

State of California
Regional Water Quality Control Board
San Diego Region

ADVISORY TEAM SUMMARY REPORT
June 8, 2011

- ITEM: 11
- SUBJECT: San Diego Shipyard Sediment Site, Tentative Cleanup and Abatement Order No. R9-2011-0001, San Diego County, Third Amended Order of Proceedings, issued by Presiding Officer for Prehearing Proceedings Destache on May 18, 2011 (Tentative Resolution No. R9-2011-0051) (*Frank Melbourn*)
- PURPOSE: The San Diego Water Board will consider adoption of Tentative Resolution No. R9-2011-0051 and may affirm, modify or reject the Third Amended Order of Proceedings.
- PUBLIC NOTICE: The Third Amended Order of Proceedings (Supporting Document No. 1) issued May 18, 2011, was provided via electronic mail to all known interested persons and Designated Parties using the most recent Shipyard Site Contact List. Public notice of the Tentative Resolution (Supporting Document No. 2) was provided through publication of the June 8, 2011, notice of meeting and agenda, and through distribution of the notice of meeting and agenda to all known interested persons and Designated Parties for this matter.
- DISCUSSION: The Third Amended Order of Proceedings updates prior orders governing the Shipyard Sediment Site and establishes the procedural schedule for the remainder of the proceeding. Among other things, it confirms the deadlines for submittal of evidence, legal argument and technical comments by Designated Parties and policy statements by Interested Persons concerning Tentative Cleanup and Abatement Order No. R9-2011-0001 (TCAO) and the associated Draft Technical Report (DTR). It also establishes the comment process for the draft Environmental Impact Report anticipated to be released on June 17, 2011. The Amended Order establishes two days of evidentiary hearing on November 15 and 16, 2011, and allows for the possibility of a third day of hearing on November 14, 2011, should the San Diego Water Board later identify a need for a third day

of hearing. Finally, it identifies the December 14, 2011, board meeting for the San Diego Water Board to consider certification of a Final Environmental Impact Report and adoption of a final Cleanup and Abatement Order for the Shipyard Sediment Site.

KEY ISSUES: None at this time.

LEGAL CONCERNS: None.

SUPPORTING DOCUMENTS:
1. Third Amended Order of Proceedings, May 18, 2011
2. Tentative Resolution No. R9-2011-0051

RECOMMENDATION(S): At this time, the Advisory Team recommends adoption of Resolution No. R9-2011-0051 to affirm the Third Amended Order of Proceedings. The Advisory Team will provide an updated recommendation at the conclusion of the San Diego Water Board's consideration of this item on June 8, 2011.