

ADVISORY TEAM SUMMARY REPORT  
September 8, 2010

- ITEM: 12
- SUBJECT: Tentative Cleanup and Abatement Order No. R9-2010-0002 (San Diego Bay Shipyard Sediment Cleanup), Resolution Denying Motion of National Steel and Shipbuilding Company Requesting Determination that Tentative Cleanup and Abatement Order No. R9-2010-0002 is Exempt from the California Environmental Quality Act (*Frank Melbourn*)
- PURPOSE: To consider motion of National Steel and Shipbuilding Company (NASSCO) requesting determination that Tentative Cleanup and Abatement Order No. R9-2010-0002 is exempt from the California Environmental Quality Act.
- PUBLIC NOTICE: Notice of this item was provided to the public on August 19, 2010, through the distribution of the San Diego Water Board agenda, and through e-mail notification to the Designated Parties on August 26, 2010.
- DISCUSSION: The Advisory Team recommends that the Regional Board adopt Tentative Resolution No. R9-2010-0115 Denying NASSCO's Motion Requesting Determination That Tentative Cleanup and Abatement Order No. R9-2010-0002 is Exempt from the California Environmental Quality Act.
- LEGAL CONCERNS: None at this time.
- SUPPORTING DOCUMENTS:
1. Tentative Resolution No. R9-2010-0115
  2. *Reserved for Future Use*
  3. NASSCO's Motion Requesting Determination that Tentative Cleanup and Abatement Order No. R9-2010-0002 is Exempt from the California Environmental Quality Act.
  4. Presiding Officer's Order Requesting Responses to NASSCO's Motion
  5. Cleanup Team's Response
  6. NASSCO's Supplemental Memorandum of Points and Authorities in Support of Motion

7. San Diego Unified Port District's Response
8. Presiding Officer's Order Denying NASSCO's Motion
9. NASSCO's Motion for Clarification that the Regional Water Quality Control Board will Address its CEQA Motion

**RECOMMENDATION:** Adopt Tentative Resolution No. R9-2010-0115