

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER No. R2-2015-0042

AMENDMENT OF SITE CLEANUP REQUIREMENTS (ORDER No. R2-2011-0088) for:

**GOLDEN GATE WAY, LLC
WILLIAM PEACOCK
YOLANDA M. PEACOCK
JEANNE K. STEWART
JEANNE'S HAMLIN CLEANERS
JEANNE STEWART dba HAMLIN CLEANERS**

for the property located at:

3425 GOLDEN GATE WAY
LAFAYETTE, CONTRA COSTA COUNTY

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

1. **Regional Water Board Order:** The Regional Water Board adopted site cleanup requirements for the site at 3425 Golden Gate Way, Lafayette (Site), on December 14, 2011 (Order No. R2-2011-0088). The Order names Golden Gate Way, LLC, William Peacock, Yolanda M. Peacock, Jeanne K. Stewart, Tommy Lee Stewart, Jeannie's Hamlin Cleaners, Jeanne Stewart dba Hamlin Cleaners, Leonard A. Gross, and Leonard A. Gross Professional Corporation as dischargers. The Order requires the dischargers to complete a site investigation and environmental cleanup of the Site. The Order sets cleanup standards and provides a schedule for implementing required investigation and cleanup activities.
2. **Reasons for Amendment:**
 - a. **Named Dischargers:** It is appropriate to remove three of the named dischargers from the Order:
 - Tommy Lee Stewart, due to his death on September 28, 2014; and
 - Leonard A. Gross and Leonard A. Gross Professional Corporation, due to the December 8, 2012, death of Leonard A. Gross.
 - b. **Soil gas cleanup standards:** The Order sets soil gas cleanup standards based on the November 2007 version of the Regional Water Board's Environmental Screening Levels (ESLs) for residential receptors. The ESLs were updated in December 2013, with several revisions to soil gas screening levels. A deed restriction was recorded for the Site on March 7, 2012, limiting the Site to commercial uses. This Amendment revises the Order's soil gas cleanup standards to reflect the ESLs update and commercial use of the Site. This Amendment also allows the dischargers the option of proposing alternate soil gas cleanup standards based on a site-specific risk assessment.

- c. Interim remedial action: The Order requires a remedial action plan, pursuant to Task 6, but does not require interim remedial action. Several interim remedial actions have been undertaken, including the 2009 installation of a soil gas extraction system, the 2011 expansion of that system to address the adjacent offsite apartment building, the 2014 source-area soil excavation, and the 2014 pilot testing of an in-situ groundwater remediation system using zero-valent iron injections. However, additional pilot studies and/or interim remedial actions may be needed to protect residents of the adjacent offsite apartment building from vapor-intrusion impacts. This Amendment allows additional pilot studies and/or interim remedial actions, if determined to be necessary by additional vapor-intrusion evaluation work required in the Regional Water Board's June 17, 2015, directive letter.
3. **California Safe Drinking Water Policy:** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The Order, as modified by the Amendment, promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
4. **CEQA:** This action makes technical amendments to an order that enforces the laws and regulations administered by the Regional Water Board. Amendment of the Order is not a project as defined in the California Environmental Quality Act (CEQA). There is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (b) (3).)
5. **Notification:** The Regional Water Board has notified the dischargers and all interested agencies and persons of its intent under Water Code section 13304 to amend site cleanup requirements for the discharge and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED, pursuant to section 13304 of the Water Code, that Order No. R2-2011-0088 shall be amended as follows:

- A. Tommy Lee Stewart, Leonard A. Gross, and Leonard A. Gross Professional Corporation are no longer named dischargers to the Order.
- B. Section B.3.c of the Order shall be revised as follows:

Soil Gas Cleanup Standards: The following separate onsite and offsite soil gas cleanup standards for Volatile Organic Compounds shall be met in onsite and offsite vadose-zone soils, respectively. These standards shall be verified by collecting vapor samples from permanent onsite/offsite soil gas probes.

Constituent	ONSITE Soil Gas Cleanup Standards		OFFSITE Soil Gas Cleanup Standards	
	Standard ($\mu\text{g}/\text{m}^3$)	Basis	Standard ($\mu\text{g}/\text{m}^3$)	Basis
PCE	2,100	ESL for Vapor Intrusion into Commercial Buildings	210	ESL for Vapor Intrusion into Residential Buildings
TCE	3,000	ESL for Vapor Intrusion into Commercial Buildings	300	ESL for Vapor Intrusion into Residential Buildings
Cis-1,2-DCE	31,000	ESL for Vapor Intrusion into Commercial Buildings	3,700	ESL for Vapor Intrusion into Residential Buildings
Vinyl Chloride	160	ESL for Vapor Intrusion into Commercial Buildings	16	ESL for Vapor Intrusion into Residential Buildings

NOTE: ESL = Water Board Environmental Screening Level from *Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater*, Volume 2, Water Board, December 2013.

The dischargers may propose alternate soil gas cleanup standards, based on a site-specific risk assessment, for Executive Officer approval.

C. Tasks 16 and 17 are added to the Order as follows (and existing Task 16 is renumbered as Task 18):

16. WORKPLAN FOR INTERIM REMEDIAL ACTION

COMPLIANCE DATE: 90 days after required by Executive Officer

Submit a workplan acceptable to the Executive Officer to carryout interim remedial actions to address identified potential threats to human health or water quality (e.g., vapor intrusion at the offsite adjacent apartment building). The workplan shall specify investigation methods and a proposed time schedule. The Executive Officer will require this workplan upon determining the existence of potential threats to human health or water quality based on site-specific information. This task may be used more than once if necessary.

17. COMPLETION OF INTERIM REMEDIAL ACTION

COMPLIANCE DATE: According to the time schedule in the approved Task 16 workplan

Complete necessary tasks in the Task 16 workplan and submit a technical report acceptable to the Executive Officer documenting their completion. For ongoing

actions, such as vapor intrusion mitigation, the report shall document startup as opposed to completion.

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 October 20, 2015.

Bruce H. Wolfe
Executive Officer

FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING 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
