

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

TENTATIVE ORDER

ADOPTION OF FINAL SITE CLEANUP REQUIREMENTS

ORDER NO. R2-2023-XXXX for:

**CALIFORNIA PACIFIC BANK
HUEY HOANG
LO LIEN
DESTIN WONG**

For the property located at:

*6161 COLISEUM WAY
OAKLAND
ALAMEDA COUNTY*

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

1. **Site Location:** The Former Echco Sales property addressed by this Order is located at 6161 Coliseum Way in a primarily commercial/industrial area of Oakland, Alameda County (Source Property). It is approximately 0.8 acre, bounded to the north by Julie Ann Way, to the east by Coliseum Way, and the south and west by commercial/industrial buildings.
2. **Site History:** The main building at the Source Property was constructed in 1965. Echco Sales Company used the main building for the bulk storage and shipment of industrial soaps and cleaners, including tetrachloroethene (PCE), from 1965 until 2000. PCE was delivered via railcars until 1988 and received via trucks until 1995, when the bulk handling of PCE concluded. PCE was stored in aboveground storage tanks (ASTs) and 55-gallon drums inside the building. Based on investigations conducted to date, spills of PCE occurred near the ASTs/ drum filling area, near the former railroad offloading area, and near the truck loading area.

The Source Property was sold to David Wang in 2000 and was used as a bus storage, maintenance, and dispatch facility until 2003, when the property was foreclosed on by California Pacific Bank. California Pacific Bank sold the Source Property to Huey Hoang and Lo Lien in 2003. Since 2003 to the present, the Source Property has been used as a towing dispatch facility, an automotive repair shop, and other commercial uses. The following table provides a summary of the ownership of the Source Property.

Source Property Ownership History	
<i>Time Period</i>	<i>Owner Name</i>
2021 to Present	Destin Wong and Lo Lien
2003 to 2021	Huey Hoang and Lo Lien
2003 to 2003	California Pacific Bank
2000 to 2003	David Wang
1965 to 2000	Echco Sales Company

3. Named Dischargers:

California Pacific Bank is named as a discharger because it owned the Source Property while there was an ongoing discharge, had knowledge of the discharge, and had the legal ability to prevent the discharge. Additionally, California Pacific Bank assumed responsibility for the cleanup and remediation of the Source Property.

Huey Hoang is named as a discharger because he owned the Source Property while there was an ongoing discharge, had knowledge of the discharge, and had the legal ability to prevent the discharge.

Lo Lien is named as a discharger because she owned the Source Property while there was an ongoing discharge, had knowledge of the discharge, and had the legal ability to prevent the discharge.

Destin Wong is named as a discharger because he is the current owner of the Source Property on which there is an ongoing discharge of pollutants, has knowledge of the discharge, and it has the legal ability to control the discharge.

The above dischargers are collectively referred to as the Discharger or Dischargers.

Echco Sales Company was the owner and operator of the Source Property when the initial discharge occurred, but it is not named because the company was dissolved in 2002 and the Regional Water Board is not aware of any successor entities. David Wang owned the Site while there was an ongoing discharge, but is not named because the Regional Water Board does not have his contact information. If the Regional Water Board receives or obtains additional information regarding Echco Sales Company or David Wang or indicating that

other parties caused or permitted any waste to be discharged on the Source Property where it entered or could have entered waters of the state, the Regional Water Board will consider adding those parties' names to this order.

4. **Regulatory Status:** The Source Property is currently not subject to a Regional Water Board site cleanup requirements order.
5. **Site Hydrogeology:** The ground surface of the Source Property is primarily flat and underlain by predominately fine-grained sediments with sandy lenses. Groundwater has been encountered as shallow as 3 feet below ground surface (bgs). Three groundwater zones have been encountered beneath the Source Property; a shallow zone from approximately 5 to 10 feet bgs, an intermediate zone from approximately 17 to 30 feet bgs, and a deep zone approximately at 50 feet bgs, ranging in thicknesses from 5 to 20 feet. Groundwater typically flows to the west, towards the San Francisco Bay.
6. **Remedial Investigation:** Investigations at the Source Property have been conducted since 1999. PCE and its breakdown products have been detected in soil, soil vapor, groundwater, and indoor air. The current maximum concentrations of PCE and associated breakdown chemicals in each media is shown in the below table. Additional investigation is needed to adequately assess and define the extent of contamination in soil, groundwater, and soil vapor, and to monitor indoor air quality.

Current Maximum Concentrations					
Soil (mg/kg)					
Location	Date	Chemical	Concentration	ESL	Exposure Pathway
AST and Truck Loading Area	2014	PCE	160	2.7	Direct exposure
Truck Loading Area	2014	TCE	40	6.1	Direct exposure
AST	2013	Cis,1-2,-DCE	76	85	Direct exposure
AST	2013	Trans 1,2-DCE	5.3	600	Direct exposure
AST	2013	VC	20	0.15	Direct exposure
Groundwater (µg/L)					
Location	Date	Chemical	Concentration	ESL	Exposure Pathway
MW-11	2019	PCE	130	5.0	Drinking water
MW-11	2019	TCE	37	5.0	Drinking water
MW-9	2019	Cis,1-2,-DCE	72,000	6.0	Drinking water
MW-6	2019	Trans 1,2-DCE	330	10	Drinking water
MW-9	2019	VC	36,000	0.50	Drinking water

Soil Vapor ($\mu\text{g}/\text{m}^3$)					
SS-1	2022	PCE	29,000*	67	Vapor intrusion
SS-3	2022	TCE	14,000*	67	Vapor intrusion
SS-3	2022	Cis,1-2,-DCE	120,000*	1,200	Vapor intrusion
SS-3	2022	Trans 1,2-DCE	4,600*	12,000	Vapor intrusion
Multiple	2022	VC	<250*	5.2	Vapor intrusion
Indoor Air ($\mu\text{g}/\text{m}^3$)					
IA-12	2022	PCE	170	2.0	Inhalation
IA-12	2022	TCE	20	3.0	Inhalation
IA-12	2022	Cis,1-2,-DCE	63	35	Inhalation
Multiple	2022	Trans 1,2-DCE	<2.3	350	Inhalation
IA-08	2021	VC	13	0.16	Inhalation

Key

ESL = Environmental Screening Level, Regional Water Board, 2019

PCE = tetrachloroethene

TCE = trichloroethene

Cis,1-2,DCE = cis,1-2,dichloroethene

Trans,1-2,DCE = trans,1-2,-dichloroethene

VC = vinyl chloride

mg/kg = milligrams per kilogram

$\mu\text{g}/\text{L}$ = micrograms per liter

$\mu\text{g}/\text{m}^3$ = micrograms per cubic meter

* = sub-slab soil vapor sample collected during a soil vapor extraction pilot test

7. **Previous Remedial Activities:** In 2001, approximately 150 tons of soil and 500 gallons of groundwater were removed from the Source Property during two excavation events. Confirmation soil samples collected after excavation activities indicated PCE remained in soil at the excavation areas as follows: up to 440 mg/kg at 5 feet bgs in the former AST area, up to 2,100 mg/kg at 4.5 feet in the truck loading area, and up to 26 mg/kg at 4 feet bgs in the railroad offloading area.

In 2014, approximately 257 tons of soil and 3,400 gallons of groundwater were removed from the former AST area and the former truck loading areas. No soil remedial goal was set for these excavations. Confirmation soil samples collected after the excavation activities indicated PCE concentrations remained in soil as follows: up to 160 mg/kg at 5 feet bgs in the former AST area, and 150 mg/kg at 5 feet bgs in the truck loading area.

In 2014, approximately 1,000 gallons of diluted cheese whey solution were placed at the base of the two excavations to treat PCE and other volatile organic compounds (VOCs) in groundwater. In 2014 and 2017, approximately 4,000 gallons of diluted cheese whey solution were injected to treat groundwater and in 2016 approximately 2,000 gallons of diluted cheese whey solution were injected.

In 2022, a soil vapor extraction (SVE) pilot test was performed at the Source Property. During the 42-day pilot test, approximately 40 pounds of VOCs were removed, including an estimated 30 pounds of PCE. Mass removal rates were approximately 1-pound per day of VOCs. Indoor air samples were collected before, during, and after the SVE pilot test. Concentrations of VOCs in indoor air exceeded ESLs during all three of these sampling events.

8. **Adjacent Sites:** There are three closed fuel UST cases located within a 100-foot radius of the Source Property—Hertz-Penske to the northeast, Columbo Bakery to the west, and Yandell Trucking to the northwest.
9. **Basin Plan:** The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) is the Regional Water Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted by the Regional Water Board and approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law and the USEPA, where required.

The potential beneficial uses of groundwater underlying and adjacent to the Source Property include:

- Municipal and domestic water supply
 - Industrial process water supply
 - Industrial service water supply
 - Agricultural water supply
10. **Other Regional Board Policies:** Regional Water Board Resolution No. 88-160 allows discharges of extracted, treated groundwater from site cleanups to surface waters only if it has been demonstrated that neither reclamation nor discharge to the sanitary sewer is technically and economically feasible.

Regional Water Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas of high total dissolved solids (TDS), low-yield, or naturally high contaminant levels.

11. **State Water Board Policies:** State Water Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304," applies to this discharge. It directs the Regional Water Boards to set cleanup levels equal to background water quality or the best water quality which is reasonable, if background levels cannot be restored. Cleanup levels other than background must be consistent with the

maximum benefit to the people of the State, not unreasonably affect present and anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives. The remedial action plan will assess the feasibility of attaining background levels of water quality. This Order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

Resolution 92-49 also requires cleanup actions to be consistent with State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California." Resolution 68-16 requires maintenance of high quality waters unless a lesser water quality is consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial uses, and will not result in exceedance of applicable water quality objectives. This Order is consistent with Resolution No. 68-16 because the remedial action plan will assess the feasibility of attaining background levels of water quality.

12. **Preliminary Cleanup Goals:** Pending the establishment of site-specific cleanup levels, preliminary cleanup goals are needed for the purpose of conducting remedial investigation and interim remedial actions. The preliminary cleanup goals in Section B of this Order address all relevant media (e.g., groundwater, soil, and soil vapor) and all relevant concerns (e.g., groundwater ingestion, groundwater dermal contact, dust inhalation, and vapor intrusion to indoor air), except for indoor air and vapor inhalation, which are addressed in Finding 13 below.
13. **Basis for Indoor Air Risk Management Levels:** The indoor air risk management levels shall be protective of human health. The commercial/industrial indoor air ESLs may be used as the indoor air risk management levels or alternative levels may be proposed and approved by the Executive Officer. These levels will trigger risk management and mitigation actions. The commercial indoor air ESLs are protective of human health and includes the following:
 - The ESLs are set at a target cancer risk of 1×10^{-6} and a non-cancer hazard quotient of 1, following United States Environmental Protection Agency (US EPA) guidance. Specifically, the US EPA [Risk Assessment Guidance for Superfund: Volume I Human Health Evaluation Manual, Part D](#) states that remediation goals are generally set at a cancer risk of 1×10^{-6} and a non-cancer HQ of 1 or less to be protective of potential of cancer and non-cancer effects.
 - The ESLs use toxicity criteria required by the [Toxicity Criteria for Human Health Risk Assessment Regulation](#) approved by the Office of Administrative Law and filed with the Secretary of State on September 4, 2018.

- The ESLs are based on default commercial/industrial exposure parameters recommended by US EPA.
14. **Cleanup and Abatement and Reporting Authority:** California Water Code section 13304 authorizes the Regional Water Board to issue orders requiring a Discharger to clean up and abate waste where the Discharger has caused or permitted waste to be discharged or deposited where it is or probably will be discharged into waters of the state and creates or threatens to create a condition of pollution or nuisance. Pursuant to Water Code section 13304, this Order requires the Dischargers to investigate the extent of the discharge and undertake corrective actions to clean up the waste discharged and abate its effects.
 15. **Cost Recovery:** Pursuant to California Water Code Section 13304, the Dischargers are hereby notified that the Regional Water Board is entitled to, and will seek reimbursement for, all reasonable costs actually incurred by the Regional Water Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order.
 16. **Human Right to Water:** Under Water Code section 106.3, the State of California's policy is that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (Water Code, § 106.3; see also State Water Board Resolution No. 2016-0010.) The human right to water extends to all Californians, including disadvantaged individuals and groups and communities in rural and urban areas. This Order promotes the human right to water by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
 17. **CEQA:** This action is an order to enforce the laws and regulations administered by the Regional Water Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, title 14, section 15321.
 18. **Notification:** The Regional Water Board has notified the Dischargers and all interested agencies and persons of its intent under California Water Code section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED, pursuant to section 13304 of the Water Code, that the Dischargers (or their agents, successors, or assigns) shall clean up and abate the effects described in the above findings as follows:

A. PROHIBITIONS

1. The discharge of wastes or hazardous substances in a manner that will degrade water quality or adversely affect beneficial uses of waters of the State is prohibited.
2. Further significant migration of wastes or hazardous substances through subsurface transport to waters of the State is prohibited.
3. Activities associated with the subsurface investigation and cleanup that will cause significant adverse migration of wastes or hazardous substances are prohibited.

B. PRELIMINARY CLEANUP GOALS AND RISK MANAGEMENT LEVEL

The following preliminary cleanup goals (PCGs) shall be used to guide remedial investigation and interim remedial actions, pending establishment of site-specific cleanup levels.

1. Groundwater: Applicable screening levels that are protective of human health, such as the Regional Water Board's ESLs document. Groundwater screening levels shall incorporate at least the following exposure pathways: groundwater ingestion and vapor intrusion to indoor air. For groundwater ingestion, use applicable water quality objectives (e.g., lower of primary and secondary maximum contaminant levels, or MCLs) or, in the absence of a chemical-specific objective, equivalent drinking water levels based on toxicity and taste and odor concerns.
2. Soil: Applicable screening levels that are protective of human health, such as the Regional Water Board's ESLs. Soil screening levels are intended to address a full range of exposure pathways, including direct exposure, nuisance, and leaching to groundwater. For purposes of this subsection, the Dischargers shall assume that groundwater is a potential source of drinking water.
3. Soil vapor: Applicable screening levels that are protective of human health, such as the Regional Water Board's ESLs. Soil vapor screening levels are intended to address the vapor intrusion to indoor air pathway.

The risk management levels for indoor air are the levels identified in Finding 13.

C. TASKS

1. RISK MITIGATION AND MANAGEMENT PLAN

COMPLIANCE DATE: *(30 days after adoption of Order)*

Submit a Risk Mitigation and Management Plan (RMMP) acceptable to the Executive Officer to reduce concentrations of PCE and its breakdown products in indoor air, namely TCE, cis,1-2, DCE, and VC. The indoor air risk management levels must be protective of human health. The commercial indoor air ESLs may be used, or an alternative may be approved by the Executive Officer. The risk management levels should be protective of repeated long-term exposure scenarios (over 25 years). The RMMP must also propose a program to monitor indoor air, and any other necessary media, to demonstrate the effectiveness of mitigation measures at controlling concentrations in indoor air. At a minimum, the RMMP must include the following elements:

- Mitigation measures that will reduce VOC concentrations in indoor air to the indoor risk management levels;
- The design and justification for the mitigation measure(s);
- A schedule for implementation of risk mitigation measures;
- Contingent actions to be taken should mitigation measures not achieve the indoor air risk management levels within a month after implementation;
- A monitoring and reporting program that includes sampling objectives, methods, locations, frequencies, data interpretation process, and reporting schedule with reports to be submitted in compliance with the Self-Monitoring Program (SMP, attached); and
- A communication plan to ensure proper communication with building tenants on the progress, implementation, and monitoring.

Mitigation measures may include those listed in the Regional Water Board's [2022 Vapor Intrusion Mitigation Guidance](#).

2. BEGIN IMPLEMENTATION OF RMMP

COMPLIANCE DATE: Within one month of approval of RMMP by the Executive Officer.

Implement the RMMP in accordance with the schedule in the RMMP, as approved by the Executive Officer.

3. **FEASIBILITY STUDY AND REMEDIAL ACTION PLAN**

COMPLIANCE DATE: *(90 days after adoption of Order)*

Submit a Feasibility Study and Remedial Action Plan (FS RAP) acceptable to the Executive Officer to evaluate alternatives to remediate the Source Property. The FS RAP must include the following elements:

- Summary of the investigations, remedial activities, and extent of the impacts;
- Evaluation of alternative remedial actions considering technical and economic feasibility; the alternative remedial actions that are evaluated must include alternatives that fully remediate the full extent of the impacts;
- Consideration of soil vapor extraction as a remedial alternative that is at a minimum based on the 2022 vapor extraction pilot test;
- Recommended remedial actions and proposed cleanup levels in soil, groundwater, and soil vapor; and
- Implementation tasks and schedule.

The FS RAP must propose remedial work that has a high probability of eliminating unacceptable threats to human health and restoring beneficial uses of water in a reasonable time; with “reasonable time” based on the severity of impact to the beneficial use (for current impacts) or the time before impact to the beneficial use will occur (for potential future impacts). The remedial action plan must address the full extent of contamination at the Source Property.

The FS RAP must be consistent with State Water Board Resolution No. 92-49 as amended ("Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304"), must consider the PCGs for soil, soil vapor, and groundwater, identified in Section B, and must analyze the attainability of background levels of water quality (see Resolution 92-49 and Finding 11.)

4. **IMPLEMENT FS RAP**

COMPLIANCE DATE: 180 days after Executive Officer’s approval of Task 3

Implement the approved FS RAP (Task 3) and submit a technical report acceptable to the Executive Officer documenting the completion of the FS RAP implementation. For ongoing actions, the report shall document start-up as opposed to completion.

5. **ADDITIONAL PHASE INVESTIGATION WORKPLAN (IF NEEDED)**

COMPLIANCE DATE: 60 days after required by Executive Officer

The Executive Officer will require an additional investigation workplan if monitoring results show that the contamination is not defined in all media, vertically and laterally, exceeding the PCGs. Submit a workplan acceptable to the Executive Officer to complete the definition of contamination in all media, vertically and laterally, exceeding the PCGs. The workplan shall consider all relevant contaminants, exposure pathways, and receptors. The workplan shall specify a proposed schedule for implementation.

6. **COMPLETION OF ADDITIONAL PHASE INVESTIGATION (IF NEEDED)**

COMPLIANCE DATE: In accordance with schedule approved in Task 5.

Complete additional investigation to fully delineate impacts to soil, groundwater, soil vapor, and indoor air. Submit a technical report acceptable to the Executive Officer documenting its completion. The report shall include results of an additional investigation.

7. **WORKPLAN FOR ADDITIONAL REMEDIAL ACTION (IF NEEDED)**

COMPLIANCE DATE: 60 days after required by Executive Officer

The Executive Officer will require this workplan if monitoring results show that remediation has been insufficient at reaching case closure in a reasonable timeframe. Submit a workplan acceptable to the Executive Officer that will propose additional remedial actions that will eliminate unacceptable threats to human health and restore beneficial uses of groundwater in a reasonable timeframe. The workplan must describe all significant implementation steps and must include an implementation schedule.

8. **IMPLEMENTATION OF ADDITIONAL REMEDIAL ACTION (IF NEEDED)**

COMPLIANCE DATE: In accordance with schedule approved in Task 7.

Complete start-up of the tasks in the approved workplan for additional remedial action (Task 7) and submit a technical report acceptable to the Executive Officer documenting the completion of remedial actions. For ongoing remedial actions, the report shall document system start-up as opposed to completion.

9. **PROPOSED DEED RESTRICTION (IF NEEDED)**

COMPLIANCE DATE: 60 days prior to the Dischargers requesting case closure

Submit a proposed deed restriction acceptable to the Executive Officer to limit Source Property occupants' exposure to any residual contaminants at the Source Property to acceptable levels. The proposed deed restriction shall notify future owners of any remaining subsurface contamination at the Source Property, prohibit the use of shallow groundwater beneath the Source Property as a source of drinking water until cleanup levels are met, and require that all uses and development of the Source Property shall be consistent with any applicable Board order or risk management plan. The proposed deed restriction shall incorporate by reference a risk management plan. The proposed deed restriction shall name the Regional Water Board as a beneficiary and shall anticipate that the Regional Water Board will be a signatory.

10. **RECORDATION OF DEED RESTRICTION (IF NEEDED)**

COMPLIANCE DATE: 60 days after Executive Officer approval of the proposed deed restriction

Submit the executed deed restriction that has been duly signed by all parties and has been recorded with the appropriate County Recorder. The property owner shall be responsible for this task.

11. **FIVE-YEAR STATUS REPORT**

COMPLIANCE DATE: July 1, 2028, and every five years thereafter

Submit a technical report acceptable to the Executive Officer evaluating the effectiveness of the approved remedial action plan. The report shall include:

- Summary of effectiveness in controlling contaminant migration and protecting human health and the environment;
- Comparison of contaminant concentration trends with cleanup levels;
- Comparison of anticipated versus actual costs of cleanup activities;
- Performance data (e.g., groundwater volume extracted, chemical mass removed, mass removed per million gallons extracted);
- Cost effectiveness data (e.g., cost per pound of contaminant removed);

- Summary of additional investigations (including results) and significant modifications to remediation systems; and
- Additional remedial actions proposed to meet cleanup levels (if applicable) including schedule

If cleanup levels have not been met and are not projected to be met within a reasonable time, the report shall assess the technical practicability of meeting cleanup levels and may propose an alternative cleanup strategy.

12. **PROPOSED CURTAILMENT**

COMPLIANCE DATE: 60 days prior to proposed curtailment

Submit a technical report acceptable to the Executive Officer containing a proposal to curtail remediation. Curtailment includes system closure (e.g., well closure), system suspension (e.g., cease extraction but wells retained), and significant system modification (e.g., major reduction in extraction rates, closure of individual extraction wells within extraction network). The report shall include the rationale for curtailment. Proposals for final closure shall demonstrate that cleanup levels have been met, contaminant concentrations are stable, and contaminant migration potential is minimal.

13. **IMPLEMENTATION OF CURTAILMENT**

COMPLIANCE DATE: 60 days after Executive Officer approval of proposed curtailment

Implement the approved curtailment and submit a technical report acceptable to the Executive Officer documenting completion of the tasks identified in the proposed curtailment report.

14. **EVALUATION OF NEW HEALTH CRITERIA**

COMPLIANCE DATE: As required by Executive Officer

Submit a technical report acceptable to the Executive Officer evaluating the effect on the approved remedial action plan of revising one or more cleanup levels in response to revision of drinking water standards, maximum contaminant levels, or other new health-based criteria.

15. **EVALUATION OF NEW TECHNICAL INFORMATION**

COMPLIANCE DATE: As 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 the Source Property. In the case of a new cleanup technology, the report should 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.

Delayed Compliance: If the Dischargers are delayed, interrupted, or prevented from meeting one or more of the completion dates specified for the above tasks, the Dischargers shall promptly notify the Executive Officer, and the Regional Water Board or Executive Officer may consider a revision to this Order.

D. PROVISIONS

1. **No Nuisance:** The storage, handling, treatment or disposal of polluted soil or groundwater shall not create a nuisance as defined in Water Code section 13050(m)
2. **Good Operation and Maintenance (O&M):** The Dischargers shall maintain in good working order and operate as efficiently as possible any facility or control system installed to achieve compliance with the requirements of this order.
3. **Cost Recovery:** The Dischargers shall be liable, pursuant to Water Code section 13304, to the Regional Water Board for all reasonable costs actually incurred by the Regional Water Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. If the Source Property addressed by this Order is enrolled in a State Water Board-managed reimbursement program, reimbursement shall be made pursuant to this Order and according to the procedures established in that program. Any disputes raised by the Dischargers over reimbursement amounts or methods used in that program shall be consistent with the dispute resolution procedures for that program.
4. **Access to Source Property and Records:** In accordance with Water Code section 13267(c), the Dischargers shall permit the Regional Water Board or its authorized representative:
 - a. Entry upon premises in which any pollution source exists, or may potentially exist, or in which any required records are kept, which are relevant to this Order.

- b. Access to copy any records required to be kept under the requirements of this Order.
 - c. Inspection of any monitoring or remediation facilities installed in response to this Order.
 - d. Sampling of any groundwater or soil that is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the Dischargers.
5. **Self-Monitoring Program:** The Dischargers shall comply with the Self-Monitoring Program as attached to this Order and as may be amended by the Executive Officer.
 6. **Contractor/Consultant Qualifications:** All technical documents shall be signed by and stamped with the seal of a California registered geologist, a California certified engineering geologist, or a California registered civil engineer.
 7. **Lab Qualifications:** All samples shall be analyzed by State-certified laboratories or laboratories accepted by the Regional Water Board using approved U.S. EPA methods for the type of analysis to be performed. Quality assurance/quality control (QA/QC) records shall be maintained for Regional Water Board review. This provision does not apply to analyses that can only reasonably be performed onsite (e.g., temperature).
 8. **Geotracker Uploads:** The Dischargers are required to submit all documents in electronic format to the State Water Board's GeoTracker database, pursuant to California Code of Regulations, title 23, sections 3890–3895. See [Electronic Submittal of Information](#) for guidance on submitting documents to GeoTracker. Please note that this requirement includes all analytical data, monitoring well information (latitudes, longitudes, elevations, and water depth), site maps, and boring logs. The Dischargers are requested to also upload vapor intrusion sample location information. See [Uploading Vapor Intrusion Information into GeoTracker](#) for guidance on submitting sample location information.
 9. **Reporting of Changed Owner or Operator:** The Dischargers shall notify the Executive Officer in writing of any changes in contact information, occupancy, or ownership associated with the Source Property described in this Order.
 10. **Reporting of Hazardous Substance Release:** If any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters

of the State, the Dischargers shall report such discharge to the Regional Water Board within 24 hours by calling (510) 622-2369.

A written report shall be filed with the Regional Water Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.

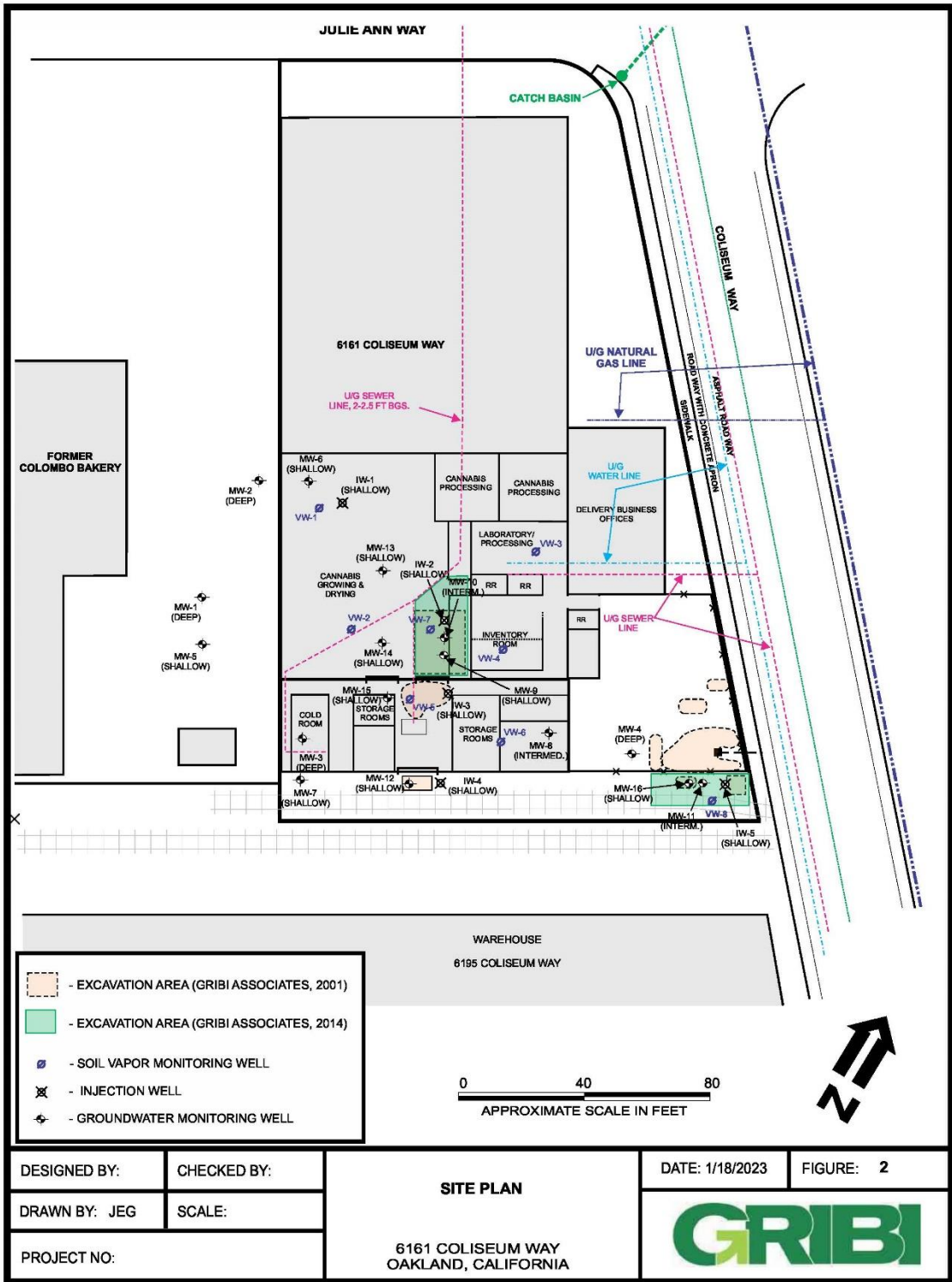
This reporting is in addition to reporting to the California Emergency Management Agency required pursuant to the Health and Safety Code.

11. **Periodic SCR Review:** The Regional Water Board will review this Order periodically and may revise it when necessary. The Dischargers may request revisions and upon review the Executive Officer may recommend that the Regional Water Board revise these requirements.
12. **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.

I, Eileen White, 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 _____.

Eileen White
Executive Officer

Attachments:
Site Plan
Self-Monitoring Program



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM for:

**CALIFORNIA PACIFIC BANK
HUEY HOANG
LO LIEN
DESTIN WONG**

for the property located at

6161 COLISEUM WAY
OAKLAND, ALAMEDA COUNTY

1. **Authority and Purpose:** The Regional Water Board requires the technical reports identified in this Self-Monitoring Program pursuant to Water Code sections 13267 and 13304. This Self-Monitoring Program is intended to document compliance with Regional Water Board Order No. *R2-2023-XXXX* (Order). The burden, including costs, of the technical and monitoring reports, bears a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The cost of preparing these reports, including the costs of hiring a consultant and completing the reports, is estimated to be \$100,000 to \$200,000 annually. These costs bear a reasonable relationship to the need for the reports and the benefits of the reports.

The Regional Water Board needs the reports to define the extent of pollution, including the extent of PCE and its breakdown products in groundwater, soil vapor and indoor air; to identify the threats the pollution poses to human health or water quality; and to provide field data to support the Dischargers' design of mitigation and remediation systems. The benefits of the reports include restoration of beneficial uses and the protection of public health and the environment.

2. **Monitoring:** The following tables outline the monitoring requirements for groundwater, soil vapor, and indoor air.

Groundwater

The Dischargers shall measure groundwater elevations semiannually in all monitoring wells, and shall collect and analyze representative samples of groundwater according to the following table:

Groundwater Well Identification	Screen Interval (feet bgs)	Monitoring Zone	Sampling Frequency	Analyses
MW-1	53-75	Deep	Annually	8260
MW-4	47.5-70	Deep	Annually	8260
MW-5	4-15	Shallow	Semiannually	8260
MW-6	4-15	Shallow	Semiannually	8260
MW-7	4-15	Shallow	Semiannually	8260
MW-8	20-27	Intermediate	Semiannually	8260
MW-9	4-10	Shallow	Semiannually	8260
MW-10	17-24	Intermediate	Semiannually	8260
MW-11	20-27	Intermediate	Semiannually	8260
MW-12	4-15	Shallow	Semiannually	8260
MW-13	4-15	Shallow	Semiannually	8260
MW-14	4-15	Shallow	Semiannually	8260
MW-15	20-27	Intermediate	Semiannually	8260
MW-16	4-10	Shallow	Semiannually	8260
IW-1	4-15	Shallow	Semiannually	8260
IW-2	4-15	Shallow	Semiannually	8260
IW-3	4-15	Shallow	Semiannually	8260
IW-4	4-15	Shallow	Semiannually	8260
IW-5	4-15	Shallow	Semiannually	8260

Key:

bgs = below ground surface

8260 = USEPA Method 8260B or equivalent

The Dischargers shall sample any new monitoring or extraction wells quarterly and analyze groundwater samples for the same constituents as shown in the above table. The discharger may propose changes in the above table; any proposed changes are subject to Executive Officer approval.

Soil Vapor

The Dischargers shall collect and analyze representative samples of soil vapor according to the following table:

Soil Vapor Probe Identification	Screen (feet bgs)	Sampling Frequency	Analyses
VW-1	2	Annually	TO-15
VW-2	2	Annually	TO-15
VW-3	1.5	Annually	TO-15
VW-4	1.5	Annually	TO-15
VW-5	2	Annually	TO-15
VW-6	2	Annually	TO-15
VW-7	2	Annually	TO-15
VW-8	1.5	Annually	TO-15

Key:

TO-15 = USEPA Method TO-15 or equivalent

Note:

Passive sampling cannot be used.

Indoor Air

The Dischargers shall collect and analyze representative samples of indoor air according to the following table:

Indoor Air Identification	Sampling Frequency	Analyses
IA-1	Monthly	TO-15
IA-3	Monthly	TO-15
IA-4	Monthly	TO-15
IA-5	Monthly	TO-15
IA-6	Monthly	TO-15
IA-7	Monthly	TO-15
IA-8	Monthly	TO-15
IA-9	Monthly	TO-15
IA-10	Monthly	TO-15

Key:

TO-15 = USEPA Method TO-15 or equivalent

Note:

Passive sampling cannot be used.

Indoor air locations based on those provided in the 2022 pilot test report.

3. **Monitoring Reports:** The following section outlines the monitoring requirements for groundwater, soil vapor, indoor air, and general reporting requirements for all media.

Groundwater

The Dischargers shall submit semiannual groundwater monitoring reports to the Regional Water Board no later than 30 days following the end of the quarter (e.g., report for first quarter of the year due April 30). At a minimum, the monitoring reports shall include:

- a. Groundwater Elevations: Groundwater elevation data shall be presented in tabular form, and a groundwater elevation map shall be prepared for each monitored water-bearing zone. Historical groundwater elevations shall be included in the semiannual reports.
- b. Groundwater Analyses: Groundwater sampling data shall be presented in tabular form, and an isoconcentration map shall be prepared for one or more key contaminants for each monitored water-bearing zone in the reports. The reports shall indicate the analytical method used, detection limits obtained for each reported constituent, and a summary of QA/QC data. Historical groundwater sampling results shall be included in the reports. The report shall describe any significant increases in contaminant concentrations since the last report, and any measures proposed to address the increases.

Soil Vapor

The Dischargers shall submit annual soil vapor monitoring reports to the Regional Water Board no later than 30 days following the end of the year (e.g., annual reports are due January 30). At a minimum, the monitoring reports shall include:

- c. Soil Vapor Analyses: Soil vapor sampling data shall be presented in tabular form, and an isoconcentration map shall be prepared for one or more key contaminants for each monitored soil vapor zone, as appropriate in the reports. The reports shall indicate the analytical method used, detection limits obtained for each reported constituent, and a summary of QA/QC data. Historical soil vapor sampling results shall be included in the reports. The report shall describe any significant increases in contaminant concentrations since the last report, and any measures proposed to address the increases.

Indoor Air

The Dischargers shall submit monthly indoor air monitoring reports to the Regional Water Board no later than 30 days following the end of the month. At a minimum, the monitoring reports shall include:

- d. Indoor Air Analyses (and any other necessary media): Indoor air sampling data shall be presented in tabular form, and a map shall be prepared for one or more key contaminants. The reports shall indicate the analytical

method used, detection limits obtained for each reported constituent, and a summary of QA/QC data. Historical indoor air sampling results shall be included in the reports. The report shall describe any significant increases in contaminant concentrations since the last report, and any measures proposed to address the increases. Other media may need to be monitored to demonstrate the effectiveness of the mitigation measures at controlling VOC concentrations in indoor air.

- e. Mitigation Measures: A summary of mitigation measures shall be provided in the monthly monitoring reports. An evaluation of the effectiveness of the mitigation measures at controlling VOC concentrations in indoor air shall also be provided. If indoor air concentrations continue to exceed the indoor air risk management levels, contingent actions as identified in the RMMP shall be proposed to be taken within specified timeframes. Monthly indoor air monitoring reports are required to be submitted until concentrations are consistently below the indoor air risk management levels.

General

At a minimum, all monitoring reports shall include:

- f. Transmittal Letter: The transmittal letter shall discuss any violations during the reporting period and actions taken or planned to correct the problem. The letter shall be signed by the Dischargers or their duly authorized representatives, and shall include a statement by the signatories, under penalty of perjury, that the report is true and correct to the best of the signatories' knowledge.
 - g. Remediation Performance: The report shall include performance results for all remediation systems. For soil vapor extraction, the report shall include mass removal rates presented in tabular form. For enhanced bioremediation, the report shall demonstrate performance using multiple lines of evidence, such as decreasing concentrations for parent daughter compounds, geochemical analysis, and microbial analysis.
 - h. Status Report: The report shall describe relevant work completed during the reporting period (e.g., site investigation, remedial actions) and work planned for the following reporting period.
4. **Violation Reports:** If the Dischargers violate requirements in the Order then the Dischargers shall notify the Regional Water Board office by telephone as soon as practicable once the Dischargers have knowledge of the violation. Regional Water Board staff may, depending on violation severity, require the Dischargers to submit a separate technical report on the violation within five working days of telephone notification.

5. **Other Reports:** The Dischargers shall notify the Regional Water Board in writing prior to any Source Property activities, such as construction or underground tank removal, which have the potential to cause further migration of contaminants, or which would provide new opportunities for site investigation.
4. **Record Keeping:** The discharger or his/her agent shall retain data generated for the above reports, including lab results and QA/QC data, for a minimum of six years after origination and shall make them available to the Regional Water Board upon request.
6. **SMP Revisions:** Revisions to the Self-Monitoring Program may be ordered by the Executive Officer, either on his/her own initiative or at the request of the Dischargers. Prior to making revisions, the Executive Officer will consider the burden, including costs, of associated self-monitoring reports relative to the benefits to be obtained from these reports.