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## San Francisco Bay Regional Water Quality Control Board

June 24, 2021  
File No. SL600192746 (DT)

Maffei Leasing, LLC  
Attn: Janiele Maffei  
535 Hampton Road  
Piedmont, CA 94611  
[janielemaffei@comcast.net](mailto:janielemaffei@comcast.net)

**Subject:      Camelia Street Properties, 1001 Camelia Street, Berkeley, Alameda  
County – Notice of Violation for Failure to Submit Acceptable Report**

Dear Ms. Maffei:

This is a Notice of Violation for failure to submit an acceptable report as required in our February 21, 2021, [Water Code 13267 letter](#). The Regional Water Board required Maffei Leasing, LLC to submit a *Vapor Mitigation Progress Report* (Report) by June 15, 2021, describing mitigation actions completed to address tetrachloroethylene (PCE) impacts to indoor air and monthly sampling results to confirm effectiveness of these actions. Vapor intrusion (VI) to indoor air is occurring due to chlorinated solvent contamination of soil, soil vapor, and groundwater at the 1001 Camelia Street in Berkeley (Site) building.

As explained below, the Regional Water Board may pursue enforcement action for this violation. You are hereby given notice that we will refer this matter to the Regional Water Board's enforcement unit by **July 12, 2021** if an acceptable report is not submitted by this date. However, the due date of the report has not changed, and any penalty calculation would be calculated from June 15, 2021, the original deadline.

### **Basis for Violation**

The January 29, 2021, *Results of Indoor Air and Subslab Vapor Sampling for Camelia Street Properties* documented exceedances of the 2019 San Francisco Bay Regional Water Board Direct Exposure Human Health Environmental Screening Levels (ESLs) for PCE in all indoor air samples and VI to indoor air ESLs for PCE in all subslab samples at the Site. The maximum detection of PCE in indoor air was over two orders of magnitude greater than the Commercial/Industrial Direct Exposure Human Health Screening Level. We are aware that commercial tenants have been allowed to occupy the Site building without any additional indoor air monitoring to confirm the VI impacts have been mitigated since sampling was last conducted in December 2020, and that there are potential sensitive receptors at the Site.

We required monthly sampling of indoor air until the indoor air PCE concentrations are below the ESLs to ensure that unacceptable risks to Site building occupants have been addressed. Our expectation was to use the indoor air data to evaluate 1) risks of PCE exposure to building occupants, 2) the need to expand indoor air sampling to additional locations, and 3) the effectiveness of VI mitigation efforts at the Site building. Without this critical information, we cannot assume the tenants of the building are being protected from vapor intrusion and exposure to indoor air contamination.

Maffei Leasing, LLC, has failed to provide the monthly indoor air sampling results and the current risks to the Site building occupants are unknown. The Regional Water Board was not informed of any delays for indoor air sampling events prior to submittal of the unacceptable Report, and we are unable to further assess risk at the Site or if additional mitigation actions are needed to protect human health.

Maffei Leasing, LLC, is in violation of the Water Code section 13267 requirement dated February 29, 2021. Water Code section 13268 allows the Regional Water Board to impose administrative civil liability of up to \$1,000 per violation day for such violations.

If you have any questions, please contact David Tanouye of my staff at (510) 622-2360 or [David.Tanouye@waterboards.ca.gov](mailto:David.Tanouye@waterboards.ca.gov).

Sincerely,



Terry Seward, Chief

Copy by email:

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