

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

ORDER No. R2-2015-0027

**RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER No. 98-120) for:
FREIGHT TERMINALS, INC.**

for the property located at:

2075 WILLIAMS STREET
SAN LEANDRO
ALAMEDA COUNTY

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

1. **Regional Water Board Orders:** The Regional Water Board adopted site cleanup requirements for this site on December 16, 1998 (Order No. 98-120). The Order named Freight Terminals, Inc., as the discharger because it owned the site during and after the time of the activity that resulted in the discharge. Tetrachloroethylene (PCE) and its breakdown products (TCE, cis-1,2-DCE, trans-1,2-DCE and vinyl chloride) were first discovered in 1995 in site groundwater during an environmental due diligence investigation. Board staff was unable to locate the previous owners or operators of the site. The Order set cleanup standards for soil and groundwater and required Freight Terminals to propose and to implement interim remedial actions (Tasks 1 and 2) and to propose final remedial actions and cleanup standards (Task 3).

In 2001, Kirsch Investments LLC, the owner of Bluewater Environmental Services, Inc., bought the property from Freight Terminals, Inc., c/o Watkins Motor Lines. Freight Terminals, Inc., and Bluewater Environmental Services, Inc., are not known to use, or have used, TCE or PCE in their operations. Since 2001, Bluewater Environmental Services, Inc., has performed the required investigation, monitoring, and reporting activities for the site.

2. **Compliance with Board Orders:** The discharger has met the requirements of Tasks 1 and 2 of the Order, to propose and implement interim remedial actions. Task 3, to propose final remedial actions and cleanup standards, was not implemented due to numerous onsite and offsite investigations in 1995 through 2012 to determine the source of the PCE and TCE and to define the lateral and vertical extent of the pollution. Interim remedial actions were approved by Board staff in July 1999 and June 2000 and consisted of 19 passive vapor wells installed to provide a pathway for progressive vaporization of PCE from groundwater and gradual reduction of the plume. The Groundwater and Indoor Air Investigation Report submitted in July 2012 concluded that indoor air concentrations of PCE and degradation products did not pose an unacceptable risk.

3. **Basis for Rescission:** There are multiple lines of evidence presented in the reports listed below that support the conclusion that the PCE and TCE detected at the site is the result of migration of pollution from offsite, upgradient sources, as opposed to an onsite source. The offsite sources may be attributed to the properties located at 2051, 2053, and 2059 Williams Street, 1980 and 1988 Marina Boulevard, which have industrial supply wells, and possibly other sites in the vicinity to the east and north. The Regional Water Board will pursue investigations for upgradient properties and others as needed to further assess the extent and magnitude of the impacts to water quality. The technical rationale for the Order no longer exists and the Order should be rescinded.
 - September 23, 2009, Semi-Annual Groundwater Monitoring report, prepared by Protech Consulting.
 - February 23, 2011, Remedial Investigation Report, prepared by Engeo, Inc.
 - September 11, 2011, Data Gap Sample Collection Work Plan, prepared by P&D.
 - September 30, 2011, Geophysical Investigation at 2051 and 2075 Williams Street by JR Associates, prepared by P&D.
 - October 10, 2011, Subsurface (Offsite) Investigation Work Plan, prepared by P&D.
 - July 5, 2012, Groundwater and Indoor Air Investigation Report, prepared by P&D.
4. **Next Steps Prior to Case Closure:** The following task needs to be completed prior to case closure: proper closure of all monitoring wells and passive venting wells.
5. **California Safe Drinking Water Policy:** 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 Order promotes that policy because maximum contaminant levels (designed to protect human health and ensure that water is safe for domestic use) are and will continue to be met in existing and future supply wells. Board staff will pursue investigations at offsite properties to assess the source(s) for PCE and other volatile organic compounds in groundwater in the site vicinity. Property owners of industrial supply wells in the area will be asked to participate in these investigations.
6. **CEQA:** This action rescinds an order to enforce the laws and regulations administered by the Regional Water Board. Rescission of the Order is 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 15061, subd. (b) (3).)
7. **Notification:** The Regional Water Board has notified the discharger and all interested agencies and persons of its intent under Water Code section 13304 to rescind site cleanup requirements for the discharge and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED, pursuant to section 13304 of the Water Code, that Order No. 98-120 is rescinded.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 13, 2015.

Bruce H. Wolfe
Executive Officer