

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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March 19, 2008

Mr. Bruce Burrows
The Burrows Company
6 South Point Road
Orinda, CA 94563

Mr. Gabriel Chui
Gabriel H. Chui & Lai H. Trust
10898 Inspiration Circle
Dublin, CA 94568

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Nam Sun and Seung Hee Park
Crow Canyon Cleaners
7242 San Ramon Road
Dublin, CA 94568

Messrs. Dwight and Carleton
Perry
PO Box 20610
Castro Valley, CA 94546

Lee Family
20117 Forest Avenue #3
Castro Valley, CA 94546

Messrs. William Karkozian,
Robert Wiebe and Robert Jeha
Dublin Town & Country Assoc.
318 Diablo Road, Suite 255
Danville CA, 94526

Subject: Spills, Leaks, Investigations and Cleanup (SLIC) case file #RO0002863 (Global ID# T06019764784), Crow Canyon Cleaners, 7272 San Ramon Road, Dublin CA

Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) is the lead regulatory agency providing regulatory oversight for the site located at 7272 San Ramon Road, Dublin, CA. An unauthorized release of tetrachloroethene (PCE) has been documented at the site apparently from dry cleaning activities conducted at the site. The release was discovered during a property transaction screening assessment completed in October 2005 by Bruce Burrows Company on behalf of the current property owner Mr. Gabriel Chui. Subsequent soil, groundwater and soil vapor investigative activities, undertaken by said parties, have detected contamination in all three media including high concentrations of PCE in soil vapor beneath the site at concentrations of up to 380,000 parts per billion volume (ppbv). More importantly, a sensitive receptor (Montessori school) is located in the suite immediately adjacent to the dry cleaner.

ACEH has requested that additional site characterization and interim remedial action be performed in order to evaluate the impacts of PCE contamination beneath the site, as well as mitigate high concentrations of PCE in soil vapor beneath the dry cleaner and the adjacent school (Reference: Work Plan, dated January 18, 2008, prepared by ERM). Currently, Bruce Burrows Company is acting on behalf of the property owner, Mr. Gabriel Chui, to implement site investigation and cleanup activities including soil sampling, groundwater sampling, soil vapor sampling, and remediation system design and permitting.

ACEH has been provided additional information regarding the history of dry cleaning operators at the subject site by representatives of the current property owner. Based upon this information ACEH named the Parks, Lee's, and Perry's as additional parties responsible for corrective actions at this site due to their apparent operation of various dry cleaning businesses, utilizing chlorinated solvents, on the property according to the chronology below:

- 1985 – 1994: Dwight and Carleton Perry operated Crow Canyon Cleaners located at 7272 San Ramon Road, Dublin CA, which utilized chlorinated solvent in the dry cleaning process.
- 8/1994 – 12/1999: The Lee Family operated Crow Canyon Cleaners located at 7272 San Ramon Road, Dublin CA, which utilized chlorinated solvent in the dry cleaning process.

- 12/1999 – 3/2003: Nam Sun and Seung Hee Park operated Crow Canyon Cleaners dry cleaning located at 7272 San Ramon Road, Dublin CA, which utilized chlorinated solvent in the dry cleaning process. The Park's converted the dry cleaning process from chlorinated solvents to a petroleum hydrocarbon based dry cleaning process in March 2000. Crow Canyon Cleaners is currently operated by Nam Sun and Seung Hee Park.

Furthermore, as owners property from November 1984 through March 2005, Messrs. William Karkozian, Robert Wiebe and Robert Jeha are also responsible for corrective actions associated with the release of PCE to the subsurface. ACEH requests that all parties including the Perry's, Lee's, Park's, Kardozian, Wiebe and Jeha coordinate and cooperate with the current property owner's representative to implement corrective actions at this site.

Additionally, ACEH has requested (via Karl Morthole, Esq.) a voluntary agreement between the California Department of Toxic Substance Control (DTSC) and Bruce Burrows Company (and/or Park's, Lee's, Perry's) to initiate a program of public participation, including the notification of parents with children attending the school. We understand that the voluntary agreement between DTSC and Bruce Burrows Company (and/or Park's, Lee's, Perry's) is currently under internal review with DTSC and is pending. Once the agreement between DTSC and all interested parties has been reached, a fact sheet, currently under review by the both the DTSC and ACEH, detailing proposed site investigation, interim remediation and contact information will be sent to all concerned parties.

We request that each of the parties identified as responsible for this site notify ACEH, by March 31, 2008 of their involvement and/or progress in obtaining the voluntary agreement for implementing the public participation/notification process. Additionally, please provide 72-hour advance notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) 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 registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional 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.

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Howard Wong
Montessori School Owner
120 Benjamin Lane
Danville, CA 94506

Harold Duke
Department of Toxic Substance Control
8800 Cal Center Drive
Sacramento, CA 95826

Matt Katen
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Donna Drogos, Steven Plunkett, ACEH Files