

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**ADDENDUM NO. 4 TO  
CLEANUP AND ABATEMENT ORDER NO. R9-2017-0041**

**AN ADDENDUM TO REVISE THE DEADLINE FOR DIRECTIVE E  
FOR ORDER NO. R9-2017-0041, FORMER ELECTRALAB FACILITY,  
1105 SECOND STREET, ENCINITAS, CALIFORNIA**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), finds that:

1. **INVESTIGATIVE ORDER NO. R9-2017-0041.** Except as contradicted or superseded by the findings and directives set forth in this Addendum, all Findings and Directives of Cleanup and Abatement Order No. R9-2017-0041, *An Order Directing TE Connectivity Inc., TYCO International (US) Inc., Electralab Printed Electronics Corporation, and Self-Realization Fellowship to Clean Up and Abate the Effects of Waste Discharged from the Former Electralab Facility at 1105 Second Street, Encinitas, California* (Order), as amended by Addendum No. 1 to Cleanup and Abatement Order No. R9-2017-0041, *An Addendum to Add Directive O and Revise the Deadline for Directive D for Order No. R9-2017-0041, Former Electralab Facility, 1105 Second Street, Encinitas, California* (Addendum No. 1); Addendum No. 2 to Cleanup and Abatement Order No. R9-2017-0041, *An Addendum to Add Directive P, Amend Directive E, and Revise the Deadline for Directive E for Order No. R9-2017-0041, Former Electralab Facility, 1105 Second Street, Encinitas, California* (Addendum No. 2); and Addendum No. 3 to Cleanup and Abatement Order No. R9-2017-0041, *An Addendum to Revise the Deadline for Directive E for Order No. R9-2017-0041, Former Electralab Facility, 1105 Second Street, Encinitas, California* (Addendum No. 3), remain in full force and effect.
2. **ADDITIONAL TIME NEEDED TO COMPLETE FIELD WORK AND STUDIES IN SUPPORT OF FEASIBILITY STUDY.** In accordance with the Order, the Board set a February 8, 2019, deadline for the Dischargers<sup>1</sup> to submit the Feasibility Study. The Dischargers were required to submit the Feasibility Study 90 days after approval of the Site Investigation Report, which occurred on November 8, 2018. On January 16, 2019, TE Connectivity Inc. (TEC) requested an extension of time for submittal of the Feasibility Study, in accordance with Provision M.9 of the Order,<sup>2</sup> stating that “the existing body of information was insufficient to effectively evaluate remedial alternatives consistent with the requirements of [Directive] E of the CAO...” TEC proposed to prepare a work plan addendum for additional investigation activities and requested a

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<sup>1</sup> TE Connectivity Inc., Tyco International (US) Inc., Electralab Printed Electronics Corporation, and Self-Realization Fellowship.

<sup>2</sup> Letter from TE Connectivity Inc. to San Diego Water Board dated January 16, 2019. Request for Extension for the Submittal of the Feasibility Study Report, Former Electralab Printed Electronics Corporation Facility, 1105-1139 Second Street, Encinitas, California, Cleanup and Abatement Order No. R9-2017-0041.

revised due date for the Feasibility Study of April 1, 2020. Addendum No. 2 changed the Feasibility Study due date to April 1, 2020. On February 26, 2020, TEC requested a second extension of time for submittal of the Feasibility Study, in accordance with Provision M.9 of the Order,<sup>3</sup> due to an expansion of the scope of other studies, delays associated with conferences and other planned activities of the property owner (Self-Realization Fellowship), and delay of vendors supplying amendments for the bench-scale treatability study. TEC proposed to prepare the bench-scale treatability study and hydraulic study within four to five months and requested a revised due date for the Feasibility Study of January 15, 2021. Addendum No. 3 changed the Feasibility Study due date to January 15, 2021.

Since Addendum No. 3 was issued, TEC has conducted several investigation and mitigation actions, including soil and groundwater sampling, near-completion of a bench-scale treatability study, several rounds of hydraulic studies, preparation of a work plan for source investigation at Buildings 400 and 1000, vapor intrusion mitigation, and indoor air sampling events. On November 24, 2020, TEC requested an extension of time for submittal of the Feasibility Study.<sup>4</sup>

Directive C.5 of the Order recognizes, “that work plan addenda and supplementary investigations and monitoring may be required to further characterize the site and evaluate remedial alternatives.” According to TEC, the schedule to complete additional studies has been extended in consideration of the following:

- (1) Bluff stability appears to be influenced by groundwater levels, which requires review of the Self-Realization Fellowship historical hydrogeological and bluff stability studies.
- (2) Data collected to date suggesting that the sewer in the alley east of the Self-Realization Fellowship building may be leaking, which warrants notification of the City of Encinitas of sewer leakage and request for sewer repair. The influence of an injection remediation program on cliff stability will be reduced if the contribution from the sewer can be eliminated.
- (3) The findings of the hydraulic study conducted to date are ambiguous regarding groundwater migration patterns and characteristics. One of two injected dyes has not been detected or was detected for a short time period in downgradient wells beyond one well near the injection well on the west side of 2nd Street. These observations warrant installation of additional monitoring wells and a second tracer study to evaluate groundwater migration patterns

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<sup>3</sup> Letter from TE Connectivity Inc. to San Diego Water Board dated February 26, 2020. Request for Extension for the Submittal of the Feasibility Study Report, Former Electralab Printed Electronics Corporation Facility, 1105-1139 Second Street, Encinitas, California, Cleanup and Abatement Order No. R9-2017-0041.

<sup>4</sup> Letter from TE Connectivity Inc. to San Diego Water Board dated November 24, 2020. Request for Extension for the Submittal of the Feasibility Study Report, Former Electralab Printed Electronics Corporation Facility, 1105-1139 Second Street, Encinitas, California, Cleanup and Abatement Order No. R9-2017-0041.

and characteristics on the west side of the Self-Realization Fellowship building.

- (4) The bench-scale studies are nearing completion and indicate promising results for certain reductive dechlorination technologies. TEC will need to perform a field pilot test to evaluate the efficacy of the most favorable bench-scale technology.

TEC provided the following additional information regarding delays for the Feasibility Study in an October 30, 2020, meeting with San Diego Water Board staff:

- a. The bench-scale study was delayed by three months in 2019 due to negotiations on testing procedures and protocols with the vendor of one of the three amendments.
- b. Initiation of the column study for a third treatment was delayed due to vendor changes and COVID-19 work restrictions at the laboratory.

TEC requested a due date for the Feasibility Study of January 30, 2023, in its November 24, 2020, extension request letter, assuming that the reductive dechlorination field pilot study can be initiated in June 2021 and post-injection monitoring can be completed by June 2022.

Providing the Dischargers with an extension to submit the Feasibility Study is reasonable considering the need to properly assess the viability of various remedial technologies to treat affected groundwater, which is a significant secondary source for vapor intrusion at the Self-Realization Fellowship property. Further, the need to understand migration patterns and characteristics of the affected groundwater is as important as assessing the viability of remedial technologies and must be addressed.

3. **LEGAL AND REGULATORY AUTHORITY FOR TECHNICAL REPORTS.** Water Code section 13267, subdivision (a), provides that the San Diego Water Board may investigate the quality of any waters of the state within its region in connection with reviewing waste discharge requirements. Water Code section 13267, subdivision (b), provides that the San Diego Water Board, in conducting an investigation, may require a discharger to furnish, under penalty of perjury, technical or monitoring program reports, provided that the burden, including costs, of the reports bears a reasonable relationship to the need for the reports and the benefits to be obtained. Finding 10 of the Order states the need and benefits to be obtained from the technical and monitoring reports and are incorporated herein by reference. This Addendum does not impose any additional costs or requirements on the Dischargers beyond those required by the Order. Thus, the burden of the report required by this Addendum is reasonable in relation to the need for the reports and the benefits to be obtained.
4. **CALIFORNIA ENVIRONMENTAL COMPLIANCE ACT.** This action is exempt from the provisions of the California Environmental Quality Act in accordance with section 15061(b)(3) of chapter 3, title 14, of the California Code of Regulations because it can

be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

**IT IS HEREBY ORDERED** that, pursuant to Water Code sections 13267 and 13304, Order No. R9-2017-0041 is amended as follows:

1. Directive E of the Order is revised as follows:

**FEASIBILITY STUDY.** The Dischargers shall prepare a Feasibility Study to evaluate cleanup alternatives capable of preventing contaminant migration and protecting human health. The Dischargers shall submit the Feasibility Study to the San Diego Water Board for approval no later than January 15, 2021 within 120 days of receipt of the final pilot test and investigation data. The Feasibility Study shall include, but is not limited to, the following:

2. Directive L of the Order is revised as follows:

**COMPLIANCE DATES.** For easy reference, the compliance dates required by the CAO are repeated below.

Directive	Directive Requirement	Due Date
C	Site Investigation Work Plan	60 calendar days after CAO adoption
D	Site Investigation Report	June 30, 2018
E	Feasibility Study	<u>January 15, 2021 Within 120 days of receipt of final pilot test and investigation data</u>
G	Notification Plan	Within 60 days of CAO adoption
H.1	Remedial Action Plan	Within 90 calendar days of Board approval of Feasibility Study
H.2	RAP Implementation	60 calendar days after RAP approval
I	Cleanup and Abatement Completion Report	Within 90 calendar days of completion of remediation
J	Semiannual Progress Reports	March 15 and September 15 of each year following completion of remediation

O	Interim Report/Site Investigation Work Plan	December 15, 2017
P	Site Investigation Work Plan	February 25, 2019

An extension of due date(s) may be granted by the San Diego Water Board for good cause.

This Addendum to Cleanup and Abatement Order No. R9-2017-0041 is effective upon the date of signature.

ORDERED BY

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DAVID W. GIBSON  
Executive Officer

March 26, 2021  
DATE