

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

ORDER No. R2-2023-0012

**RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NO. R2-2004-0086)
for:**

**CITY OF OAKLAND AND
PORT OF OAKLAND**

For the property located at:

FORMER OAKLAND ARMY BASE
ECONOMIC DEVELOPMENT CONVEYANCE PROPERTY
OAKLAND
ALAMEDA COUNTY

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

1. **Regional Water Board Order:** The Regional Water Board adopted site cleanup requirements for the Economic Development Conveyance (EDC) property on October 20, 2004 (Order No. R2-2004-0086). Order No. R2-2004-0086 identifies the City of Oakland and Port of Oakland as property owners and the responsible parties (dischargers) for cleanup of the EDC property since the early transfer from the Army. The Order specifies the cleanup requirements that must be met for petroleum impacted soil and groundwater, primarily associated with former underground storage tank (UST) and aboveground storage tank (AST) locations and appurtenances, establishes time frames, and initiates Regional Water Board cost recovery oversight. The Order also includes soil and groundwater cleanup levels. The Regional Water Board did not have any orders on this site while under direct Army oversight through the Base Realignment and Closure Program.
2. **Compliance with Board Order:** Tasks 1 through 8 of the 2004 Order are complete as summarized below.
 - a. Task 1 required pre-development closure of fourteen former UST sites (D, F, K, B/C, Q, 651, 671, 672, 677, 679, 681, 742, and 743). This task was completed by 2008, as documented in the following Regional Water Board letters:
 - December 22, 2006, *Case Closure Letter for Three Underground Storage Tanks (USTs) B/C and Q, Former Oakland Army Base, Alameda County, Water Board Case No. 01D9647.*
 - January 10, 2008, *Closure Letter and Site Summary for Eleven (11) Underground Storage Tanks (USTs) D, F, K, 651, 671, 672, 677, 679, 681, 742, and 743, Former Oakland Army Base, Alameda County Water Board*

Case Nos. 01D9648 01D9649, 01D9650, 01D9617, 01D9613, 01D9614, 01D9616, 01D9623, 01D9618, 01D9621, and 01D9622.

- b. Task 2 required groundwater monitoring at five suspected former UST sites (673, 678, 682, 686, and 688). This task was completed by 2013, as documented in the following Regional Water Board letters:
- October 17, 2007, *Case Closure Letter for Three USTs 673, 682, and 688, Former Oakland Army Base, Alameda County Water Board Case Nos. 01D9615, 01D9619, and 01D9620.*
 - December 11, 2013, *No Further Action for UST Sites 678 & 686, Former Oakland Army Base (OAB), Oakland, Alameda County.*
- c. Task 3 required implementation of final soil and groundwater cleanup near former USTs 11A/12A/13A. This task was completed, as documented in the Regional Water Board's August 19, 2013, letter, *No Further Action for UST Site 11/12/13 and 11A/12A/13A, Former Oakland Army Base, Oakland, Alameda County.*
- d. Task 4 required investigation and closure of petroleum impacted sites during redevelopment for suspected USTs at the following nine locations: 652, 660, 684, G, H, I, J, L and 732. This task was completed by 2013, as documented in the 2002 Final Environmental Baseline Survey and Regional Water Board letters:
- June 13, 1997, *Completion Certificate for Underground Storage Tank (UST) Sites E, G, H, I, and J, Oakland Army Base, Oakland, CA.*
 - January 5, 2001, *Case Closure Letter for Department of Defense (DoD) Underground Storage Tanks at Oakland Army Base, Oakland, CA, including: Tanks L, M, and 10.*
 - December 2002, *Final Environmental Baseline Survey for Transfer for Oakland Army Base, Oakland, California December 2002.*
 - November 1, 2013, *No Further Action for UST 684, Former Oakland Army Base, Oakland, Alameda County.*
 - December 17, 2013, *No Further Action for USTs 652, 660 & 715, Former Oakland Army Base, Oakland, Alameda County.*

As documented in the December 2002 Final Environmental Baseline Survey, suspected UST 732 did not require further investigation because soil and groundwater investigations revealed that there were not significant petroleum impacts in the vicinity of this and neighboring features. For example, per Table 4-44, the boiler room sump area (located near UST 732 area) had soil and groundwater collected, but further remediation was not recommended.

- e. Task 5 requested documentation to propose curtailment of a remediation system or closure for any remaining petroleum impacted sites and Task 6 requested a technical report documenting implementation of Task 5. Based on case closure documentation for other petroleum sites associated with the EDC property, remaining petroleum sites have been closed. Thus, Tasks 5 and 6 were completed in 2013, as documented in the following Regional Water Board letters:
- December 17, 2013, *No Further Action for USTs 652, 660 & 715, Former Oakland Army Base, Oakland, Alameda County*. Case ID: T0600182530.
 - December 19, 2013, *No Further Action for AST 991 (RMP Location ID 104), Former Oakland Army Base, Oakland, Alameda County*. Case ID: 01D9601.
 - December 20, 2013, *No Further Action for UST 1A, Former Oakland Army Base, Oakland Alameda County*. Case ID: 01D9637.
 - December 20, 2013, *No Further Action for USTs 42A-42B, Former Oakland Army Base, Oakland, Alameda County*. Case ID: T0600182530.
- f. Tasks 7 and 8 required the dischargers to submit technical reports to propose new health criteria or to evaluate new cleanup technology if requested by the Executive Officer. The Executive Officer did not request that any reports be submitted under these tasks because they were not needed. Thus, these tasks are considered complete.
3. **Basis for Rescission:** The dischargers have met all soil and groundwater cleanup standards at all compliance points as set forth in the 2004 Order. No further action documentation was issued for 30 of the 31 USTs named in the Order, and no further investigation or action was required for suspected UST 732, as explained in Finding 2.d, above.
4. **CEQA:** This action rescinds a Regional Water Board order. 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).)
5. **Notification:** The Regional Water Board has notified the dischargers and all interested agencies and persons of its intent to rescind site cleanup requirements and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED that Order No. R2-2004-0086 is rescinded except for enforcement purposes.

I, Eileen M. White, 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 18, 2023.

Eileen White  Digitally signed by Eileen White
Date: 2023.07.18 09:35:03 -07'00'

Eileen M. White, P.E.
Executive Officer