CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. R2-2007-0048

RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NO. 95-213) FOR:

DESCO CORPORATION

MITEK, INC., PANEL CLIP AND LUMBERLOCK

AND

PPF INDUSTRIAL WHIPPLE PROPERTIES 1001, LLC (AS CURRENT PROPERTY OWNER AND SUCCESSOR-IN-INTEREST TO LINCOLN HAYWARD VI)

For the property located at

1029 WHIPPLE ROAD
HAYWARD, ALAMEDA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Water Board), finds that:

1. **Water Board Order**: The Water Board adopted site cleanup requirements, Order No. 95-213, for this site on October 18, 1995. The order required Desco Corporation and other named dischargers to remediate impacted soil and groundwater at 1029 Whipple Road and monitor any residual groundwater impacts.

2. **Summary of Investigation and Remediation Activities**: The property was used by various businesses for warehousing, metals fastener fabrication, and tool and die making. These businesses operated as tenants under several names: Mitek Industries, Inc., from 1987 until January 1989 and Desco Corporation from January 1989 until June 1992. Operations included the use of motor fuel, hydraulic and lubricating oils, paints and solvents.

   The primary release and the assumed source of contamination to groundwater was likely due to a paint dip tank that housed paint and thinner and was located on the west exterior wall of Building A. 1,1,1-TCA was detected at concentrations up to 60 mg/kg in soil and 1,800 micrograms per liter (μg/L) in groundwater samples collected near the paint dip tank in 1992.

   A groundwater extraction and treatment system operated at the site from January 1997 to November 1999, during which time concentrations of 1,1,1-TCA and 1,1-DCE were reduced below applicable cleanup goals (California drinking water standards) of 200

μg/L and 6 μg/L, respectively. Since the shut down of the pump and treat system in November 1999, the groundwater has been sampled ten times. 1,1-DCE concentrations have ranged from 1.5 μg/L to 36 μg/L and this has been the only compound detected at concentrations exceeding the California drinking water standard (6 μg/L for 1,1-DCE). During the last sampling round in February 2007, 1,1-DCE was detected at 4 μg/L, below the drinking water standard.

In a letter dated October 3, 2001, Water Board staff concurred that no further action was required for identified soil impacts and that no land-use restrictions were required for soil underlying the property. Soil exceeding the cleanup goals for unrestricted use of the property was excavated and disposed of offsite, as summarized below:

- Four underground gasoline and diesel tanks and 12 yd^3 to 15 yd^3 of soil impacted by surface spills were removed in October 1985.

- The paint dip tank, its concrete slab and associated piping, a limited amount of impacted soil, hazardous materials and wastes were removed from just outside of Building A in 1992.

- Source area excavation of an additional 14 yd^3 was carried out in the vicinity of soil boring A-8 inside Building A in June 2001. Confirmation samples were collected from the sidewalls and floors of the excavations. The maximum concentrations of 1,1,1-TCA reported in the confirmation samples was 0.023 mg/kg, well below the cleanup goal of 8.0 mg/kg for unrestricted land use. 1,1-DCE was not detected in the confirmation samples above laboratory method reporting limits.

3. **Basis for Rescission:** The following is the basis for rescission of Order No. 95-213:

- The site has been fully characterized.

- Remedial actions at the site have reduced concentrations of contaminants in soil to acceptable levels and reduced concentrations of chemicals in groundwater to the extent practicable. Concentrations of 1,1,1,-TCA and 1,1-DCE in groundwater have been reduced from 1,600 μg/L and 390 μg/L to, respectively, to 12μg/L and 4 μg/L (February 2007 monitoring event).

- Residual concentrations of 1,1,1-TCA and 1,1,-DCE are below the California drinking water standards of 200 μg/L and 6.0 μg/L, respectively.

- The remaining plume of impacted groundwater is limited in extent and is not likely to migrate further downgradient above levels of potential concern. The presence of 1,1-DCE in groundwater indicates that remaining impacts are degrading over time by natural processes.

- Alameda County Water District's water supply well known as the Whipple Well is located 1,200 feet south of the site, in a cross gradient direction. This well is

completed to a depth of approximately 400 feet, and has not been impacted by the site pollutants. Due to its cross-gradient location it is unlikely to be impacted by the contamination at the Site. Shallow groundwater is not used as a current source of drinking water, but it overlies important aquifers that are used for drinking water. The silty and clayey nature of the shallow soils precludes significant future use of the shallow groundwater as a source of drinking water due to low yield.

- A deed restriction (environmental restriction on property) for the site has been signed by the Executive Officer and was recorded in March 2005. The deed restriction prohibits the use of groundwater underlying the property, without Water Board review and approval. The deed restriction is sufficient to protect human health and the environment in the future.

4. **No Further Action Required:** Based upon the available information, including the current land use, and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the historical pollutant releases at the subject site is required.

5. **CEQA:** This action rescinds an order to enforce the laws and regulations administered by the Water Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.

6. **Notification:** The Water Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

7. **Public Hearing**: The Water Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Order No. 95-213 is rescinded.

IT IS FURTHER ORDERED that the dischargers shall properly close all monitoring and extraction wells consistent with applicable local agency requirements, and shall document such closure in a technical report to be submitted to the Water Board within 30 days following the completion of closure activities.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on _____.

_____
Bruce H. Wolfe
Executive Officer

FAILURE TO COMPLY WITH THE REQUREIMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INLCUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY