

*STATE OF CALIFORNIA*

**REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

MEETING DATE: May 13, 2015

ITEM: **4**

SUBJECT: **EXECUTIVE OFFICER'S REPORT**

## EXECUTIVE OFFICER'S REPORT: *May 2015*

A Monthly Report to the Board and Public

NEXT MEETING: May 13, 2015

WEBSITE: <http://www.waterboards.ca.gov/sanfranciscobay/>

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### **Alameda Naval Air Station Closure Team Receives Award (Yemia Hashimoto, Ross Steenson)**

The base closure team for the former Alameda Naval Air Station has won the Chief of Naval Operations (CNO) Award for 2013 and 2014 in the Environmental Restoration - Installation category. This award recognizes the team's success accelerating cleanup, reducing costs, and meeting property transfer goals through effective stakeholder interaction and partnering, creative problem solving, and the use of innovative technologies. The team includes the Board's Department of Defense cleanup program staff as well as remedial/regulatory project managers from the Navy, U.S. EPA, the California Department of Toxic Substances Control, and the City of Alameda. All CNO award winners advance to be considered for the Secretary of the Navy Award.

### **Hunters Point Naval Shipyard Transitioning to Civilian Reuse (Tina Low)**

The Navy and the City of San Francisco's Office of Community Investment and Infrastructure (OCII) are preparing to transfer three parcels of the former 638-acre Hunters Point Naval Shipyard for civilian reuse by the end of June. Parcels UC-1, UC-2, and D-2 (Figure 1) will be the first cleanup parcels to be transferred to the City since the shipyard was closed in 1994. Parcel A transferred in 2004 but did not require any cleanup as it was mainly used for naval officer housing. This is the culmination of decades of site investigation and cleanup activities overseen by the Board, U.S. EPA and the California Department of Toxic Substances Control.



**Figure 1.** Land and Sediment Cleanup Parcels at the former Hunter's Point Shipyard.

### *Transfer Process*

Last month we reviewed and approved a set of documents included in the transfer package: the Finding of Suitability to Transfer (FOST), Covenant to Restrict Use of Property (CRUP), and the Risk Management Plan (RMP). The FOST documents that the parcels have been cleaned up as required according to the approved remedial action plan and Record of Decision. The CRUP, which is incorporated in the property deed and runs with the land, specifies land uses and activities that are restricted or prohibited unless a specific work plan is approved by the regulatory agencies. The RMP is a work plan that sets forth protocols that allow future owners to perform certain otherwise-restricted activities. The CRUP and RMP were approved in April 2015 and the FOST was approved in March 2015.

### *Site History and Future Uses*

Parcel D-2 comprises 5.3 acres that was historically part of the shipyard's industrial support area and was used for shipping, ship repair, and office and commercial activities. Its planned future use is research and development. Parcels UC-1 (3.5 acres) and UC-2 (3.8 acres) were utility corridors where roadways and utility lines crossed through the shipyard. Parcel UC-1 is slated for mixed use (residential and industrial) development, while parcel UC-2 is slated for

mixed use and research and development.

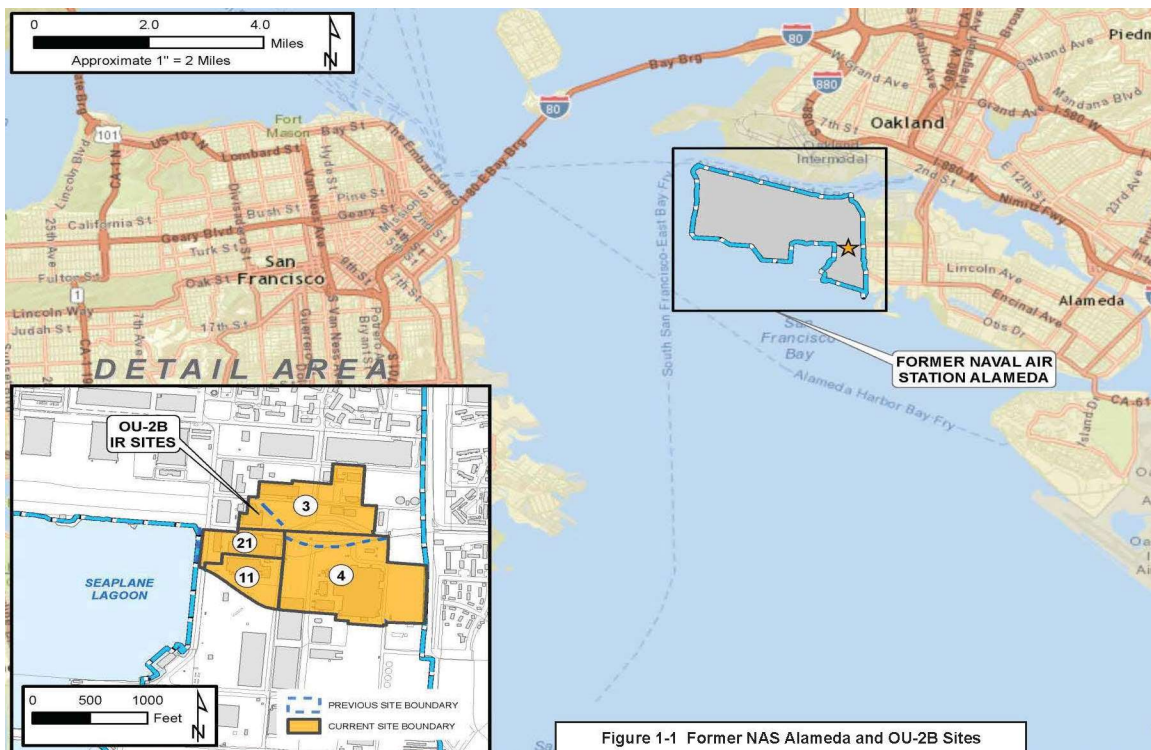
### *Next Steps and Future Transfers*

The City's OCII will hold a series of five public meetings beginning April 27. The first four meetings will be informational. The last meeting, scheduled for June 16, will be a presentation to the OCII Commission to take action to authorize the OCII Executive Director to accept transfer of parcels UC-1, UC-2, and D-2, and to sign the transfer documents. The current schedule is for close of escrow to occur on June 19.

The RMP and CRUP will become templates for the future transfer of land parcels B, C, E, G, IR7/18, and sediment parcel F. Those transfers are anticipated to occur steadily over the next several years with parcels B-1, IR7/18, and G being the next to transfer in late 2015. As a signatory to the Federal Facilities Agreement governing cleanup of the shipyard, the Board will retain a post-transfer cleanup role should previously unknown concerns associated with the former shipyard be discovered during redevelopment.

### **Alameda Naval Air Station Record of Decision (Yemia Hashimoto)**

I recently signed a Record of Decision that formalizes the remedial path forward for contaminated sites in Operable Unit (OU) 2B at the former Alameda Naval Air Station. OU2B is divided into Installation Restoration (IR) sites (Figure 2) and the selected remedies for soil include: no action at IR Sites 11 and 21, consistent with risk assessment results; excavation and disposal of soil impacted by lead, PCBs, or pesticides at IR Sites 3 and 4; and institutional controls to restrict, but not prohibit residential use, at Sites 3 and 4, which contain elevated levels of cobalt and hexavalent chromium, respectively.



**Figure 2.** IR sites at former Alameda Naval Air Station.

For shallow groundwater, the selected remedy for the volatile organic compound plume that underlies portions of IR Sites 4, 11, and 21 includes the retreatment of five hot spots with active remediation and the management of the rest of the plume using bioremediation monitoring and institutional controls. The remediation goals associated with these remedies are protective of the future commercial/mixed-use land use and address potential vapor intrusion and groundwater discharge to Seaplane Lagoon, which is located immediately adjacent to OU2B. Based on modeling conducted during the Feasibility Study, it is estimated that it will take between 25 and 40 years to achieve the goals.

### **Lehigh \$2.55 Million Settlement Announced (Dyan Whyte)**

On April 29, I spoke at a media event in Cupertino announcing the settlement of a Clean Water Act suit the Board filed jointly with U.S. EPA, requiring owners and operators of the Lehigh Cement plant in Cupertino to pay \$2.55 million in civil penalties. This settlement addresses numerous violations Lehigh accrued over a three year period while operating under our General Sand and Gravel NPDES Permit. The settlement reinforces conditions in the individual NPDES permit and Cease and Desist Order the Board adopted last year, requiring Lehigh to construct an advanced wastewater treatment system to significantly reduce its discharges of selenium and other metals. Lehigh has already installed an interim treatment system and the results look promising. A permanent system will be completed by 2017. We will continue our multi-agency efforts to regulate all water quality aspects of this facility, including installation of the full-scale wastewater treatment system, restoration of stream habitat, and control of stormwater runoff.

The event took place at Rancho San Antonio Park alongside Permanente Creek, downstream of the Lehigh facility. Other speakers at the event included Jared Blumenfeld, U.S. EPA's Regional Administrator for the Pacific Southwest, Assistant Attorney General John Cruden of the Justice Department's Environment and Natural Resources Division, and Brian Nelson, California Attorney General Chief Counsel. Board members Muller and Abe-Koga and Assistant Executive Officer Dyan Whyte attended as well as a number of local residents.



**Figure 3.** Bruce Wolfe speaking at Lehigh press conference.

### **In-house Training**

Our April training was on the regulatory implications of severe drought--a timely topic. We heard about the statewide situation, efforts to expand water recycling in our region, things each of our programs are or could be doing in response to the drought, and ways we as individuals can conserve and recycle water at home. Our May training will be offsite and will look at restoration activities in the Redwood Creek watershed in Marin County. Several of our staff participated in a March 23-24 webinar on vapor intrusion (U.S. EPA-sponsored session at the Association for Environmental Health and Sciences Foundation's annual conference).

### **Staff Presentations**

On April 9, I participated in the groundbreaking of the Oro Loma Ecotone Demonstration Project, the subject of an information item to the Board last November. This pilot project will use treated wastewater to feed 12 beds and test four different combinations of soil types, plant species, and watering regimes. The project's goal is to determine how best to use treated wastewater to grow wetland vegetation while further reducing nutrients and constituents of emerging concern in the wastewater as it passes through the wetlands. These wetlands could become an integral part of "horizontal levees" that may ultimately be used as protection from sea level rise, high tides, and storm surge. At the groundbreaking, Board management was recognized for its long-term support of the project.

### Penalty Enforcement Actions Proposed and Final (Lila Tang)

The following tables show recently proposed settlements and settled actions for assessment of penalties as of the last report. There are also two complaints, one issued in November 2014 and the other in March 2015, on which Board staff and the dischargers are in settlement discussions. All complaints and proposed settlements are available at:

[http://www.waterboards.ca.gov/sanfranciscobay/public\\_notices/pending\\_enforcement.shtml](http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml).

<b>Proposed Settlements</b>			
The following are noticed for a 30-day public comment period. If no significant comments are received by the comment deadline, the Executive Officer will sign an order implementing the settlement.			
<b>Discharger</b>	<b>Violation</b>	<b>Penalty Proposed</b>	<b>Comment Deadline</b>
CEMEX Construction Materials Pacific, LLC, in Pleasanton	Violations of discharge limits on solids and late discharge report.	\$21,000	May 7, 2015
Atlantic Richfield Company, Former ARCO Bulk Plant, in Oakland	Failure to timely mitigate offsite indoor air pollution.	\$245,000	May 4, 2015

<b>Settled Actions</b>			
On behalf of the Board, the Executive Officer approved the following:			
<b>Discharger</b>	<b>Violation</b>	<b>Penalty Imposed</b>	<b>Supplemental Environmental Project</b>
North Marin Water District, Wild Horse Storage Tank, in Novato	Unauthorized discharge to Vineyard Creek of over 200,000 gallons of potable water.	\$38,100	\$14,000 to replace invasive with native plants along Vineyard Creek in conjunction with Novato Unified School District.
Samsung America Headquarters (Device Solution) Project Samsung E&C America Inc., in San Jose	Failure to timely submit three discharge reports in 2013 and 2014.	\$60,000	None

The State Board's Office of Enforcement includes a statewide summary of penalty enforcement in its Executive Director's Report, which can be found on the State Board website:

[http://www.waterboards.ca.gov/board\\_info/eo\\_rpts.shtml](http://www.waterboards.ca.gov/board_info/eo_rpts.shtml).