



California Regional Water Quality Control Board

San Francisco Bay Region



Linda Adams
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

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Attn: Mr. Jim Kennedy
Redevelopment Director
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P.O. Box 6144
Concord, CA 94524

Ms. Nancy Ellicock
Ms. Elizabeth Young
Mr. John V. Hook
Mr. Steven Pucell
c/o Mr. Daniel C. Helix
P.O. Box 6144
Concord, CA 94524

SUBJECT: Requirement for Offsite Indoor Air Sampling - Hookston Station Site, 228
Hookston Road, Pleasant Hill, Contra Costa County

Dear Messrs. Grant, Helix, Kennedy, Hook, and Pucell and Meses. Helix, Ellicock and Young:

This letter requires submittal of information to augment the reporting already required by the Self Monitoring Program in compliance with Board Order No. R2-2003-0035, as amended. Water Board staff intends to include this information as part of the comprehensive Self Monitoring Program when the Final Site Cleanup Requirements Order is adopted later this year.

Indoor Air Monitoring

Indoor air sampling and analysis shall be completed annually for all single-family residences indicated on Figure 1, for which access is granted for indoor air sampling. These homes are generally located within 100 feet of the 500 micrograms per liter (ug/l) TCE groundwater iso-concentration contour in the A-Zone (based on historical data). The area indicated on Figure 1 is subject to modification by Water Board staff, based on analytical results. Indoor air monitoring shall be conducted during the summer dry season, and no later than September 30 for the 2006 season.

Indoor air sampling and analysis shall be completed in accordance with the *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air* (DTSC, February 2005). The sampling program shall include the following:

- Samples shall be analyzed using method TO-15 SIM, which includes the chemicals that originate from the Hookston Station Site. Method TO-15 SIM also includes PCE, which does not originate from the Hookston Station Site;
- Samples shall be collected from the first floors of all homes and from the second floors of two-story homes;
- At least two sampling events shall include the collection and analysis of crawl space air samples for homes with crawl-spaces. Crawl-space air samples are not required in certain homes under the following conditions: 1) homes with vapor intrusion prevention systems, and 2) homes for which two crawl-space air samples have already been collected.
- Samples shall be collected over a 24-hour period using calibrated flow controllers;
- Residents shall be asked, but not required, to keep windows and doors closed in the room containing the sampling device for the duration of the sampling;
- Ambient air samples shall be collected during each sampling day;
- Petroleum-related compounds, which do not originate from the Hookston Station Site, may be excluded from data tables in monitoring reports, but shall be included in the laboratory reports.

Water Board staff received a comment on a preliminary draft of this letter requesting 12-hour sampling instead of 24-hour sampling. The intent of the sampling is to determine average daily concentrations of the monitored compounds descriptive of long-term exposure to vapors migrating from the sub-surface to indoor air, rather than to evaluate a worst-case scenario. Samples collected over a 24-hour period will more accurately account for occupant use patterns over the course of the day. Consistent with DTSC's *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air*, we conclude that indoor air samples collected over a 24-hour period will more accurately describe the representative indoor air concentrations over a long-term chronic exposure.

Vapor intrusion prevention systems

All homes with installed vapor intrusion prevention systems shall be visually inspected annually (and repaired, if needed) to ensure that the mechanical equipment is in good condition and operating properly and that the crawl space vapor barrier remains intact.

Requirement for Technical Report

You are required to submit the results of the indoor sampling and visual inspection for the 2006 sampling event no later than **November 30, 2006**. Future reports may be included as part of the appropriate quarterly monitoring report (i.e., third quarter).

This requirement for a report is made pursuant to Water Code Section 13267, which allows the Board to require technical or monitoring program reports from any person who has discharged, discharges, proposes to discharge, or is suspected of discharging waste that could affect water quality. The attachment provides additional information about Section 13267 requirements. Any extension in the above deadline must be confirmed in writing by Board staff.

If you have any questions, please contact Mary Rose Cassa at (510) 622-2447 or e-mail at mcassa@waterboards.ca.gov.

Sincerely,

Bruce H. Wolfe
Executive Officer

enclosures: Figure 1
Water Code Section 13267 Fact Sheet

cc w/enclosures: see next page

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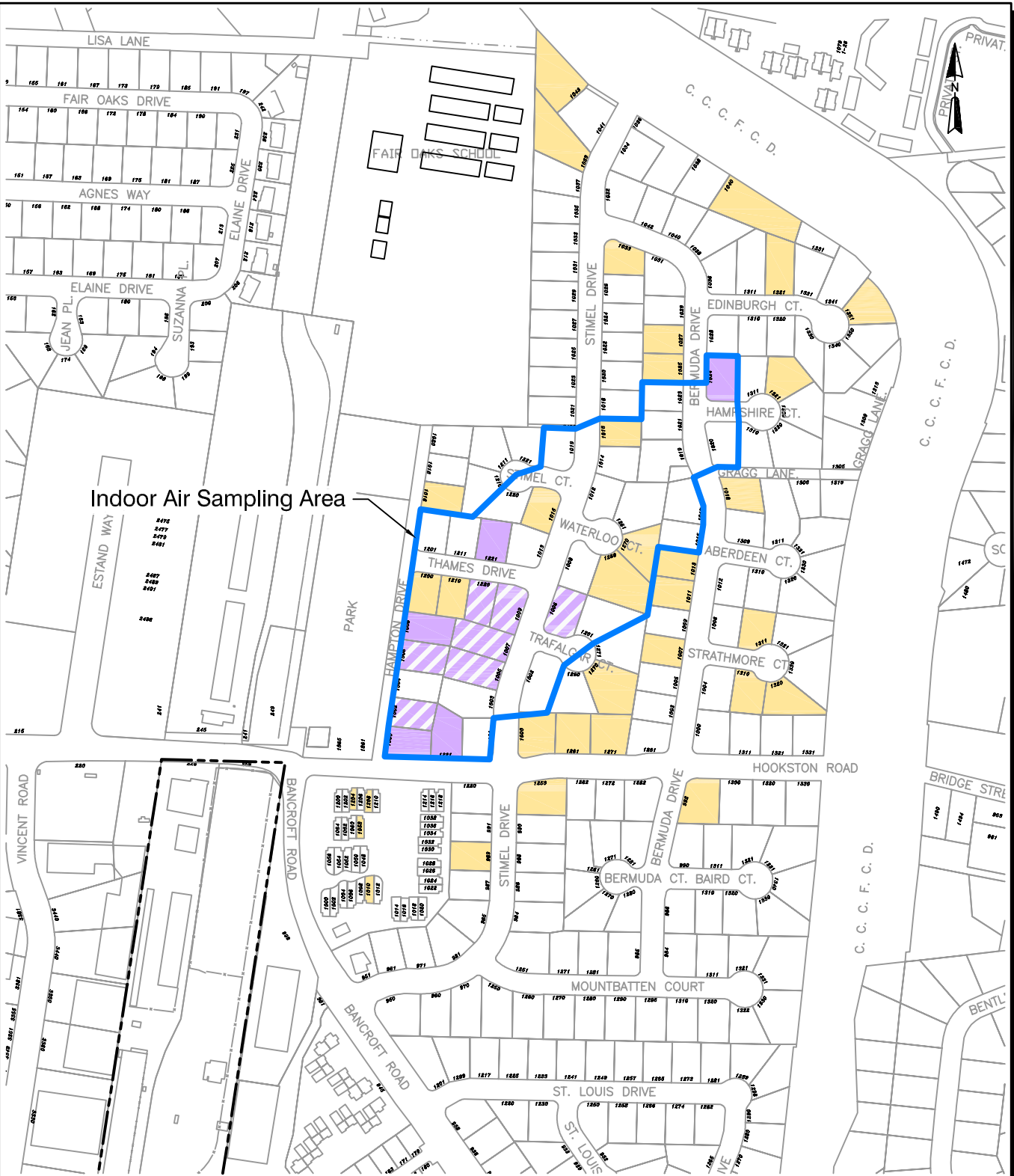
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LEGEND

- Hookston Station Parcel Property Boundary
- TCE Detected in Indoor Air At a Concentration of 0.96 $\mu\text{g}/\text{m}^3$ or Greater (risk-based cleanup goal)
- TCE Detected in Indoor Air at Concentrations Below 0.96 $\mu\text{g}/\text{m}^3$, or Was Not Detected Above Laboratory Reporting Levels
- Vapor Intrusion Prevention System Installed
- Indoor Air Sampling Area

Note: Figure is based on the maximum TCE concentrations detected in indoor air during 2004–2006.

Figure 1
Indoor Air Sampling Area
Hookston Station
Pleasant Hill, California



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Fact Sheet – Requirements For Submitting Technical Reports Under Section 13267 of the California Water Code

What does it mean when the regional water board requires a technical report?

Section 13267¹ of the California Water Code provides that "...the regional board may require that any person who has discharged, discharges, or who is suspected of having discharged or discharging, or who proposes to discharge waste...that could affect the quality of waters...shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires."

This requirement for a technical report seems to mean that I am guilty of something, or at least responsible for cleaning something up. What if that is not so?

The requirement for a technical report is a tool the regional water board uses to investigate water quality issues or problems. The information provided can be used by the regional water board to clarify whether a given party has responsibility.

Are there limits to what the regional water board can ask for?

Yes. The information required must relate to an actual or suspected or proposed discharge of waste (including discharges of waste where the initial discharge occurred many years ago), and the burden of compliance must bear a reasonable relationship to the need for the report and the benefits obtained. The regional water board is required to explain the reasons for its request.

What if I can provide the information, but not by the date specified?

A time extension may be given for good cause. Your request should be promptly submitted in writing, giving reasons.

Are there penalties if I don't comply?

Depending on the situation, the regional water board can impose a fine of up to \$5,000 per day,

and a court can impose fines of up to \$25,000 per day as well as criminal penalties. A person who submits false information or fails to comply with a requirement to submit a technical report may be found guilty of a misdemeanor. For some reports, submission of false information may be a felony.

Do I have to use a consultant or attorney to comply?

There is no legal requirement for this, but as a practical matter, in most cases the specialized nature of the information required makes use of a consultant and/or attorney advisable.

What if I disagree with the 13267 requirements and the regional water board staff will not change the requirement and/or date to comply?

You may ask that the regional water board reconsider the requirement, and/or submit a petition to the State Water Resources Control Board. See California Water Code sections 13320 and 13321 for details. A request for reconsideration to the regional water board does not affect the 30-day deadline within which to file a petition to the State Water Resources Control Board

If I have more questions, whom do I ask?

Requirements for technical reports indicate the name, telephone number, and email address of the regional water board staff contact.

Revised August 2005

¹ All code sections referenced herein can be found by going to www.leginfo.ca.gov.