

STATE OF CALIFORNIA
 CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
 SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT – Chuck Headlee
 MEETING DATE: July 8, 2009

ITEM: 5.B

SUBJECT: **Cleanup Programs - Status Report including Case Closure**

CHRONOLOGY: The Board receives semi-annual progress reports on this subject.

DISCUSSION: *Case Closure Progress*

Our cleanup programs focus on overseeing the cleanup of sites that have caused soil and groundwater pollution. They comprise the underground storage tank (UST) cleanup program, the Site Cleanup Program (SCP), and the Military Cleanup program (also known as the Department of Defense program). A UST cleanup program goal for fiscal year (FY) 2008-09 was to review and close 30 cases. After a big push to review old languishing cases we have closed twice this number. The Site Cleanup and Military Cleanup programs do not have specific case closure goals. The table below shows case closures by program as well as the remaining caseload at the end of FY 08-09:

Cleanup Program	Case Closures this FY	End of FY Caseload:	
		# Open Cases	# Closed Cases
UST	62	320	1,307
SCP	31	440	283
Military	138	313	426
Totals	231	1,073	2,016

Underground Storage Tank Program

There are several major UST issues we started work on in FY 08-09 and will continue into next fiscal year.

- **State Board Resolution on UST:** On May 19, the State Board adopted a resolution regarding the UST Cleanup Fund and the UST cleanup program. The resolution requires the Water Boards to create a broad-based task force that will recommend changes to the UST Cleanup Fund to deal with its funding shortfall and the suspensions of site-cleanup cost reimbursements. The task force is also charged with making recommendations to improve the UST cleanup program, including increased reliance on risk-based corrective action and low-threat closures (something we already do in our region). The resolution contains several new requirements for Regional Water Boards and local oversight agencies, to be completed by June 2010 within existing budgets:

- Review all open UST cases to determine whether or not the case is ready for closure. If the case is not ready for closure, then determine the impediments to closure, the environmental benefits of additional work to be performed at the site, the sensitive receptors that are likely to be impacted, and the timeframe for those impacts to occur;
- Post case reviews on the GeoTracker database's website;
- Expeditiously close cases identified as ready for closure;
- Refrain from issuing any new directives to fuel UST sites until all site reviews are completed; and
- Reduce monitoring frequency to semi-annual at all sites.

Staff from our region led a workgroup that developed two new GeoTracker pages to track the case reviews and the changes in sampling frequency.

- Fuel UST 5-Year Reviews: UST Cleanup Fund staff performs reviews of all cases open for more than five years, and informs the oversight agency of their findings. We received ten reviews this fiscal year that recommended we close the case. Of the ten, we had already closed one, eight more are awaiting documentation from the responsible party (we expect to close them in July), and one we disagreed with the recommendation for closure. Upon further review of the files, UST Cleanup Fund staff agreed with our decision.
- Agency coordination: We have resumed regular monthly meetings between our UST program staff and staff at local oversight agencies. This makes for a more seamless process when it comes time to review one of the local agencies' cases for concurrence with a closure request. By having this good working relationship, we are also able to resolve conflicts between a local agency and responsible parties and prevent petitions to the State Board.
- Electronic submittals: One of the new performance measures in the fuel UST program is what portion of its cases have complied with the State's new requirement for submitting electronic data and reports to Geotracker, the database we use to track site cleanup activities. At the start of FY 08-09, 60% of our cases were compliant with this requirement. We reviewed the list of non-compliant parties and identified sites that were truly non-compliant and sites that were ready for closure (where compliance would not be an issue). The fuel UST program staff worked diligently to close those cases this FY. In addition, they undertook a batch mailing to those remaining non-compliant parties who had until the end of May 2009 to "claim" their site in GeoTracker and upload data and reports pertaining to their site.

RECOMMEN-
DATION:

This is an information item only and no action is necessary.

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