

ATTACHMENT C

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 91-65

AMENDING CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD
CLEANUP AND ABATEMENT ORDER NO. 91-720
(SOUTHERN PACIFIC TRANSPORTATION COMPANY, TRACY YARD)

WHEREAS:

1. The Central Valley Regional Water Quality Control Board (Regional Board) issued Cleanup and Abatement Order No. 91-720 on April 30, 1991 for three surface impoundments at the Southern Pacific Transportation Company (Southern Pacific) Tracy Yard. The Order requires Southern Pacific to begin closure by March 1, 1992 and to complete closure of the surface impoundments by October 15, 1993.
2. The presence of diesel oil in the vadose zone caused by leakage from the surface impoundments poses an avoidable, continuing threat to ground water, especially during the rainy season when the threat of contaminated, exposed soils leaching additional pollutants to ground water is the greatest.
3. Closing the surface impoundments under the TPCA by October 15, 1992 would avoid exposing residual waste constituents to unnecessary leaching during the 1992-1993 rainy season.
4. This Order amends Cleanup and Abatement Order No. 91-720 (attached) and reaffirms all of the Findings in that Order.
5. Order No. 91-720 is in full force and effect, except as modified by the Order.
6. If Southern Pacific completes the remaining work in accordance with the tasks prescribed in this order, sufficient work will have been completed to fulfill the requirements of the TPCA.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15321 (a)(2), Title 14, California Code of Regulations.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. 91-720

ORDER AMENDING
CLEANUP AND ABATEMENT ORDER NO. 90-715
FOR
SOUTHERN PACIFIC TRANSPORTATION COMPANY
SAN JOAQUIN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. On 9 July 1990, the Executive Officer issued Cleanup and Abatement Order No. 90-715 (hereafter Order No. 90-715) to the Southern Pacific Transportation Company (hereafter Discharger) due to soil and ground water pollution of organic and inorganic waste constituents.
2. This Order amends and incorporates all the findings in Order No. 90-715.
3. Order No. 90-715 remains in full force and effect except as modified by this amending Order.
4. Order No. 90-715 required the Discharger to submit a Hydrogeological Assessment Report (HAR) completion work plan, submit a completed HAR, submit a feasibility study on remediation of contaminated soils, submit and implement a final closure plan, close the TPCA impoundment, submit and implement a ground water cleanup plan, submit and implement a drainage control plan, and submit a spill prevention and countermeasures control plan.
5. The Discharger submitted a HAR completion report on 3 December 1990; a feasibility study on 4 January 1991; and a Drainage Control and Spill Prevention Control/Countermeasures Plan, plus an Expanded Yard Investigation Workplan for the site, on 1 November 1990. Some additional information, including data interpretation, is necessary to complete the HAR. The feasibility study contained numerous deficiencies and was not approved. The Drainage Control and Spill Prevention Control/Countermeasures Plan and the Expanded Yard Investigation Workplan were acceptable and approved by staff.
6. The Discharger did not submit a ground water treatment plan by 1 February 1991. However, an extension request was submitted by the Discharger (letter dated 2 February 1991). The Discharger did not submit and implement a closure plan by 1 February 1991 and 15 April 1991, respectively, as required by Cleanup and Abatement Order No. 90-715.
7. The Discharger has proposed to eliminate the potential for polluting storm water runoff by cleaning up the surface soil contamination throughout the yard. Details were provided in their 9 November 1990 Drainage Control and Spill Prevention Control/Countermeasures Plan.

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ORDER NO. 90-715 FOR SOUTHERN PACIFIC TRANSPORTATION
COMPANY, TRACY, SAN JOAQUIN COUNTY

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8. To assure compliance with the Toxic Pits Cleanup Act and provide for cleanup of polluted portions of the site due to past operational practices, it is necessary to amend Order No. 90-715.
9. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Section 15321(a)(2), Title 14, California Code of Regulations.
10. Any person affected adversely by this action of the Board may petition the State Water Resources Control Board (State Board) to review the action. The petition must be received by the State Board within 30 days of the date on which this Order was adopted by this Board. Copies of the law and regulations applicable to filing petitions will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to Sections 25208.4, 25208.6 and 25208.8 of the Health and Safety Code and Sections 13267 and 13304 of the California Water Code, the Discharger shall:

1. COMPLETE ALL TPCA RELATED TASKS:

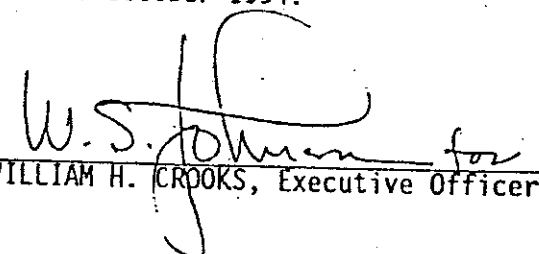
- a. Submit all remaining information and data interpretation (pursuant to staff's memorandum dated 18 March 1991) necessary to complete the HAR per Section 25208.8 of the Health and Safety Code by 15 July 1991.
- b. Submit a Feasibility Study by 1 September 1991 that considers different soil remediation and/or disposal alternatives, volumes, and cost estimates for various cleanup levels and chooses an appropriate alternative. The chosen alternative must provide adequate protection for waters of the state.
- c. Submit to the Board an approvable Closure Plan by 1 December 1991. An approvable closure plan is one which explains how the approved remedial alternative (proposed in the Feasibility Study) will be implemented for the TPCA surface impoundment. The Closure Plan shall also describe specific methods for implementing the plan and include a time schedule for performance of all required closure tasks. The plan shall be in accordance with Title 22, Division 4, Chapter 30; and applicable sections of Title 23, Division 3, Chapter 15 of the California Code of Regulations.
- d. Implement closure of the TPCA surface impoundment and surrounding contaminated soils by 1 March 1992, in accordance with the approved Closure Plan. Implement means to begin excavation and/or treatment of contaminated soils.
- e. Complete TPCA closure activities in accordance with the time schedule contained in the approved Closure Plan, but no later than 15 October 1993.

- f. Submit to the Board by 15 July 1991, a plan for removal of any measurable free petroleum hydrocarbons from the ground water table beneath the site (both TPCA and non-TPCA ground water contamination).
 - g. By 1 September 1991, begin removal of free petroleum hydrocarbons from the ground water table per the approved 15 July 1991 plan.
 - h. Submit to the Board by 15 November 1991, a Ground Water Feasibility Study which specifically addresses the ground water contaminated by past disposal practices related to the TPCA surface impoundment. The study shall describe specific methods for treatment and/or disposal of contaminated ground water.
 - i. Submit to the Board, by 15 March 1992, an approvable Ground Water Cleanup (Implementation) Plan. The Ground Water Cleanup Plan shall explain how the approved remedial alternative (proposed in the Ground Water Feasibility Study) shall be implemented. It shall also contain a time schedule for implementation and completion of the ground water cleanup.
 - j. Implement the Ground Water Cleanup Plan in accordance with the time schedule contained in the plan, but no later than 15 August 1992. Implement means to begin treatment and/or disposal of contaminated ground water.
2. COMPLETE REMAINING SITE CLEANUP TASKS (NON-TPCA):
- a. Submit an Interim Drainage Control Plan by 1 July 1991 which includes recommend measures to assure that contaminated surface waters will not leave the Discharger's property. The plan shall also include a surface water monitoring program to monitor the effectiveness of the interim drainage control measures. The interim drainage control measures shall be in place by 1 September 1991.
 - b. Install long term spill prevention and drainage control structures at the yard and remove the temporary drainage control structure per the approved 9 November 1990 Drainage Control and Spill Prevention Control/Countermeasures Plan (following decommissioning of the Railroad Yard), but no later than 15 October 1992.
 - c. Submit a Site Soil and Ground Water Characterization Report by 1 September 1991. The report shall define the lateral and vertical extent of the soil and ground water contamination caused by past operations, which were not covered under the TPCA investigations.
 - d. Submit a Site Feasibility Study for soil and ground water contamination at the yard by 1 January 1992. The report shall consider different remediation and/or disposal options, estimated volumes, and cost estimates for the soil and ground water that have been impacted by past site operations and choose an appropriate alternative (for areas not associated with the TPCA surface impoundment).

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- e. Submit a Site Soil Cleanup (Implementation) Plan for cleanup of soil contamination at the yard by 1 May 1992. The plan shall explain how the approved remedial alternative for soil (proposed in the Site Feasibility Study) shall be implemented. The plan shall include a time schedule for implementation and completion of the cleanup activities and final decommissioning of the yard.
- f. Submit a Site Ground Water Cleanup (Implementation) Plan for cleanup of ground water contamination at the yard by 1 August 1992. The plan shall explain how the approved remedial alternative for ground water (proposed in the approved Site Feasibility Study) will be implemented and shall also include a time schedule.
- g. Implement ground water cleanup in accordance with the time schedule contained in the approved Site Ground Water Cleanup Plan, but no later than 1 December 1992. Implement means to begin treatment and/or disposal of contaminated ground water.
- h. Implement the Site Soil Cleanup Plan in accordance with the approved time schedule contained in the plan, but no later than 1 September 1992.
- i. Complete soil cleanup in accordance with the time schedule contained in the Site Soil Cleanup Plan, but no later than 15 October 1994.


WILLIAM H. CROOKS, Executive Officer

DATED: 30 April 1991

JEM:jm

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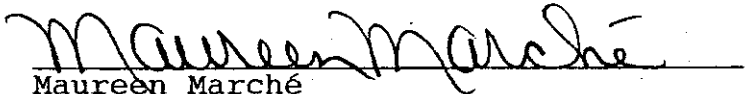
- a. Submit all remaining information and data interpretation (pursuant to staff's memorandum dated 18 March 1991) necessary to complete the HAR per Section 25208.8 of the Health and Safety Code by 15 July 1991.
- b. Submit a Feasibility Study by 1 September 1991 that considers different soil remediation and/or disposal alternatives, volumes, and cost estimates for various cleanup levels and chooses an appropriate alternative. The chosen alternative must provide adequate protection for waters of the state.
- c. Submit to the Board an approvable Closure Plan by 1 December 1991. An approvable closure plan is one which explains how the approved remedial alternative (proposed in the Feasibility Study) will be implemented for the TPCA surface impoundment. The Closure Plan shall also describe specific methods for implementing the plan and include a time schedule for performance of all required closure tasks. The plan shall be in accordance with Title 22, Division 4, Chapter 30; and applicable sections of Title 23, Division 3, Chapter 15 of the California Code of Regulations.
- d. Implement closure of the TPCA surface impoundment and surrounding contaminated soils by 1 March 1992, in accordance with the approved Closure Plan. Implement means to begin excavation and/or treatment of contaminated soils.
- e. Complete TPCA closure activities in accordance with the time schedule contained in the approved Closure Plan, but no later than 15 October 1993.

THEREFORE BE IT RESOLVED THAT THE STATE BOARD:

1. Amend the attached Regional Board Order No. 91-720, pursuant to California Water Code Section 13304, to require closure of the surface impoundments by October 15, 1992.
2. Direct the Regional Board Executive Officer to file a complaint against Southern Pacific Transportation Company for administrative civil liabilities if the revised October 15, 1992 closure deadline, or HAR completion date specified in Regional Board Order No. 91-720, is violated.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 18, 1991.


Maureen Marché
Administrative Assistant to the Board