



August 22, 2018

Mr. James Reed  
Dinosaur Development Inc.  
Address Unknown

Walther & Finestone  
Alys Garcia  
Address Unknown

Valentin Reynoso and Martha Vallejo  
201 E. 14<sup>th</sup> Street  
San Leandro, CA 94577  
(Sent via electronic mail to:  
[Nelsonreynoso1988@gmail.com](mailto:Nelsonreynoso1988@gmail.com))

### NOTICE OF VIOLATION

Subject: **NOTICE OF VIOLATION; LATE:** HVAC Modifications, Site Investigation Report, and Geotracker Compliance; SCP Case File No. RO0002764 (Global ID # T06019795383), Sunshine Cleaners, 223 E. 14<sup>th</sup> Street, San Leandro, CA 94577

Dear Ladies and Gentlemen:

A review of the case file for the above-referenced site indicates that your case is not in compliance with Alameda County Department of Environmental Health's (ACDEH) March 31, 2017 and June 2, 2017 directive letters, and an August 23, 2017 Notice To Comply letter. These letters required 1) Compliance with Geotracker requirements, 2) Documentation of HVAC modifications for the protection of site workers, 3) The submittal of a draft public notification fact sheet regarding the contamination, and 4) The submittal of a site investigation report based on a work plan approved in the June 2, 2017 directive letter. Only the submittal of a draft public notification fact sheet has been completed. **The remainder of these items are overdue by as much as 12 to 14 months.**

Please be aware, that implementation of site investigation and remediation for this case is important in order to be protective of human health and the environment and to move this case towards closure. Health risks associated with dry cleaner sites are well known and documented, and represent a risk to workers at adjacent sites, potentially visiting public members, as well as neighboring residential properties, due to the mobility, volatility, and toxicity of dry cleaning chemicals; it is important that these actions be implemented. Recent changes to our understanding of the toxicity of one of the chemicals associated with dry cleaning contamination has heightened the general level of concern with dry cleaning contaminants. Please note that ACDEH administers the SCP under authority of Health & Safety Code (H&SC) SS 101480, and cleanup by the Responsible Party is required by the H&SC.

**In order to regain compliance, please forward potential meeting dates by the date specified below. Failure to contact ACDEH by the due date specified below will result in referral to the District Attorney (copied below).** Please note that civil penalties for non-compliance are assessed from the original due date (June 5, 2017).

Additional actions may include referral to state agencies (San Francisco Bay Regional Water Quality Control Board or Department of Toxic Substances Control) to evaluate for additional actions which can include citations and fines under State Water Codes. Your cooperation will be appreciated in getting this site into compliance.

### **MEETING REQUEST**

In an additional attempt to help site communications and preclude misunderstandings, ACDEH requests a meeting in which to discuss the site and its particulars with you and your consultant. Please identify potential meeting dates and times that will work for your team and email your case worker in order to set up a meeting, by the date listed below. If the dates and times will not work for all, ACDEH will identify additional potential dates in which to meet.

### **TECHNICAL REPORT REQUEST**

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail ([mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party(ies) Legal Requirements/Obligations which is included as Attachment 1. Please note ACDEH no longer accepts reports on the ftp site.

- **September 14, 2018** – Communication of Potential Meeting Dates  
Please email to your case worker.
- **April 21, 2017 June 23, 2017; September 5, 2017 September 14, 2017 30 Days After Meeting (Late)** – Draft Fact Sheet and Geotracker Compliance; please email to your case worker documentation of Geotracker compliance and the draft fact sheet.
- **August 11, 2017; October 20, 2017; 30 Days After Meeting (Late)** – Site Investigation; File to be named: RO2764\_WP\_R\_YYYY-mm-dd
- **June 5, 2017; September 5, 2017 September 14, 2017 45 Days After Meeting-(Late)** – HVAC Modification Documentation  
File to be named RO2764\_CORRES\_L\_2017\_YYYY-mm-dd

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

If your email address does not appear on the cover page of this notification, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,



Mark E. Detterman, PG 4799, CEG 1788  
Senior Geologist  
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: William Little, Advanced GeoEnvironmental, Inc, 837 Shaw Road, Stockton, CA 95215  
(Sent via electronic mail to: [WLittle@advgeoenv.com](mailto:WLittle@advgeoenv.com))

Daniel Villanueva, Advanced GeoEnvironmental, Inc, 837 Shaw Road, Stockton, CA 95215  
(Sent via electronic mail to: [DVillanueva@advgeoenv.com](mailto:DVillanueva@advgeoenv.com))

Alyce Sandbach, Deputy District Attorney, CEPA; (Sent via electronic mail to: [Alyce.Sandbach@acgov.org](mailto:Alyce.Sandbach@acgov.org))

Dilan Roe, ACDEH, (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH; (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Mark Detterman, ACDEH, (Sent via electronic mail to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File; GeoTracker

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| <b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b> | <b>REVISION DATE:</b> December 14, 2017  |
|  | <b>ISSUE DATE:</b> July 25, 2012   |
|  | <b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016 |
| <b>SECTION:</b> ACDEH Procedures   | <b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations        |

#### REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

#### Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

#### Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

#### ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO\_MAP, GEO\_XY, GEO\_Z, GEO\_BORE, GEO\_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/))

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

#### GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values<sup>1</sup> as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

#### **GeoTracker Upload Table Example**

| Report Title                                | Sample Period | PDF Report | GEO_MAPS | Sample ID | Matrix | GEO_Z                    | GEO_XY                   | GEO_BORE                 | GEO_WELL                 | EDF                      |
|---|---------------|------------|----------|-----------|--------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>2016 Subsurface Investigation Report</b> | 2016 S1       | ✓          | ✓        | Effluent  | SO     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓                        |
| <b>2012 Site Assessment Work Plan</b>       | 2012          | ✓          | ✓        |           |        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>2010 GW Investigation Report</b>         | 2008 Q4       | ✓          | ✓        | SB-10     | W      | ✓                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓                        |
|   |               |            |          | SB-10-6   | SO     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓                        |
|   |               |            |          | MW-1      | WG     | ✓                        | ✓                        | ✓                        | ✓                        | ✓                        |
|   |               |            |          | SW-1      | W      | ✓                        | ✓                        | ✓                        | ✓                        | ✓                        |

<sup>1</sup> GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

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| <b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b> | <b>REVISION DATE:</b> NA   |
|  | <b>ISSUE DATE:</b> December 14, 2017   |
|  | <b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016 |
| <b>SECTION:</b> ACDEH Procedures   | <b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations        |

**ACKNOWLEDGEMENT STATEMENT**

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

**PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS**

The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

**UNDERGROUND STORAGE TANK CLEANUP FUND**

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: [https://www.waterboards.ca.gov/water\\_issues/programs/ustcf/](https://www.waterboards.ca.gov/water_issues/programs/ustcf/)

**AGENCY OVERSIGHT**

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.