2-123*	"	"	"	"	"	
Surrogate: Dibromofluoromethane		*121 %*	*95.7-135*	"	"	"	"	"	

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T131747-03 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes

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1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
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B-B-1.5

T131747-04 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Bromodichloromethane	ND	4.4	ug/kg	1	3081211	08/10/13	08/12/13	EPA 8260B/5035	
Bromomethane	ND	4.4	"	"	"	"	"	"	
Carbon tetrachloride	ND	4.4	"	"	"	"	"	"	
Chlorobenzene	ND	4.4	"	"	"	"	"	"	
Chloroethane	ND	4.4	"	"	"	"	"	"	
Chloroform	ND	4.4	"	"	"	"	"	"	
Chloromethane	ND	4.4	"	"	"	"	"	"	
Dibromochloromethane	ND	4.4	"	"	"	"	"	"	
Dibromomethane	ND	4.4	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	4.4	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	4.4	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	4.4	"	"	"	"	"	"	
1,1-Dichloroethane	ND	4.4	"	"	"	"	"	"	
1,2-Dichloroethane	ND	4.4	"	"	"	"	"	"	
1,1-Dichloroethene	ND	4.4	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	4.4	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	4.4	"	"	"	"	"	"	
1,2-Dichloropropane	ND	4.4	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	4.4	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	4.4	"	"	"	"	"	"	
Methylene chloride	ND	4.4	"	"	"	"	"	"	
Styrene	ND	4.4	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	4.4	"	"	"	"	"	"	
Tetrachloroethene	**10000**	220	"	50	"	"	"	"	
1,1,2-Trichloroethane	ND	4.4	"	1	"	"	"	"	
1,1,1-Trichloroethane	ND	4.4	"	"	"	"	"	"	
Trichloroethene	**14**	4.4	"	"	"	"	"	"	
Vinyl chloride	ND	4.4	"	"	"	"	"	"	
Surrogate: Toluene-d8		*96.5 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*102 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*122 %*	*95.7-135*		"	"	"	"	

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-B-1.5

T131747-04 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-C-0.5

T131747-05 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Bromodichloromethane	ND	9.3	ug/kg	1	3081211	08/10/13	08/12/13	EPA 8260B/5035	
Bromomethane	ND	9.3	"	"	"	"	"	"	
Carbon tetrachloride	ND	9.3	"	"	"	"	"	"	
Chlorobenzene	ND	9.3	"	"	"	"	"	"	
Chloroethane	ND	9.3	"	"	"	"	"	"	
Chloroform	ND	9.3	"	"	"	"	"	"	
Chloromethane	ND	9.3	"	"	"	"	"	"	
Dibromochloromethane	ND	9.3	"	"	"	"	"	"	
Dibromomethane	ND	9.3	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	9.3	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	9.3	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	9.3	"	"	"	"	"	"	
1,1-Dichloroethane	ND	9.3	"	"	"	"	"	"	
1,2-Dichloroethane	ND	9.3	"	"	"	"	"	"	
1,1-Dichloroethene	ND	9.3	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	9.3	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	9.3	"	"	"	"	"	"	
1,2-Dichloropropane	ND	9.3	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	9.3	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	9.3	"	"	"	"	"	"	
Methylene chloride	ND	9.3	"	"	"	"	"	"	
Styrene	ND	9.3	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	9.3	"	"	"	"	"	"	
Tetrachloroethene	**63**	9.3	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	9.3	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	9.3	"	"	"	"	"	"	
Trichloroethene	ND	9.3	"	"	"	"	"	"	
Vinyl chloride	ND	9.3	"	"	"	"	"	"	
Surrogate: Toluene-d8		*98.1 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*112 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*118 %*	*95.7-135*		"	"	"	"	

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1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-C-0.5

T131747-05 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-C-1.0
T131747-06 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Bromodichloromethane	ND	5.0	ug/kg	1	3081211	08/10/13	08/12/13	EPA 8260B/5035	
Bromomethane	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	**85000**	250	"	50	"	"	"	"	E
1,1,2-Trichloroethane	ND	5.0	"	1	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	**31**	5.0	"	"	"	"	"	"	
Vinyl chloride	ND	5.0	"	"	"	"	"	"	
Surrogate: Toluene-d8		*90.3 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*112 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*132 %*	*95.7-135*		"	"	"	"	

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-C-1.0

T131747-06 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes

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Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

B-C-1.5

T131747-07 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Bromodichloromethane	ND	5.0	ug/kg	1	3081211	08/10/13	08/12/13	EPA 8260B/5035	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	**170000**	250	"	50	"	"	"	"	E
1,1,2-Trichloroethane	ND	5.0	"	1	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	**56**	5.0	"	"	"	"	"	"	
Vinyl chloride	ND	5.0	"	"	"	"	"	"	
Surrogate: Toluene-d8		*93.5 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*108 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*128 %*	*95.7-135*		"	"	"	"	

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez For John Shepler, Laboratory Director

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SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

Volatile Organic Compounds by EPA Method 8260B - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 3081211 - EPA 5030 GCMS										
Blank (3081211-BLK1)			Prepared & Analyzed: 08/12/13							
Bromodichloromethane	ND	5.0	ug/kg							
Bromomethane	ND	5.0	"							
Carbon tetrachloride	ND	5.0	"							
Chlorobenzene	ND	5.0	"							
Chloroethane	ND	5.0	"							
Chloroform	ND	5.0	"							
Chloromethane	ND	5.0	"							
Dibromochloromethane	ND	5.0	"							
Dibromomethane	ND	5.0	"							
1,2-Dichlorobenzene	ND	5.0	"							
1,3-Dichlorobenzene	ND	5.0	"							
1,4-Dichlorobenzene	ND	5.0	"							
1,1-Dichloroethane	ND	5.0	"							
1,2-Dichloroethane	ND	5.0	"							
1,1-Dichloroethene	ND	5.0	"							
cis-1,2-Dichloroethene	ND	5.0	"							
trans-1,2-Dichloroethene	ND	5.0	"							
1,2-Dichloropropane	ND	5.0	"							
cis-1,3-Dichloropropene	ND	5.0	"							
trans-1,3-Dichloropropene	ND	5.0	"							
Methylene chloride	ND	5.0	"							
Styrene	ND	5.0	"							
1,1,2,2-Tetrachloroethane	ND	5.0	"							
Tetrachloroethene	ND	5.0	"							
1,1,2-Trichloroethane	ND	5.0	"							
1,1,1-Trichloroethane	ND	5.0	"							
Trichloroethene	ND	5.0	"							
Vinyl chloride	ND	5.0	"							
Surrogate: Toluene-d8	*38.9*		"	*39.9*		*97.4*	*85.5-116*			
Surrogate: 4-Bromofluorobenzene	*43.1*		"	*39.9*		*108*	*81.2-123*			
Surrogate: Dibromofluoromethane	*40.9*		"	*39.9*		*102*	*95.7-135*			

SunStar Laboratories, Inc.

Daniel J Chávez

Daniel Chavez For John Shepler, Laboratory Director

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Providing Quality Analytical Services Nationwide

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Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

Volatile Organic Compounds by EPA Method 8260B - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 3081211 - EPA 5030 GCMS										
LCS (3081211-BS1)				Prepared & Analyzed: 08/12/13						
Chlorobenzene	100	5.0	ug/kg	99.8		100	75-125			
1,1-Dichloroethene	77.7	5.0	"	99.8		77.9	75-125			
Trichloroethene	89.8	5.0	"	99.8		89.9	75-125			
Benzene	83.5	5.0	"	99.8		83.6	75-125			
Toluene	92.4	5.0	"	99.8		92.6	75-125			
Surrogate: Toluene-d8	*39.1*		"	*39.9*		*98.0*	*85.5-116*			
Surrogate: 4-Bromofluorobenzene	*43.3*		"	*39.9*		*108*	*81.2-123*			
Surrogate: Dibromofluoromethane	*42.8*		"	*39.9*		*107*	*95.7-135*			
LCS Dup (3081211-BSD1)				Prepared & Analyzed: 08/12/13						
Chlorobenzene	97.8	5.0	ug/kg	99.8		98.0	75-125	2.42	20	
1,1-Dichloroethene	79.5	5.0	"	99.8		79.7	75-125	2.22	20	
Trichloroethene	89.6	5.0	"	99.8		89.8	75-125	0.223	20	
Benzene	83.8	5.0	"	99.8		84.0	75-125	0.418	20	
Toluene	92.8	5.0	"	99.8		93.0	75-125	0.431	20	
Surrogate: Toluene-d8	*38.7*		"	*39.9*		*96.9*	*85.5-116*			
Surrogate: 4-Bromofluorobenzene	*41.9*		"	*39.9*		*105*	*81.2-123*			
Surrogate: Dibromofluoromethane	*41.7*		"	*39.9*		*104*	*95.7-135*			

SunStar Laboratories, Inc.

Daniel J Chávez

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Daniel Chavez For John Shepler, Laboratory Director

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Gribi Associates	Project: Stony Point Cleaners	
1090 Adam Street, Suite K	Project Number: [none]	**Reported:**
Benicia CA, 94510	Project Manager: Jim Gribi	08/13/13 13:00

Notes and Definitions

E	The concentration indicated for this analyte is above the calibration range of the instrument. This value should be considered as an estimate as the actual value may be higher.
DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

SunStar Laboratories, Inc.

Daniel J Chávez

Daniel Chavez For John Shepler, Laboratory Director

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SunStar Laboratories, Inc.
25712 Commercentre Dr
Lake Forest, CA 92630
949-297-5020

Chain of Custody Record

Client: Grubl Associates
Address:
Phone: Fax:
Project Manager: J Grubl

Date: 8/9/13 Page: 1 Of 1
Project Name: Stony Point Cleaners
Collector: J Grubl Client Project #:
Batch #: T131747 EDF #:

Sample ID	Date Sampled	Time	Sample Type	Container Type	8260 Chlorinated HC's only	8260 + OXY	8260 BTEX, OXY only	8270	8021 BTEX	8015M (gasoline)	8015M (diesel)	8015M Ext./Carbon Chain	6010/7000 Title 22 Metals					Laboratory ID #	Comments/Preservative	Total # of containers
B-A-0.5'	8/9/13	1055	Soil	5035 VoAs	X													01		
B-A-1.0'		1105			X													02		
B-B-1.0		1040			X													03		
B-B-1.5		1050			X													04		
B-C-0.5		1015			X													05		
B-C-1.0		1025			X													06		
B-C-1.5		1115			X													07		

Relinquished by: (signature)	Date / Time 8/9/13 1430	Received by: (signature)	Date / Time 8-9-13 1430
Relinquished by: (signature) GSO	Date / Time 8.10.13 9:05	Received by: (signature)	Date / Time 8.10.13 9:05
Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time

Total # of containers
Chain of Custody seals Y/N/NA
Seals intact? Y/N/NA
Received good condition/cold 4.0

Notes
24 HRS
24 HRS

8.10.13

Turn around time: 8/12 2:00 PM
ASAP

Sample disposal instructions: Disposal @ $2.00 each ___ Return to client ___ Pickup ___

COC 111253

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

SAMPLE RECEIVING REVIEW SHEET

BATCH # T131747

Client Name: GRIBI Project: STONY POINT CLEANERS

Received by: SUNNY Date/Time Received: 8.10.13 / 9:05

Delivered by : ☐ Client ☐ SunStar Courier ☒ GSO ☐ FedEx ☐ Other _____

Total number of coolers received 1 **Temp criteria = 6°C > 0°C (no frozen containers)**

Temperature: cooler #1 4.2 °C +/- the CF (- 0.2°C) = 4.0 °C corrected temperature

cooler #2 _____ °C +/- the CF (- 0.2°C) = _____ °C corrected temperature

cooler #3 _____ °C +/- the CF (- 0.2°C) = _____ °C corrected temperature

Samples outside temp. but received on ice, w/in 6 hours of final sampling.	☒ Yes	☐ No*	☐ N/A
Custody Seals Intact on Cooler/Sample	☒ Yes	☐ No*	☐ N/A
Sample Containers Intact	☒ Yes	☐ No*	
Sample labels match COC ID's	☒ Yes	☐ No*	
Total number of containers received match COC	☒ Yes	☐ No*	
Proper containers received for analyses requested on COC	☒ Yes	☐ No*	
Proper preservative indicated on COC/containers for analyses requested	☒ Yes	☐ No*	☐ N/A

Complete shipment received in good condition with correct temperatures, containers, labels, volumes preservatives and within method specified holding times. ☒ **Yes** ☐ **No***

* Complete Non-Conformance Receiving Sheet if checked Cooler/Sample Review - Initials and date SL 8.10.13

Comments:

Exhibit D

KELLEHER & ASSOCIATES
Environmental Mgmt LLC

5655 Silver Creek Valley Road
PMB 281
San Jose, CA 95138
408-677-3307 (P)
408-677-3272 (F)
bkellehr@ix.netcom.com

December 9, 2009

NCRWQCB

Beth Lamb
North Coast Regional Water Quality Control Board
5550 Skylane Blvd, Suite A
Santa Rosa, CA 95403

DEC 14 2009

☐ EO ☐ WMgmt ☐ Admin
☐ AEO ☐ Timber ☐ Legal
☐ Reg/NPS ☐ Cleanups BML ☐
☐ ☐

In Reference To: Stony Point Cleaners, 469, Stony Point Road, Santa Rosa, CA unauthorized 12/15/09
PCE release site ("Site"); Case No. 1NS0898.

Subject: Request for Naming Primary and Secondary Responsible Parties and Workplan response issues.

Dear Ms. Lamb:

This letter is to address several issues set forth in your October 29, 2009 correspondence (attached).

Firstly, we wish to point out that according to our records Gribi Associates submitted a workplan addendum to your office in connection with this site dated February 15, 2008 (attached) that was intended to fully respond to the Board's January 3, 2008 letter. Mr. Brett has been waiting for word back from the Board before authorizing Gribi to proceed with their proposed investigations. Hopefully, the oversight in authorizing Gribi Associates to submit the document was not on our end. If so, we sincerely apologize.

Secondly, Mr. Brett and his project coordinator and counsel disagree that the Board lacks sufficient information to name additional responsible parties (RP's) in connection with the unauthorized PCE release that is the subject of your orders. We are asking the Board to take a second look at the site investigation data and take several important factors into consideration.

In particular, the Phase I and II site investigations conducted on Mr. Brett's behalf by AEI in 2006, the reports of which were previously submitted to your office, collectively serve to demonstrate that there is PCE in soils 14 inches directly below the building slab (SB-1 and SB-2) in the immediate area of dry cleaning equipment that could only have been released prior to July 28, 1987 when a secondary spill containment system was installed under city permit. This is the only place PCE has so-far been detected in soils underlying the slab and is clearly the result of an unauthorized release from the immediate area of the machine. In the absence of any other data on contaminant source, we believe the Board should also take into consideration the strong likelihood that the same accidental PCE releases that impacted the shallow soils due to lack of secondary containment also impacted the shallow water table below the machine due to lack of secondary containment. Shallow groundwater was encountered within 10 feet from grade during the 2006 investigations.

Since there is no record of any failure of the secondary containment system and no good reason to believe there ever was such failure, we believe the Board is sufficiently justified in naming as RPs all those that owned and operated the dry cleaning facilities during the early to mid 1980s in the absence of secondary containment.

In addition to the above, it is well known to the Board, that subsurface contamination associated with retail dry-cleaning chemical use and storage is a widespread problem that was first recognized in the late 1970s under CERCLA and RCRA and that the adoption and enforcement of hazardous materials use and storage codes in the early to mid 1980s were specifically intended to prevent just these types of PCE releases.

To hold Mr. Brett solely responsible for the unauthorized PCE release is clearly unfair. He simply owns the property and assumed the property was uncontaminated when he purchased it and constructed to code and that his tenants were complying with applicable hazardous material management codes that were already in effect at the time of his purchase.

We agree that there is currently insufficient data to name any parties that operated the equipment in the presence of secondary containment provisions.

By way of this letter, we request that all pre-July 1987 property owners and dry cleaning equipment operators participate in financing the necessary site investigations and cleanup activities and provide relevant historical information concerning site operations that could potentially assist the Board and Mr. Brett in identifying and understanding the source(s) of subsurface contamination. We also request that these same parties provide any direct or secondary evidence of insurance policies covering the properties or the dry cleaning business operations during their periods of facility ownership or operation. The policies of greatest potential value are those issued prior to 1/1/86.

As an authorized representative of the current property owner, I have reviewed the enclosed documents and declare under penalty of perjury that the information contained in the documents is true and correct to the best of my knowledge.

Please do not hesitate to contact me at 408-677-3307 with any questions you may have. Please note our recent change of address as reflected on the letterhead.

Thank you for your ongoing courtesy and cooperation.

Sincerely,

Brian Kelleher
Project coordinator

Attachments:
Gribi Associates, February 15, 2008 *Workplan Addendum*;
AEI *Phase II Site Investigations*," August 30, 2006

Cc w partial enclosures or no enclosures
Ben Brett;
Gregg S. Garrison, R.E.A. & C.E.I, Attorney at Law;
Herman Kalfen, R.E.A. & NAEP, Attorney at Law;
Kim Niemeyer, Office of Chief Counsel;
Pacific Investments, Dennis Berryman, c/o Paul, Hastings, Janofsky, & Walker;
David Hofmann and Phillip Steinbock (Stony Point Associates), c/o Buty & Curliano LLP;
MAF Inc (presumably MAF Enterprises, Inc., incorporated 6/23/81 (suspended), c/o Alfred J and/or Norma G Maffei;
Elmer B (Pat) Knapp and Jeanette Herron aka Jeanette (Jan) Knapp;
Tim, Seoung and Young Hahn, Creekside Dry Cleaners;
Jim Gribi, Gribi Associates

Exhibit E

STANZLER LAW GROUP
ATTORNEYS AT LAW
2275 E. BAYSHORE RD., SUITE 100
PALO ALTO, CALIFORNIA 94303
TELEPHONE (650) 739-0200
FACSIMILE (650) 739-0916

January 8, 2014

Via Email beth.lamb@waterboards.ca.gov and First Class Mail:
Beth Lamb
Engineering Geologist
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, California 95403

Re: Request For Removal Of Peter Suk As Discharger
North Coast Regional Water Quality Control Board ("NCRWQCB") Case No. 1NSO898

Dear Ms. Lamb:

We represent Peter Suk ("Suk") (Helen Suk is deceased) with respect to the Draft Cleanup And Abatement Order Number R1-2014-XXXX (the "Draft Order") concerning Stony Point Cleaners (the "Cleaners"), located at 469 Stony Point Rd., Santa Rosa, CA (the "Site") (NCRWQCB Case No. 1NSO898). You have invited comments on the Draft Order prior to January 10, 2014. For the following reasons, we request that Suk not be named as a discharger in any upcoming order issued by the NCRWQCB with respect to the Site.

During the course of the five year long legal action which preceded the Draft Order (Sonoma County Superior Court Case No. SCV 244318), no facts came to light which implicated Suk in any way with the contamination at issue. For example, Gribi Associates recently completed a "Report of PCE Source Area Investigation" on behalf of the current owner of the

Site, David Paslin dba Ben Brett/Manaff. Despite the fact that Suk played no role in commissioning the Source Report, the Source Report exonerates Suk from any responsibility for the contamination at issue. Suk operated the Cleaners between 1989 and 1996. The report finds that PCE contamination is the result of contact water spills from five gallon buckets *during the early to mid 1980s*. These spills travelled into the subsurface through a crack in the concrete slab in the area of the dry cleaning machinery. The report also implicates operator failure to obtain hazardous materials storage permits, which require the segregation and treatment of contact water, *between 1981 and 1987*. See Source Report at pp. 3, 6-8.

According to documentation provided by Paslin, secondary containment measures were put in place in August/September 1987 in order to prevent the accidental discharge of contaminants into the subsurface. Thus, secondary containment measures were in place by the time Suk began operating the Cleaners. The existence of a secondary containment system by the time Suk began operations substantially limits any opportunity for contamination to have occurred during his tenure. For example, according to a December 9, 2009 letter from Brian Kelleher, a project coordinator working on behalf of Paslin, to the NCRWQCB:

> In particular, the Phase I and II site investigations conducted on Mr. Brett's behalf by AEI in 2006, the reports of which were previously submitted to your office, collectively serve to demonstrate that there is PCE in soils 14 inches directly below the building slab (SB-1 and SB-2) in the immediate area of dry cleaning equipment that could only have been released prior to July 28, 1987 when a secondary spill containment system was installed under city permit. This is the only place PCE has so far been detected in soils underlying the slab and is clearly the result of unauthorized release from the immediate area of the machine. In the absence of any other data on contaminant source, we believe the Board should also take into consideration the strong likelihood that the same accidental PCE releases that impacted the shallow soils due to lack of secondary containment also impacted the shallow water table below the machine due to

> lack of secondary containment. Shallow groundwater was encountered within 10 feet from grade during the 2006 investigations.
>
> Since there is no record of any failure of the secondary containment system and no good reason to believe there ever was such failure, we believe the Board is sufficiently justified in naming as RP's all those that owned and operating dry cleaning facilities during the early to mid 1980s in the absence of secondary containment

In short, there is simply no credible reason to attribute any of the contamination at issue to Suk's post-secondary containment operation of Stony Point Cleaners from 1989 to 1996.

Furthermore, there is a substantial record showing that the current operators, Stanley Kim and Do W. Lee, who have operated the Cleaners since 1996, have been sloppy with respect to storing, handling and disposing of PCE and have contributed to the contamination at issue. For example, Santa Rosa Fire Department records indicate that a Cease and Desist Order was issued by the Santa Rosa Utilities Department to Stanley Kim on April 29, 2002. This Order resulted from an inspection conducted on April 26, 2002, which identified perchoroethylene ("PCE") in a private sewer lateral connected to the Cleaners. The inspection report indicated that PCE contamination of the Site had occurred because Stanley Kim failed to maintain properly carbon filters from the dry cleaning machine prior to discharge. According to Stanley Kim's own admission, contact water from the dry cleaning machine was routinely poured into the bathroom toilet at the Cleaners. Stanley Kim was ordered to haul all future contact water to an off-site treatment facility to prevent further PCE contamination of the sewer lines. Thus, assuming any contamination can be attributed to the sewer lateral, such contamination cannot be attributed to Suk's operations.

By April 26, 2002 when the citation and Cease and Desist order was issued, it had been approximately six years since Defendant Suk had last operated the Cleaners. Any negligence in the cleaning or replacement of carbon filters which resulted in the disposal of PCE-laden contact water in the facility toilet was therefore the fault of Stanley Kim and not Suk.

Accordingly, Suk is not responsible for the contamination of the Site. The contamination is the result of some combination of operators at the Site prior to 1987, pre-secondary contaminment and before current PCE-waste disposal practices became widespread, as well as the current operators, who have been cited for their sloppy operations.

Above and beyond the fact that Suk has not played any role in the contamination of the Site, Suk was never in a position to mitigate any existing contamination. He was not an owner of the Site and could not have remedied any existing contamination at the time he operated the Cleaners.

Even assuming, *arguendo*, Suk fell within the definition of a discharger, he does not have any insurance which could potentially cover the cleanup of the Site. All of Suk's insurance policies contain absolute pollution exclusions. Furthermore, Suk's financial resources are limited. He simply cannot afford to shoulder the financial burden of remediating the Site. This contrasts with the current, longtime owners and operators at the Site, who not only have access to the Site, but have already begun conducting substantial environmental investigatory work. The current owner and operators also have the revenue stream to pay for the required remediation.

For the foregoing reasons, Suk respectfully requests that you remove him as a discharger from any order concerning the Site. Should you have any questions or concerns, or should you require any further information, please do not hesitate to contact the undersigned.

Very truly yours,

Jeffrey M. Curtiss

PROOF OF SERVICE
[C.C.P. § 1013, C.R.C.§ 2008, F.R.C.P. Rule 5]

I, Sharran Rodd, state:

I am a citizen of the United States. My business address is 2275 E. Bayshore Rd., Suite 100, Palo Alto, CA 94303. I am employed in the City of Palo Alto, County of Santa Clara. I am over the age of eighteen years and not a party to this action. On the date set forth below, I caused to be served the foregoing document described as;

PETITION FOR REVIEW

on the following person(s):

Jeannette L. Bashaw
Legal Analyst
State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100
Sacramento, CA 95812-0100

Executive Oficer
North Coast Regional Water Quality Control Board
5550 Skylane Blvd. Suite A
Santa Rosa, CA 95403-1072

X: BY FIRST CLASS MAIL - I am readily familiar with my firm's practice for collection and processing of correspondence for mailing with the United States Postal Service, to-wit, that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I sealed said envelope and placed it for collection and mailing this date, following ordinary business practices.

: BY FACSIMILE - I caused said document to be transmitted by Facsimile machine to counsel at the numbers indicated after the address(es) noted above.

: BY Federal Express

: BY email IN THE FORM OF A PDF FILE

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed this date at Palo Alto, California.

Dated: March 27, 2014

Sharran Rodd