

California Regional Water Quality Control Board
North Coast Region

CLEANUP AND ABATEMENT ORDER No. R1-2016-0054

For

Wallace Family Living Trust
Carolyn J. Wallace, Trustee

Thompson Cleaners
4040 Montgomery Drive
Santa Rosa California

Sonoma County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

BACKGROUND

1. Thompson Cleaners is located at 4040 Montgomery Drive, in Santa Rosa, California (herein the Site). The Site is composed of one parcel identified by Sonoma County Assessor's Parcel No. 013-284-015-000. The Site contains one building occupied by Thompson Cleaners.
2. Thompson Cleaners has reportedly been in operation since 1948. The dry cleaning solvent tetrachloroethylene, also known as PCE, was used at the Site up until 2011.
3. The Site is located in a commercial business district and is surrounded by other commercial businesses. Several restaurants, a pre-school and daycare facility, dental offices, martial arts studios, an attorney's office and a movie theater complex are located within 150 to 300 feet of the Site.
4. William H. Wallace and his wife, Carolyn J. Wallace, purchased the Site in 1985. In 1991, the property was transferred to William H. Wallace and Carolyn J. Wallace as Trustees, Under Declaration of Trust. Carolyn J. Wallace, as the remaining Trustee of the Wallace Family Living Trust, is named as the "Discharger".
5. There have been a number of dry cleaning business operators of Thompson Cleaners since 1948. William H. Wallace reportedly operated the business from 1985 to 1991. Determination of the timeframe of the PCE discharge or discharges could result in the naming of some or all former operators as additional responsible parties.
6. PCE was first detected in groundwater samples collected near Thompson Cleaners in the late 1990s and early 2000s during investigation of an underground storage tank at a former gasoline service station located approximately 300 feet north-northeast of the Site. Thompson Cleaners was a suspected source of the PCE contamination in groundwater.

7. On November 13, 2006, Regional Water Board staff requested that the Discharger perform a groundwater investigation at the Site. A limited soil and groundwater investigation was conducted in May 2007. The investigation documented that a release or releases of PCE to soil and groundwater had occurred at the Site.
8. Between 2007 and 2013, continued investigation of the Site was delayed due to a lack of financial resources. In December 2013, work to investigate the PCE discharge resumed after Genesis Engineering and Redevelopment discovered insurance coverage.
9. Investigation work in 2014 focused on assessing vapor intrusion into occupied commercial buildings in the vicinity of the Site. From March through June 2014, soil, soil vapor, and sub-slab vapor samples were collected and analyzed. In addition, soil vapor samples were collected in several areas within the parking lot of the adjacent Lakeside Shopping Center, located southeast of the Site.
10. Results from the initial soil vapor investigation indicated that chlorinated solvents, including PCE, trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and trans-1,2-dichloroethene (trans-1,2-DCE) were detected in soil vapor. TCE, DCE and vinyl chloride are breakdown products of PCE.
11. During the initial soil vapor investigation, the highest concentration of PCE in soil vapor, 798,000 $\mu\text{g}/\text{m}^3$, was detected under the asphalt near the rear of the Thompson Cleaners building. Results for the investigation showed that onsite and offsite soil vapor concentrations exceeded human health screening levels, requiring the need for investigation and mitigation of potential vapor intrusion into occupied commercial buildings surrounding the Site.
12. In June 2014, PCE was detected above human health screening levels in sub-slab vapor samples collected under a nearby preschool and daycare building. Indoor air testing was conducted inside the building in July and August 2014 and the results were reviewed by a State toxicologist. Although the estimated risk to children and daycare workers at the preschool from PCE vapors and associated chemicals was considered de minimis under normal operating conditions, the results indicated that PCE was entering the building space from the subsurface.
13. Following Regional Water Board concurrence with the Genesis Engineering October 1, 2014, Workplan and the November 26, 2014, Workplan Addendum, the PCE investigation widened outward from the Site with the collection of additional soil vapor, sub-slab, indoor air, and groundwater data in January through March 2015. The testing of soil vapor and sub-slab vapors on adjacent properties resulted in the need to analyze indoor air within multiple buildings. Several buildings potentially impacted by PCE vapor intrusion were identified in the Lakeside Shopping Center. In addition, commercial businesses located northeast and southwest of the Site on Montgomery Drive were investigated for indoor air intrusion.

14. Indoor air testing at 4038 Montgomery Drive, located adjacent and southwest of the Site, found concentrations of PCE and TCE in indoor air up to 811 $\mu\text{g}/\text{m}^3$ and 117 $\mu\text{g}/\text{m}^3$, respectively. These concentrations were above long-term human health screening levels. The TCE concentration was also above a U.S. EPA short-term screening level, triggering an accelerated response for immediate ventilation of the building and notification of the building owner and occupants. Immediate modifications were made to the heating, ventilation, and air conditioning system, which resulted in a significant decrease in indoor air levels of PCE and TCE. Additional interim mitigation measures were employed to abate vapor intrusion, including increased ventilation, the use of activated carbon volatile organic compound (VOC) air-filtration units, and installation of a soil vapor extraction (SVE) system.
15. The interim mitigation SVE system, installed at 4038 Montgomery Drive and the Site, became fully operational in September 2015. Indoor air testing conducted within 4038 Montgomery Drive in September 2015 through April 2016 demonstrated that operation of the interim mitigation SVE system was effective in decreasing concentrations of PCE and TCE in indoor air. The interim mitigation SVE system was shut down on March 15, 2016 based on the environmental consultants' recommendation. However, concentrations in indoor air rebounded and the interim mitigation SVE system was re-started on July 6, 2016.
16. On July 8, 2016, Regional Water Board staff concurred with Genesis's Engineering's June 30, 2016, Revised Interim Monitoring Plan. This plan requires ongoing monitoring and mitigation of vapor intrusion at 4038 Montgomery Drive until implementation of a final cleanup plan.
17. Sub-slab vapor testing and indoor air testing have been conducted in numerous buildings within 300 feet of the site.
18. Seven groundwater monitoring wells have been installed to investigate PCE and PCE breakdown product impacts to onsite and offsite groundwater. In July 2016, onsite monitoring well MW-1 contained 170 $\mu\text{g}/\text{L}$ PCE and 30 $\mu\text{g}/\text{L}$ TCE. These levels exceed the water quality objectives for PCE and TCE, which are 0.06 $\mu\text{g}/\text{L}$ and 1.7 $\mu\text{g}/\text{L}$, respectively. The beneficial uses of groundwater (see Finding 21 below) in the vicinity of the Site are impacted by and threatened by the PCE discharge.
19. Additional investigation and cleanup work is needed to remove or abate the discharge and to provide for the long term protection of workers and children in affected buildings. Until the PCE discharge and associated PCE breakdown products are cleaned up, the discharge presents a real and potential threat to human health and the environment.
20. Investigation to date has shown that activities and operation of the dry cleaners resulted in a discharge or discharges and created conditions of pollution and/or nuisance. This Order requires the Discharger to clean up and abate the effects of the discharges of PCE and associated breakdown products in soil, groundwater, and soil

vapor, and the threat of discharges that create or threaten to create a condition of pollution or nuisance.

LEGAL AND REGULATORY AUTHORITY

21. This Order conforms to, and implements policies and requirements of, the Porter-Cologne Water Quality Control Act (Division 7, commencing with Water Code section 13000) including: (1) Water Code sections 13267 and 13304; (2) applicable state and federal regulations; (3) all applicable provisions of Statewide Water Quality Control Plans adopted by the State Water Resources Control Board (State Board) and the Water Quality Control Plan for the North Coast Region May 2011, (hereafter “Basin Plan”) adopted by the Regional Board; (4) State Board policies and regulations, including State Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California), and Resolution No. 92-49 (Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code section 13304) (“Resolution 92-49”); CCR Title 23, Section 3890 et. seq., and (5) relevant standards, criteria, and advisories adopted by other state and federal agencies.
22. Beneficial Uses and Water Quality Objectives: The Water Quality Control Plan for the North Coast Region (Basin Plan) designates beneficial uses, establishes water quality objectives, contains implementation programs for achieving objectives, and incorporates by reference, plans and policies adopted by the State Water Resources Control Board.
 - a) The beneficial uses of areal groundwater include Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Industrial Service Supply (IND), Industrial Process Supply (PRO), and Freshwater Replenishment (FRSH).
 - b) The Site is located within 1,250 feet of Santa Rosa Creek, which is a tributary to the Laguna de Santa Rosa, which flows into the Russian River. The existing and potential beneficial uses of the Laguna de Santa Rosa and the Lower Russian River Hydrologic Unit include: Municipal and Domestic Supply (MUN); Agricultural Supply (AGR); Industrial Service Supply (IND); Industrial Process Supply (PRO); Groundwater Recharge (GWR); Freshwater Replenishment (FRSH); Navigation (NAV); Hydropower Generation (POW); Water Contact Recreation (REC-1); Non-contact Water Recreation (REC-2); Commercial and Sport Fishing (COMM); Warm water Habitat (WARM); Cold Freshwater Habitat (COLD); Wildlife Habitat (WILD); Rare Threatened or Endangered Species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, reproduction, and/or Early Development (SPWN); Shellfish Harvesting (SHELL); Estuarine Habitat (EST), and Aquaculture (AQUA). Beneficial uses of any specifically identified water body generally apply to all of its tributaries.
23. The State Water Board has adopted Resolution No. 92-49, *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304* (Resolution No. 92-49). Resolution No. 92-49 sets forth the policies and procedures for

investigation and cleanup and abatement of discharges under Water Code section 13304, and requires that cleanup levels be consistent with State Water Board Resolution No. 68-16, the Statement of Policy with Respect to Maintaining High Quality Waters in California (Resolution No. 68-16), which is included as Appendix 6 of the Basin Plan. Thus, Resolution No. 92-49 requires the waste to be cleaned up in a manner that promotes attainment of either background water quality, or the best water quality that is reasonable if background levels of water quality cannot be restored. Any alternative cleanup level to background must: (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Water Board.

24. Water quality objectives in the Basin Plan are adopted to ensure protection of the beneficial uses of water. The most stringent water quality objectives for protection of all beneficial uses are selected as the protective water quality criteria. Alternative cleanup and abatement actions must evaluate the feasibility of, at a minimum: (1) cleanup to background levels, (2) cleanup to levels attainable through application of best practicable technology, and (3) cleanup to the level of water quality objectives for protection of beneficial uses. A table of applicable Water Quality Objectives for groundwater is incorporated in this Order as Attachment A.

25. Water Code section 13304(a) states, in relevant part:

Any person who has discharged or discharges waste into waters of this state in violation of any waste discharge requirements or other order to prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and causes, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts....Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.

26. "Pollution" is defined by Water Code section 13050, subdivision (l)(1) as an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following: The waters for beneficial uses and facilities which serve these beneficial uses. "Nuisance" is defined by Water Code section 13050, subsection (m) to mean anything which meets all of the following requirements:

(1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

(2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

(3) Occurs during, or as a result of, the treatment or disposal of wastes.

27. Technical Reports Required: Water Code section 13267(b) states, in relevant part: In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region ... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

28. The burden of preparing the reports required by this Order bear a direct relationship for the need for the reports and the benefits to be obtained from the reports. The technical reports required by this Order are necessary to assure compliance with this Order and to protect the waters of the state. The technical reports are further necessary to demonstrate that appropriate methods will be used to cleanup waste discharged to soil and groundwater and to ensure that cleanup complies with Basin Plan requirements. In accordance with Water Code section 13267(b) the findings in this Order provide the Discharger with a written explanation with regard to the need for investigation and reports and identifies the evidence that supports the requirement to implement clean up and abatement activities and submit the reports.

29. California Environmental Quality Act: Issuance of this Order is being taken for the protection of the environment and to enforce the laws and regulations administered by the Regional Board as such is exempt from provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, sections 15061(b)(3), 15306, 15307, 15308, and 15321. This Order generally requires the Discharger to submit plans and reports for approval during implementation of cleanup activities at the Site. Mere submittal of plans and reports is exempt from CEQA as submittal will not cause a direct or indirect physical change in the environment and/or is an activity that cannot possibly have a significant effect on the environment. If the Regional Water Board determines that implementation of any plan required by this Order will have a significant effect on the environment that is not otherwise exempt from CEQA, the Regional Water Board will conduct the necessary and appropriate environmental review prior to approval of the

applicable plan. The Discharger will bear the costs, including the Regional Water Board's costs, of determining whether implementation of any plan required by this Order will have a significant effect on the environment and, if so, in preparing and handling any documents necessary for environmental review. If necessary, the Discharger and a consultant acceptable to the Regional Water Board shall enter into a memorandum of understanding with the Regional Water Board regarding such costs prior to undertaking any environmental review.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to Water Code sections 13267 and 13304, Division 7, of the California Water Code, the Discharger shall clean up and abate the discharge and threatened discharge and shall comply with the following provisions of this Order:

1. All deliverables required by this Order shall be submitted electronically to the State Water Resources Control Board's Geographic Environmental Information Management System database (GeoTracker) as required by Title 23, Division 3, Chapter 30 of the California Code of Regulations.
2. All deliverables required by this Order shall be prepared under the direction of a California registered civil engineer or professional geologist experienced in soil, soil vapor, and groundwater investigation and remediation.

Indoor Air Monitoring and Long Term Mitigation Actions for Individual Buildings:

3. Continue with implementation of the Genesis Engineering June 30, 2016, Revised Interim Monitoring Plan to monitor and mitigate vapor intrusion into the building space at 4038 Montgomery Drive. The June 30, 2016, Revised Interim Monitoring Plan shall be implemented until the implementation of a final cleanup plan is approved for the Site (as required by Provisions 17 and 18 below) or the Executive Officer approves a change to the Revised Interim Monitoring Plan.
4. Continue mitigation of indoor air vapor intrusion into the building space at 4038 Montgomery Drive to ensure indoor air quality concentrations are maintained at levels that are protective of human health. Indoor air vapor intrusion is currently mitigated through operation of the SVE system and modified HVAC system. The Executive Officer requires the continued implementation of mitigation measures that will ensure indoor air quality is maintained at levels currently achieved through operation of the SVE system and modified HVAC system. The Discharger shall implement measures to mitigate indoor air vapor intrusion at 4038 Montgomery Drive until indicated to cease mitigation measures by the Executive Officer.
5. By December 30, 2016, complete a fall/winter season indoor air test at 551 Summerfield Road, in accordance with the Genesis Engineering October 1, 2014, sampling and analysis plan and the Department of Toxic Substances Control and California Environmental Protection Agency's October 2011 "Guidance for the

Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air”. On page 35, DTSC’s guidance states “At least two (indoor air) sampling events should be conducted to evaluate the seasonality of vapor migration into the building.”

6. By January 31, 2017, submit a report which provides results of the November 2015 and July 2016 indoor air tests conducted at 4100 Montgomery Drive, the fall/winter season 2016 indoor air test and previous indoor air tests performed at 551 Summerfield Road, and the cumulative monthly indoor air tests performed at 4038 Montgomery Drive. If PCE or PCE breakdown chemicals are detected within the building spaces located at 4100 and/or 4038 Montgomery Drive and/or 551 Summerfield Road above the appropriate indoor air human health screening levels¹, the report shall contain a schedule for continued indoor air monitoring of the building space and a plan for long term indoor air mitigation and/or abatement of PCE vapor intrusion into affected buildings. The Department of Toxic Substances Control’s Note 3 shall be used to determine the appropriate indoor air screening levels.
7. Between March 20, 2017 and June 20, 2017, conduct indoor air tests at 4036 Montgomery Drive according to the Genesis Engineering October 1, 2014, sampling and analysis plan. If indoor air concentrations exceed human health screening levels for PCE or PCE breakdown chemicals inside any of the building spaces located at 4036 Montgomery Drive, submit, by August 30, 2017, an indoor air monitoring schedule and a long term indoor air mitigation plan for the 4036 building spaces.
8. Submit indoor air monitoring schedules and long term indoor air mitigation plans for 4100 and/or 4036 and/or 4038 Montgomery Drive and/or 551 Summerfield Road, as necessary, to the Executive Officer for review and approval.
9. Conduct indoor air monitoring in accordance with the approved air monitoring schedules for the building spaces located at 4100 and/or 4036 and/or 4038 Montgomery Drive and/or 551 Summerfield Road to ensure indoor air levels are protective of human health.
10. No later than October 31, 2018, implement the approved indoor air long term mitigation plans for 4100 and/or 4036 and/or 4038 Montgomery Drive and/or 551 Summerfield Road to ensure that PCE and breakdown compounds in indoor air within individual buildings reach permanent and stable concentrations at or below indoor air screening levels.

¹ The Department of Toxic Substances Control’s “Human Health Risk Assessment Note 3 – DTSC-Modified Screening Levels (DTSC-SLs)” shall be used to determine the appropriate indoor air screening levels.

Soil Vapor Monitoring and Soil Vapor Mitigation Actions:

11. By December 30, 2016, submit a report of findings for work performed in accordance with the Genesis Engineering March 2, 2016, Source Area Workplan and the Regional Water Board June 3, 2016, modifications to the Source Area Workplan.
12. By February 28, 2017, submit a soil vapor monitoring and mitigation workplan and schedule, for review and approval by the Regional Water Board Executive Officer. The purpose of the soil vapor monitoring and mitigation workplan is to mitigate the potential for PCE and PCE breakdown product vapor intrusion in all areas where the contaminants exist in soil vapor at concentrations above soil vapor screening levels.
13. By April 28, 2017, begin implementation of the soil vapor monitoring and mitigation workplan per the approved schedule.
14. By July 31, 2017, submit a report for review and approval by the Regional Water Board Executive Officer that evaluates the performance of soil vapor mitigation actions and provides recommendations and an implementation schedule for expanding and/or modifying the soil vapor mitigation system, if warranted. The Discharger shall implement the recommended system modifications per the approved schedule.

Groundwater Investigation Actions:

15. By March 31, 2017, submit a workplan and an implementation schedule, for review and approval by the Executive Officer, for additional groundwater investigation to define the vertical and lateral extent of the Thompson Cleaners PCE and associated PCE breakdown products groundwater plume. The Discharger shall implement the groundwater investigation workplan per the approved schedule.
16. By July 31, 2017, submit a report, for review and approval by the Regional Water Board Executive Officer, summarizing investigation findings from implementation of the groundwater investigation workplan. If the results do not fully define the extent of groundwater contamination, the report must contain recommendations and an implementation schedule for additional investigation. The Discharger shall implement the recommended additional investigation per the approved schedule.

Final Remedial Actions:

17. Within 60 days after the Regional Water Board Executive Officer concurs that the extent of groundwater contamination is defined, submit a feasibility study for Executive Officer review and concurrence to identify and evaluate the effectiveness, feasibility, and relative costs of potential soil, soil vapor, and groundwater cleanup alternatives for the Site and affected properties. The feasibility study shall identify the recommended alternative(s).

18. Within 90 days after Regional Water Board Executive Officer concurrence with the feasibility study, submit a final remedial action plan. The final remedial action plan shall include soil, soil vapor, and groundwater cleanup goals acceptable to the Executive Officer. If the Site and affected properties cannot be cleaned up to levels considered safe for unrestricted use or if the final remedial action plan contains permanent engineering controls, land use restrictions shall be incorporated into the final remedial action plan. The final remedial action plan must contain a schedule for implementation.
19. Within 90 days after Regional Water Board Executive Officer approval of the final remedial action plan, begin implementation of the final remedial action plan according to the approved schedule.
20. Within 180 days after implementation of final remedial action, submit a report that evaluates the performance of final remedial actions and provides recommendations and an implementation schedule for expanding and/or modifying the remediation system, or other measures, for the Executive Officer's approval. The Discharger shall implement and complete the approved system expansions and/or modifications, or other measures, per the approved schedule to abate and clean up the discharge of waste or threatened discharge of waste, restore water quality in groundwater, and protect the beneficial uses of surface and groundwater, human health and the environment.

GENERAL REQUIREMENTS AND NOTICES

21. **Duty to Use Qualified Professionals:** The Discharger shall provide documentation that plans and reports required under this Order are prepared under the direction of appropriately qualified professionals. As required by the California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. The Discharger shall include a statement of qualification and registration numbers, if applicable, of the responsible lead professionals in all plans and reports required under this Order. The lead professional shall sign and affix their registration stamp, as applicable, to the report, plan, or document.
22. **Signatory Requirements:** All technical reports submitted by the Discharger shall include a cover letter signed by the Discharger, or a duly authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to his or her knowledge, the report is true, complete, and accurate. The Discharger shall also state if they agree with any recommendations/proposals and whether they approve implementation of said proposals. Any person signing a document submitted under this Order shall make the following certification:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining

the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

23. **Cost Recovery:** Pursuant to Water Code section 13304, the Regional Water Board is entitled to, and may seek reimbursement for, all reasonable costs it actually incurs to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. The Discharger is enrolled in the State Water Board's Cost Recovery Program and shall reimburse the State of California for all reasonable costs actually incurred by the Regional Water Board. The Discharger shall pay all cost recovery invoices within 30 days of issuance of the invoice.
24. **Notice of Change in Ownership or Occupancy:** The Discharger shall file a written report on any changes in the Site's ownership or occupancy. This report shall be filed with the Regional Water Board no later than 30 days prior to a planned change and shall reference the number of this Order.
25. **Submissions:** All deliverables required by this Order shall be submitted electronically to the State Water Resources Control Board's Geographic Environmental Information Management System database (GeoTracker) as required by Title 23, Division 3, Chapter 30 of the California Code of Regulations.
26. **Other Regulatory Requirements:** The Discharger shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning the work.
27. **Delayed Compliance:** If for any reason, the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as a delay is recognized and prior to the compliance date. An extension may be granted by revision of this Order or by a letter from the Executive Officer.
28. **No Limitation of Water Board Authority:** This Order in no way limits the authority of the Regional Water Board to institute additional enforcement actions or to require additional investigation and cleanup of the Site consistent with the Water Code. This Order may be revised as additional information becomes available.
29. **Modifications:** Any modification to this Order shall be in writing and approved by the Executive Officer of the Regional Water Board, including any potential extension requests.

If the Discharger fails to comply with the requirements of this Order, this matter may be referred to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability. Failure to comply with this Order may result in the assessment of administrative civil liability up to the following maximum liability amounts: \$1,000 per violation per day pursuant to Water Code section 13268, \$5,000 per violation per day pursuant to Water Code section 13350, and/or \$10,000 per violation per day pursuant to Water Code section 13385. The Regional Water Board reserves its right to take any enforcement actions authorized by law, including but not limited to, violation of the terms and condition of this Order.

Any person aggrieved by this or any final action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and Title 23, California Code of Regulations, section 2050 et al. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

This Order is effective upon the date of signature.

Matthias St. John
Executive Officer
December 23, 2016

Attachment A- Groundwater Water Quality Objectives

Attachment A - Groundwater Water Quality Objectives

Constituent of Concern	Practical Quantitation Limit (µg/L)	Water Quality Objective¹ (µg/L)
Tetrachloroethene (PCE)	0.5	0.06 ²
Trichloroethene (TCE)	0.5	1.7 ²
cis-1,2-Dichloroethene (cis-1,2-DCE)	0.5	6 ³
trans-1,2-Dichloroethene (trans-1,2-DCE)	0.5	10 ³
Vinyl Chloride (chloroethene)	0.5	0.05 ²

¹ Practical quantitation limits are based on current technology. For instances when technology cannot achieve the water quality objective the practical quantitation limit will be used.

² California Public Health Goal in Drinking Water (Office of Environmental Health Hazard Assessment), applied to the GROUNDWATER TOXICITY water quality objective in the Basin Plan.

³ California State Water Resources Control Board - Division of Drinking Water Maximum Contaminant Level, applied to the GROUNDWATER CHEMICAL CONSTITUENT water quality objective in the Basin Plan.