

May 24, 2022

Re: Property address: 930 Grove St, SF CA
Objection to \$260,000 Administrative Civil Penalty, Invoice #ASB-20032602 for asbestos violation

Dear members of the Board of Supervisors,

My name is Trinh Pham. I am representing my mother, Phuong Pham, who is the owner of the property at 930 Grove St. My mother was fined \$260,000 for the release of asbestos between August 2 and 5, 2019, as a result of a very unfortunate incident that arose from a simple mistake.

My mother had hired Mr. Tinh Truong, a contractor, to perform simple cleaning of the interior. We were not aware of the presence of asbestos in the structure of the property. Nevertheless, the scope of work for Mr. Truong included no structural work, involving only simple cleaning that should take 2 days.

As soon as we were informed by the city of the asbestos problem, my mother immediately hired Regas Group and JM Environmental, a contractor that is licensed to deal with asbestos, to mitigate the problem urgently. We also hired a Senior Certified Asbestos Consultant, Mr. Dominic Sager, who wrote in his attached email dated August 20, 2019: **"After an independent site investigation was performed, the site listed above has been stabilized and proper signage displayed, under the direct supervision of the Certified Asbestos Consultant, Dominick Sager. The immediate stabilization was enacted in order to protect public health from further release of hazardous materials."**

According to the senior consultant's assessment, by Thursday August 15, ²⁰¹⁹~~2022~~, stabilization has been achieved to ensure the protection of public health from further release of hazardous materials, and the situation was no longer an emergency. From that point onward, any further work related to asbestos and lead mediation would be performed under the direct supervision of the Certified Asbestos Consultant, in accordance with city requirements.

I would like to point out that although my mother was not aware of the presence of asbestos prior to the incident, she has responded immediately as soon as she became aware of the problem in order to manage the situation and eliminate further risk to public health. As a result of this incident, she has been severely penalized, and she has accepted these penalties, including:

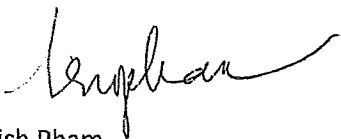
- \$1,134,198.14 in penalties and fees that she has paid
- A Settlement Agreement with the City that will force her to sell the property by July 2023 or face fined of \$875,000.

Notwithstanding these payments and penalties, she continues to cooperate with the city, the Department of Public Health, the Department of Building Inspection and all other relevant authorities.

Considering my mother's highly responsible attitude, the many proactive steps that she has taken, and the severe penalties that she has suffered, we respectfully request that the penalty related to the release of hazardous materials is restricted to the period between August 4 to August 15, 2019 at \$2,000 per day per the Department of Public Health's penalty guideline. We respectfully request that the \$260,000 penal from Department of Public Health be reduced to \$2,000 per day for violation from Aug 4, 2019 to August 15, 2019.

In conclusion, we are sincerely sorry for this problem. We have taken every step reasonable to mitigate the situation and will continue to work with the authorities to close out the situation satisfactorily in the interest of public health. We ask for your leniency with regard to the \$260,000 penalty. I thank you for your time and consideration.

Sincerely,



Trish Pham

**930 GROVE STREET EXPENSES
FROM 2018 TO 2022**

<u>INV. DATE</u>	<u>INVOICE #</u>	<u>PAID DATE</u>	<u>PAID TO</u>	<u>CHECK #</u>	<u>INV AMOUNT</u>	<u>AMOUNT PAID</u>	<u>SCOPE OF JOB</u>
2/15/2018	0404.38	2/21/2018	Goldman Architects	484	8,734.75	8,435.00	Services for Interior Remodel and Façade Restoration permit
		3/19/2018	Goldman Architects	507		16,000.00	
		3/19/2018	Goldman Architects	506		5,000.00	
6/15/2018	0404.39	7/30/2018	Goldman Architects	593	14,868.25	8,110.63	Services for Interior Remodel and Façade Restoration permit and Garage Permit
8/15/2018	0404.40		Goldman Architects		5,597.29		Services for Interior Remodel and Façade Restoration permit
10/15/2018	0404.41	12/26/2018	Goldman Architects	669	9,934.06	10,000.00	
11/15/2018	0404.42		Goldman Architects		3,158.75		
12/15/2018	0404.43		Goldman Architects		720.00		
1/31/2019	0404.44	12/26/2018	Goldman Architects		3,839.78		Services for Interior Remodel and Façade Restoration permit
3/31/2019	0404.45	2/25/2019	Goldman Architects	711	3,720.00	10,000.00	
8/15/2019	0404.46		Goldman Architects		17,129.25		Services for Construction Contract & construction Preparation
12/31/2019	0404.47	1/8/2020	Goldman Architects	676	18,720.00	10,000.00	
1/31/2020	0404.48		Goldman Architects		4,095.00		
2/29/2020	0404.49	2/7/2020	Goldman Architects	1973	8,905.00	10,000.00	
3/31/2020	0404.50	3/26/2020	Goldman Architects	1553	2,535.00	10,000.00	Services for Construction Contract & Asbestos & Lead Mitigation
6/7/2020	0404.51	6/7/2020	Goldman Architects		5,580.95		
8/15/2020	0404.52	8/7/2020	Goldman Architects		7,280.00	10,000.00	
12/15/2020	0404.53	10/5/2020	Goldman Architects		17,420.00	10,000.00	
3/31/2021	0404.54	12/22/2020	Goldman Architects		11,760.00		
		4/20/2021	Goldman Architects	1625		5,000.00	
5/15/2021	0404.55	5/15/2021	Goldman Architects		4,200.00		
		5/22/2021	Goldman Architects	1638		5,000.00	
8/15/2021	0404.56	8/15/2021	Goldman Architects		10,875.00		
		9/7/2021	Goldman Architects	1210		5,000.00	
9/30/2021	0404.57	9/30/2021	Goldman Architects		3,300.00		
11/30/2021	0404.58	12/10/2021	Goldman Architects		4,350.00		
		12/23/2021	Goldman Architects	1264		5,000.00	

		1/10/2022	Goldman Architects	1265		5,000.00	
			SUBTOTAL		\$ 166,723.08	\$ 132,545.63	
7/25/2019	Installation		ONE SCAFFOLDING		36,000.00		
		8/1/2019	ONE SCAFFOLDING	Ck # 806		18,000.00	
9/22/2019	Monthly rent		ONE SCAFFOLDING		2,970.00		
10/22/2019	Monthly rent		ONE SCAFFOLDING		2,970.00		
11/21/2019	Monthly rent		ONE SCAFFOLDING		2,970.00		
12/21/2019	Monthly rent		ONE SCAFFOLDING		2,970.00		
1/20/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
2/29/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
3/20/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
		3/25/2020	ONE SCAFFOLDING	Discount		5,940.00	
		3/25/2020	ONE SCAFFOLDING	Ck # 992		5,940.00	
4/19/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
5/19/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
6/19/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
7/19/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
		7/25/2020	ONE SCAFFOLDING	1084		5,000.00	
8/18/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
9/17/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
10/27/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
11/16/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
12/16/2020	Monthly rent		ONE SCAFFOLDING		2,970.00		
1/15/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
		1/20/2021	ONE SCAFFOLDING	1083		2,970.00	
2/14/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
3/17/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
		3/20/2021	ONE SCAFFOLDING	1097		10,000.00	
4/16/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
5/16/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
6/15/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
		7/8/2021	ONE SCAFFOLDING	1169		5,000.00	
7/15/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		

RENTING SCAFFOLDING

		Aug-21	ONE SCAFFOLDING	1209		5,000.00	
8/14/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
		Sep-21	ONE SCAFFOLDING	1241		5,000.00	
9/13/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
10/13/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
11/12/2021	Monthly rent		ONE SCAFFOLDING		2,970.00		
		4/20/2021	ONE SCAFFOLDING	1626		5,000.00	
		12/1/2021	ONE SCAFFOLDING	1254		10,000.00	
		12/1/2021	ONE SCAFFOLDING	1255		20,000.00	
12/7/2021	New Project	12/15/2021	ONE SCAFFOLDING	1259	7,000.00	7,000.00	
	New Project	1/6/2022	ONE SCAFFOLDING	1260	7,000.00	7,000.00	
	New Project	1/27/2022	ONE SCAFFOLDING	1261	7,700.00	7,700.00	
			SUBTOTAL		\$ 137,890.00	\$ 119,550.00	
4/5/2018	17799		PAGE & TURNBULL		4,019.20		Contractor Interview and Coordination with Planning Dept
5/8/2018	17930		PAGE & TURNBULL	762	4,500.00		
6/12/2018	18059	5/10/2019	PAGE & TURNBULL	779	1,500.00	10,019.20	
	DEPOSIT	6/19/2019	PAGE & TURNBULL			2,000.00	
7/9/2020	19602		PAGE & TURNBULL	921	1,186.25		Coordiantion with Architect and Planning Dept. regarding proposed contractor qualifications
	19602 & 19730	2/4/2020	PAGE & TURNBULL	942		1,832.50	
	20613	3/5/2020	PAGE & TURNBULL	994	906.30	906.30	
	20885	5/20/2020	PAGE & TURNBULL	995	705.00	705.00	
6/4/2020	21003	6/30/2020	PAGE & TURNBULL		235.00	235.00	
7/2/2020	21127	7/30/2020	PAGE & TURNBULL	1732	58.75	58.75	
12/15/2021	22554	12/31/2021	PAGE & TURNBULL		770.00	770.00	Review of Planning Requirement s for the Fireplace and meeting with Planning Dept. (Kelly Wong)
			SUBTOTAL		\$ 13,880.50	\$ 16,526.75	
9/25/2019	CONTRACT 1		PW ENVIRONMENTAL INC				
9/25/2019	CONTRACT 2		PW ENVIRONMENTAL INC				
			PW ENVIRONMENTAL INC				
11/27/2019	INV #42-3903	11/27/2019	PW ENVIRONMENTAL INC	VISA # 4995	\$ 27,000.00	27,000.00	

12/27/2019	INV #42-3912		PW ENVIRONMENTAL INC		\$ 68,000.00	
12/27/2019	INV #42-3912	12/27/2019	PW ENVIRONMENTAL INC	VISA # 7963	\$ 17,000.00	25,000.00
		1/13/2020	PW ENVIRONMENTAL INC	VISA #4624		25,000.00
1/31/2020	INV # 39212	1/31/2020	PW ENVIRONMENTAL INC	VISA # 4995	\$ 40,000.00	25,000.00
2/27/2020	INV # 39296	2/27/2020	PW ENVIRONMENTAL INC	VISA # 4995	\$ 40,000.00	25,000.00
2/29/2020	INV # 39377	5/8/2020	PW ENVIRONMENTAL INC	VISA #4624	\$ 40,000.00	24,000.00
		6/24/2020	PW ENVIRONMENTAL INC	VISA #4625		25,000.00
3/31/2020	INV # 39474	7/10/2020	PW ENVIRONMENTAL INC	VISA # 4995	\$ 19,000.00	25,000.00
4/30/2020	INV # 39518		PW ENVIRONMENTAL INC		\$ 6,000.00	
5/30/2020	INV # 39584		PW ENVIRONMENTAL INC		\$ 7,000.00	
6/30/2020	INV # 39674		PW ENVIRONMENTAL INC		\$ 3,000.00	
		7/20/2020	PW ENVIRONMENTAL INC	VISA #4624		25,000.00
		7/20/2020	PW ENVIRONMENTAL INC	VISA # 5339		6,000.00
		8/24/2020	PW ENVIRONMENTAL INC	VISA #4624		28,000.00
		8/24/2020	PW ENVIRONMENTAL INC	Visa # 8095		7,000.00

CLEAN UP THE ABESTOS
AND LEAD

SUBTOTAL					\$ 267,000.00	\$ 267,000.00
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8/12/2019	24914	8/16/2019	REGAS ENV. CONSULTANT	CK # 816	1,780.00	1,780.00
8/14/2019	24970	8/19/2019	REGAS ENV. CONSULTANT	AMEX 72006	4,300.00	4,300.00
9/20/2019	4332	10/1/2019	REGAS ENV. CONSULTANT		33,050.00	
		10/17/2019	REGAS ENV. CONSULTANT	CK # 858		25,000.00
		10/17/2019	REGAS ENV. CONSULTANT	CK # 1494	(3,050.00)	5,000.00
			REGAS ENV. CONSULTANT			
11/26/2019	27474	11/26/2019	REGAS ENV. CONSULTANT		33,700.00	
		12/10/2019	REGAS ENV. CONSULTANT	AMEX 72006		25,000.00
1/13/2020	28558	1/13/2020	REGAS ENV. CONSULTANT		31,800.00	
		1/27/2020	REGAS ENV. CONSULTANT	AMEX 3000		25,000.00
		1/29/2020	REGAS ENV. CONSULTANT	AMEX 3000		5,375.00
		3/19/2020	REGAS ENV. CONSULTANT	AMEX 72006		10,125.00
3/20/2020	30080	3/24/2020	REGAS ENV. CONSULTANT	AMEX 72006	11,900.00	11,900.00
6/2/2020	41038	9/23/2020	REGAS ENV. CONSULTANT	AMEX 3000	21,200.00	21,200.00

Daily Project Monitoring
Asbestos Re-inspection
PCM Samples
Lead Air Samples

SUBTOTAL					\$ 134,680.00	\$ 134,680.00
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2/25/2022	22-1011-01R		ECO BAY SERVICES, INC.		255,750.00	
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Paint Stabilization, and

		4/1/2022	ECO BAY SERVICES, INC.	Chk # 1324		18,630.00	environmental Cleaning of exterior. This Project is still going on
		5/1/2022	ECO BAY SERVICES, INC.	Chk # 1325		20,000.00	

SUBTOTAL \$ 255,750.00 \$ 38,630.00

12/21/2021	128.21001		Essel Environmental			42,000.00	Lead project Monitoring, Oversight and Clearing Test. This Project is still going on
		4/1/2022	Essel Environmental	Chk # 1326		4,532.50	
		4/1/2022	Essel Environmental	Chk # 1327		5,000.00	
		5/15/2022	Essel Environmental	Chk # 1328		5,000.00	

SUBTOTAL \$ 42,000.00 \$ 14,532.50

TOTAL \$ 1,017,923.58 \$ 723,464.88

CITY LICENSE AND FEES

PAID TO	PAID DATE	CHECK #	AMOUNT
SF Planning Department	3/19/2018	503	28,073.64
City and County of SF	7/7/2020	1010	2,000.00
Dept of Building Inspection	8/25/2020	1026	711.00
City and County of SF	12/2/2021	1257	5,381.00

SUBTOTAL 36,165.64

LAWYER FIRM	PERIOD	INVOICE #	ATTORNEY FEES
LAW OFFICE OF GEORGE W. WOLFF	Jan-21	3583	5,205.00
	Feb-21	3597	3,167.51
	Mar-21	3609	6,539.71
	Apr-21	3621	2,746.25
	May-21	3632	390.00
	Jul-21	3660	3,349.42
	Aug-21	3678	6,860.00
	Sep-21	3686	2,169.21
	Oct-21	3690	15.00
	Nov-21	3695	287.50
	Jan-22	3712	1,549.00
	Feb-22	3720	195.00
	Mar-22	3713	15.00
	Apr-22	3720	11,933.03

			SUBTOTAL	\$ 44,421.63
MILLER STARR REGALIA	MAR. 2020	391763	9,689.10	
	APR. 2020	392704	3,385.00	
	MAY.2020	393796	10,456.42	
	JUN.2020	394526	10,197.12	
	JUL. 2020	395107	2,944.35	
	AUG. 2020	395901	926.72	
	SEP. 2020	397187	721.26	
	OCT. 2020	398033	7,062.48	
	NOV. 2020	398534	355.99	
	DEC. 2020	399317	694.84	
	JAN. 2021	400380	125.72	
	FEB. 2021	401011	1,020.70	
	MAR. 2021	402064	1,501.75	
	APR. 201	402782	1,512.75	
	MAY. 2021	403958	441.10	
	JUN. 2021	404243	452.05	
	JUL 2021	405530	215.72	
	AUG. 2021	406166	7,963.49	
	SEP. 2021	407228	221.28	
	OCT. 2021	408051	3,784.67	
	NOV. 2021	408466	3,130.92	
	DEC. 2021	409393	692.86	
	JAN. 2022	410403	311.22	
	FEB.2022	410975	311.22	
			SUBTOTAL	\$ 68,118.73
ADR Services, Inc	22-1841-JJM-02		3,500.00	
Hannah Kaufman & Associates, Inc	96743		234.20	
TOTAL LEGAL FEES			\$ 116,274.56	
GRAND TOTAL COST FROM 2018-2022			\$ 1,170,363.78	\$ 875,905.08

John Goldman

From: Dominick Sager <dominick@regasgroup.com>
Sent: Tuesday, August 20, 2019 2:23 PM
To: Phuong Pham; John Goldman
Cc: Jason Sagil
Subject: FW: Pham Property | 930 Grove Street, San Francisco, CA 94117
Attachments: SOW-930 Grove Street, San Francisco, CA 081519.pdf; Abi-930 Grove Street, San Francisco, CA 081219.pdf; Lbi-930 Grove Street, San Francisco, CA 081219.pdf; Abi-930 Grove Street, San Francisco, CA 081419.pdf

Importance: High

Good afternoon,
Please see the attached email that was sent to Beronica Slattengren at the City and County of San Francisco, Dept of Public & Environmental Health, as required.

Dominick Sager
Senior Consultant

RegasGroup
Environmental Consultants
705 E. Bidwell Street, Ste. 2-244
Folsom, CA 95630
Ph: 916.235.3110
Ex: 916.404.5170
Cell: 916.380.7050

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From: Dominick Sager
Sent: Tuesday, August 20, 2019 2:21 PM
To: beronica.slattengren@sfdph.org
Cc: RegasGroup | Customer Service <service@regasgroup.com>
Subject: Pham Property | 930 Grove Street, San Francisco, CA 94117
Importance: High

Ms. Slattengren:

After an independent site investigation was performed, the site listed above has been stabilized, and proper signage displayed, under the direct supervision of the Certified Asbestos Consultant, Dominick Sager. The immediate stabilization was enacted in order to protect public health from further release of hazardous materials.

Attached is the written assessment/scope of work created for TP Pham, LLC, et al. The enclosed protocol is specific to this site only and has been created to ensure proper abatement and clean up of the site.

Please feel free to call me directly at 916-380-7050 with any questions.

cc: Phoung (Lynn) Pham
John Goldman, Goldman Architects
Jason Sagil, JM Environmental

Dominick Sager
Senior Consultant

RegasGroup
Environmental Consultants
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Folsom, CA 95630
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