

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

STAFF SUMMARY REPORT (Ralph Lambert)
MEETING DATE: July 11, 2018

ITEM: 7

SUBJECT: **Marinwood Plaza, LLC, for the property located at 187 Marinwood Avenue, Marinwood, Marin County** – Amendment of Site Cleanup Requirements

CHRONOLOGY: February 2014 – Site Cleanup Requirements (SCR) adopted
September 2014 – SCR amended

DISCUSSION: The Revised Tentative Order (Appendix A) would amend the SCR for this site to formalize a 10-year timeframe for completing offsite groundwater cleanup and meeting associated cleanup levels. It would also add tasks for filling a data gap on adjacent Caltrans property and for evaluating and implementing additional onsite cleanup to address still-elevated soil vapor concentrations. It would also add “contingent” tasks to allow the Board to respond more quickly to new information.

Background: The Prosperity Cleaners site is located in the Marinwood Plaza shopping center in Marinwood, north of San Rafael. Releases of tetrachloroethene (PCE) from past dry-cleaning operations have impacted soil, soil vapor, and groundwater beneath and downgradient of the site. The soil vapor plume extends offsite but stops short of residences in the nearby Casa Marinwood complex. The groundwater plume extends about 3,000 feet to the east of the site, beneath Highway 101 and pasture lands owned by Silveira Ranch and Catholic Charities.

The Board’s 2014 SCR set cleanup levels and required site investigation and cleanup work. Marinwood Plaza, LLC, the current landowner of the shopping center, has defined the extent of contamination and has implemented several cleanup and mitigation actions:

- In-situ treatment of contaminated soil at the eastern hot spot
- Soil excavation under the former dry cleaner building (the western hot spot)
- Wellhead treatment for a water supply well at Silveira Ranch
- Clay cut-off trenches along utility lines to inhibit soil vapor migration toward nearby residences

As a result of these actions, the onsite sources of contamination have been largely removed, and human and ecological exposure is controlled to acceptable risk levels.

Offsite groundwater cleanup: The Board in February 2017 approved a plan to clean up offsite groundwater. The plan involves injecting a mixture of organic

substrate, finely-ground zero valent iron, and dechlorinating bacterial cultures into shallow groundwater. The mixture would be injected along multiple lines crossing the groundwater plume. The injection lines will create treatment zones that treat the groundwater as it flows through these zones.

The Board's approval required that offsite groundwater cleanup levels (drinking water standards) be met within 10 years. It also required a pilot test to demonstrate the method's effectiveness. We received the pilot-test completion report in April. The report concluded that the method would work; it proposed a full-scale project involving 12 lines of injection points starting onsite and extending to the "toe" of the groundwater plume. We have circulated the report for public comment and are reviewing comments received; we expect to respond to the report later this month.

Need for SCR amendment: Cleanup at this site is proceeding in various phases due to different cleanup methods being used and different starting dates. Source control is essentially done, but offsite groundwater cleanup is just getting started. The 2014 SCR is not currently structured to regulate multi-phase cleanup; it contains just one compliance date for completion reports. It also does not incorporate the 10-year timeframe for offsite groundwater cleanup.

Tentative Order: We prepared a tentative order to address the above points. On April 18, we circulated the tentative order to interested parties; the comment period ended on May 21. We received timely comments from Silveira Ranch, Catholic Charities, and members of the public (Appendix B). Our responses to those comments are included in Appendix C. We also received some comments after the comment period closed. Since the late comments do not raise any new issues, and our responses to the timely comments in Appendix C adequately address the late comments, we recommend not accepting the late comments

Key issues: The following key issues were raised in the comments:

- **Additional onsite cleanup:** Several commenters argue for more cleanup, since soil vapor concentrations still exceed cleanup levels in several onsite locations. Sampling data indicates that soil cleanup at the two hot spots has substantially removed the PCE source, and residual concentrations do not currently pose a vapor intrusion threat. However, we agree that additional onsite cleanup is needed to treat a soil vapor hot spot and evaluate active remediation to further reduce soil vapor concentrations elsewhere and avoid future vapor intrusion problems. We see no reason to delay this work pending redevelopment. We have revised the tentative order accordingly.
- **Caltrans data gap:** Several commenters argue for further investigation on Caltrans property immediately adjacent to the eastern hot spot. We doubt that any significant PCE contamination, or risk, is present on Caltrans property. However, it is reasonable to check for potential contamination, so we revised the tentative order accordingly.
- **Adequacy of offsite groundwater cleanup proposal:** Offsite landowners argue that a more robust program of groundwater injections is needed to rapidly clean up the offsite groundwater to drinking water standards. We conclude that the tentative order's 10-year cleanup timeframe provides

ample incentive for a robust cleanup effort. In any event, the appropriate place to address this comment is in our review of the pilot-test completion report, not in the tentative order.

Board Hearing: While we made many revisions to the tentative order in response to comments, I expect that several commenters will provide testimony on this item at the Board meeting.

**RECOMMEN-
DATION:** Adoption of the Revised Tentative Order

File No. 21S0053 (RAL)

Appendices: A – Revised Tentative Order
B – Comments Received
C – Response to Comments
D – Location Map

Appendix A
REVISED TENTATIVE ORDER

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

REVISED TENTATIVE ORDER

AMENDMENT OF SITE CLEANUP REQUIREMENTS (ORDER No. R2-2014-0007 AS AMENDED BY ORDER No. R2-2014-0036) for:

MARINWOOD PLAZA, LLC

for the property located at:

**187 MARINWOOD AVENUE
MARINWOOD, MARIN COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Regional Water Board), finds that:

- 1. Regional Water Board Orders:** The Regional Water Board adopted site cleanup requirements for this site on February 12, 2014 (Order No. R2-2014-0007). The 2014 Order was amended on September 26, 2014 (Order No. R2-2014-0036). The 2014 Order as amended requires Marinwood Plaza, LLC (the Discharger), to complete remedial investigations and prepare and implement a remedial action plan.
- 2. Reasons for Amendment:** Further amendment of the 2014 Order is needed to address changed circumstances, as explained below:
 - a) **Establish a timeframe for offsite groundwater cleanup:** Task 7 of the 2014 Order as amended requires submittal of a report documenting completion of remedial actions identified in the Task 6 report (Remedial Action Plan or RAP). The Task 7 compliance date is based on the schedule in the approved RAP. That schedule does not include a timeframe for completion of offsite groundwater cleanup.

The RAP includes four documents:

- The original December 29, 2015, RAP;
- Soil disposal Addendum #1, dated May 26, 2016;
- Groundwater management during soil excavation Addendum #2, dated August 23, 2016; and
- Offsite groundwater cleanup Addendum #3, dated November 21, 2016.

The RAP includes two major cleanup projects: contaminated soil excavation beneath the former dry cleaner building and offsite groundwater cleanup using in-situ biodegradation. The Discharger submitted an acceptable completion report for the soil excavation project on March 7, 2017. The offsite groundwater cleanup project is under way; a pilot test completion report was submitted on April 23, 2018.

The Regional Water Board approved the RAP in a series of letters addressing each RAP element. The Regional Water Board's February 15, 2017, letter approved the offsite groundwater cleanup and stated that offsite groundwater cleanup levels shall be met

within ten years. The ten-year time frame is based on water quality objectives supporting the current offsite groundwater use for domestic and agricultural purposes.

This Order includes a timeframe for meeting offsite groundwater cleanup levels, consistent with the Regional Water Board's February 15, 2017, letter.

- b) **Data Gap on Caltrans Property:** Past site investigation at the Eastern Hot Spot defined the extent of soil contamination on the Marinwood Plaza property to applicable soil cleanup levels. However, the Eastern Hot Spot is located near the property boundary with Caltrans, an onramp to U.S. Highway 101. To date, soil sampling has not been conducted on Caltrans property immediately adjacent to the Eastern Hot Spot. It is possible that some soil contamination extends onto Caltrans property. If so, then that contamination could extend to soil vapor and shallow groundwater on Caltrans property. This data gap must be addressed to determine if additional remedial actions are needed to protect onsite or offsite receptors.
 - c) **Need to Evaluate Onsite Soil Vapor Cleanup:** The Discharger implemented significant soil cleanup actions at the two hot spots. The Eastern Hot Spot was treated by injecting oxidizers followed by a solution to enhance anaerobic biodegradation in 2010 and 2011. The second hot spot was located beneath the former dry cleaner building and was excavated in early 2017. Subsequent sampling indicates that soil at both locations meets site cleanup goals. Substantial declines have been observed in soil vapor and groundwater concentrations at the Eastern Hot Spot and to a lesser degree at the dry cleaner building. However, soil vapor concentrations in a new vapor probe installed beneath the dry cleaner building after the excavation far exceeds cleanup levels and may still pose a vapor intrusion threat to future onsite receptors. Cleanup is preferable to mitigation measures to avoid vapor intrusion in the future. The timing of site redevelopment is unknown, and it is reasonable to address the vapor intrusion threat independent of any redevelopment plans or schedule.
 - d) **Timeframe for proposed deed restriction:** Task 8 of the 2014 Order as amended requires submittal of a proposed deed restriction within 60 days following Executive Order approval of the Task 7 remedial action completion report. The proposed deed restriction would prohibit beneficial use of onsite groundwater until groundwater cleanup levels are met. Because the Task 7 report has been bifurcated, its compliance date needs to be updated. The compliance date shall precede case closure. The Executive Officer shall have discretion to determine an appropriate compliance date.
 - e) **Future Changes in Circumstances:** The 2014 Order as amended does not include tasks to address future changes in health criteria (e.g., change in drinking water standard for a key site contaminant) or new technical information that may have a bearing on site cleanup (e.g., discovery of additional contamination that is not addressed by the RAP). Inclusion of these tasks will allow the Regional Water Board to respond more efficiently to any changed circumstances.
3. **California Safe Drinking Water Policy:** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring

discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

4. **CEQA:** This action makes technical amendments to an order that enforces the laws and regulations administered by the Regional Water Board. Amendment of the 2014 Order is not a project as defined in the California Environmental Quality Act (CEQA). There is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (b) (3).)
5. **Notification:** The Regional Water Board has notified the discharger and all interested agencies and persons of its intent under Water Code section 13304 to amend site cleanup requirements for the discharge and has provided them with an opportunity to submit their written comments.
6. **Public Hearing:** The Regional Water Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to sections 13304 and 13267 of the Water Code, that Order No. R2-2014-0007 shall be further amended as follows:

A. Task 7 is replaced by Tasks 7A and 7B:

7A. REMEDIAL ACTION PLAN COMPLETION REPORT – ONSITE SOIL

COMPLIANCE DATE: February 1, 2017

Submit a technical report, acceptable to the Executive Officer, documenting completion of necessary tasks identified in the Task 6 remedial action plan for the onsite soil. This report shall document that after treatment/excavation onsite soil meets the cleanup goals established in this Order.

7B. REMEDIAL ACTION PLAN ADDENDUM – ONSITE SOIL VAPOR

COMPLIANCE DATE: December 28, 2018

Submit a technical report consisting of a feasibility study and workplan, acceptable to the Executive Officer, proposing additional remedial actions to address areas where soil vapor concentrations still exceed cleanup levels following active soil remediation. The report shall include an identification and evaluation of alternative remedial actions, a recommended remedial action, and implementation tasks and time schedule.

7C. REMEDIAL ACTION PLAN ADDENDUM COMPLETION REPORT – ONSITE SOIL VAPOR

COMPLIANCE DATE: Consistent with the schedule in the Task 7B report as approved by the Executive Officer

Submit a technical report, acceptable to the Executive Officer, documenting completion of necessary tasks identified in the approved Task 7B report (remedial action plan addendum for onsite soil vapor). For ongoing actions, such as soil vapor extraction, the report shall document system start-up and monitoring (as opposed to completion) and

shall present initial results on system effectiveness (e.g., capture zone or area of influence).

7D. REMEDIAL ACTION PLAN COMPLETION REPORT – OFFSITE GROUNDWATER

COMPLIANCE DATE: February 15, 2027

Submit a technical report, acceptable to the Executive Officer, documenting completion of necessary tasks identified in the Task 6 remedial action plan for offsite groundwater. Specifically, offsite groundwater is to reach drinking water standards as specified in Section B, Groundwater Cleanup Levels. Proposals for further system expansion or modification may be included in annual reports (see attached Self-Monitoring Program).

B. The compliance date for Task 8 (proposed deed restriction) is changed to read: 60 days following requirement by Executive Officer.

C. New Task 14 is added:

14. CALTRANS PROPERTY SAMPLING WORKPLAN

COMPLIANCE DATE: September 24, 2018

Submit a workplan, acceptable to the Executive Officer, to define the extent of soil, soil vapor, and groundwater contamination on Caltrans property immediately east of the Eastern Hot Spot and along the storm drainage pathway leading away from that location. Existing and currently proposed groundwater sampling results may be used in place of new groundwater sampling points where appropriate.

D. New Task 15 is added:

15. CALTRANS PROPERTY INVESTIGATION REPORT

COMPLIANCE DATE: 105 days after approval of Task 14 workplan above

Submit a technical report, acceptable to the Executive Officer, documenting completion of the tasks identified in Task 14. The report shall incorporate new data collected on Caltrans property to update the Site Conceptual Model and make recommendations as appropriate (e.g., any need for additional remediation).

E. New Task 16 is added:

16. EVALUATION OF NEW HEALTH CRITERIA

COMPLIANCE DATE: 90 days after evaluation report required by Executive Officer

Submit a technical report, acceptable to the Executive Officer, evaluating whether and how to amend the remedial action plan in response to any revision of drinking water standards, maximum contaminant levels, or other health-based criteria.

F. New Task 17 is added:

17. EVALUATION OF NEW TECHNICAL INFORMATION

COMPLIANCE DATE: 90 days after evaluation report required by
Executive Officer

Submit a technical report, acceptable to the Executive Officer, evaluating new technical information that bears on the approved remedial action plan and cleanup levels for this Site. In the case of a new cleanup technology, the report shall evaluate the technology using the same criteria used in the feasibility study. Such technical reports shall not be required unless the Executive Officer determines that the new information is reasonably likely to warrant a revision in the approved remedial action plan or cleanup levels.

G. The “delayed compliance” task is renumbered as Task 18.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on _____.

Bruce H. Wolfe
Executive Officer

Compliance Notice: Failure to comply with the requirements of this order may subject you to enforcement action, including but not limited to imposition of administrative civil liability under Water Code sections 13268 or 13350, or referral to the Attorney General for injunctive relief or civil or criminal liability.

Appendix B

COMMENTS RECEIVED

From: Bill McNicholas
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: [Damon Connolly](#); [Mary Sackett](#)
Subject: "Amendment of Order R2-2014-0007 as amended by Order R2-2014-0036 for Marinwood Plaza, LLC" Response
Date: Wednesday, May 16, 2018 1:02:43 PM

Ralph,

The following is a response for a member of the Marinwood Community.

Bill McNicholas
415-491-4102
(F) 415-491-1556
billmcn@pacbell.net

From: Karsson Hevia
Sent: Wednesday, May 16, 2018 10:22 AM
To: billmcn@pacbell.net
Subject: Note objecting the separation proposal

I vehemently reject the proposal of separating the two properties and closing the case. This is our community and it needs remediation now.

Karsson Hevia
Content Writer + Social Media Strategist
2ManyOpenTabs.com

From: Karsson Hevia
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards); dconnolly@marincounty.org; [Bill McNicholas](#)
Subject: Marinwood
Date: Friday, May 18, 2018 2:40:33 PM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Sincerely,

Karsson Hevia

Karsson Hevia
Content Writer + Social Media Strategist
2ManyOpenTabs.com

From: Myrto Ashe
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards); dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Need for remediation at Marinwood Plaza
Date: Friday, May 18, 2018 4:45:52 PM

Dear RWQCB: As a physician with a solid understanding of the environmental causes of disease, I demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also I request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community Sincerely,

Myrto Ashe, MD, MPH
Certified Functional Medicine Practitioner (IFM)
4340 Redwood Highway, Suite F-225
San Rafael CA 94903

From: Susan Lewis
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: [Damon Connelley](#); [Bill McNicholas](#)
Subject: Marinwood Plaza Cleanup
Date: Friday, May 18, 2018 1:52:14 PM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, aka. Marinwood Plaza, including the toxic hotspot and the CalTrans Right of Way. We also request the removal of existing toxic soil vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's, and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children's lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Sincerely,

Susan Lewis
Resident, Casa Marinwood

From: Rikki Baum
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Prosperity Cleaners & the Cal Trans Right of Way toxic hotspots
Date: Friday, May 18, 2018 2:41:45 PM

5-18-18

Dear Members of the RWQCB:

I live in Novato and am frequently in the vicinity of Marinwood Plaza. It is outrageous that the toxicity surrounding and migrating from the site of Prosperity Cleaners (including the Cal Trans Right of Way) has not already been completely and safely cleaned up. Moreover, any clean-up should be supervised and independently assessed by a public safety organization. PLEASE use your authority for the larger public good: Insist on active and complete remediation of these toxic hotspots and removal of existing toxic soil vapor as soon as possible.

Without removing the source contamination, the community continues to be exposed to the ill effects of PCE and its associated cancerous compounds, such as polyvinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed and discussed for Marinwood Plaza, St. Vincent's, and the Silveira Ranch. It is incredibly reckless to consider future development that will expose families, businesses, and their employees and patrons to an environment that is rife with carcinogens. Is this the sort of legacy you want to leave? Is there no one left who will put public health above near-term financial gain??

We know from the ongoing scandal at Hunters Point Shipyard in San Francisco that environmental cleanup efforts are not always well documented and enforced by state agencies. We are not rich developers; we are every-day folks who want to protect ourselves, our children, and our neighbors – current and future – from a toxic environment. PLEASE, as members of the Regional Water Quality Control Board, do the right thing and ensure that these toxic sites are completely and safely cleaned up.

Sincerely,
Rikki Baum

From: Nathan Randel
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Marinwood Plaza toxic clean up
Date: Friday, May 18, 2018 3:28:09 PM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, AKA Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic soil vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that these future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community.

Sincerely,
Nathan Randel
Peachstone Terrace, Marinwood

From: Brad Sharp
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Marinwood Plaza contamination issue
Date: Friday, May 18, 2018 6:36:03 PM

Dear RWQCB:

The residents of Marinwood in San Rafael (of which I am one), are not going to accept anything but full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way.

We request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community.

New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Sincerely,

Bradford Sharp
415-342-2880

From: Alex Stadtner
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: [Damon Connolly](#); [Bill McNicholas](#)
Subject: Are you kidding me? Clean up Marin Plaza now!
Date: Friday, May 18, 2018 8:58:52 PM

Dear Ralph and RWQCB:

I really cannot believe that this is still going on. Get with the times and start remediation immediately. The longer you wait the more costly it will be - not to mention the environmental and human health problems that procrastination entails. We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community Sincerely,
Alex Stadtner

CC: Damon Connolly and Bill McNicholas

Alex Stadtner
President, MS, CIEC, BBEC, LEED, WELL
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(925) 876-1503
david.trotter@dtrotterlaw.com

May 18, 2018

VIA E-MAIL AND U.S. MAIL

Bruce H. Wolfe
Executive Officer
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street
Suite 1400
Oakland, California 94612

Emailed to: ralph.lambert@waterboards.ca.gov

**Re: Tentative Order Regarding Proposed Amended Site Cleanup
Requirements for Marinwood Plaza, LLC for Property Located
at 187 Marinwood Avenue, Marin County, California –
Order No. R2-2014-0007 as Amended by Order No. R2-2014-0036 –
Comments of Lorraine and Renee Silveira**

Dear Mr. Wolfe:

This letter is submitted on behalf of Lorraine and Renee Silveira (“Silveira”). The Silveira family owns the Silveira San Rafael ranch which is located across Highway 101, and directly downgradient from, Marinwood Plaza. Elevated levels of PCE and PCE daughter products have been detected in groundwater on the Silveira property. That contamination is the result of operations of a dry cleaning store over the past several decades at the former Prosperity Cleaners site (187 Marinwood Avenue), a property owned by responsible party Marinwood Plaza, LLC. As you are aware, Silveira uses that groundwater as a source of drinking water at its San Rafael ranch.

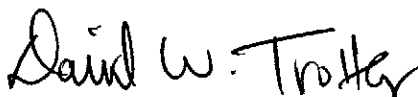
Silveira understands that Cleanup Marinwood Plaza Now Oversight Committee has prepared and will be submitting substantial comments and concerns regarding the above-referenced Tentative Order. Silveira is in substantial agreement with the comments and concerns expressed by the Cleanup Now Committee. For the reasons set forth in the Committee’s letter, the Tentative Order is flawed and should not be adopted by the Water Board unless significant revisions are made to it.

Specifically, the remedial actions taken to date by Marinwood Plaza, LLC at the "Eastern Hot Spot" have been insufficient. We raised this point during public comment at the March 14, 2018 meeting of the Water Board. Nothing has been done to remove PCE-contaminated soil in the area of the Eastern Hot Spot. Moreover, the responsible party has not adequately investigated or remediated the PCE contaminated soils and groundwater within the Caltrans Highway 101 right of way, which is located directly across the fenceline from the Eastern Hot Spot. As a result, PCE in soils and groundwater at the Eastern Hot Spot are still feeding the plume of PCE-contaminated groundwater that continues to migrate offsite **and onto the Silveira property**. It should be noted that PCE contaminant levels at the Eastern Hot Spot and downgradient substantially exceed the safe drinking water standard of 5 ug/L that has been established as the clean-up standard for offsite groundwater remediation on the Silveira property.

The failure to attack the plume at its source is not acceptable. The Silveira family respectfully asks that this situation be addressed now. In connection with its consideration of this matter, the Water Board can, and should, modify the Tentative Order and require the responsible party to excavate and remove all contaminated soils from the Eastern Hot Spot. The Board should also consider appropriate modifications to the Tentative Order to address the soil and groundwater contamination in the Caltrans right of way area.

Thank you for your consideration of these comments.

Respectfully submitted,



David W. Trotter
Counsel for Silveira

cc: Ralph A. Lambert, PG, CHg -- via e-mail
Renee F. Silveira -- via e-mail

From: Elaine Biagini
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: [Damon Connolly](#); "Bill McNicholas"
Subject: Prosperity Cleaners.....
Date: Saturday, May 19, 2018 3:12:04 PM

I have just one question:

Would you like your family, kids, parents, in-laws to live in these conditions at Casa Marinwood?

Do the right thing. Do your job. Clean it up!!!!

Elaine Biagini

From: Katherine
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net; tamar.rose@comcast.net; [Newton Harband](#)
Subject: Toxic Contamination at Marinwood Plaza
Date: Saturday, May 19, 2018 8:22:21 AM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community.

Sincerely,
Katherine Harband
tamar.rose@comcast.net
Marinwood

From: Katlin Pena
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards); dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Marinwood Plaza Clean Up
Date: Saturday, May 19, 2018 8:54:12 AM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Sincerely,

Katlin Vagelatos

From: Muriel Benedetti
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Prosperity Cleaners, Marinwood Plaza cleanup
Date: Saturday, May 19, 2018 10:37:43 AM

Dear RWQCB: We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community Sincerely,

Muriel Benedetti

You tend to get told that the world is the way it is, but life can be much broader once you discover one simple fact; and that is that everything around you that you call life was made up by people no smarter than you. Once you learn that, you'll never be the same again. -Steve Jobs

From: Kaylan
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: billmcn@pacbell.net; dconnolly@marincounty.org
Subject: Prosperity Cleaners
Date: Saturday, May 19, 2018 1:51:27 PM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Sincerely,

Kaylan Grant

Sent from my iPhone

From: Shilpa
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Prosperity Cleaners toxic cleanup
Date: Saturday, May 19, 2018 4:29:44 PM

Dear RWQCB: We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community. Sincerely,
Shilpa Tilwalli

From: Kim
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Subject: Prosperity Cleaner Toxic Clean up
Date: Saturday, May 19, 2018 6:26:50 PM

Please continue full remediation of the toxic hotspots at the Prosperity Cleaners, Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community.

New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that future neighbors also have the ability to live in an environment free from cancerous agents.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our future depends on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Thank you,
Kim Natuk
178 Cobblestone Dr.

From: Sara and Brian Frack
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Demand for Proper Cleanup of Marinwood Plaza
Date: Saturday, May 19, 2018 9:22:30 PM

Dear RWQCB: We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community Sincerely,
Sara and Brian Frack

From: Katie McDonnell
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: stop the closure of the Marinwood plaza aka Prosperity Cleaners site until ALL CONTAMINENTS are properly removed
Date: Sunday, May 20, 2018 8:04:08 AM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it.

We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Sincerely,

Katie McDonnell

Written on tiny keyboard.

From: Cari Alter
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Marinwood Plaza Toxins
Date: Sunday, May 20, 2018 5:25:08 PM

Dear RWQCB

This is such an urgent matter. We must have full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way.

It is also imperative to have the removal of existing toxic Soil Vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community.

New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children's lives depend on it. We are counting on the Regional Water Quality Control Board to protect the environmental health of our community as much as you would if these toxins were down the block from your own home.

Sincerely,
Cari Alter
PO Box 264
Lagunitas, CA

**CLEANUP MARINWOOD PLAZA NOW
OVERSIGHT COMMITTEE
29 Unionstone Drive
San Rafael, CA 94903-1311**

May 21, 2018

Mr. Bruce Wolfe
Executive Officer
Regional Water Quality Control District 2
1515 Clay Street, Suite 1400
Oakland, CA

Dear Mr. Wolfe,

This letter provides the comments and concerns of **Clean up Marinwood Plaza Now Oversight Committee** regarding the proposed "Amendment of Order R2-2014-0007 as amended by Order R2-2014-0036 for Marinwood Plaza, LLC". Based on currently available information we have determined that the proposed Tentative Order (TO) is seriously flawed and requires significant revision prior to adoption by the Board.

Low income housing has been proposed for construction on the site on a contaminated property. This raises the question of environmental justice for those least able to afford housing. Families with small children, pregnant women and the immune compromised are the most vulnerable. We insist that they are housed in a safe environment and our neighbors at Casa Marinwood are not continually exposed to toxic soil vapor.

The following is a list of our concerns:

1. The TO essentially proposes to treat the contamination associated with the former Prosperity Cleaners at Marinwood Plaza (Site) as two separate cleanup cases: 1) the contaminated soil and soil gas and, 2) the groundwater contaminated by the soil and soil gas. This approach is both scientifically and technically unsound because the contaminant sources and the contaminant plume are inextricably linked. **It is not possible to clean up the groundwater contamination without first eliminating the source of contamination.** The proven industry standard of practice for remediation of groundwater contamination at dry cleaner sites is to initially focus on elimination of all the sources of groundwater contamination.

Mr. Bruce Wolfe
Executive Officer
Regional Water Quality Control District 2

2. Item A of the TO requires separate completion reports (Tasks 7A and 7B) for contaminated soil at the Site and contaminated groundwater offsite. Notably, Item A does not address either onsite or offsite soil gas as a contaminant source. Item 2(a) on page 1 of the TO clearly indicates that the newly proposed Task 7A has already been completed. This leads to the conclusion that the Site has been cleaned up and is now suitable for redevelopment. **There has been no cleanup of soil gas or groundwater at the Site, and the cleanup of contaminated soil remains incomplete.** The vertical and lateral extent of soil contamination in the Caltrans right-of-way (ROW) has not been investigated or delineated.

The **discharger conducted a limited soil excavation** beneath the former dry cleaning equipment where chlorinated organic chemicals had permeated the concrete floor and seeped through expansion joints. However, **the primary source of contamination at the Site is at the eastern property boundary that adjoins the Caltrans ROW.** During the 40 years that the dry cleaner operated, liquid hazardous waste was routinely discharged at the property boundary. At this location the asphalt-paved Site is separated from the unsurfaced Caltrans ROW only by a chain link fence. The sole remedial measure applied by the discharger at this location has been to remove a portion of the paved surface and inject some chemical oxidants. **No excavation has occurred in this area to remove contaminated soil.**

Though no soil investigation has ever been conducted in the Caltrans ROW where the waste discharge occurred, and the extent of contamination in that area is unknown, the TO implies by reference that the discharger has successfully eliminated soil contamination at the Site. In our view, failure to acknowledge and address soil contamination in the Caltrans ROW is contrary to the intent of the Board's cleanup requirements and will impede groundwater remediation efforts. **Unfortunately, the discharger's incomplete remedial action plan (RAP) did not adequately address all the sources of contamination at and adjacent to the Site.**

3. Task 8 of the TO changes the timing of a required deed restriction prohibiting the use of onsite groundwater until it meets the standards specified in the Order. Groundwater flowing to the Site from the west meets current drinking water standards. **Requiring a deed restriction on groundwater use indicates that**

Mr. Bruce Wolfe

Executive Officer

Regional Water Quality Control District 2

the Board intends to clear the Site for redevelopment prior to cleanup of soil, soil gas, and groundwater. Essentially, this approach defaults to the passive, “no action” alternative that was evaluated and rejected as ineffective in the Feasibility Study included in the RAP. Allowing residual soil and soil gas contamination to remain at the Site to continue to contaminate high quality drinking water appears contradictory to California Water Policy.

The contaminants at the Site are persistent toxic chlorinated organic chemicals that resist degradation due to the soil chemistry at the Site. This is a primary reason that the “no action” alternative was rejected. When these compounds finally do break down, they produce vinyl chloride gas, a carcinogenic chemical more toxic than the original chemicals. Due to the inherent health risks associated with these chemicals, Marinwood residents were repeatedly assured at two public meetings with Board staff several years ago that the Site would be cleaned up prior to allowing redevelopment (i.e., it would meet the standards specified in the Order). We take issue with this apparent change in policy and urge the Board to enforce the cleanup standards in the Order. **Hastening redevelopment at the Site by allowing residual contamination to remain will benefit the discharger but could also potentially increase health risks for Casa Marinwood residents and future occupants at the Site, and impede groundwater cleanup downgradient of the Site.**

4. Item C (new Task 14) raises the issue of potential new health standards that could be applied to cleanup at the Site. **Is the Board currently aware of new health criteria for the contaminants of concern at the Site?** Are new health standards currently under development? If so, when will these standards be disclosed? Due to the vague language of new Task 14, **additional information regarding potential new standards should be included in the TO prior to adoption.**

5. Item 2(c) “Future changes in circumstances” describes the rationale for including Item D (new Task 15) in the TO. Task 15 provides for incorporation of new information into the cleanup process. Inclusion of this new task is critical to address the residual contamination, overlooked contaminant sources, and other

Mr. Bruce Wolfe
Executive Officer
Regional Water Quality Control District 2

data deficiencies, as noted in our Item 2) above. **The soil gas and contaminated soil remaining at the Site after approval of the discharger's soil cleanup report poses a continuing source of groundwater contamination and a potential health risk to Casa Marinwood residents and future occupants at the Site.** Task 15 should be applied to require the discharger to **prepare a supplemental RAP intended to evaluate and eliminate contaminant sources at the Site and in the Caltrans ROW.**

6. **Unfortunately, effective public participation in the cleanup process at this Site has been significantly limited by the extensive time extensions, procedural modifications, and the many document/report revisions afforded the discharger without advance notice to Marinwood residents.** The current incomplete status of contaminant source elimination is substantially different than the anticipated outcome described to residents prior to adoption of the Order. **No community meeting has been held in more than two years to inform residents about the piecemeal cleanup at the Site that the Board staff has deemed essentially complete in the TO.** Absent outreach and clear, direct communication from Board staff it is exceedingly difficult for working residents to follow the many specific technical changes that have occurred with this case. In this regard we don't believe that the public interest is being well served. An additional public meeting should be held prior to cessation of remediation activities and clearing the site for redevelopment. We believe that improved public communication and dissemination of more complete and timely information is necessary to comply with the intent of the State Board Public Participation Policy.

7. **Though the Board anticipates approving the Site for redevelopment prior to actually achieving cleanup, as noted in our Item 3) above, neither the TO nor the Order include a requirement for a comprehensive health-based risk assessment.** Residual toxic contamination at the Site poses a lengthy potential significant health risk to Casa Marinwood residents and future occupants at the Site. Prohibiting groundwater use and applying various engineering controls may not prove an effective and permanent means of mitigating this potential risk. **The TO should be revised prior to adoption to include a new task requiring a health-**


Mr. Bruce Wolfe
Executive Officer
Regional Water Quality Control District 2

based risk assessment. Given the random locations of most soil gas and groundwater monitoring wells onsite and the absence of soil quality data from the Caltrans ROW, additional soil, soil gas, and groundwater data need to be collected to eliminate existing data deficiencies and allow a **rigorous scientific evaluation of potential health risks.**

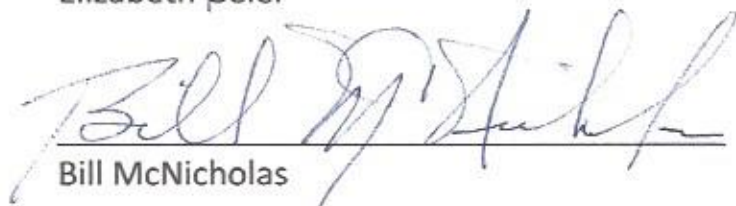
Thank you for taking the time to review this statement of our concerns about the TO. **We hope that you will consider significant modifications to this document and hold a public meeting to discuss the TO prior to adoption so that we may be confident that the best science is being used to protect our citizens and future residents.**

Respectfully Submitted.

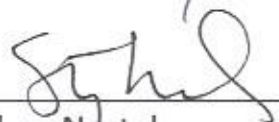
Cleanup Marinwood Plaza Now Oversight Committee



Elizabeth Geler



Bill McNicholas



Stephen Nestel

MICHAEL J. VAN ZANDT
PARTNER
DIRECT DIAL (415) 995-5001
DIRECT FAX (415) 995-3566
E-MAIL mvanzandt@hansonbridgett.com



May 21, 2018

VIA U.S. MAIL and E-Mail

Bruce H. Wolfe
Ralph Lambert, PG, CHg
S.F. Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
ralph.lambert@waterboards.ca.gov

Re: Review of Tentative Order
Former Prosperity Cleaners Marinwood Plaza Shopping Center
187 Marinwood Avenue, San Rafael, California
File No. 21S0053

Dear Messrs. Wolfe and Lambert:

I write on behalf of my client Catholic Charities CYO of San Francisco to comment upon San Francisco Bay Regional Water Quality Control Board's ("RWQCB") Tentative Order. The Tentative Order requires the discharger, Marinwood Plaza LLC ("Discharger"), to submit separate completion reports for onsite soil cleanup and offsite groundwater cleanup, among other changes. There are numerous issues with this proposal.

First, bifurcating the remedial action completion dates creates an artificial and improper distinction between onsite and offsite contamination. Offsite plume migration continues in part due to the persistence of the Site – namely the eastern portion of the Site – as a source for offsite groundwater contamination. Until onsite soil and groundwater contamination is completely addressed, the offsite groundwater plume cannot be fully delineated and remediated given uncertainties in groundwater. Bifurcating remedial action completion dates, as the Tentative Order contemplates, exacerbates this concern. To ensure onsite and offsite remediation efforts retain necessary flexibility, Catholic Charities accordingly requests that onsite and offsite remediation maintain consistent timeframes for completion.

Second, hastening the deed restriction deadline may inhibit rather than promote onsite and offsite remediation. A deed restriction affirms the adequacy of onsite remediation, which is improper given significant contamination remaining onsite. This onsite contamination acts as a continued source for offsite plume migration. Before no further action (i.e., deed restriction) is taken with regard to the onsite contamination, further onsite investigation and remediation is necessary. Catholic Charities accordingly requests that a deed restriction deadline not be set at this time.

As previously raised, the 10-year compliance date remains both excessive (i.e., a shorter remediation timeline is necessary) and unachievable. The Discharger's failure to stop the offsite

Bruce H. Wolfe
Ralph Lambert, PG, CHg
May 21, 2018
Page 2

migration of contamination from the Site prohibits a complete delineation of the offsite plume, which in turn precludes effective remediation. Moreover, the permeable reactive barriers ("PRBs") remain too far apart. Thus, the continued migration offsite of onsite contaminants together with the inadequately placed PRBs allows continued horizontal and lateral migration of contamination from the Site that remains unabated. Consistent with the concerns raised in Catholic Charities' January 9, 2017 letter, offsite remediation is unlikely to achieve completion by 2027. Bifurcating the onsite and offsite remediation makes compliance within 10 years all the less achievable.

In sum, steps taken thus far to remove the source of the offsite plume are inadequate. Delineation of the offsite plume is correspondingly inadequate. So long as contaminants remain onsite, the offsite plume's source persists. Bifurcating the remediation process will therefore serve only to slow offsite remediation and exacerbate uncertainties regarding the plume. It is therefore requested that the timelines for both onsite and offsite remediation maintain a coextensive compliance date and that Items A, B, and C of the Tentative Order not be adopted.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael J. Van Zandt".

Michael J. Van Zandt

Attorneys for Catholic Charities
CYO of San Francisco

cc: Catholic Charities CYO of San Francisco
Steve Grant
J. Dennis McQuaid

From: Paul Brunell
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: [Bill McNicholas](mailto:Bill.McNicholas@marincounty.org); dconnolly@marincounty.org
Subject: Marinwood plaza site
Date: Sunday, May 20, 2018 6:48:22 PM

Dear RWQCB: We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community Sincerely, Paul Brunell (Marinwood resident.)

PS: I am also very concerned that closing the case at Marinwood Plaza would let the owners off the hook for any future cleanup and accountability. This CANNOT be allowed.

From: Bruce McKay
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards.org); dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Marinwood Plaza Cleanup...
Date: Monday, May 21, 2018 8:38:39 AM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community.

Sincerely,
Bruce McKay
560 Las Colindas Road
415-720-6270

From: Charles Bergeman
To: [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Cc: dconnolly@marincounty.org; billmcn@pacbell.net
Subject: Stop the closure of the Marinwood plaza aka Prosperity Cleaners site until ALL CONTAMINENTS are properly removed and/or treated
Date: Monday, May 21, 2018 12:32:48 PM

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community

Sincerely,
Charles Bergeman 415-499-0359

From: <RosinaWilson.com@gmail.com>
To: [Bill McNicholas](mailto:Bill.McNicholas); [Damon Connolly](mailto:Damon.Connolly); [Lambert, Ralph@Waterboards](mailto:Lambert.Ralph@Waterboards)
Subject: Fwd: 5 PM deadlines today
Date: Monday, May 21, 2018 2:06:09 PM
Attachments: [Outlook-Inline ima.png](#)
[Outlook-Inline ima.png](#)

Dear RWQCB:

We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way.

Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible.

Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as polyvinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community.

New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch.

It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it.

We are depending on the Regional Water Quality Control Board to protect the environmental health of our community.

Sincerely,
Rosina Wilson
9 Seville Drive
Casa Marinwood

PS – I have signed the petition, and it is outside my front door at 9 Seville in Casa Marinwood.

Thank you,
Rosina Wilson

----- Forwarded message -----

From: **Christina Gerber** <energy@christinagerber.com>
Date: Mon, May 21, 2018 at 1:54 PM
Subject: 5 PM deadlines today
To: Rosina Tinari Wilson <rosinawilson.com@gmail.com>

We have done some updates on this on NextDoor and developed an email for submission

directly to the RWQCB, ralph.lambert@waterboards.ca.gov, with copies to Supervisor Connolly, dconnolly@marincounty.org, and myself, billmcn@pacbell.net. I really appreciate your support on this. It is a serious scenario. Sample email follows: Dear RWQCB: We demand full remediation of the toxic hotspots at the Prosperity Cleaners, Aka. Marinwood Plaza including the toxic hotspot and Cal Trans Right of Way. Also we request the removal of existing toxic Soil Vapor with active remediation as soon as possible. Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community. New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents. The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies. We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community Sincerely, [YOUR NAME]



[Bill McNicholas](#)

, Lucas Valley/Marinwood·50m ago

REMINDER, IF YOU HAVE NOT SENT AN EMAIL TO THE RWQCB, THE DEADLINE IS 5:00 PM TODAY!!!

Christina Gerber

For Your WellBeing and Empowerment

<http://ChristinaGerber.com>

Super Foods, Oils, Magnetic Healing and More!:

<http://christinagerber.com/good-stuff/>

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**Let's Connect ~**

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Twitter ~ <https://twitter.com/DrinkWineEbooks>

YouTube ~ <http://www.youtube.com/user/DrinkWineWithDinner>

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PETITION AGAINST SPLITTING THE PROSPERITY CLEANERS CLEANUP PROJECT

We, the undersigned reject the proposal to separate the proposed "Amendment of Order R2-2014-0007 as amended by Order R2-2014-0036 for Marinwood Plaza, LLC" for the following:

- Environmental justice because low income housing is proposed for a site that has not been cleaned up.
- Board staff assured residents at two public meetings that the Site would be cleaned up prior to being cleared for development.
- Effective exclusion of public input due to the way the process has been handled by Board staff.
- Potential health risk to Casa Marinwood residents from soil gas that has not been effectively investigated and evaluated.

Name	Address	Email
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Julie Smidt	103 Grande Paseo	julieschmidt@sbcglobal.net
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Gene Molan	19 Grande Paseo	gammoran@gmail.com
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Sharon Rufener	32 Grande Paseo	rufener@earthlink
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Carol Neil	156P	cavol@WVU@jgma.com
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Elizabeth Austin	19 Grande Paseo	San Rafael
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Eusanne Osterlag	19 Grande Paseo	San Rafael
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Appendix C

RESPONSE TO COMMENTS

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**Response to Comments on the Tentative Order (Amendment to Site Cleanup Requirements)
Prosperity Cleaners Site, 187 Marinwood Avenue, Marinwood, Marin County**

This memo provides Water Board staff's response to comments on the tentative order (TO) for amendment of site cleanup requirements (Order No. R2-2014-0007, as amended by Order No. R2-2014-0036). The TO was circulated for public comment starting on April 19, 2018, and closing on May 21, 2018. By the close of the comment period, Water Board staff received [comments](#) from the following:

- Alter, Cari*
- Ashe, Myrto*
- Baum, Rikki*
- Benedetti, Muriel*
- Bianini, Elaine
- Bergeman, Charles*
- Brunell, Paul*
- Cleanup Marinwood Now Committee
- Frack, Sara & Brian*
- Grant, Kaylan*
- Hevi, Karsson
- Harband, Katherine*
- Karsson, Hevia*
- Lewis, Susan*
- McDonnell, Katie *
- McKay, Bruce*
- Natuk, Kim*
- Randel, Nathan*
- Sharp, Brad*
- Stadtner, Alex*
- Tilwalli, Shilpa*
- Trotter, David (attorney to Silveira Ranch)
- Vagelatos, Katlin*
- Van Zandt, Michael (attorney to Catholic Charities)
- Wilson, Rosina*
- Petition to reject the amendment

* These commenters included identical comments with minor edits in some instances.

Below we summarize the comments and provide associated responses. For the full content and context of each comment, please refer to the comment letters. Comments 1-19 are from the Cleanup Marinwood Now Committee, Karsson Hevi, David Trotter (attorney to Silveira Ranch), and Michael Van Zandt (attorney to Catholic Charities). Comment 20 is from the form letter (asterisked commenters above). Comment 21 is from a petition signed by several individuals.

1) **Comment:** The TO essentially proposes to treat the contamination associated with the former Prosperity Cleaners at Marinwood Plaza (Site) as two separate cleanup cases.

Response: We disagree. The TO establishes different due dates for reports documenting soil and groundwater remediation due to different implementation schedules, but this remains one case, and the site cleanup order addresses the full extent of contamination (onsite and offsite). The division between onsite and offsite work already exists for Tasks 4A and 4B (interim remedial action workplan) and Tasks 5A and 5B (completion of interim remedial actions).

2) **Comment:** It is not possible to clean up the groundwater contamination without first eliminating the source of contamination.

Response: We agree. The [report](#) documenting remediation at the Eastern Hot Spot was submitted on March 31, 2014. The [report](#) documenting remediation under the former dry cleaner building was submitted March 7, 2017. These two reports document that these

contaminant source areas meet the Site's soil cleanup levels. A soil vapor probe installed inside of the building in mid-2017 indicates that there is still some remaining contaminant source not identified by prior sampling. Therefore, the TO has been revised to require evaluation and implementation of additional remediation for onsite soil vapor (please also see our response to comments #4 and #5).

- 3) **Comment:** Item 7A (onsite soil Remedial Action Plan Completion Report) in the TO does not address onsite or offsite soil vapor as a contaminant source.

Response: The contamination found in soil vapor is generated by contamination in the soil and/or from the groundwater. The concentrations detected in soil vapor at the Site are not considered a source of contamination to soil or groundwater. At the same time, elevated soil vapor concentrations can indicate the need for additional soil or groundwater cleanup. The TO has been revised to require evaluation and implementation of additional remediation for onsite soil vapor (please see response to comment #2).

- 4) **Comment:** The TO states that Task 7A was completed, suggesting that the Site was cleaned up and is now suitable for redevelopment. The cleanup of soil remains incomplete. For example, the Eastern Hot Spot has not been excavated. Source removal is incomplete. Soil and groundwater contamination from the Eastern Hot Spot and adjacent Caltrans property are still contaminating the groundwater plume moving offsite.

Response: Task completion and meeting cleanup levels are two different things. Onsite soil cleanup tasks have indeed been completed according to approved cleanup plans, resulting in significant contaminant removal. However, cleanup will not be complete until cleanup levels are met or the Site qualifies for low-threat closure.

We disagree that a source of contamination to soil of any substantial size remains. In 2014, 40 soil samples were collected from the Eastern Hot Spot to verify the effectiveness of treatment. In 2017, 49 soil samples were collected after the excavation from under the dry cleaner. Confirmation soil samples from these two areas document that the remaining soil in these two areas meets cleanup goals for the Site. Similar comments have been addressed before in our April 4, 2016, [Response to Comments \(RTC\) document to the RAP](#). See specifically RTC #18 and #20. Our April 13, 2017, [letter](#) approves the soil excavation report successfully documenting that cleanup standards for soil are achieved under the dry cleaner area. Source removal was documented by confirmation soil samples and declining concentrations in nearby soil vapor and groundwater. Both soil vapor and groundwater concentrations have fallen substantially near the Eastern Hot Spot but still exceed the cleanup goals.

The concentrations now detected do not support the conclusion that any substantial source remains. Groundwater concentrations onsite are low and similar to offsite values. Based on March 2018 data, the maximum PCE concentration in groundwater onsite is 76 µg/L vs 49 µg/L offsite. Therefore, we disagree that any substantial soil contamination remains as a source of the offsite groundwater plume. The distance between the Site property and the Ranch property is approximately 500 feet. With an average estimated groundwater flow rate of 50-feet per year, we do not expect to observe impacts from soil cleanup in offsite wells for at least ten years, at which time concentrations of PCE in groundwater should meet applicable drinking water standards.

No soil sampling has been conducted on Caltrans property, although groundwater sampling has been done. We agree that soil sampling should be done on Caltrans property. The TO has been revised to require this work; please also see our response to comment #6.

5) **Comment:** There has been no cleanup of soil vapor or groundwater at the Site.

Response: We disagree, in that there has been cleanup of soil contamination at the two hot spots, that cleanup has resulted in declines in both soil vapor and groundwater concentrations, and additional groundwater cleanup will commence later this year. At the Eastern Hot Spot, substrates were injected to treat the contamination in place. Amendments were added to treat the nearby groundwater. Because of these efforts, the concentrations in soil vapor and groundwater dropped significantly. Soil vapor as measured at location SVM-5 decreased by >99% and groundwater at MW-5 by 90%. At the Western Hot Spot (below the dry cleaner building), extensive soil excavation was performed. Amendments were added to the base of the excavation inside of the dry cleaner building to treat the nearby groundwater, and we have observed impacts from this treatment. PCE concentrations in groundwater from wells MW-16, in the excavation, and MW-4, nearest the back door to the building, meet drinking water standards. We are observing PCE breakdown products at MW-4, indicating that treatment was effective. Additional treatment of groundwater leaving the Site is proposed as part of the offsite groundwater treatment.

Soil vapor under the dry cleaner building remains high at SVM-9. This is a new soil vapor probe installed in 2017 to replace nearby SVM-2, which was removed as part of the excavation. Soil vapor in several other onsite locations still exceeds residential soil vapor cleanup levels, although the concentrations are much lower than at SVM-9. Existing DTSC and Water Board guidance on vapor intrusion recommends active cleanup to address vapor intrusion threats; vapor intrusion mitigation is not a substitute for cleanup¹. The TO has been revised to require evaluation of soil vapor treatment in the vicinity of these high detections at SVM-9 and at other locations where soil vapor cleanup levels are still exceeded.

6) **Comment:** The extent of soil contamination in the Caltrans right-of-way has not been investigated.

Response: We agree, although it seems unlikely that any significant soil contamination is present on Caltrans property. Seven groundwater samples were collected on Caltrans property near the Eastern Hot Spot. The groundwater data suggests that there is no significant contaminant source on Caltrans property. In addition, Marinwood Plaza, LLC, has proposed collecting additional groundwater samples on CalTrans property as part of the final groundwater remedial design. However, it is reasonable to collect some soil samples close to the Eastern Hot Spot and along the drainage pathway to fill this minor data gap. The TO has been revised to require this work.

7) **Comment:** I am concerned that closing the case at Marinwood Plaza would let the owners off the hook for any future cleanup and accountability. I reject the proposal of closing the case.

¹ DTSC *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)* October 2011 (see especially p.vi) and SF Bay Regional Water Board *Interim Framework for Assessment of Vapor Intrusion at TCE-Contaminated Sites in the San Francisco Bay Region* October 2014 (see especially p.7)

Response: There is no current proposal to close the case. The current owners remain responsible for Site cleanup.

- 8) **Comment:** Requiring a deed restriction on groundwater use indicates that the Site is clear for redevelopment prior to cleanup of soil, soil vapor, and groundwater.

Response: We disagree. Deed restrictions are used to avoid human exposure to Site contaminants during and possibly after active cleanup. In this case, the existing Order requires a deed restriction to limit use of shallow groundwater onsite pending attainment of drinking water standards. Establishment of a deed restriction does not signify an end to active cleanup. Please also see the [\(RTCs\) dated April 4, 2016, #49](#).

- 9) **Comment:** Hastening the deed restriction may inhibit remediation. I request that a deed restriction deadline not be set at this time.

Response: The TO revises the deadline for the proposed deed restriction from a fixed date to a contingent date (60 days following requirement by Executive Officer). This change is needed because of the additional onsite cleanup work now proposed in the TO and the yet-to-be determined schedule for that work. The effect of this change is to delay the deed restriction until after active cleanup is completed. Please also see our response to comment #8.

- 10) **Comment:** Hastening redevelopment at the Site by allowing residual contamination to remain will benefit the discharger but could also potentially increase health risks for Casa Marinwood residents and future occupants at the Site and impede groundwater cleanup downgradient.

Response: Prior onsite cleanup has significantly reduced contaminant mass, and the TO has been revised to require additional onsite cleanup work to address still-elevated soil vapor concentrations near the two hot spots. Residual contamination following cleanup should not pose an unacceptable health risk to future onsite occupants. According to [Dr. Linville](#), staff toxicologist with the State's Office of Environmental Health Hazard Assessment, there is no exposure for offsite residents and no unacceptable exposure for current Site occupants. Her conclusion is based on her review of site data and was presented at the February 10, 2016, public meeting at Marinwood. Please see our response to comment #16 for additional information.

- 11) **Comment:** Task 16 of the TO mentions the evaluation of new health standards currently under development. When will they be disclosed. Are you aware of new health criteria?

Response: We are not aware of any new health information at this time. We include this task in all new orders so as to allow the Water Board to respond more rapidly to changed circumstances to more efficiently protect human health and the environment.

- 12) **Comment:** Task 17 of the TO (Evaluation of New Technical Information) should be applied to require the discharger to prepare a supplemental RAP evaluating and eliminating contaminant sources at the Site and in the Caltrans right-of-way.

Response: The TO has been revised to require investigation at the Caltrans property adjacent to the Eastern Hot Spot and evaluation and implementation of additional cleanup to address still-elevated soil vapor concentrations near the two hot spots. Please also see our responses to comments #4 and #6. We include this task in all new orders so as to allow the Water Board to respond more rapidly to changed circumstances to more efficiently protect human health and the environment.

- 13) **Comment:** A community meeting has not been conducted in more than two years to inform residents about the piecemeal cleanup at the Site. Board staff has deemed cleanup essentially complete in the TO.

Response: The Water Board has issued five public participation documents (updates, fact sheets, and notices) over the last 20 months. The TO does not conclude that the cleanup is complete. Please also see our response to comment #4.

- 14) **Comment:** Improved public communication and dissemination of more complete and timely information is necessary.

Response: We have conducted substantial public outreach for this case. Please also see our response to comment #13.

- 15) **Comment:** An additional public meeting should be conducted prior to cessation of remediation activities and clearing the site for redevelopment.

Response: We appreciate this comment and will evaluate the need for additional public meetings at crucial decisions points during the regulatory oversight of this case.

- 16) **Comment:** The TO should be revised to include a new task requiring a health-based risk assessment.

Response: We disagree. See the [RTCs dated April 4, 2016](#), #34, #35, and #37. A Tier 2 risk assessment was completed for this Site. In addition, Dr. Linville concluded that there was no complete pathway, or risk, to residents of Casa Marinwood. She also concluded that the Site cleanup goals are very conservative.

- 17) **Comment:** Would you like your family, kids, parents, in-laws to live in these conditions at Casa Marinwood?

Response: Dr. Linville concluded that there was no complete pathway, or risk, to residences of Casa Marinwood. Please also see our response to comment #16.

- 18) **Comment:** Hold a public meeting to discuss the TO prior to adoption.

Response: As stated in the transmittal letter that accompanied the TO, a public hearing is planned for July 11, 2018, prior to any Water Board action on the TO.

- 19) **Comment:** The 10-year compliance date remains both excessive (i.e., a shorter remediation timeline is necessary) and unachievable given the incomplete onsite cleanup and proposed spacing of the PRB treatment zones.

Response: The 10-year timeframe for meeting offsite groundwater cleanup levels was set in our February 15, 2017, letter and is formalized in the TO as Task 7D. This timeframe represents an aggressive schedule, one not achieved at most sites due to the technical challenges associated with the cleanup of solvents in groundwater. The 10-year time frame may be difficult to achieve over the entire plume due to back diffusion of chemicals out of fine-grained materials in the subsurface. It is especially aggressive at this Site where there is no current occupied structure overlying the plume and no current or planned use of groundwater from a well that exceeds drinking water standards according to both Catholic Charities and Silveira Ranch.

Substantial onsite cleanup has been done, and the TO has been revised to require evaluation and completion of additional onsite cleanup to address still-elevated soil vapor concentrations near the two hot spots. In April 2018, the Discharger submitted a revised offsite groundwater treatment design report that proposed a much closer spacing of the permeable reactive barrier treatment zones than its original proposal. The offsite landowners were invited to comment on the revised design, the comment period ended June 11, 2018, and we are evaluating comments received prior to responding to the design report. The report's adequacy is not at issue in this SCR amendment.

- 20) **Comment:** The following verbatim statement was circulated via email and was submitted by 20 members of the community, sometimes with minor edits, before the comment closure date. Letters have been inserted in **bold** to respond to different parts of the statement.

(A) We demand full remediation of the toxic hotspots at the Prosperity Cleaners, aka Marinwood Plaza, including the toxic hotspot and the Caltrans Right of Way.

Response: Please see our responses to comments #3, #4, and #6.

(B) We also request the removal of existing toxic soil vapor with active remediation as soon as possible.

Response: Please see our response to comment #5.

(C) Without removing the source contamination, the community still lives in jeopardy from the ill effects of PCE and its associated cancerous compounds such as poly vinyl chloride. Pregnant women, small children and the immune compromised live in Casa Marinwood and the surrounding community.

Response: Source removal is addressed in our responses to comments #2-4. Risk is addressed in comment #16. There is no exposure of Site chemicals to the residents. Vinyl chloride is a chemical of concern at this Site in a few groundwater samples, not polyvinyl chloride.

(D) New residential developments have been proposed/discussed for Marinwood Plaza, St. Vincent's, and Silveira Ranch. It is important that THESE future neighbors also have the ability to live in an environment free from cancerous agents.

Response: There is no current proposal for residential development at the Plaza, at Catholic Charities, or at Silveira Ranch. When remedial and mitigation actions are completed, any future occupant will be safe from exposure to chemicals from the Site.

(E) The ongoing scandal at Hunters Point Shipyard in San Francisco has left us with the suspicion that environmental cleanup effort is not always well documented and enforced by state agencies.

Response: Cleanup at this Site is well documented and conducted by registered professionals. Sampling and analysis are conducted under currently approved quality control methodologies and analysis reported by State-certified laboratories.

(F) We ask that all reasonable efforts will be used to clean up the Prosperity Cleaners toxic waste site. Our children's lives depend on it. We are depending of the Regional Water Quality Control Board to protect the environmental health of our community.

Response: We agree that reasonable efforts should be used to cleanup this Site, and the existing Order, with the changes proposed in the revised TO, will result in acceptable cleanup. Based on the data and lack of a completed exposure pathway, we disagree that risks exist at this Site and offsite.

21) **Comment:** Fourteen members of the community signed a petition, repeated below, rejecting the proposal to split Task 7 into two subtasks for the following reasons:

1. Environmental justice because low income housing is proposed for a site that has not been cleaned up.

Response: Low income housing is not currently proposed for this Site. Several years ago, the community vigorously and successfully opposed a proposal for affordable housing at the Site. The cleanup levels for this Site will fully protect current and future residents.

2. Board staff assured residents at two public meetings that the Site would be cleaned up prior to being cleared for development.

Response: The Site will be safe prior to reuse. Please see also our response to comment #16.

3. Effective exclusion of public input caused by Board staff case management mishandling.

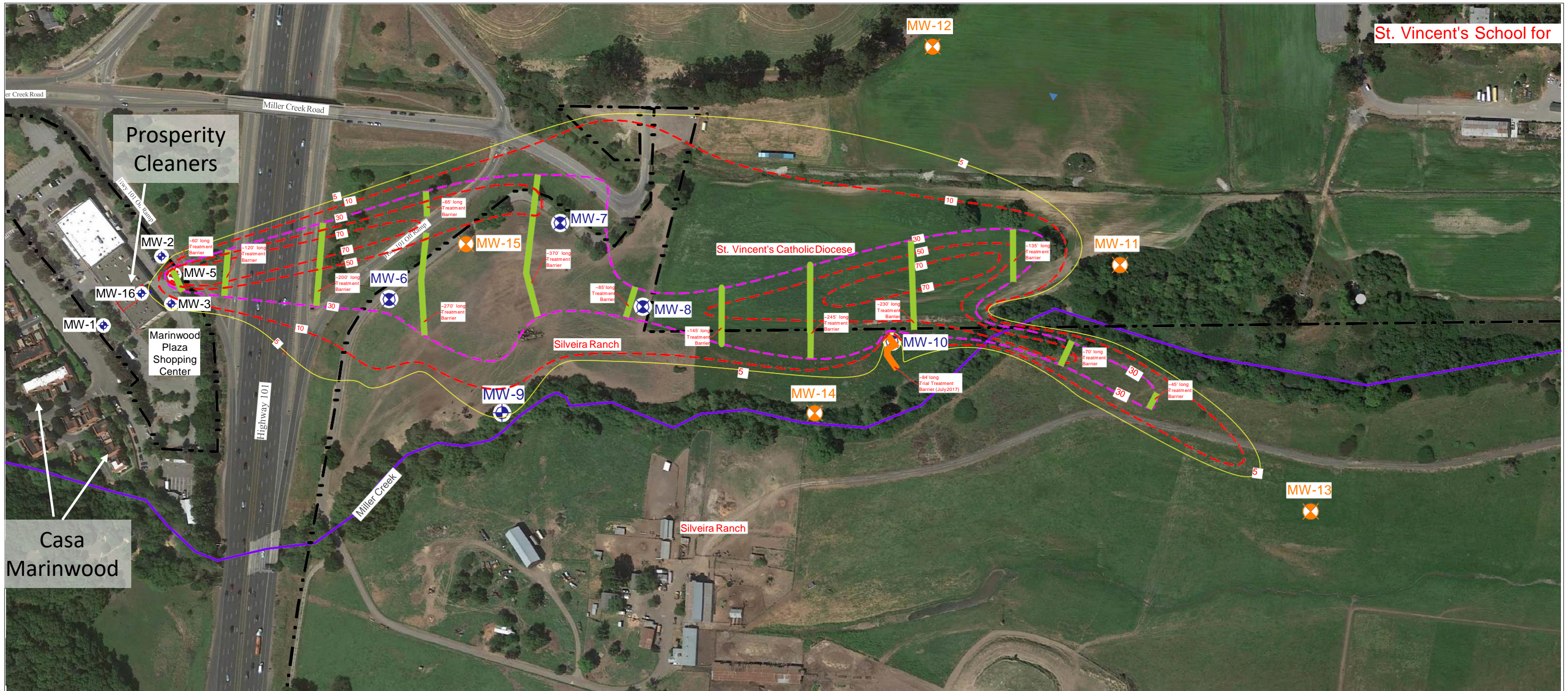
Response: Public outreach is conducted at this Site. We have received and responded to substantial public input over the last several years. Please also see our response to comments #13 and #14.

4. Potential health risk to Casa Marinwood residents from soil vapor that has not been effectively investigated and evaluated.

Response: We disagree. A total of 21 soil vapor samples were collected throughout the neighborhood, including adjacent to residences and where utility lines enter the units. No chemicals from the Site were detected in any of these samples; thus, there is no evidence of any exposure. In addition, four new soil vapor probes are proposed to monitor soil vapor concentrations over time: three closer to residences and one near the onsite food market.

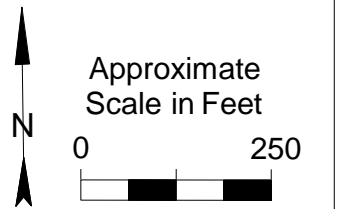
Appendix D

LOCATION MAP



Key

- | | | | | |
|--|---|--|---|--|
| <ul style="list-style-type: none"> On-Site Monitoring Well (October 2007) Off-Site Monitoring Well (May 2016) Off-Site Monitoring Well (November 2016) | <ul style="list-style-type: none"> October 2013 CPT Cluster Groundwater "Grab" Sample Location December 2014 CPT Cluster Groundwater "Grab" Sampling Location May 2015 CPT Cluster Groundwater "Grab" Sample Location | <ul style="list-style-type: none"> August/September 2015 CPT Cluster Exploration Location Completed June 2016 CPT Cluster Sampling Locations Property Boundary | <ul style="list-style-type: none"> 10 PCE Concentration Contours, ug/L 5 PCE Concentration Contours, ug/L | <ul style="list-style-type: none"> Proposed Line of Treatment Injection Borings for Permeable Reactive Barrier (PRBs) Pilot Test Treatment Injection Boring Line (July 2017) |
|--|---|--|---|--|



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San Francisco, California

**Marinwood Plaza/
Former Prosperity Cleaners**
187 Marinwood Avenue
San Rafael, California

Figure 6
**Proposed
Revised PRB Location Map**