



January 16, 2018

Hoi Phua and Linll Lee, Trustees
141 Woodland Way
Piedmont, CA 94611
(Sent via electronic mail to: billphua@yahoo.com)

NOTICE TO COMPLY

Subject: **Second Request for Work Plan and SCM**; SCP Case RO0002895, Wash Time Laundromat, 1815 Park Boulevard, Oakland, CA 94606

Dear Mr. Phua and Ms. Lee:

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) August 24, 2017 directive letter that requested the generation of a focused Site Conceptual Model (SCM) and a Data Gap Work Plan, and requested that the site be claimed on the State Water Resources Control Board's Geotracker website. These were requested as the result of a meeting and review of the site on August 3, 2017 with yourself, Mr. Peter McIntyre your consultant, and ACDEH. The SCM and Data Gap Work Plan were requested to be submitted by October 27, 2017. The required report has not been upload or otherwise received by ACDEH or Geotracker.

Finalization of site characterization and/or cleanup at this site is necessary to ensure the protectiveness of remaining contamination at the site to human health and the environment and to move this case towards closure. Please note that as a Responsible Party, you are required by the California Health and Safety Code to characterize the site and implement corrective action.

In order to regain compliance, please submit the now late Data Gap Work Plan and Focused SCM, claim the site on Geotracker, and electronically upload all documents to GeoTracker by the dates specified below. Failure to submit the document by the date identified below may result in an issuance of a Notice of Violation and possible enforcement action by the District Attorney. Please note that civil penalties for non-compliance are assessed from the original due date (October 27, 2017).

Please refer to the August 24, 2017 directive letter for further details and associated attachments; however, during the meeting a general scope of work was identified for the site. These items included:

- A figure depicting the land use of adjacent properties, including adjacent commercial suites in the subject site building.
- The history of site dry cleaning use, including previous dry cleaning operations and equipment configurations, if known.
- The collection of paired sub-slab and indoor air vapor samples, inclusive of an outdoor ambient air sample, with collection focused on the source, the lateral extent (grid or other approach), including along the identified sanitary sewer line servicing the site.
- Investigation of the offsite sanitary sewer utility locations, including potential sewer gas sampling in accordance with pending regulatory guidance to be issued in the near future by the Department of Toxic Substances (DTSC) and the San Francisco bay Regional Water Quality Control Board (RWQCB).
- Locating other potential preferential pathways on- and offsite, inclusive of the depth of installation.
- Collection of grab groundwater samples at the source and laterally, as may be appropriate.

- Generation of contour maps for tetrachloroethene (PCE), trichloroethene (TCE) and vinyl chloride (VC) contour maps for groundwater, soil, and soil vapor, and a Site Conceptual Model (SCM).

Therefore, based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACDEH (Attention: Mark Detterman), according to the following schedule:

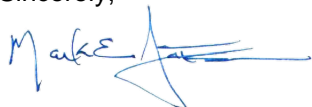
- ~~September 22, 2017~~ **February 2, 2018** – Documentation of Geotracker Claim and Report Upload Status Completion
- ~~October 27, 2017~~ **March 2, 2018** – Data Gap Investigation Work Plan (Including additional information and release location repairs / location / etc.)
- **60 Days After Work Plan Approval** – Soil and Groundwater Investigation Report

These reports are being requested 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 in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

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

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Peter McIntyre, 2500 Camino Diablo, Walnut Creek, CA 94523; (Sent via electronic mail to: pmcintyre@aeiconsultants.com)

Mr. Stephen Wong, CW Investment Group, 132 9th Street, Suite 200, Oakland, CA 94607 (Sent via electronic mail to: stephen.wong@amberinvestment.com)

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.