

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

EXECUTIVE OFFICER SUMMARY REPORT
MEETING DATE: July 11, 2018

ITEM: 6

SUBJECT: Sang Lee, Suk Lee, Eugene Zambetti, Estate of Julia Zambetti, Estate of Peter Zambetti, and Frank L. Burrell, for the Hillview Cleaners site located at 14440 Big Basin Way, Saratoga, Santa Clara County – Adoption of Site Cleanup Requirements

CHRONOLOGY: April 2018 – Public hearing opened on Site Cleanup Requirements

DISCUSSION: This is a continuation of the public hearing from the April 2018 Board meeting. At that meeting, the Board received comments from all interested parties and then continued the item for three months due to the lack of time to complete its deliberations. Appendix 1 contains April’s Executive Officer Summary Report (EOSR) with all appendices, including the Revised Tentative Order. Appendix 2 contains the transcript of that meeting.

The Revised Tentative Order would establish cleanup levels for a contaminated dry cleaner site in Saratoga (Site) and would require the named dischargers to implement their cleanup plan for the Site. The key issue for the Board in this matter has been whether to name the dry cleaner operators and the property owner as dischargers. The Revised Tentative Order and the Response to Comments (both within Appendix 1) provide the Cleanup Team’s rationale for naming all the parties.

Separate Functions: To help ensure the fairness and impartiality of this enforcement proceeding, the functions of those Board staff members who are on the cleanup team (Cleanup Team) have been separated from those who will provide advice to the Board (Advisory Team). The Cleanup Team includes David Barr, John Wolfenden, Stephen Hill, Lisa McCann, and Tamarin Austin. The Advisory Team includes Marnie Ajello, Adriana Constantinescu, and me.

Supplemental Changes to Revised Tentative Order: The Cleanup Team proposes the following changes to the Revised Tentative Order. The proposed changes are shown in underline for additions and cross-out for deletions.

Finding 6

1) Change the first sentence of the second paragraph of Finding 6 as follows:

Soil samples taken beneath the dry cleaner tenant space at 15 feet below ground surface (bgs) show PCE ~~and its breakdown products were~~ was found at levels near the ~~commercial land-use~~ ESLs for leaching to groundwater in shallow soil (< 3 meters bgs).

- 2) Change the second sentence of the “*Soil Gas*” paragraph of Finding 6 as follows:

The soil gas plume underlies the parking lots at the front of and east of the Source Property and the two ~~three~~ buildings immediately northeast of the Source Property.

- 3) Change the second sentence of the “*Indoor Air*” paragraph of Finding 6 as follows:

The maximum indoor air PCE concentration detected was 18 µg/m³ ~~in a basement~~, which is greater than the residential ESL of 0.48 µg/m³ and commercial ESL of 2.1 µg/m³.

Tasks – change the compliance dates as follows:

1. REMEDIAL DESIGN IMPLEMENTATION REPORT
COMPLIANCE DATE: ~~May 11~~ August 13, 2018
2. COMPLETION OF REMEDIAL ACTIONS
COMPLIANCE DATE: ~~October 31~~ January 31, 2018
5. OPERATION AND MAINTENANCE PLAN FOR ALL VAPOR INTRUSION MITIGATION ELEMENTS OF THE RAP
COMPLIANCE DATE: ~~August 29~~ November 30, 2018
6. OPERATION AND MAINTENANCE PLAN IMPLEMENTATION REPORT
COMPLIANCE DATE: ~~November 30~~ February 28, 2018, and every year thereafter
7. RISK MANAGEMENT PLAN
COMPLIANCE DATE: ~~July 31~~ October 31, 2018
10. FIVE-YEAR STATUS REPORT
COMPLIANCE DATE: ~~May 1~~ August 1, 2023, and every five years thereafter

Additionally, April’s EOSR incorrectly stated that the Frank L. Burrell Trust has owned the Site since 1955 and that PCE was detected in indoor air at three downgradient buildings. The Trust has actually owned the Site since 2003, and PCE was detected in indoor air at two downgradient buildings.

**RECOMMEN-
DATION:**

I will have a recommendation following the hearing.

Appendices:

1. [Executive Officer Summary Report from April 2018](#)
2. [Transcript from April 2018 Board meeting](#) (see pp.79-196)

File No.

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