
San Francisco Bay Regional Water Quality Control Board

July 10, 2015
File No. 07S0197 (BGS)

William H. Peacock and Yolanda M. Peacock
Golden Gate Way, LLC
Attn.: Mr. William H. Peacock
P.O. Box 1818
Lafayette, CA 94549

Jeanne Kay Stewart
Jeanne Stewart dba Hamlin Cleaners
Jeanne's Hamlin Cleaners
3516 Golden Gate Way
Lafayette, CA 94549

SUBJECT: Transmittal of Tentative Order – Amendment of Site Cleanup Requirements (Order No. R2-2011-0088) for Hamlin Dry Cleaners, 3425 Golden Gate Way, Lafayette, Contra Costa County

Dear Mses. and Messrs:

Attached is a Tentative Order (Amendment of Site Cleanup Requirements [Order No. R2-2011-0088]) for the subject Site. The Tentative Order will amend Order No. R2-2011-0088 as follows: a) remove Tommy Lee Stewart as result of his death in 2014 b) Leonard A. Gross, and Leonard A. Gross Professional Corporation from the Order as a result of Leonard A. Gross death in 2012; c) revise soil gas cleanup standards to reflect the Regional Water Board's updated (December 2013) Environmental Screening Levels; and d) add interim remedial action tasks to the Order.

Any written comments by you or interested persons must be submitted to the Regional Water Board offices by August 10, 2015. Comments submitted after this date will not be considered by the Regional Water Board. We plan to administratively issue the rescission after August 10, 2015, if no significant comments are received. If significant comments are received, we will schedule the item for a future Board meeting.

Pursuant to section 2050(c) of Title 23 of the California Code of Regulations, any party that challenges the Regional Water Board's action on this matter through a petition to the State Water Board under Water Code section 13320 will be limited to raising only those substantive issues or objections that were raised before the Regional Water Board at the public hearing or in a timely submitted written correspondence delivered to the Regional Water Board by August 10, 2015.

If you have any questions, please contact Barbara Sieminski of my staff at (510) 622-2423 [e-mail Barbara.Sieminski@waterboards.ca.gov].

Sincerely,

Bruce H. Wolfe
Executive Officer

Attachment: Tentative Order

Copy sent via email with attachment:

Contra Costa County Health Services
Main File
ccchazmat@hsd.cccounty.us

Pangea Environmental Services, Inc.
Attn.: Mr. Bob Clark-Riddell
BRiddell@pangeaenv.com

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Mr. Greg Bloom
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Mr. Barry R. Gross
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City of Lafayette Engineering Department
Attn: Mr. Tony Coe
TCoe@lovelafayette.org

CCCFC & WCD
Attn: Mr. Mario A. Consolacion
MCons@pw.cccounty.us

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

TENTATIVE ORDER

AMENDMENT OF SITE CLEANUP REQUIREMENTS (ORDER No. R2-2011-0088) for:

GOLDEN GATE WAY, LLC
WILLIAM H. PEACOCK
YOLANDA M. PEACOCK
JEANNE KAY STEWART
JEANNE'S HAMLIN CLEANERS
JEANNE STEWART dba HAMLIN CLEANERS

For the property located at:

3425 GOLDEN GATE WAY
LAFAYETTE
CONTRA COSTA COUNTY

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

1. **Regional Water Board Order:** The Regional Water Board adopted site cleanup requirements for this site on December 14, 2011 (Order No. R2-2011-0088). The Order names Golden Gate Way, LLC, William Peacock, Yolanda M. Peacock, Jeanne K. Stewart, Tommy Lee Stewart, Jeannie's Hamlin Cleaners, Jeanne Stewart dba Hamlin Cleaners, Leonard A. Gross, Leonard A. Gross Professional Corporation as dischargers. The Order requires the dischargers to complete the site investigation and environmental cleanup. The Order sets cleanup standards and provides a schedule for required activities implementation.
2. **Reasons for Amendment:**
 - a. **Named Dischargers:** It is appropriate to remove three of the named dischargers from the Order:
 - Tommy Lee Stewart due to his death on September 28, 2014
 - Leonard A. Gross and Leonard A. Gross Professional Corporation, due to the December 8, 2012, death of Leonard A. Gross
 - b. **Soil gas cleanup standards:** The Order sets soil gas cleanup standards based on the November 2007 version of the Regional Water Board's Environmental Screening Levels (ESLs) for residential receptors. The ESLs were updated in December 2013, with several revisions to soil gas screening levels. This Amendment revises the Order's soil gas cleanup standards to reflect this update.

- c. Interim remedial action: The Order requires a remedial action plan, pursuant to Task 6, but does not require interim remedial action. Several interim remedial actions have been undertaken, including the 2009 installation of a soil gas extraction system, 2011 expansion of that system to address the adjacent offsite apartment building, 2014 source-area soil excavation, and 2014 pilot testing of an in-situ groundwater remediation system using zero-valent iron injections. However, additional pilot studies and/or interim remedial actions may be needed to protect residents of the adjacent offsite apartment building from vapor-intrusion impacts. This Amendment allows additional pilot studies and/or interim remedial actions, if determined to be necessary by additional vapor-intrusion evaluation work required in the Water Board's June 17, 2015, directive letter.
3. **California Safe Drinking Water Policy:** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The Order, as modified by the Amendment, promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
4. **CEQA:** This action makes technical amendments to an order that enforces the laws and regulations administered by the Regional Water Board. Amendment of the Order is not a project as defined in the California Environmental Quality Act (CEQA). There is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (b) (3).)
5. **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 their written comments.
6. **Public Hearing:** The Regional Water Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to sections 13304 of the Water Code, that Order No. R2-2011-0088 shall be amended as follows:

- A. Tommy Lee Stewart, Leonard A. Gross and Leonard A. Gross Professional Corporation, are no longer named Dischargers to the Order.
- B. Section B.3.c of the Order shall be revised as follows:

Soil Gas Cleanup Standards: The following soil gas cleanup standards for Volatile Organic Compounds shall be met in all site vadose-zone soils. These standards shall be verified by collecting vapor samples from permanent onsite/offsite soil gas probes.

Constituent	Standard ($\mu\text{g}/\text{m}^3$)	Basis
PCE	210	ESL for Vapor Intrusion into Residential Buildings
TCE	300	ESL for Vapor Intrusion into Residential Buildings
Cis-1,2-DCE	3,700	ESL for Vapor Intrusion into Residential Buildings
Vinyl Chloride	16	ESL for Vapor Intrusion into Residential Buildings

NOTE: ESL = Water Board Environmental Screening Level from *Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater*, Volume 2, Water Board, December 2013. Residential standards are used because apartment buildings are located immediately downgradient of the Site.

- C. Tasks 16 and 17 are added to the Order as follows (and exiting Task 16 is renumbered as task 18):

16. WORKPLAN FOR INTERIM REMEDIAL ACTION

COMPLIANCE DATE: 90 days after required by Executive Officer

Submit a workplan acceptable to the Executive Officer to carryout interim remedial action to address identified potential threats to human health or water quality (e.g. vapor intrusion at offsite adjacent apartment building). The workplan shall specify investigation methods and a proposed time schedule. The Executive Officer will require this workplan upon determining the existence of potential threats to human health or water quality based on site-specific information. This task may be used more than once if necessary.

17. COMPLETION OF INTERIM REMEDIAL ACTION

COMPLIANCE DATE: According to the time schedule in the approved Task 16 workplan

Complete necessary tasks in the Task 16 workplan and submit a technical report acceptable to the Executive Officer documenting their completion. For ongoing actions, such as vapor intrusion mitigation, the report shall document start-up as opposed to completion.

I, Bruce H. Wolfe, 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 _____.

Bruce H. Wolfe
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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