

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

STAFF SUMMARY REPORT (Mark Johnson)
MEETING DATE: June 10, 2009

ITEM: 5A

SUBJECT: **Union Pacific Railroad Company, for the property located at Southern Pacific Rail Spur, Ravenswood Industrial Area, East Palo Alto, San Mateo County** – Rescission of Site Cleanup Requirements

CHRONOLOGY: April 2008 – Adoption of Site Cleanup Requirements

DISCUSSION: The Board adopted a Site Cleanup Requirements Order for Union Pacific Railroad Company in April 2008. The Order required Union Pacific to submit a final remedial design to address arsenic impacted soil on the rail spur, located in the Ravenswood Industrial Area of East Palo Alto. The Order also required a schedule for implementation of remedial measures, as well as a completion report documenting cleanup activities.

Union Pacific has completed all tasks as set forth in the Order. Cleanup has been completed to an unrestricted-use standard. No further actions are necessary at the site. The Tentative Order (Appendix A) rescinds the 2008 Site Cleanup Requirements Order.

The Tentative Order was circulated for a 30-day public comment period. During this time a fact sheet notifying the public of the Tentative Order and completion of remedial activities was circulated in the community. No comments were received.

We expect this item to remain uncontested.

**RECOMMEN-
DATION:** Adoption of the Tentative Order

File No.: 41S0153 (MEJ)

Appendices: A. Tentative Order
B. Location Map

Appendix A

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

TENTATIVE ORDER

RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NO. R2-2008-0020)

UNION PACIFIC RAILROAD COMPANY

for the property located at:

**SOUTHERN PACIFIC RAIL SPUR
RAVENSWOOD INDUSTRIAL AREA
EAST PALO ALTO, SAN MATEO 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 this site on April 9, 2008 (Order No. R2-2008-0020).
2. **Summary of Investigation and Remediation Activities:** Order No. R2-2008-0020 (Order) required the discharger, Union Pacific Railroad Company, to submit a final remedial design to address arsenic impacted soil on the Southern Pacific rail spur (Spur). The Order also required a schedule for implementation of remedial measures, as well as a completion report documenting activities.
3. **Basis for Rescission:** The discharger has completed the tasks as set forth in the Order. Consistent with the approved remedial design, more than 5,000 cubic yards of arsenic impacted soil have been removed from the Spur. The Spur was restored by the import of clean fill, grading to address stormwater runoff, followed by a layer of topsoil and hydro-seeding. An acceptable completion report has also been submitted to document completion of the remedial activities and site restoration. Based on the successful completion of the tasks set forth in the Order, the Order should be rescinded.
4. **CEQA:** This action rescinds an Order to enforce the laws and regulations administered by the Regional Water Board. All actions mandated by the Order have been completed and no further action will occur. As such, the Regional Water Board finds that the

rescission of the Order is not a project as defined in the California Environmental Quality Act (CEQA).

5. **Notification:** The Regional Water Board has notified the discharger and all interested agencies and persons of its intent under California Water Code Section 13304 to rescind site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.
6. **Public Hearing:** The Regional Water Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Order No. R2-2008-0020 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 _____.

Bruce H. Wolfe
Executive Officer

Appendix B

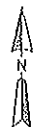
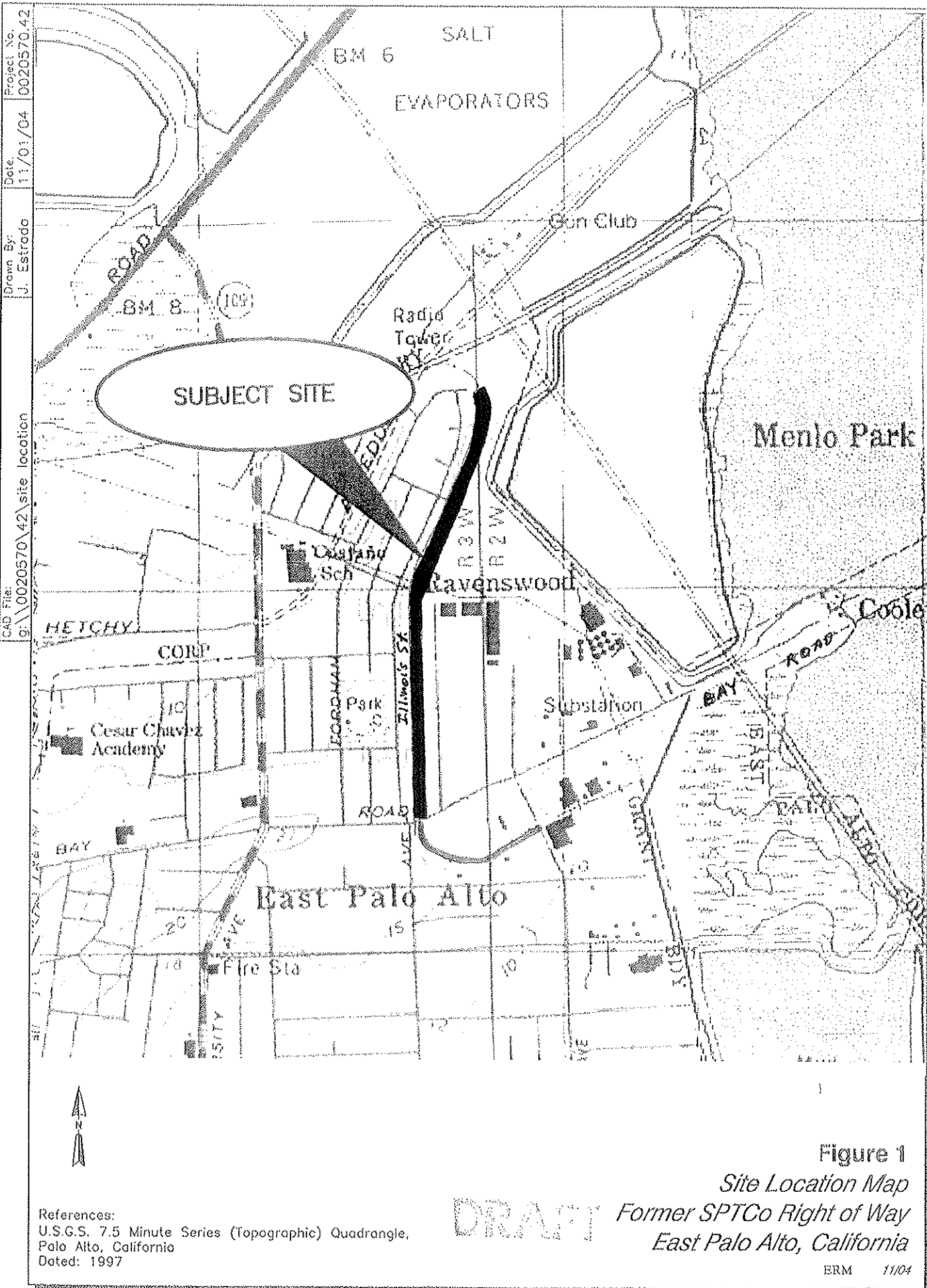


Figure 1
 Site Location Map
 Former SPTCo Right of Way
 East Palo Alto, California

DRAFT

References:
 U.S.G.S. 7.5 Minute Series (Topographic) Quadrangle,
 Palo Alto, California
 Dated: 1997