

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Kent Aue)  
MEETING DATE: February 12, 2014

**ITEM:** 7

**SUBJECT:** **Marinwood Plaza, LLC, for the property located at 187 Marinwood Avenue, Marinwood, Marin County – Adoption of Site Cleanup Requirements**

**CHRONOLOGY:** The Board has not previously considered this matter.

**DISCUSSION:** The Revised Tentative Order (Appendix A) would require the current landowner, Marinwood Plaza, LLC, to characterize the extent of contaminants in soil and groundwater; carry out interim cleanup for urgent problems; and prepare and implement a final cleanup plan for the Marinwood Plaza neighborhood shopping center (Site) located north of San Rafael (Appendix D). The former Prosperity Cleaners conducted dry cleaning operations at the Site using tetrachloroethylene (PCE) for approximately 15 years, from 1990 to 2005.

A discharge of PCE to soil and groundwater from dry cleaning operations was reported to Board staff in January 2008. Subsequent investigations at the Site have identified two contaminant source areas: one beneath the former dry cleaner and another about 40 feet east of the building that housed the dry cleaner, adjacent to the Site boundary.

Expeditious cleanup of the Site is needed to address multiple pollutant pathways. Laboratory analytical reports for soil, soil gas, indoor air, and groundwater samples show the presence of high concentrations of PCE, trichloroethylene, dichloroethylene, and vinyl chloride. PCE concentrations about twice the maximum contaminant level were detected in groundwater samples collected approximately 450 feet downgradient of the Site. An active domestic well is located approximately 550 feet farther downgradient. Additionally, contaminant concentrations in indoor air in a liquor store at Marinwood Plaza were so high that interim remedial measures were implemented so that the store can continue to operate.

We circulated a tentative order for public comment in December 2013 and received comments from representatives of Marinwood Plaza, LLC; Bridge Housing (who has applied to Marin County to purchase and redevelop the Site for high-density housing); and an offsite landowner, Lorraine Silveira (Appendix B). Our response to comments is contained in Appendix C.

There are two key issues raised in the comments:

- *Need for Board cleanup order:* Marinwood Plaza, LLC, argues that a Board cleanup order is not needed and the Board should continue to use less formal regulatory tools to drive cleanup of the Site. Given the high contaminant

concentrations in soil gas, vapor intrusion into an occupied business, and the potential threat to downgradient domestic wells, we conclude that an order is needed now to compel and guide cleanup in an orderly and reasonably expeditious manner.

- *Timeframe for additional cleanup:* Both Bridge Housing and Marinwood Plaza, LLC, argue for more flexibility in the deadline for implementing final cleanup, noting that it will be more efficient to perform cleanup in tandem with redevelopment of the Site. Ms. Silveira argues for a more aggressive deadline for final cleanup, noting the potential threat to the domestic wells on her property. We have made changes to the tentative order that we believe address both concerns. The Revised Tentative Order (i) expands the scope of interim cleanup tasks to assure that the domestic wells are protected and (ii) provides additional flexibility in final cleanup implementation while retaining a hard deadline for cleanup plan submittal.

We have shared the Revised Tentative Order with the commenting parties and anticipate further discussions with them prior to the Board meeting. This item is still likely to be contested, but we believe the scope of the unresolved issues has been narrowed.

**RECOMMENDATION:** Adopt the Revised Tentative Order

File No. 21S0053 (KA)

APPENDICES: A – Revised Tentative Order  
B – Public Comments  
C – Responses to Comments  
D – Site Location Map