

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

**TENTATIVE ORDER No. R2-2014-XXXX**

**RESCISSION OF ORDER Nos. 85-019 and 89-088 for:**

**DEPARTMENT OF THE NAVY  
FORMER MARE ISLAND NAVAL SHIPYARD  
VALLEJO, SOLANO COUNTY**

for the Mare Island Sanitary Landfill and Industrial Waste Treatment Plant Surface Impoundments

The California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) finds that:

**Site Description**

1. Mare Island was entirely owned by the U.S. Navy (Navy) and used as a naval shipyard from 1854 until it was officially closed in April 1996. The primary activities on the site were ship and submarine construction, modernization, repairing, and basing. Heavy industrial activities occurred primarily on the east side of the island adjacent to Mare Island Strait. Portions of Mare Island have been transferred to Lennar Mare Island, LLC, and the City of Vallejo. This rescission pertains to two areas of Mare Island, the Sanitary Landfill and Industrial Waste Treatment Plant Surface Impoundments, which continue to be regulated by the State's Department of Toxic Substances Control (DTSC) under a Federal Facility Site Remediation Agreement.

**History of Mare Island Sanitary Landfill**

2. The 30-acre Sanitary Landfill was constructed by the Navy on the western-filled portion of Mare Island (Figure 1). The Sanitary Landfill received nonhazardous and hazardous waste. When it reached capacity in 1978, the Sanitary Landfill stopped receiving waste, and a new landfill was established on top of the western half of the Sanitary Landfill. This new landfill was referred to as the "RCRA landfill" because it operated under Resource Conservation and Recovery Act (RCRA) interim status. The RCRA landfill, which is not the subject of this rescission, no longer accepts waste and has been closed.

**History of Industrial Waste Treatment Plant Surface Impoundments**

3. The Industrial Waste Treatment Plant (IWTP) and four associated Surface Impoundments were constructed in the early 1970s by the Navy on the western-filled portion of Mare Island (Figure 1). The Navy operated the IWTP and the Surface Impoundments as an Interim Status RCRA Facility to treat wastewater containing inorganic and organic residues from various onsite operations. Inorganic and oily residues from metal cleaning, electroplating, battery repair, oil reclamation, and photo operations were discharged to the IWTP, and the treated wastewater was discharged to the City of Vallejo's sanitary sewer. Two northern impoundments were used to blend incoming industrial wastewaters to allow an equalized flow to the IWTP for treatment, and two southern impoundments

were alternately used to settle, dry, and store sludge generated at the IWTP prior to offsite disposal.

4. Originally unlined, the Navy upgraded the four Surface Impoundments in 1981 and 1982 with reinforced concrete. In 1989, the sludge and free liquids were removed from the impoundments, and a reinforced polyvinyl chloride liner was placed on the concrete, followed by a layer of sand fill, a polyethylene liner, compacted fill to one foot below ground surface, another polyethylene liner, and a final foot of soil planted with grass seed. The IWTP and associated facilities were not used after the closure of the shipyard in 1996. The aboveground structures of the IWTP, which are not the subject of this rescission, were removed in the early 2000s.

### **Site Remediation – Sanitary Landfill and Surface Impoundments**

5. The Investigation Area (IA) H1 Containment Area (Figure 1) was remediated in accordance with the 2006 Remedial Action Plan/Record of Decision/RCRA Closure Plan under the regulatory oversight of DTSC. The final remedy for the IA H1 Containment Area, including the Sanitary Landfill and Surface Impoundments, was a multi-layer variable cap, groundwater containment via a subsurface slurry wall, a groundwater extraction trench, and institutional controls (deed restriction to be recorded at time of property transfer, which restricts the site from further development and groundwater use). Gas and groundwater quality will be monitored outside the IA H1 Containment Area and reported to DTSC as long as waste remains in place.

### **Regulatory History**

6. **Sanitary Landfill:** On September 18, 1985, the Regional Water Board adopted Cleanup and Abatement Order (CAO) No. 85-019. The objective of the CAO was to require the Navy to complete a hydrogeologic investigation at the site to certify that existing monitoring wells were adequately designed, to collect information on groundwater chemistry and flow, and to evaluate contaminant migration from the Sanitary Landfill.
7. **Surface Impoundments:** On May 17, 1989, the Regional Water Board adopted Cease and Desist Order (CDO) No. 89-088. The objective of the CDO was to require the Navy to submit a technical report documenting completion of interim closure procedures for the Surface Impoundments.

### **Basis for Rescission**

8. **Sanitary Landfill:** The CAO required the Navy to complete a hydrogeologic investigation that focused on collecting data that would be used to evaluate groundwater quality and contaminant migration. As of December 1986, the Navy completed all requirements in the CAO. The studies completed and information garnered, in addition to the current monitoring, indicate that threats to human health, safety, and the environment have been mitigated. In addition, the Sanitary Landfill no longer accepts waste and was remediated during the cleanup of the IA H1 Containment Area. The Sanitary Landfill site groundwater is monitored under a long-term monitoring program overseen by DTSC.
9. **Surface Impoundments:** The CDO required the Navy to submit a report documenting interim closure procedures for the former IWTP Surface Impoundments. As of October

1989, the Navy completed the requirements of the CDO. The Surface Impoundments were emptied and backfilled with soil in 1989, and the area of the former impoundments was remediated during the cleanup of the IA H1 Containment Area. The former Surface Impoundments are monitored under a long-term monitoring program overseen by DTSC.

### **CEQA, Notification, and Public Hearing**

10. The rescission of Order Nos. 85-019 and 89-088 are not a “project” as defined in the California Environmental Quality Act (CEQA). There is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14, §§ 15378 and 15601, subd. (b)(3).)
11. The Regional Water Board has notified the Navy and interested agencies and persons of its intent to rescind Order Nos. 85-019 and 89-088 and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
12. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the proposed rescission of the CAO for the Sanitary Landfill and the CDO for the Surface Impoundments.

### **California Safe Drinking Water Policy**

13. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This rescission promotes that policy because the Navy has ensured that any potential contamination from the Sanitary Landfill and the Surface Impoundments present in groundwater that is suitable or potentially suitable for municipal or domestic supply (i.e., that does not meet the exceptions for Resolution 88-63) will not cause exceedances of the maximum contaminant levels (MCLs) designed to protect human health and ensure that water is safe for domestic use. The Sanitary Landfill and the Surface Impoundments have been engineered and closed to eliminate contact with surface water and groundwater beyond their footprints, which ensures that the waste will not impact any water supply wells or migrate beyond the footprints at concentrations greater than MCLs.

IT IS HEREBY ORDERED that Order Nos. 85-019 and 89-088 are rescinded.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, complete, and correct copy of an order adopted by the California Regional Water Quality Board, San Francisco Bay Region, on \_\_\_\_\_.

Bruce H. Wolfe  
Executive Officer