

# EXECUTIVE OFFICER'S REPORT: *December 2012*

A Monthly Report to the Board and Public

**NEXT MEETING:** December 12, 2012

**WEBSITE:** <http://www.waterboards.ca.gov/sanfranciscobay/>

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## **Rhodia Works to Restore Wetlands in Martinez (Lindsay Whalin)**

Board staff recently attended the Sixth Annual Interested Party Meeting, held by Rhodia, Inc., at its Martinez plant. The meeting provided an update to stakeholders on the progress of cleanup and restoration of legacy copper and zinc contamination in Peyton Slough and wetlands on Rhodia's property (Photo 1a). The contamination is from a copper ore processing facility, which operated at this location from 1896 to 1966.



Photo 1a. Aerial of Rhodia and marshes.

After successfully cleaning up and relocating Peyton Slough, the focus of the cleanup has turned to restoring the surrounding marsh areas. To guide this effort, the Water Board established performance criteria. While native vegetation criteria have been met in the north marsh area, the south marsh area is proving to be more of a challenge, due to a lack of water (Photo 1b). This lack of water is largely caused by Rhodia's recent inability to optimally operate the tide gates to flood the marshes. While Rhodia has been working closely with neighbors to improve tide gate operations to meet multiple objectives, flooding of the south marsh is hindered by the periodic inundation of Waterfront Road and Tesoro's pipelines, which cross the south marsh. Water Board staff are working with Tesoro and Contra Costa County, which owns Waterfront Road, to find a solution that will allow optimal operation of the tide gate and support restoration of the south marsh area.



Photo 1b. *South marsh before construction and tidal inundation (2004).*

Rhodia deserves recognition for its continued efforts to achieve successful remediation and restoration. It has regraded portions of the south marsh when uneven settling led to undesired ponding and it is strengthening the bulkhead of the capped former slough (where the slough formerly entered Carquinez Strait) to protect it from further erosion. In addition, Rhodia has maintained and operated the tide gate and plans to replace one of the flap gates with a sluice gate to provide better hydraulic control.



Photo 1c. *South marsh currently (2012).*

### **Mare Island Cleanup Efforts Acknowledged** (Elizabeth Wells)

Last month, Board staff attended a recognition ceremony (Photo 2a) highlighting the environmental cleanup progress, and specifically the recent project awards won by the Navy, for work performed at Mare Island. The ceremony was arranged and hosted by Weston Solutions, the environmental contractor that is performing the cleanup work in a portion of Mare Island, known as the "Western Early Transfer Parcel" or WETP.



Photo 2a. Regulatory Agency Project Managers at the recognition ceremony, L to R: Elizabeth Wells (Water Board), Chip Gribble (DTSC), Janet Naito (DTSC), and Carolyn D'Almeida (US EPA).

As reported in March 2012, the Record of Decision for Investigation Area H1 (IA-H1) within WETP was signed in 2006 and the “remedy-in-place” was successfully achieved in 2010. The IA-H1 project included hot spot removals, construction of a 73-acre multi-layer cap, and installation of a slurry wall with a groundwater extraction trench. Additionally, the Navy constructed 8.7 acres of new wetlands to replace seven acres of wetlands that were filled as part of the remedy. It also constructed a four-mile public access trail that overlooks San Pablo Bay and non-tidal wetlands. One of the factors considered in selecting this project for award was that it was finished in a timely fashion and is providing critical salt marsh harvest mouse habitat.

The recognition ceremony celebrated the IA-H1 project winning multiple awards from the Department of the Navy and the Department of Defense (DOD). The project won the Chief of Naval Operations award under the Environmental Restoration, Individual/Team category in 2011. Based on this award, the IA-H1 project was nominated for and won the Secretary of the Navy competition, followed by the Secretary of Defense Environmental Award. Finally, IA-H1 was selected and won the top Environmental Restoration award within the nation’s entire DOD complex under the Environmental Restoration, Individual/Team category.

The Navy team worked closely with staff representatives from the Department of Toxic Substances Control, the Water Board, and U.S. EPA to efficiently implement the remedy. We are especially pleased to be included in the celebration as part of the award-winning team that completed this complicated and high-profile project.

#### **Hunters Point Naval Shipyard Cleanup Progresses (Tina Low)**

Last month, I signed the Record of Decision (ROD) for Parcel E-2 at the Hunters Point Naval Shipyard (Hunters Point). The ROD memorializes the Navy’s selected remedy to address contaminated soil, groundwater, and sediment, and management of wastes and landfill gas within Hunters Point’s 22-acre inactive industrial landfill (Figures 3a and 3b). This is an important step toward cleanup and eventual transfer of portions of the Hunters Point to the City of San Francisco for redevelopment.

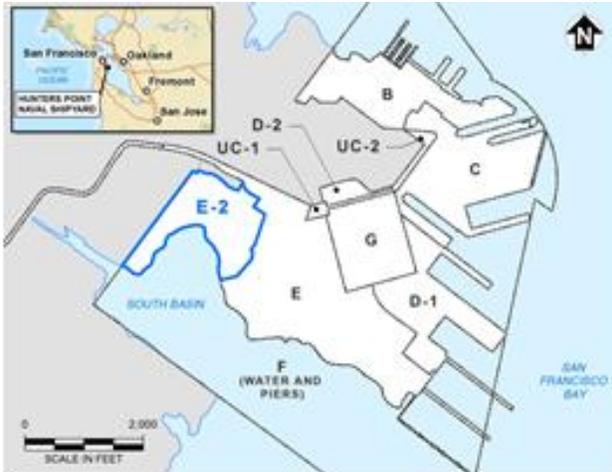


Figure 3a. Map of Hunters Point Naval Shipyard, showing Parcel E-2 (Blue Outline).

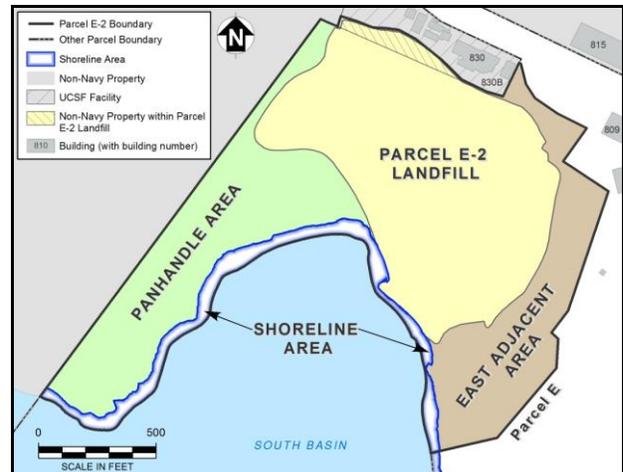


Figure 3b. Parcel E-2 Features.

Hunters Point consists of 866 acres, about half of which extend bay-ward and include nearshore contaminated sediment areas. Historically, Hunters Point was used by the Navy for shipbuilding, repair, and maintenance activities. After World War II, activities shifted to submarine maintenance and repair. During this time, Hunters Point was also the site of the Naval Radiological Defense Laboratory. In 1974, Hunters Point was deactivated and later leased to a private ship repair company. In 1989, Hunters Point was placed on the federal National Priorities List and divided into parcels to facilitate cleanup.

The 22-acre landfill at Hunters Point contains over one million cubic yards of waste including construction debris, municipal trash, sandblast waste, paint sludge, solvents, waste oils, and possibly low-level contamination from radioactive paint used to make glow-in-the-dark dials and markers on vessels. These and other factors contributed to the Navy's decision to manage the landfill's waste in place rather than attempt to remove and relocate the waste.

The selected remedy for Parcel E-2 consists of three primary components: 1) excavation of contaminant hot spots; 2) containment of landfill waste and residual contamination; and 3) monitoring, maintenance, and institutional controls to ensure effectiveness and prevent future exposure. More specifically, the remedy includes capping the landfill and constructing below-ground barriers (slurry walls) to limit groundwater flow from the landfill to San Francisco Bay, installing a liner and soil cover over the entire parcel to minimize water seepage, and building a shoreline revetment.

To offset the loss of wetlands due to past and planned cleanup actions, the Navy will create and restore wetlands, including 1.55 acres of seasonal freshwater wetlands and 3.19 acres of tidal wetlands. Parcel E-2 is planned for open space and recreational uses, so the wetlands will compliment these future uses and integrate with the wetlands being restored at the adjacent Candlestick Stick Point State Recreation Area.

The remedial design, scheduled for completion in early 2014, will include detailed technical specifications for construction, implementation, and monitoring of the selected remedy.

### Staff Presentations

In November, Board staff A.L. Riley lectured to a University of California, Berkeley Landscape Architecture class on "How Best to Integrate Regulatory Programs into Projects Affecting Streams." This hands-on class is taught by outside practitioners and is intended to teach students how to successfully design restoration projects. The instructors are engineer Phil Williams, principal and founder of Philip Williams Associates, and John Roberts, a landscape architect. The class is working on a design for the City of Walnut Creek to restore a reach of Walnut Creek. A.L. Riley's lecture covered general expectations for protecting the environment, the scientific rationale behind regulatory programs, and the procedures and requirements of the various federal and State regulatory agencies. In addition, she provided insight on how to design an ecologically sound stream restoration project within the typical constraints experienced in urban areas.

### Recent Penalty Enforcement Complaints and Settlements (Lila Tang)

The following tables show proposed settlements and settled actions for assessment of penalties as of last month's report. These active cases are available at:

[http://www.waterboards.ca.gov/sanfranciscobay/public\\_notices/pending\\_enforcement.shtml](http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml)

| <b>Proposed Settlements</b>  |   |                         |                         |
|--|---|-------------------------|-------------------------|
| The following are noticed for a 30-day public comment period. If no significant comments are received by the comment deadline, the Executive Officer will sign an order implementing the settlement. |   |                         |                         |
| <b>Discharger</b>  | <b>Violation</b>  | <b>Penalty Proposed</b> | <b>Comment Deadline</b> |
| City of San Jose<br>Successor of<br>Redevelopment Agency,<br>Adobe Phase II Cleanup,<br>in San Jose  | Discharge limit exceedances                                       | \$9,000                 | December 31,<br>2012    |
| Santa Clara Valley<br>Water District, Santa<br>Teresa Water<br>Treatment Plant,<br>in San Jose   | Discharge limit exceedances                                       | \$12,000                | December 27,<br>2012    |
| California Department<br>of Transportation,<br>Isabel/I-580 Project,<br>in Livermore   | Unauthorized fill of Arroyo Las<br>Positas                        | \$31,500                | December 26,<br>2012    |
| Mayhew Center LLC,<br>in Pleasant Hill   | Failure to timely provide site<br>investigation information       | \$14,300                | December 20,<br>2012    |
| California Department<br>of Transportation,<br>Route 84 Project,<br>in Woodside  | Unauthorized discharge of<br>potable water to Bear Gulch<br>Creek | \$13,200                | December 7,<br>2012     |

| <b>Settled Actions</b>  |   |                |   |
|---|---|----------------|---|
| On behalf of the Board, the Executive Officer approved the following settlements.   |   |                |   |
| <b>Discharger</b>   | <b>Violation</b>  | <b>Penalty</b> | <b>Supplemental Environmental Project</b> |
| City of Napa, Trancas Crossing Park   | Failure to obtain permit coverage and inadequate erosion controls | \$20,000       | Not applicable                            |
| GWF Power Systems, Site V Power Plant, in Bay Point   | Discharge limit exceedance  | \$3,000        | Not applicable                            |
| Mt. View Sanitary District, Wastewater Treatment Plant, in Martinez   | Discharge limit exceedance  | \$3,000        | Not applicable                            |
| ABS Seafood Inc., in San Francisco;<br>Carone & Co. Inc., in Concord;<br>DH Title Co., in Fremont;<br>General Chemical, in Bay Point;<br>Hall Wines, in Rutherford;<br>MBJ Ent Inc., in Pleasanton;<br>Perry Tool & Research, Inc., in Hayward;<br>Topcon Positioning Systems, Inc., in Livermore;<br>East Bay Truck & Auto Repair, in Oakland; and<br>Westak, in Sunnyvale | Late annual industrial stormwater report                          | \$1,000 each   | Not applicable                            |

The State Board's Office of Enforcement includes a statewide summary of penalty enforcement in its Executive Director's Report, which can be found on the State Board website:  
[http://www.waterboards.ca.gov/board\\_info/eo\\_rpts.shtml](http://www.waterboards.ca.gov/board_info/eo_rpts.shtml)