

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**STAFF SUMMARY REPORT
STAFF: CECILIO FELIX
MEETING DATE: October 19, 2005**

ITEM: 5B

SUBJECT: **Zeneca Inc., Meade Street Operable Unit Subunit 1, Richmond, Contra Costa County** - Rescission of Site Cleanup Requirements Order No. 01-101

CHRONOLOGY: 2001 - Site Cleanup Requirements adopted for Meade Street Operable Unit Subunit 1
2004 and 2005 – CalEPA assigned Subunit 1 Oversight to DTSC

DISCUSSION: This Item and Agenda Item 5C are similar in that both address cleanup of cinder wastes from the same source. The purpose of this Tentative Order (Appendix A) is to rescind Site Cleanup Requirements (SCRs) for Meade Street Operable Unit Subunit 1 (Subunit 1). Rescission is appropriate because Cal EPA has assigned the Department of Toxic Substances Control (DTSC) as the lead agency providing oversight of Subunit 1's site cleanup.

The 2001 SCRs required a number of tasks, including site investigation, cleanup, monitoring, and recording of deed restrictions at Subunit 1. Although most of the requirements contained in the SCR were completed under Board oversight, including recording of deed restrictions limiting land use to industrial/commercial reuse, DTSC is presently completing some tasks and requiring additional work above and beyond the tasks required in the SCRs. It should be noted that the existing deed restrictions recorded for Subunit 1 can not be modified without approval of the Executive Officer. The Executive Officer will consult with DTSC prior to approving any future modifications of the deed restrictions.

We have circulated the Tentative Order to Zeneca and interested parties. Zeneca, the current property owner Cherokee Simeon, and DTSC provided comments in support of the Tentative Order with some requests for language revisions that were incorporated into the Tentative Order (Appendix A) as appropriate.

Several comments (included in Appendix B) were received from the community and an environmental group expressing concerns about order rescission impacting deed restrictions or removing enforcement authority

and monitoring requirements at the Zeneca and UCB Richmond Field Station sites. The rescission of orders for either site do not remove the deed restrictions. DTSC has implemented an order for the Zeneca site that is inclusive of the requirements of our SCRs and requires additional work as confirmed in a DTSC comment letter (Appendix B). Additional DTSC orders or requirements are expected soon for the properties adjacent to Zeneca. Even though additional formal orders have yet to be issued by DTSC, it has adequate authority to control cleanup and protect the public and the environment on all these properties. Further information on these other properties is described in agenda item 5C.

RECOMMEN-
DATION:

Adoption of the Tentative Order.

File No. 2189.8071 (CSF)

Appendices: A - Tentative Order
B – Comments