CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 97-066

ADOPTION OF FINAL SITE CLEANUP REQUIREMENTS AND RESCISSION OF ORDER NOs. 94-128 and 95-047 FOR:

EDDIE AND DOLLY YANG, DOING BUSINESS AS KING'S COURT CLEANERS; JOHN AND HELEN REED, DOING BUSINESS AS KING'S COURT CLEANERS; KINGSCO; SUE JETT; RICHARD C. CONGER; AND ESTHER R. RICE, TRUSTEE OF THE ESTHER R. RICE REVOCABLE TRUST

for the property located at

728 BLOSSOM HILL ROAD
LOS GATOS
SANTA CLARA COUNTY

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

1. **Site Location**: The site is located on 728 Blossom Hill Road in the southeast corner of the intersection of Los Gatos Boulevard and Blossom Hill Road, in the City of Los Gatos, Santa Clara County, about 0.4 miles southeast of Highway 17. The site is bounded on the north by an Exxon service station and Blossom Hill Road, on the south by restaurant and residential development, on the west by Los Gatos Boulevard, and on the east by a residential apartment complex.

   The subject site was historically an orchard until 1960's, when it was developed as a retail shopping center, King's Court Shopping Center. The site is now surrounded by commercial development or residential homes.

2. **Site History**: Sue Jett, Richard C. Conger, and Esther R. Rice, Trustee of the Esther R. Rice Revocable Trust are the current owners of the real property. KINGSCO, a general partnership, that includes Frank J. Lodato, Charles H. Gunn, Lindley H. Miller, Jr., and Pacific Real Estate Investment Trust, leases the property and owns all the improvements at the King's Court Shopping Center. Mr. Donner operated a dry-cleaning business (King's Court Cleaners) at the site from 1961 to about 1971-72. Mr. John D. Reed and Mrs. Helen B. Reed (the Reeds) purchased King's Court Cleaners from Mr. Donner in July 1975. The Reeds sold the dry-cleaning business

(King's Court Cleaners) to Mr. Eddie (Chung) Yao Yang and Dolly (Hsi-Hung) Yu Yang in 1977. Eddie and Dolly Yang (the Yangs) subleased the 728 Blossom Hill Road property and operated the dry-cleaning business from 1977 to 1980.

The Reeds and the Yangs used PCE in the dry-cleaning process. The Reeds used approximately fifty gallons of PCE every two weeks during their last two months in the business. The Yangs used about 100 gallons of PCE per year for their dry-cleaning business. PCE, which is a common dry-cleaning solvent, was delivered by tanker truck every two weeks and dispensed directly into the dry-cleaning machine's storage tank. The former dry-cleaning location is now occupied by a stationary store. Currently, the Yangs operate King's Court Cleaners at a different location in King's Court Shopping Center at 798 Blossom Hill Road, but they do not actually perform dry-cleaning on the site at this time.

KINGSCO conducted preliminary site assessment and soil and groundwater investigation at the site in late 1993 and early 1994. Elevated levels of PCE have been identified in soil and groundwater at the site. Based on the apparent distribution of PCE in soil and groundwater at the site, the former dry-cleaning facility at the site appears to be a likely contaminant source.

3. **Named Dischargers**: The Reeds are named as dischargers based on their usage of PCE during their occupancy of the site from July 1975 to August 1977 and based on the distribution of PCE in soil and groundwater underneath the former dry-cleaning facility. The Yangs are named as dischargers based on their usage of PCE during their occupancy of the site from August 1977 to March 1980 and based on the distribution of PCE in soil and groundwater underneath the former dry-cleaning facility. KINGSCO is named as a discharger because it is the current lessee of the property and owns the improvements at the site. Sue Jett, Richard C. Conger, and Esther R. Rice, Trustee of the Esther R. Rice Revocable Trust are named as dischargers because they are current owners of the property.

   If additional information is submitted indicating that other parties caused or permitted any waste to be discharged on the site where it entered or could have entered waters of the state, the Board will consider adding that party's name to this order.

4. **Regulatory Status**:

   This site is subject to the following Board orders:

   - Site Cleanup Requirements (Order No. 94-128) adopted September 21, 1994
   - Amendment of Site Cleanup Requirements (Order No. 95-047) adopted March 9, 1995

- NPDES General Permit (Order No. 94-087) adopted on July 20, 1994

5. **Site Hydrogeology:** The site is located south of San Francisco Bay within the South Bay recharge zone. The South Bay recharge zone lies within the Coast Range and generally consists of a broad alluvial valley sloping northward towards the San Francisco Bay. The San Jose Plain deposits in the site vicinity are reported to extend to depths of approximately 150 feet and consists of unconsolidated deposits of gravel, sand and silt, with localized clay layers that form aquitards.

   The depth to water in the Los Gatos area varies locally and fluctuates seasonally. Groundwater in the site vicinity was generally encountered between 45 to 70 feet below ground surface (bgs). Based on the groundwater elevation data collected during the site investigation, the direction of the shallow groundwater flow underneath the site is northerly.

6. **Remedial Investigation:**

   Soil: KINGSCO initiated soil investigation to evaluate the distribution of contaminants in soil at the site related to existing and former dry-cleaning establishments in late 1993 and early 1994. Based on the investigation results, elevated levels of PCE were found in soil samples collected from the central portion of the site. Soil samples collected from borings immediately down-gradient of the former dry-cleaning establishment detected PCE up to 7.1 mg/kg at about 20 feet bgs and up to 4.5 mg/kg at about 35 feet bgs. KINGSCO conducted additional remedial investigation to characterize the site in 1995. Based on the site characterization report, no additional soil investigation is needed for the site.

   Groundwater: KINGSCO conducted shallow zone groundwater investigation to characterize the site and define the contaminants and their impact to the shallow aquifer. Eight shallow groundwater monitoring wells were installed at the site in 1994. To determine the lateral and vertical extent of the contamination plume, KINGSCO installed additional three shallow wells and one deeper well at the site in 1995. Water samples from the monitoring wells immediately down-gradient of the former dry-cleaning facility detected up to 8,700 ug/l of PCE. Other contaminants such as chloroform, trichloroethane, and cis-1,2-dichloroethene were also detected in concentrations below drinking water standards. The groundwater plume has migrated about 550 feet northeast of the source area. The plume is delineated, and no additional investigation is needed at this time.

7. **Adjacent Sites:** An Exxon (formerly Texaco) gas station exists north and down-gradient to the site. Exxon is currently conducting on-site investigation in connection with potential petroleum hydrocarbon contamination. No sites in the vicinity are presently known to be a potential source of solvents.

8. **Interim Remedial Measures:**

Soil: KINGSCO implemented soil vapor extraction (SVE) at the site in September 1995. The system includes a network of nine vapor extraction wells, an extraction blower, a water knockout unit, and two 2,000 pound vapor-phase activated vessels. The extracted vapor is treated by the carbon vessels before being discharged to the atmosphere in accordance with the Bay Area Air Quality Management District's permit. The system has been very effective in reducing PCE concentrations. Based on the SVE evaluation results, the system has extracted about 769 pounds of PCE from the unsaturated soil. PCE concentrations at each vapor extraction wells have significantly declined in the first few months after the system start-up. The system has been operated intermittently since March 1996 to save energy and be more efficient.

Groundwater: KINGSCO initiated interim remedial measures (IRMs) for groundwater at the site in November 1995. The IRMs consist of one extraction well (EX-1) and two 1,000 pounds liquid-phase, granular-activated carbon adsorption units. The system pumping rate was about 4 to 5 gallons per minute. Based on the IRMs evaluation data, the one extraction well has been effective in reducing VOC concentrations. The extraction system has extracted more than 21 pounds of PCE. However, one additional extraction well (EX-2) was installed down-gradient of the site in December 1996, to fully contain the off-site migration of the PCE plume. The treated waste water is discharged to the storm drain in accordance with the Board's NPDES General Permit.

9. **Feasibility Study**: KINGSCO developed and evaluated a list of possible alternatives for remediating the contaminated shallow groundwater underneath the 728 Blossom Hill Road site. The screening of technologies was based on their applicability to site characteristics, on the properties of the chemicals, and on reliability and performance of treatment technologies. The remaining four remedial alternatives such as 1) "no further action", 2) hydraulic containment by groundwater extraction, 3) soil vapor extraction and groundwater extraction, and 4)air sparging/vapor extraction and groundwater extraction were then further evaluated on the basis of implementability, effectiveness and environmental and public health impacts. KINGSCO selected the fourth alternative as a final remedy for the site due to reliability, implementability, performance, acceptability, and cost effectiveness.

10. **Cleanup Plan**: KINGSCO submitted a draft remedial action (RAP) on January 31, 1997. The draft RAP summarizes the remedial investigation and interim remedial measures, evaluates cleanup alternatives and proposes air-sparging/vapor extraction and groundwater extraction and treatment systems. An April 7 RAP addendum proposes cleanup standards both for soil and groundwater and evaluates risk to human health.

11. **Risk Assessment**: The shallow groundwater underneath the site is not currently used for domestic supply. KINGSCO's April 7, 1997, *Risk Assessment and Proposed Cleanup Standards Addendum to the Remedial Action Plan* assumed that the shallow groundwater beneath the site would in future be used as a domestic water supply. Several scenarios were evaluate during the risk assessment, but two scenarios are appropriate to the scope of this order. Scenario 1 evaluated current site conditions using most recent maximum groundwater VOC concentrations. Scenario 2 evaluated future conditions assuming attainment of maximum contaminant levels (MCLs). Both scenarios considered groundwater ingestion as a potential exposure pathway. The assessment determined the primary chemicals of interest and their toxicity. Then, the assessment computed risks for carcinogenic and non-carcinogenic chemicals in the groundwater, and compared them to the EPA recommended risk range.

Toxicity Classification for Chemicals of Interest: PCE has been consistently detected above its respective MCL in shallow groundwater beneath the site; however, the risk assessment included five additional compounds that have been infrequently detected and PCE''s potential breakdown products. These compounds are: chlorobenzene, chloroform, cis-1,2-DCE, trans-1,2-DCE, and TCE.

Three of the indicator chemicals are classified as carcinogens: chloroform, PCE and TCE. Based on EPA's classification, chloroform, PCE and TCE are class "B2" carcinogens (probable human carcinogen, with inadequate human evidence but sufficient evidence from animal experiments). The remaining three compounds (chlorobenzene, cis-1,2-DCE, and trans-1,2-DCE) are non-carcinogens (class "D").

Exposure Assessment: Under the current use of the site, there appear to be no complete exposure pathways. The level of contaminants in the shallow aquifer are greater than drinking water standards; however, the shallow aquifer is currently not being used for drinking water. The deeper aquifer that is used for drinking water has not been impacted by VOCs. However, the assessment assumed more conservative approach. In both scenarios, it assumed ingestion of shallow groundwater from a hypothetical domestic well as exposure route.

Baseline Risk: The current VOC concentrations at the site will pose threat to human health if the shallow groundwater is used for domestic use pending remediation. The excess cancer risk was estimated to be 7.4×10^{-4}, or 7.4 excess cancer cases in a population of 10,000. A total hazard index (HI) was determined to be about 3.50, with PCE alone accounting for most of the HI. For comparison, the Board considers the following risk to be acceptable at remediation sites: a hazardous index of 1.0 or less for non-carcinogens, and an excess cancer risk of 10^{-4} or less for carcinogens.

The baseline risk assessment did not identify soil as an exposure medium. The SVE system in conjunction with air sparging will continue to extract VOC vapors from the soil in the proximity and down-gradient of the former dry cleaning area until soil

cleanup goal is met. The contaminated soil is about 10 feet below ground surface underneath an open parking lot. Given the limited concentration level, it is unlikely that the VOC vapors diffused from the subsurface contaminated soil to pose a significant health threat.

Scenario 1 demonstrated that the current VOC concentrations will pose excessive risk if the shallow groundwater is used for domestic purpose. Therefore, institutional constraints are appropriate to limit the on-site exposure. Institutional constraints include a deed restriction that notifies future owners of sub-surface contamination and prohibits the use of shallow groundwater beneath the site as a source of drinking water until cleanup standards are met.

Post-Remediation Risk: Attainment of cleanup standards will protect human health in the event that shallow groundwater is used for domestic purposes. For the carcinogenic chemicals, the excess cancer risk predicted by this analysis is about 5.8×10^{-6}, or about six excess cancer cases in a population of one million. This cancer risk level lies within the EPA's recommended risk range. Likewise, the total HI for all non-carcinogenic compounds was found to be 0.29, much below the 1.0 level.

12. **Basis for Cleanup Standards**

a. **General**: State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," applies to this discharge and requires attainment of background levels of water quality, or the highest level of water quality which is reasonable if background levels of water quality 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.

State 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. This order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

b. **Beneficial Uses**: The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The revised Basin Plan was approved by the State Water Resources Control Board and the Office of Administrative Law on July 20, 1995, and November 13, 1995, respectively. A summary of regulatory provisions is contained in 23 CCR 3912. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwaters.

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. Groundwater underlying and adjacent to the site qualifies as a potential source of drinking water.

The Basin Plan designates the following potential beneficial uses of groundwater underlying and adjacent to the site:

o Municipal and domestic water supply
o Industrial process water supply
o Industrial service water supply
o Agricultural water supply

At present, there is no known use of groundwater underlying the site for the above purposes)

c. **Basis for Groundwater Cleanup Standards**: The groundwater cleanup standards for the site are based on applicable water quality objectives and are the more stringent of EPA and California primary maximum contaminant levels (MCLs). Cleanup to this level will result in acceptable residual risk to humans.

d. **Basis for Soil Cleanup Standards**: The soil cleanup standards for the site are 1 mg/kg total VOCs. Cleanup to this level is intended to prevent leaching of contaminants to groundwater and will result in acceptable residual risk to humans.

13. **Future Changes to Cleanup Standards**: The goal of this remedial action is to restore the beneficial uses of groundwater underlying and adjacent to the site. Results from other sites suggest that full restoration of beneficial uses to groundwater as a result of active remediation at this site may not be possible. If full restoration of beneficial uses is not technologically nor economically achievable within a reasonable period of time, then the dischargers may request modification to the cleanup standards or establishment of a containment zone, a limited groundwater pollution zone where water quality objectives are exceeded. Conversely, if new technical information indicates that cleanup standards can be surpassed, the Board may decide if further cleanup actions should be taken.

14. **Reuse or Disposal of Extracted Groundwater**: Board Resolution No. 88-160 allows discharges of extracted, treated groundwater from site cleanups to surface waters only if it has been demonstrated that neither reclamation nor discharge to the sanitary sewer is technically and economically feasible.

15. **Basis for 13304 Order:** The dischargers have 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.

16. **Cost Recovery:** Pursuant to California Water Code Section 13304, the dischargers are hereby notified that the Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the 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.

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

18. **Notification:** The Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

19. **Public Hearing:** The Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the dischargers (or their agents, successors, or assigns) shall cleanup and abate the effects described in the above findings as follows:

A. PROHIBITIONS

1. The discharge of wastes or hazardous substances in a manner which 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 which will cause significant adverse migration of wastes or hazardous substances are prohibited.

B. CLEANUP PLAN AND CLEANUP STANDARDS

1. **Implement Cleanup Plan:** The dischargers shall implement the cleanup plan

described in finding 10.

2. **Groundwater Cleanup Standards:** The following groundwater cleanup standards shall be met in all wells identified in the Self-Monitoring Program:

Constituent	Cleanup Standard (ug/l)	Basis (Primary MCLs)
Mono-chlorobenzene	70	California
Chloroform	100	EPA/California
Cis-1,2-dichloroethene	6	California
Trans-1,2-dichloroethene	10	California
Tetrachloroethene	5	EPA/California
Trichloroethene	5	EPA/California

3. **Soil Cleanup Standards:** Soil cleanup standards of 1 mg/kg for total VOCs shall be met in all on-site vadose-zone soils.

C. TASKS

1. WORKPLAN FOR AIR SPARGING REMEDIATION SYSTEM

COMPLIANCE DATE: June 30, 1997

Submit a workplan acceptable to the Executive Officer for installation of air sparging remediation system. The workplan should describe all significant implementation steps and should include an implementation schedule.

2. IMPLEMENTATION OF AIR SPARGING AND EXPANDED GROUNDWATER REMEDIATION SYSTEMS

COMPLIANCE DATE: October 31, 1997

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in the Task 1 workplan. For ongoing actions, such as SVE or groundwater extraction and treatment systems, the report should document system start-up (as opposed to completion) and should present initial results on system effectiveness (e.g. capture zone or area of influence). Proposals for further system expansion or modification may be included in annual reports (see Self-Monitoring Program).

3. **PROPOSED INSTITUTIONAL CONSTRAINTS**

COMPLIANCE DATE: September 1, 1997

Submit a technical report acceptable to the Executive Officer documenting procedures to be used by the dischargers to prevent or minimize human exposure to soil and groundwater contamination prior to meeting cleanup standards. Such procedures shall include a deed restriction prohibiting the use of shallow groundwater as a source of drinking water.

4. **IMPLEMENTATION OF INSTITUTIONAL CONSTRAINTS**

COMPLIANCE DATE: 60 days after Executive Officer approval

Submit a technical report acceptable to the Executive Officer documenting that the proposed institutional constraints have been implemented.

5. **FIVE-YEAR STATUS REPORT**

COMPLIANCE DATE: June 1, 2002

Submit a technical report acceptable to the Executive Officer evaluating the effectiveness of the approved cleanup plan. The report should include:

a. Summary of effectiveness in controlling contaminant migration and protecting human health and the environment
b. Comparison of contaminant concentration trends with cleanup standards
c. Comparison of anticipated versus actual costs of cleanup activities
d. Performance data (e.g. groundwater volume extracted, chemical mass removed, mass removed per million gallons extracted)
e. Cost effectiveness data (e.g. cost per pound of contaminant removed)
f. Summary of additional investigations (including results) and significant modifications to remediation systems
g. Additional remedial actions proposed to meet cleanup standards (if applicable) including time schedule

If cleanup standards have not been met and are not projected to be met within a reasonable time, the report should assess the technical practicability of meeting cleanup standards and may propose an alternative cleanup strategy.

6. **PROPOSED AIR SPARGING/SVE WELL(S) CURTAILMENT**

COMPLIANCE DATE: 60 days prior to proposed curtailment

Submit a technical report acceptable to the Executive Officer containing a proposal to curtail remediation. Curtailment includes system closure (e.g. well abandonment), system suspension (e.g. cease extraction but wells retained), and significant system modification (e.g. major reduction in vapor extraction rates, closure of individual SVE well within SVE network). The report should include the rationale for curtailment. Proposals for final closure should demonstrate that soil cleanup standards have been met, VOC concentrations are stable, and contaminant migration potential is minimal. The proposal shall include a schedule for implementation.

7. **IMPLEMENTATION OF AIR SPARGING/SVE WELL(S) CURTAILMENT**

COMPLIANCE DATE: 60 days after Executive Officer approval

Submit a technical report acceptable to the Executive Officer documenting completion of the tasks identified in Task 6.

8. **PROPOSE GROUNDWATER EXTRACTION CURTAILMENT**

COMPLIANCE DATE: 60 days prior to proposed curtailment

Submit a technical report acceptable to the Executive Officer containing a proposal to curtail groundwater remediation. Curtailment includes system closure (e.g. well abandonment), system suspension (e.g. cease extraction but wells retained), and significant system modification (e.g. major reduction in groundwater extraction rates, closure of individual extraction well within groundwater extraction network). The report should include the rationale for curtailment. Proposals for final closure should demonstrate that cleanup standards have been met, contaminant concentrations are stable, and contaminant migration potential is minimal. The proposal shall include a schedule for implementation.

9. **IMPLEMENTATION OF GROUNDWATER REMEDIATION CURTAILMENT**

COMPLIANCE DATE: 60 days after Executive Officer approval

Submit a technical report acceptable to the Executive Officer documenting completion of the tasks identified in Task 8.

10. **EVALUATION OF NEW HEALTH CRITERIA**

COMPLIANCE DATE: 90 days after requested

by Executive Officer

Submit a technical report acceptable to the Executive Officer evaluating the effect on the approved cleanup plan of revising one or more cleanup standards in response to revision of drinking water standards, maximum contaminant levels, or other health-based criteria.

11. **EVALUATION OF NEW TECHNICAL INFORMATION**

COMPLIANCE DATE: 90 days after requested by Executive Officer

Submit a technical report acceptable to the Executive Officer evaluating new technical information which bears on the approved cleanup plan and cleanup standards for this site. In the case of a new cleanup technology, the report should evaluate the technology using the same criteria used in the feasibility study. Such technical reports shall not be requested unless the Executive Officer determines that the new information is reasonably likely to warrant a revision in the approved cleanup plan or cleanup standards.

12. **Delayed Compliance**: If the dischargers are delayed, interrupted, or prevented from meeting one or more of the completion dates specified for the above tasks, the dischargers shall promptly notify the Executive Officer and the Board may consider revision to this Order.

D. **PROVISIONS**

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

2. **Good O&M**: The dischargers 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 dischargers shall be liable, pursuant to California Water Code Section 13304, to the Board for all reasonable costs actually incurred by the 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 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 dischargers 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 California Water Code Section 13267(c), the dischargers shall permit the 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 which is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the dischargers.

5. **Self-Monitoring Program:** The dischargers shall comply with the Self-Monitoring Program as attached to this Order and as may be amended by the Executive Officer.

6. **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.

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

8. **Document Distribution:** Copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order shall be provided to the following agencies:

   a. Santa Clara County Central Valley Fire Protection District
   b. County of Santa Clara Department of Environmental Health
   c. Santa Clara Valley Water District

The Executive Officer may modify this distribution list as needed.

9. **Reporting of Changed Owner or Operator**: The dischargers shall file a technical report on any changes in site occupancy or ownership associated with the property described in this Order.

10. **Reporting of Hazardous Substance Release**: If any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, the dischargers shall report such discharge to the Regional Board by calling (510) 286-1255 during regular office hours (Monday through Friday, 8:00 to 5:00).

    A written report shall be filed with the Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.

    This reporting is in addition to reporting to the Office of Emergency Services required pursuant to the Health and Safety Code.

11. **Rescission of Existing Order**: This Order supersedes and rescinds Order Nos. 94-128 and 95-047.

12. **Periodic SCR Review**: The Board will review this Order periodically and may revise it when necessary.

I, Loretta K. Barsamian, 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 May 21, 1997.

Loretta K. Barsamian
Executive Officer

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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

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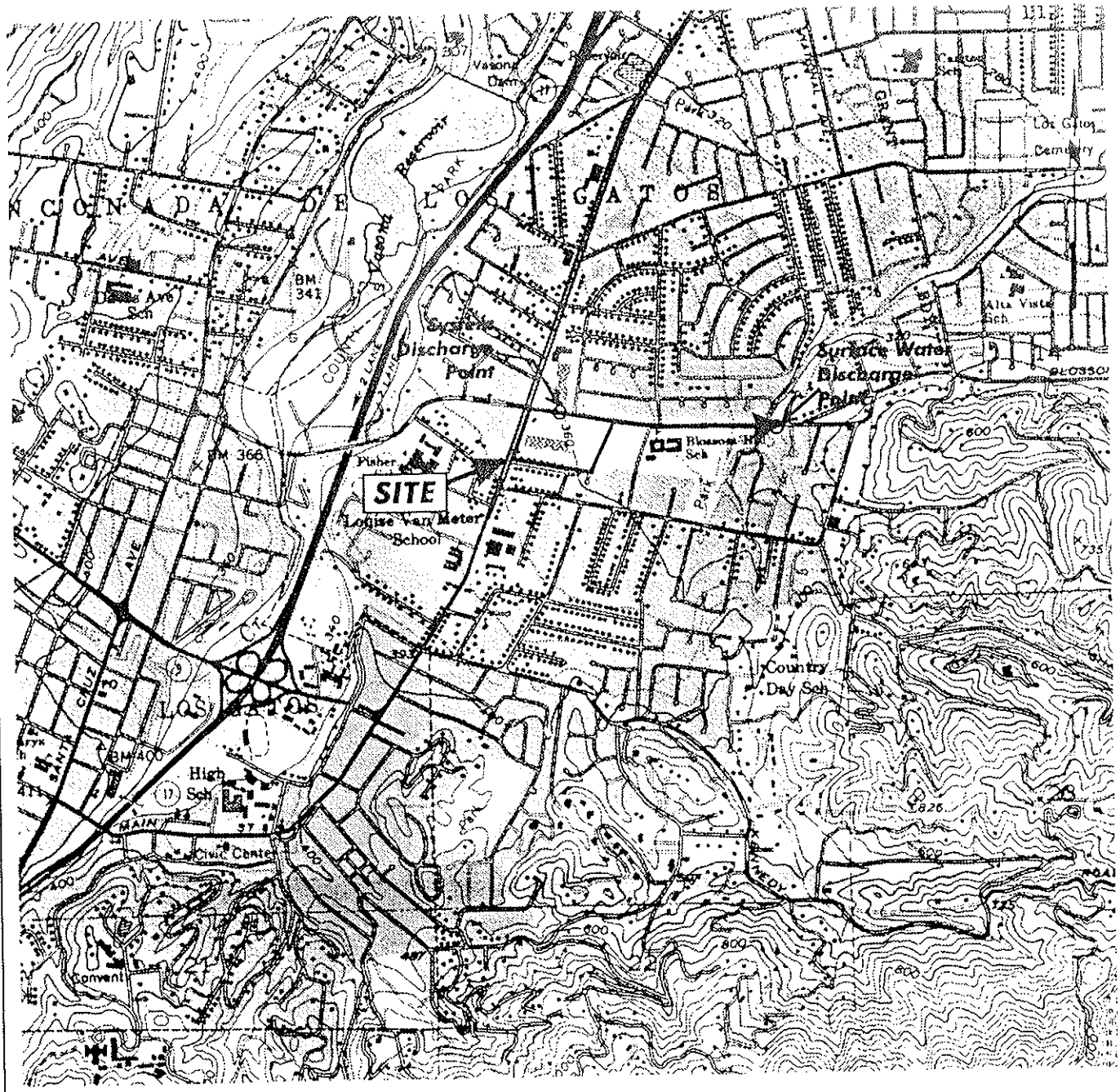
Attachments: Site Map
Self-Monitoring Program



Approximate Scale in Miles

0 1/2 1

BASE: Provided by U.S.G.S. Los Gatos Quadrangle, California, 7.5min. Topographic.

ek29011

HARZA

Consulting Engineers and Scientists

SITE VICINITY MAP

KINGS COURT SHOPPING CENTER
Los Gatos, California

PROJECT NO.	DATE	FIGURE NO.
K290-1	JAN 1997	1

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM FOR:

EDDIE AND DOLLY YANG, DOING BUSINESS AS KING'S COURT CLEANERS; JOHN AND HELEN REED, DOING BUSINESS AS KING'S COURT CLEANERS; KINGSCO; SUE JETT; RICHARD C. CONGER; AND ESTHER R. RICE, TRUSTEE OF THE ESTHER R. RICE REVOCABLE TRUST

for the property located at

728 BLOSSOM HILL ROAD
LOS GATOS
SANTA CLARA COUNTY

1. **Authority and Purpose:** The Board requests the technical reports required in this Self-Monitoring Program pursuant to Water Code Sections 13267 and 13304. This Self-Monitoring Program is intended to document compliance with Board Order No. 97-066 (site cleanup requirements).

2. **Monitoring:** The dischargers shall measure groundwater elevations quarterly in all monitoring wells, and shall collect and analyze representative samples of groundwater according to the following table:

Well #	Sampling Frequency	Analyses	Well #	Sampling Frequency	Analyses
MW-1	Q	8010	DW-1	SA	8010
MW-5	Q	8010	MW-2	A	8010
MW-8	Q	8010	MW-3	A	8010
MW-11	Q	8010	MW-6	A	8010
EX-1	Q	8010	MW-7	A	8010
EX-2	Q	8010	MW-9	A	8010
MW-4	SA	8010	MW-10	A	8010

Key: Q = Quarterly A = Annually
SA = Semi-Annually 8010 = EPA Method 8010 or equivalent

The dischargers shall sample any new monitoring or extraction wells quarterly and analyze groundwater samples for the same constituents as shown in the above table. The dischargers may propose changes in the above table; any proposed changes are subject to Executive Officer approval.

3. **Semi-Annual Monitoring Reports**: The dischargers shall submit semi-annual monitoring reports to the Board no later than 30 days following the end of the second quater. The first semi-annual monitoring report shall be due on July 31, 1997. The reports shall include:

   a. Transmittal Letter: The transmittal letter shall discuss any violations during the reporting period and actions taken or planned to correct the problem. The letter shall be signed by the dischargers' principal executive officer or their duly authorized representative, and shall include a statement by the official, under penalty of perjury, that the report is true and correct to the best of the official's knowledge.

   b. Groundwater Elevations: Groundwater elevation data shall be presented in tabular form, and a groundwater elevation map should be prepared for each monitored water-bearing zone. Historical groundwater elevations shall be included in the annual report each year.

   c. Groundwater Analyses: Groundwater sampling data shall be presented in tabular form, and an isoconcentration map should be prepared for one or more key contaminants for each monitored water-bearing zone, as appropriate. The report shall indicate the analytical method used, detection limits obtained for each reported constituent, and a summary of QA/QC data. Historical groundwater sampling results shall be included in the fourth quarterly report each year. The report shall describe any significant increases in contaminant concentrations since the last report, and any measures proposed to address the increases. Supporting data, such as lab data sheets, need not be included (however, see record keeping - below).

   d. Groundwater Extraction: If applicable, the report shall include groundwater extraction results in tabular form, for each extraction well and for the site as a whole, expressed in gallons per minute and total groundwater volume for the quarter. The report shall also include contaminant removal results, from groundwater extraction wells and from other remediation systems (e.g. soil vapor extraction), expressed in units of chemical mass per day and mass for the quarter. Historical mass removal results shall be included in the annual report each year.

   e. Status Report: The semi-annual report shall describe relevant work completed during the reporting period (e.g. site investigation, interim remedial measures)

and work planned for the following quarter.

5. **Violation Reports**: If the dischargers violate requirements in the Site Cleanup Requirements, then the dischargers shall notify the Board office by telephone as soon as practicable once the dischargers have knowledge of the violation. Board staff may, depending on violation severity, require the dischargers to submit a separate technical report on the violation within five working days of telephone notification.

6. **Other Reports**: The dischargers shall notify the Board in writing prior to any site activities, such as construction or underground tank removal, which have the potential to cause further migration of contaminants or which would provide new opportunities for site investigation.

7. **Record Keeping**: The dischargers or their agent shall retain data generated for the above reports, including lab results and QA/QC data, for a minimum of six years after origination and shall make them available to the Board upon request.

8. **SMP Revisions**: Revisions to the Self-Monitoring Program may be ordered by the Executive Officer, either on his/her own initiative or at the request of the dischargers. Prior to making SMP revisions, the Executive Officer will consider the burden, including costs, of associated self-monitoring reports relative to the benefits to be obtained from these reports.

I, Loretta K. Barsamian, Executive Officer, hereby certify that this Self-Monitoring Program was adopted by the Board on May 21, 1997.

Loretta K. Barsamian
Executive Officer