



202863

Department of Toxic Substances Control



Maureen F. Gorsen, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Arnold Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental Protection

Alameda County

MAR 26 2008

Environmental Health

March 24, 2008

Steven Plunkett
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

CROW CANYON CLEANERS, 7272 SAN RAMON ROAD, DUBLIN
(SLIC Case File #RO0002863)

Dear Mr. Plunkett:

The Department of Toxic Substances Control (DTSC) reviewed the March 19, 2008 letter from the Alameda County Health Care Services Agency (County) regarding the Crow Canyon Cleaners project. DTSC also reviewed the *Fact Sheet on Environmental Assessment*, dated January 11, 2008, received March 14, 2008. DTSC understands that the Fact Sheet has not yet been issued and that parents of children attending the adjacent Montessori Plus School have also not been contacted regarding the findings of the Crow Canyon Cleaners Environmental Assessment.

The Fact Sheet uses the phrases "applicable regulatory standard" and "imminent unacceptable risk to children" that do little to reassure the community that they are safe or not being exposed to chemicals from the site. The Fact Sheet should also be updated to reflect the clean-up plan timeline and how the community will be told about future work. DTSC strongly recommends that the fact Sheet be revised, updated and then issued to parents of the children attending the Montessori Plus school and nearby residents.

To clarify one point in your letter, the agreement between *The Burrows Company* and DTSC is currently not under DTSC internal review. DTSC offered to provide consultative services for toxicological and public participation services for this project to *The Burrows Company* (agent for the current property owner, Mr. Gabriel Chiu), and on February 13, 2008, DTSC sent an e-mail to Mr. Karl Morthole with a copy of DTSC's reimbursement agreement and cost estimate. Mr. Morthole replied via e-mail that same day and stated that he would be discussing the agreement with his clients and getting back to DTSC as

Mr. Steven Plunkett
March 24, 2008
Page 2

soon as he could. DTSC has received no additional correspondence regarding the reimbursement agreement.

If you have any questions regarding DTSC involvement on this project, please contact Mr. Bud Duke, or you may contact me at (916) 255-3717.

Sincerely,



Mark Malinowski, P.G., Chief
Sacramento Office - Schools Unit
Schools Program and Engineering/Geology Support Division

cc: (via e-mail)

Donna L. Drogos, P.E.
LOP Program Manager
Alameda County Environmental Health
Donna.drogos@acgov.org

Bruce Burrows
The Burrows Company
bburrowsre@aol.com

Mr. Karl Morthole
Law Offices of Karl R. Morthole
karl@mortholelaw.com

Howard J. Wong
Montessori Plus School
wong59@ltnl.gov

Ro 2863



Department of Toxic Substances Control

Maureen F. Gorsen, Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Arnold Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental Protection

March 24, 2008

Steven Plunkett
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

CROW CANYON CLEANERS, 7272 SAN RAMON ROAD, DUBLIN
(SLIC Case File #RO0002863)

Dear Mr. Plunkett:

The Department of Toxic Substances Control (DTSC) reviewed the March 19, 2008 letter from the Alameda County Health Care Services Agency (County) regarding the Crow Canyon Cleaners project. DTSC also reviewed the *Fact Sheet on Environmental Assessment*, dated January 11, 2008, received March 14, 2008. DTSC understands that the Fact Sheet has not yet been issued and that parents of children attending the adjacent Montessori Plus School have also not been contacted regarding the findings of the Crow Canyon Cleaners Environmental Assessment.

The Fact Sheet uses the phrases "applicable regulatory standard" and "imminent unacceptable risk to children" that do little to reassure the community that they are safe or not being exposed to chemicals from the site. The Fact Sheet should also be updated to reflect the clean-up plan timeline and how the community will be told about future work. DTSC strongly recommends that the fact Sheet be revised, updated and then issued to parents of the children attending the Montessori Plus school and nearby residents.

To clarify one point in your letter, the agreement between *The Burrows Company* and DTSC is currently not under DTSC internal review. DTSC offered to provide consultative services for toxicological and public participation services for this project to *The Burrows Company* (agent for the current property owner, Mr. Gabriel Chiu), and on February 13, 2008, DTSC sent an e-mail to Mr. Karl Morthole with a copy of DTSC's reimbursement agreement and cost estimate. Mr. Morthole replied via e-mail that same day and stated that he would be discussing the agreement with his clients and getting back to DTSC as

Mr. Steven Plunkett
March 24, 2008
Page 2

soon as he could. DTSC has received no additional correspondence regarding the reimbursement agreement.

If you have any questions regarding DTSC involvement on this project, please contact Mr. Bud Duke, or you may contact me at (916) 255-3717.

Sincerely,



Mark Malinowski, P.G., Chief
Sacramento Office - Schools Unit
Schools Program and Engineering/Geology Support Division

cc: (via e-mail)

Donna L. Drogos, P.E.
LOP Program Manager
Alameda County Environmental Health
Donna.drogos@acgov.org

Bruce Burrows
The Burrows Company
bburrowsre@aol.com

Mr. Karl Morthole
Law Offices of Karl R. Morthole
karl@mortholelaw.com

Howard J. Wong
Montessori Plus School
wong59@linl.gov