CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. R2-2026-0008

ADOPTION OF CLEANUP AND ABATEMENT ORDER for:

DAVID FUATA

For the property located at:

911 NORTH AMPHLETT BOULEVARD
SAN MATEO
SAN MATEO COUNTY

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

1. **Site Location:** Clipper Cleaners formerly operated a dry cleaning facility at 911 North Amphlett Boulevard in San Mateo (Property). The Site consists of the full lateral and vertical extent of pollutants discharged at the Property and migrating off the Property. The Property (Assessor's Parcel Number 029-315-080) is developed with a two-story mixed-use office and residential building with a courtyard and detached garage. Land use in the surrounding area is commercial and residential. Highway 101 is 50 feet northeast of the Property and San Francisco Bay is approximately 1,400 feet north of the Property.

2. **Site History:** Clipper Cleaners operated a dry cleaner at the Property from 1960 to 1977 and used tetrachloroethene (PCE) in its process. David Fuata has owned the Property from 2017 to the present.

3. **Named Dischargers:** David Fuata is named as a discharger because he is the current owner of the Property on which there is an ongoing discharge of pollutants, he has knowledge of the discharge, and he has the legal ability to control the discharge.

4. **Hydrogeology:** The Site is in the Santa Clara Valley Groundwater Basin – San Mateo Plain Subbasin. The Site is underlain by alluvial deposits consisting of silt, clay, sand, and gravel up to the maximum depth explored of 21 feet below the ground surface. Shallow groundwater is present at approximately 6 to 19 feet below the ground surface. Groundwater reportedly flows to the east based on groundwater monitoring data at an adjacent property.

5. **Investigation:** A subsurface investigation at the Property was conducted in 2019. PCE, a common solvent used in dry cleaning, was detected in soil, groundwater, and indoor air. The table below shows the current maximum PCE concentrations in each media at the Property compared to their respective

Environmental Screening Levels (ESLs) and the maximum contaminant level (MCL) for drinking water.

Concentrations of PCE at the Property

Media / Units	PCE	Residential ESL	Pathway
Soil (mg/kg)	0.60	0.080	Leaching to groundwater
Groundwater (µg/L)	70,000	5	Drinking water / MCL
Indoor Air (µg/m^3)	140	0.46	Inhalation

Notes
mg/kg - milligrams per kilogram
µg/L - micrograms per liter
µg/m^3 - micrograms per cubic meter

The PCE concentrations are significantly greater than the MCL for drinking water and residential ESLs. Additional investigation is needed to adequately define the extent of pollution in soil, groundwater, soil vapor, and indoor air, as described below, to identify potential threats to human health and the environment.

Soil
Soil boring B-1 detected PCE at 0.20 mg/kg and no borings were drilled in the immediate vicinity to the north, west, or south. Soil boring B-2 detected PCE at 0.60 mg/kg and no borings were drilled in the immediate vicinity to the east or south. Therefore, PCE in soil is undefined in all directions.

Groundwater
Grab groundwater samples from B-1 and B-3 detected PCE at 1,800 and 790 µg/L, respectively. No step-out borings were drilled to the north, west, or south. A grab groundwater sample from B-2 detected PCE at 70,000 µg/L and no step-out borings were drilled to the east or south. Therefore, PCE in shallow groundwater is undefined in all directions.

Soil Vapor
No soil vapor samples have been collected at the Property. Therefore, PCE in soil vapor is unevaluated.

Indoor Air
Indoor air samples from IA-2 and IA-3 detected PCE at 110 and 140 µg/m^3, respectively. No step-out indoor air samples were collected. Therefore, PCE in indoor air is undefined.

6. **Remediation and Mitigation:** The discharge of waste at the Property to waters of the state creates and threatens to create a condition of pollution and nuisance. PCE concentrations in groundwater exceed the MCL, therefore, there is a threat to beneficial uses of groundwater and a potential risk to people if they use the

groundwater as a source of drinking water. PCE concentrations in soil exceed the screening level intended to prevent impacts to groundwater, therefore, there is a potential threat to beneficial uses of groundwater. PCE concentrations in indoor air exceed the screening level, therefore, there is a risk to people breathing the air. Remediation of the pollution is needed to eliminate the threat to water quality, public health, and the environment posed by the discharge of waste, and to restore beneficial uses of groundwater. Mitigation of the pollution is needed in the short term to protect public health until remediation is completed.

7. **Adjacent Site:** The Water Board regulates the Bayshore Equipment Rental (Bayshore) property at 909 North Amphlett Boulevard (GeoTracker ID: T10000001835). The Bayshore property is adjacent to the Clipper Cleaners Property in the southeastern direction. Remediation has been conducted at the Bayshore property and the responsible party has recommended closure of the Bayshore site. The Water Board is evaluating this recommendation. Based on soil and groundwater investigations at Bayshore, the Clipper Cleaners plume extends onto the north-central portion of the Bayshore property.

8. **Basin Plan:** The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) is the Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted by the Water Board and approved by the State Water Resources Control Board, Office of Administrative Law and the U.S. EPA, where required.

   The groundwater water underlying the Site and the surrounding area is part of the Santa Clara Valley Groundwater Basin, San Mateo Plain Subbasin. The potential beneficial uses of groundwater in the San Mateo Plan Subbasin include:

   a. Municipal and domestic water supply
   b. Industrial process water supply
   c. Industrial service water supply
   d. Agricultural water supply

9. **Other Regional Water Board Policies:** Regional Water Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas of high TDS, low yield, or naturally high contaminant levels.

10. **State Water Board Policies:** State Water Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304," applies to this discharge. It directs the Regional Water Boards to set cleanup levels equal to background water quality or the best water quality which is reasonable, if background levels cannot be restored. Cleanup levels other than background must be consistent with the maximum benefit to the people of the State, not unreasonably affect present and

anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives. A final remedial action plan will assess the feasibility of attaining background levels of water quality. This Order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

Resolution 92-49 also requires cleanup actions to be consistent with State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California." Resolution 68-16 requires maintenance of high water quality unless a lesser water quality is consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial uses, and will not result in exceedance of applicable water quality objectives.

11. **Preliminary Cleanup Goals:** Pending the establishment of site-specific cleanup levels, preliminary cleanup goals are needed for the purpose of conducting remedial investigation and interim remedial actions. These goals should address all relevant media (e.g., groundwater, soil, soil vapor, indoor air) and all relevant concerns (e.g., groundwater ingestion, migration of groundwater to surface waters, vapor intrusion).

12. **Basis for 13304 Order:** California Water Code Section 13304 authorizes the Regional Water Board to issue orders requiring a discharger to clean up and abate waste where the discharger has caused or permitted waste to be discharged or deposited where it is or probably will be discharged into waters of the State and creates or threatens to create a condition of pollution or nuisance.

13. **Cost Recovery:** Pursuant to California Water Code Section 13304, the discharger is hereby notified that the Regional Water Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Regional Water Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order.

14. **CEQA:** This action is an order to enforce the laws and regulations administered by the Regional 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.

15. **Notification:** The Regional Water Board has notified the discharger and all interested agencies and persons of its intent under California Water Code section 13304 to issue a cleanup and abatement order 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 California Water Code, that the discharger (or its agents, successors, or assigns) shall clean up and abate the effects described in the above findings as follows:

16. PROHIBITIONS

1. The discharge of wastes or hazardous substances in a manner that will degrade water quality or adversely affect beneficial uses of waters of the State is prohibited.

2. Further significant migration of wastes or hazardous substances through subsurface transport to waters of the State is prohibited.

3. Activities associated with the subsurface investigation and cleanup that will cause significant adverse migration of wastes or hazardous substances are prohibited.

17. PRELIMINARY CLEANUP GOALS

The following preliminary cleanup goals shall be used to guide remedial investigation and interim remedial actions, pending establishment of site-specific cleanup levels.

1. **Groundwater:** Applicable screening levels such as the Regional Water Board's Environmental Screening Levels (ESLs) document. Groundwater screening levels are intended to address a full range of exposure pathways, including groundwater ingestion and vapor intrusion to indoor air. For groundwater ingestion, use Maximum Contaminant Levels (MCLs).

2. **Soil:** Applicable screening levels such as the Regional Water Board's Environmental Screening Levels (ESLs) document. Soil screening levels are intended to address a full range of exposure pathways, including direct exposure, nuisance, and leaching to groundwater. For purposes of this subsection, the discharger shall assume that groundwater is a potential source of drinking water.

3. **Soil Vapor:** Applicable screening levels such as the Regional Water Board's Environmental Screening Levels (ESLs) document. Soil vapor screening levels are intended to address the vapor intrusion to indoor air pathway.

4. **Indoor Air:** Applicable screening levels such as the Regional Water Board's Environmental Screening Levels (ESLs) document. Indoor air screening levels are intended to address the vapor intrusion to indoor air pathway.

18. TASKS

1. **MONTHLY STATUS REPORTS**

COMPLIANCE DATE: First day of every month

Submit a report acceptable to the Executive Officer documenting the work completed on the tasks in this Order during the prior month and the work planned on the tasks in this Order for the upcoming month.

2. **DESIGN PLAN FOR IMMEDIATE MITIGATION OF INDOOR AIR**

COMPLIANCE DATE: April 24, 2026

Submit a design plan acceptable to the Executive Officer for immediate actions to quickly eliminate PCE in indoor air. Immediate actions may include, but are not limited to, the following interventions:

- Sealing vapor entry points.
- Increasing ventilation.
- Modifying building pressurization and heating, ventilation, and air conditioning (HVAC) systems.
- Treating indoor air.
- Relocating building occupants.

3. **COMPLETION REPORT FOR IMMEDIATE MITIGATION OF INDOOR AIR**

COMPLIANCE DATE: June 24, 2026

Complete tasks in the Task 2 design plan and submit a technical report acceptable to the Executive Officer documenting their completion.

4. **REMEDIAL INVESTIGATION WORKPLAN**

COMPLIANCE DATE: July 1, 2026

Submit a workplan acceptable to the Executive Officer to define the vertical and lateral extent of pollution. The workplan shall specify investigation methods and shall consider all relevant contaminants, media (i.e., soil, groundwater, soil vapor, and indoor air), exposure pathways, and receptors. It shall be designed so that its implementation shall produce data needed to assess contamination threat to human health and the environment.

5. **COMPLETION OF REMEDIAL INVESTIGATION**

COMPLIANCE DATE: 90 days after Executive Officer approval of Task 4 workplan

Complete tasks in the Task 4 workplan and submit a technical report acceptable to the Executive Officer documenting their completion. The technical report shall define the vertical and lateral extent of pollution down to preliminary cleanup goals.

6. **ADDITIONAL PHASE REMEDIAL INVESTIGATION WORKPLAN**

COMPLIANCE DATE: 60 days after required by Executive Officer

Submit a workplan acceptable to the Executive Officer to define the vertical and lateral extent of pollution. The workplan shall specify investigation methods and shall consider all relevant contaminants, media (i.e., soil, groundwater, soil vapor, indoor air), exposure pathways, and receptors. It shall be designed so that its implementation produces site data needed to assess contamination threat to human health and the environment. The Executive Officer will require this workplan if a previous phase of a remedial investigation did not adequately define the vertical and lateral extent of soil, groundwater, soil vapor, and indoor air contamination.

7. **COMPLETION OF ADDITIONAL PHASE REMEDIAL INVESTIGATION**

COMPLIANCE DATE: 90 days after Executive Officer approval of Task 6 workplan

Complete tasks in the Task 6 workplan and submit a technical report acceptable to the Executive Officer documenting their completion. The technical report shall define the vertical and lateral extent of contamination in all media down to preliminary cleanup goals.

8. **INTERIM REMEDIAL ACTION PLAN**

COMPLIANCE DATE: December 31, 2026

Submit a workplan acceptable to the Executive Officer to evaluate interim remedial action alternatives and to recommend one or more alternatives for implementation. The interim remedial action plan must propose remedial work that has a high probability of eliminating threats to water quality, public health, and the environment.

9. **COMPLETION OF INTERIM REMEDIAL ACTIONS**

COMPLIANCE DATE: 120 days after Executive Officer approval of Task 8 workplan

Complete tasks in the Task 8 workplan and submit a technical report acceptable to the Executive Officer documenting their completion. For ongoing actions such as soil vapor extraction or enhanced bioremediation, the report shall document start-up as opposed to completion.

10. **SELF-MONITORING PLAN FOR IRAP**

COMPLIANCE DATE: 30 days after Executive Officer approval of Task 9 report

Submit a self-monitoring plan for the IRAP acceptable to the Executive Officer that includes the following elements:

- Sampling frequency for groundwater monitoring wells, soil vapor monitoring probes, and indoor air monitoring locations for the Site.
- Laboratory analyses.
- Reporting schedule.
- Description of the components that will be included in the monitoring reports.

11. **VAPOR INTRUSION MITIGATION PLAN**

COMPLIANCE DATE: 60 days after required by Executive Officer

Submit a vapor intrusion mitigation plan acceptable to the Executive Officer proposing measures to eliminate threats to indoor air quality. The plan shall consider the building design and condition, propose vapor intrusion measures, describe the system function and components, startup procedures, and performance monitoring.

12. **OPERATION, MAINTENANCE, AND MONITORING PLAN FOR VAPOR INTRUSION MITIGATION**

COMPLIANCE DATE: 120 days after Executive Officer approval of task 11 workplan

Submit a technical report acceptable to the Executive Officer containing operation, maintenance, and monitoring procedures for the vapor intrusion mitigation measures.

13. **COMPLETION REPORT FOR VAPOR INTRUSION MITIGATION MEASURES**

COMPLIANCE DATE: 120 days after Executive Officer approval of task 11 workplan

Submit a report acceptable to the Executive Officer documenting implementation of the vapor intrusion mitigation measures. For ongoing actions, the report shall document start-up as opposed to completion. The report shall describe startup, evaluate initial effectiveness, describe baseline operating conditions, include as-built drawings of any system components, and recommend additional actions as necessary.

Delayed Compliance: If the discharger is delayed, interrupted, or prevented from meeting one or more of the completion dates specified for the above tasks, the discharger shall promptly notify the Executive Officer.

19. PROVISIONS

1. **No Nuisance:** The storage, handling, treatment, or disposal of polluted soil or groundwater shall not create a nuisance as defined in Water Code section 13050(m).

2. **Good Operation and Maintenance (O&M):** The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed to achieve compliance with the requirements of this Order.

3. **Cost Recovery:** The discharger shall be liable, pursuant to Water Code section 13304, to the Regional Water Board for all reasonable costs actually incurred by the Regional Water Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. If the Site addressed by this Order is enrolled in a State Water Board-managed reimbursement program, reimbursement shall be made pursuant to this Order and according to the procedures established in that program. Any disputes raised by the discharger over reimbursement amounts or methods used in that program shall be consistent with the dispute resolution procedures for that program.

4. **Access to Site and Records:** In accordance with Water Code section 13267(c), the discharger shall permit the Regional Water Board or its authorized representative:

    a. Entry upon premises in which any pollution source exists, or may potentially exist, or in which any required records are kept, which are relevant to this Order.

    b. Access to copy any records required to be kept under the requirements of this Order.

    c. Inspection of any monitoring or remediation facilities installed in response to this Order.

    d. Sampling of any groundwater or soil that is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the discharger.

5. **Contractor / Consultant Qualifications:** All technical documents shall be signed by and stamped with the seal of a California registered geologist, a

California certified engineering geologist, or a California registered civil engineer.

6. **Lab Qualifications:** All samples shall be analyzed by State-certified laboratories or laboratories accepted by the Regional Water Board using approved U.S. EPA methods for the type of analysis to be performed. Quality assurance/quality control (QA/QC) records shall be maintained for Regional Water Board review. This provision does not apply to analyses that can only reasonably be performed onsite (e.g., temperature).

7. **GeoTracker Uploads:** The discharger is required to submit all reports and data in electronic format to the State Water Resources Control Board's GeoTracker database, pursuant to California Code of Regulations, title 23, sections 3890–3895. See Electronic Submittal of Information for guidance on submitting documents to GeoTracker. This requirement includes all chemical data, monitoring well information (latitudes, longitudes, elevations, depth and length of screened interval, and water depth), site maps, and boring logs. Chemical data must be submitted in Electronic Deliverable Format (EDF) and be in accordance with the GeoTracker Guidance Letter on Reporting of Estimated Results in EDF. The discharger is requested to also upload vapor intrusion sample location information. See Uploading Vapor Intrusion Information into GeoTracker for guidance on submitting sample location information.

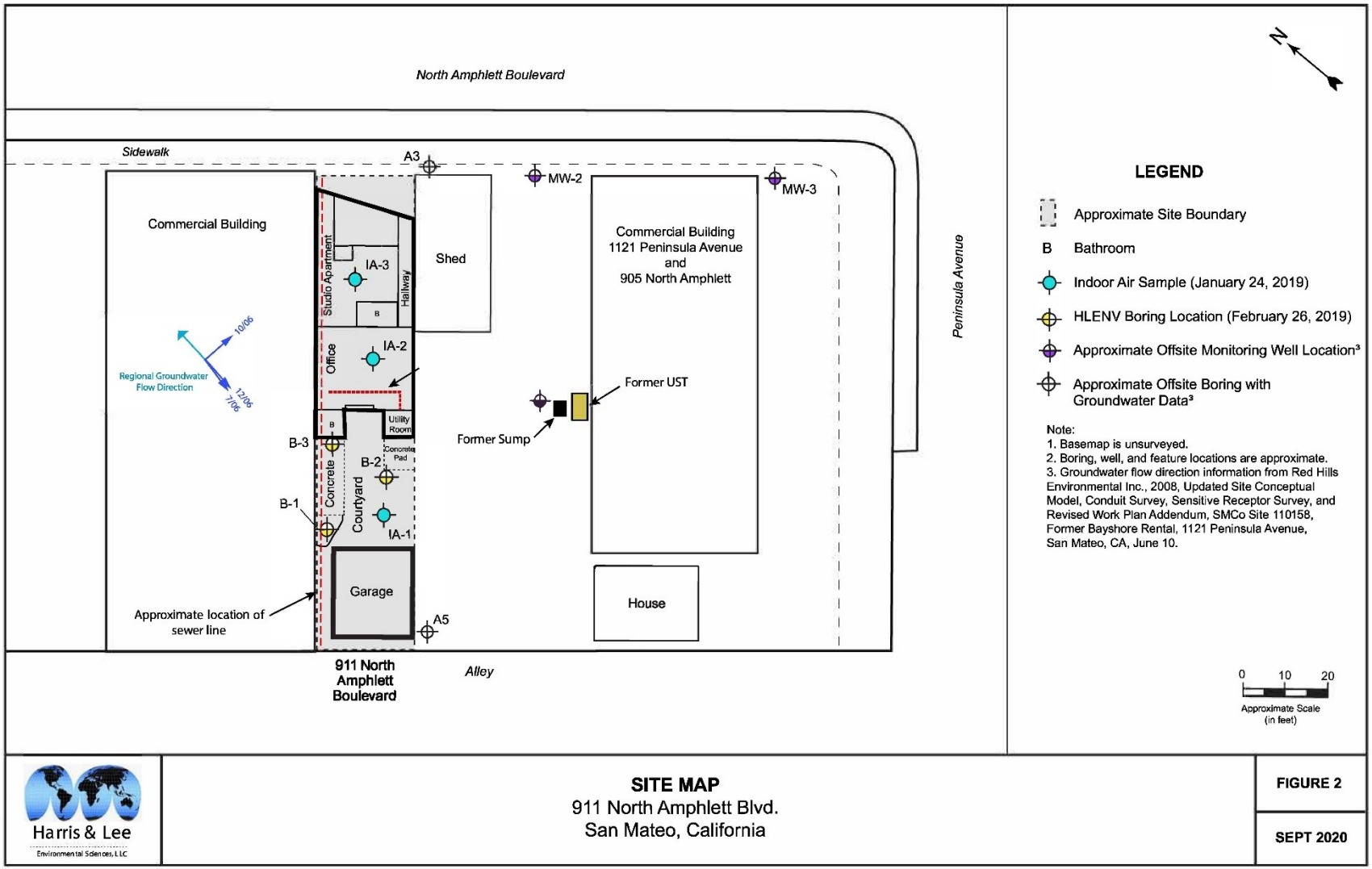
8. **Reporting of Changed Owner or Operator:** The discharger shall file a technical report on any changes in contact information, occupancy or ownership associated with the Property described in this Order.

9. **Periodic Review:** The Regional Water Board will review this Order periodically and may revise it when necessary. The discharger may request revisions and upon review the Executive Officer may recommend that the Regional Water Board revise these requirements.

So ordered on March 18, 2026.

Eileen M. White, P.E.
Executive Officer

Attachment: Site Map



Drafted by: TH

Harris & Lee
Environmental Sciences, LLC

SITE MAP
911 North Amphlett Blvd.
San Mateo, California

FIGURE 2

SEPT 2020