

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

TENTATIVE ORDER

**AMENDMENT OF FINAL SITE CLEANUP REQUIREMENTS ORDER R2-2020-0025,
AS AMENDED BY ORDER R2-2022-0022, for:**

**MARINWOOD PLAZA, LLC
HOYTT ENTERPRISES, INC.**

For the property located at:

187 MARINWOOD AVENUE
MARINWOOD, MARIN COUNTY

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

1. Regional Water Board Orders: The Regional Water Board adopted Final Site Cleanup Requirements Order R2-2020-0025 (2020 Order) for the Site (Marin County assessor parcel numbers 164-471-64, 164-471-65, 164-471-69, and 164-471-70) on September 9, 2020. The 2020 Order requires Marinwood Plaza, LLC and Hoytt Enterprises, Inc. (jointly, the Discharger) to implement, among other things, remedial actions to clean up tetrachloroethene (PCE) that discharged from a dry cleaner facility and polluted soil, soil vapor, and groundwater. The Regional Water Board amended the 2020 Order (Order R2-2022-0022) on June 8, 2022, to establish deadlines and clarify requirements for onsite soil vapor remediation for PCE.

2. Reasons for Amendment: Amendment of the 2020 Order is needed to update the status of remediation actions and groundwater quality and to extend a deadline for a groundwater remediation completion report so that the full effects of those remediation actions on groundwater quality can be further evaluated, as explained below.

- a) ***Remediation Update*** - The Discharger completed a series of remediation actions since the 2020 Order was adopted. Actions taken to target the residual PCE source included (1) excavating soil to remove PCE in the vicinity of the former dry-cleaner facility, (2) excavating soil to remove PCE along a sewer lateral, and (3) extracting PCE from soil vapors through operation of a soil-vapor extraction system. Actions taken to treat groundwater included injecting a product into groundwater that chemically breaks down PCE. Injections occurred onsite and along a series of 11 transects across the offsite groundwater plume in 2021 and along a series of 5 transects across the offsite plume in 2023.
- b) ***Groundwater Quality Update*** – Remediation activities significantly reduced concentrations of PCE and its degradation byproducts: trichloroethene (TCE), cis-

1,2 dichloroethene (cis-1,2 DCE), trans-1,2 dichloroethene (trans-1,2 DCE), and vinyl chloride.

1. Onsite Groundwater: Remediation reduced concentrations of PCE and its degradation byproducts at the Site to levels that Regional Water Board staff determined do not pose a direct threat to human health. A [No Further Active Remediation Letter](#) issued on October 23, 2025, approved the Discharger's [Request for Approval of No Further Active Remediation Onsite](#). As indicated by sampling results in the [First and Second Quarter 2026 Self-Monitoring Report](#) submitted on June 30, 2026 (2026 Monitoring Report), PCE in onsite groundwater is below its cleanup level in the 2020 Order and degradation byproducts are also below cleanup levels except at one location at the property boundary.
2. Offsite Groundwater: Treatment of offsite groundwater had a significant effect on pollutant concentrations. The latest sampling results in the 2026 Monitoring Report indicate that PCE is below its cleanup level in the 2020 Order, TCE is below or very close to the cleanup level, and the remaining byproducts are either below the cleanup level (trans-1,2 DCE) or generally within one order of magnitude of it (cis-1,2 DCE and vinyl chloride), as summarized below.
 - PCE was not detected at or above the 5 µg/L cleanup level.
 - TCE was only detected in 5 of 17 monitoring wells above the 5 µg/L cleanup level, at a maximum concentration of 26 µg/L.
 - Cis-1,2 DCE was detected in most monitoring wells (15 of 17) above the 6 µg/L cleanup level, at concentrations in the range of 7.3 to 46 µg/L except at three wells where concentrations were around 90 µg/L.
 - Trans-1,2 DCE was not detected above the 10 µg/L cleanup level.
 - Vinyl chloride was detected in most monitoring wells (15 of 17) above the 0.5 µg/L cleanup level, at concentrations ranging from 0.53 to 9.1 µg/L.

Based on these results, remediation has successfully reduced PCE in offsite groundwater, and TCE, the first degradation byproduct, has mostly degraded to DCE. The 2026 Monitoring Report compared pre- and post-injection concentrations and concluded that PCE was reduced by more than 90 percent at all but two monitoring locations, and the average reduction of PCE across the plume reported in a June 30, 2026, [Remediation Effectiveness Evaluation Report](#) was 89 percent.

- c) **Deadline Extension** - Task C.2 (*Remedial Action Plan Completion Report – Offsite Groundwater*) of the 2020 Order requires a completion report for offsite groundwater remediation by February 15, 2027. Task C.2 allows the Discharger to propose modifications in Self-Monitoring Program reports required by Provision D.5 of the 2020 Order. The Discharger proposed modifying the Task C.2 requirement in the 2026 Monitoring Report through reference to what is proposed in the [Remediation Effectiveness Evaluation Report](#) (required by Task C.7 of the 2020 Order) that was

submitted on the same date. The Discharger proposed no further remediation for offsite groundwater and further monitoring to evaluate remediation effectiveness and natural attenuation. Proceeding with this proposal means extending the deadline for submittal of the completion report required by Task C.2.

The Regional Water Board agrees that more time to evaluate offsite groundwater would provide data necessary to assess the need for further remediation and would allow for the efficient use of resources. Extending the deadline will not pose a threat to water quality or to human health. Because remediation actions reduced PCE and its degradation byproducts in the source area below cleanup levels, offsite migration of groundwater will no longer degrade downgradient groundwater quality or sustain the offsite groundwater pollution, and it may take some time to fully realize this effect on offsite groundwater. In addition, concentrations of cis-1,2 DCE in offsite groundwater are still changing and have not yet stabilized. The Regional Water Board anticipates that sufficient data will be available from ongoing monitoring over the next three to five years to evaluate the overall effectiveness of remediation actions and to better inform what may, or may not, be required for degradation byproducts of PCE to meet cleanup levels in the 2020 Order.

3. Regional Water Board Oversight: Oversight will continue with existing requirements in the 2020 Order, as amended, which includes continued monitoring and reporting of offsite groundwater quality in accordance with Provision D.5 and continued evaluation of the effectiveness of remediation in accordance with Task C.7.

4. Human Right to Water: Under Water Code section 106.3, the State of California's policy is that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (Wat. Code, § 106.3; see also State Water Board Resolution No. 2016-0010.) The human right to water extends to all Californians, including disadvantaged individuals and groups and communities in rural and urban areas. This order promotes the human right to water by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

5. CEQA: This Order is exempt from the provisions of the California Environmental Quality Act (CEQA) because "CEQA applies only to projects that have the potential for causing a significant effect on the environment." (Cal. Code Regs., tit. 14 § 15061, subd. (b)(3).) Adoption of this Order is intended to support existing site cleanup requirements (see Finding 2) and will have no significant environmental effects.

6. Notification: The Regional Water Board has notified the Discharger 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 written comments.

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

8. Compliance Notice: Failure to comply with the requirements of this order may subject the Discharger to enforcement action, including but not limited to imposition of administrative civil liability under Water code section 13350 or referral to the Attorney General for injunctive relief or civil or criminal liability.

IT IS HEREBY ORDERED, pursuant to Water Code section 13304 that Final Site Cleanup Requirements Order R2-2020-0025, as amended by R2-2022-0022, shall be amended as follows:

1. TASK C.2 (REMEDIAL ACTION PLAN COMPLETION REPORT – OFFSITE GROUNDWATER)

Extend the compliance date for submitting a completion report by five years by replacing “2027” with “2032” as follows:

COMPLIANCE DATE: February 15, ~~2027~~ 2032

Submit a technical report, acceptable to the Executive Officer, documenting completion of offsite groundwater remediation. Specifically, offsite groundwater is to reach drinking water standards as specified in Section B, Groundwater Cleanup Levels. Proposals for further system expansion or modification may be included in annual reports (see attached Self-Monitoring Program).

I 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 _____ [Adoption Date].

Eileen M. White, P.E., Executive Officer