



December 3, 2018

Mr. James Reed
Dinosaur Development Inc.
Address Unknown

Valentin Reynoso
1252 104th Avenue
Oakland, CA 94603

Martha Vallejo
208 Farrelly Drive
San Leandro, CA 94577
(Sent via electronic mail to:
Nelsonreynoso1988@gmail.com)

Walther & Finestone
Alys Garcia
Address Unknown

SECOND 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. 14th 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, June 2, 2017 directive letters, the August 23, 2017 Notice To Comply letter, and the August 22, 2018 Notice of Violation (NOV) 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, and a meeting date and time was identified, but subsequently canceled. A rescheduled meeting date has not been identified. **The remainder of these items are overdue by as much as 16 to 18 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 in January by the date specified below. Please note that due to the initial attempt to set up a meeting, a referral to the District Attorney (copied below) remains pending a response to this NOV. Failure to respond to this NOV, and to meet, will result in a referral to the District Attorney. 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), 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~~ **December 31, 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.

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: WLlittle@advgeoenv.com)
Daniel Villanueva, Advanced GeoEnvironmental, Inc, 837 Shaw Road, Stockton, CA 95215
(Sent via electronic mail to: DVillanueva@advgeoenv.com)
Alyce Sandbach, Deputy District Attorney, CEPA; (Sent via electronic mail to: Alyce.Sandbach@acgov.org)
Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)
Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File; GeoTracker

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: 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/)

- 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 values¹ 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
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	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	✓	✓	✓	✓	✓

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

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: 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/

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.