

## EXECUTIVE OFFICER'S REPORT: *August 2013*

A Monthly Report to the Board and Public

NEXT MEETING: August 14, 2013      WEBSITE: <http://www.waterboards.ca.gov/sanfranciscobay/>

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### **In-Water Vessel Hull Cleaning BMPs (David Elias and Bill Johnson)**

Vessel hull cleaning is conducted to remove biofouling. Regular hull cleaning can reduce the spread of invasive species and improve vessel performance and fuel efficiency. Vessel hull cleaning in dry dock is the preferred hull cleaning method, but it is not always technically and economically feasible. The U.S. EPA's 2008 and 2013 Vessel General Permits prohibit in-water hull cleaning in California unless conducted using Best Available Technology (BAT). Until the State Board determines BAT for in-water hull cleaning, we are encouraging dischargers to employ an interim BMP (Best Management Practice), as described in our recently released Fact Sheet, or a more environmentally protective practice.

In-water vessel hull cleaning without proper pollution controls can result in discharges of copper and zinc at concentrations orders of magnitude above water quality standards. In 2012, the U.S. Maritime Administration conducted tests to evaluate hull cleaning methods. Based on these results and a subsequent mixing zone test, we are recommending the use of an interim BMP, which consists of a brushing device, vacuum pumps, and several filtration units. This method has successfully reduced soluble copper in the effluent from about 1,800 parts per billion (ppb) to about 90 ppb, and soluble zinc from about 1,300 ppb to about 500 ppb.

Dischargers are required to submit a description of their hull cleaning method and analytical

monitoring results. This information will be used to inform the BAT development process currently underway.

**Environmental Cleanup Following Asiana Airlines Crash at SFO (Randy Lee)**

Immediately after the National Transportation Safety Board finished its investigation of the July 6 crash landing of an Asiana Airlines Boeing 777 at San Francisco International Airport (Airport), we began working with Airport staff to investigate and clean up environmental impacts resulting from the incident. Airport crews performed a preliminary investigation and removed surface soils stained with spilled fuel and fire-fighting foam the same night the crashed aircraft was removed from the scene.

The Boeing 777 apparently sheared off the seawall of runway 28L and skidded to the left side of the runway before stopping on an unpaved field, close to a stormwater inlet. While the majority of the Airport's stormwater goes to a wastewater treatment plant, the crash area drains to a sump that is typically pumped to the Bay when full. The pump was taken off-line immediately after the incident. As a result, the spilled fuel and the fire retardant were contained in the piping system that leads to the sump. The Airport's emergency response team later flushed the stormwater line and removed the contents of the sump for offsite disposal. We commend Airport staff for the environmental practices employed during this tragic event.

**Marinwood Community Meeting Regarding Site Cleanup (Kent Aue)**

On July 24, Board staff hosted a meeting in Marin to provide an opportunity for community members to learn about the status of investigation and cleanup at the former Prosperity Dry Cleaners site in Marinwood Plaza, located north of San Rafael. Community interest in the cleanup has been heightened by a recent proposal to redevelop the site for high-density affordable housing.

A release of perchloroethylene (PCE) from the former dry cleaner operations, which began in the 1960s, has impacted soil and groundwater both onsite and offsite at this commercial center. Indoor air testing found unhealthy concentrations of PCE in an adjacent retail store. The discharger has since sealed the floor and installed a supplemental ventilation system in the store that has lowered PCE concentrations to acceptable levels.

We developed a Fact Sheet and organized the community meeting in response to requests from community members. Board staff – Kent Aue, Utha Hellmann-Blumberg, Mary Rose Cassa, and Stephen Hill – and the discharger's environmental consultant attended the community meeting, which was attended by about 30 people. Community members had an opportunity to engage in informal discussions with staff before the meeting. Following brief presentations by Board staff and the consultant, attendees engaged in an extended and wide-ranging question-and-answer session on topics including local geology, contaminant distribution, results of groundwater and indoor air sampling, risk assessment, potential cleanup technologies, impacts on proposed redevelopment, and public participation. Community members who attended the meeting indicated that they were pleased with Board staff's public outreach efforts.

**San Pedro Creek and Pacifica Beach Bacteria TMDL Approved** (Farhad Ghodrati)

On August 1, U.S. EPA approved the San Pedro Creek and Pacifica State Beach Bacteria TMDL Basin Plan amendment. This Basin Plan amendment was adopted by the Board in November 2012. The TMDL addresses the impairment of San Pedro Creek and Pacifica State Beach by high levels of bacteria. The TMDL is designed to protect recreational uses and calls for actions to manage actual and potential bacteria discharges from sanitary sewer systems, stormwater runoff and dry weather flows, and horse facilities. Over the last year we have designed and conducted bacteria water quality monitoring in the San Pedro Creek watershed to inform the City of Pacifica as it develops its implementation actions. The proposed implementation actions will be considered by the Board when it reissues the Municipal Regional Stormwater Permit in 2014.

**Alameda Naval Air Station Conveyance Ceremony** (John West and David Elias)

On June 24, Board staff Terry Seward and David Elias attended the Alameda Naval Air Station conveyance ceremony celebrating the transfer of 1,400 acres of land from the U.S. Navy to the City of Alameda. This transfer marks the largest Base Realignment and Closure transfer in the country. The ceremony was attended by many dignitaries including the Alameda Mayor and City Manager, Alameda City Council Members, the Assistant Secretary of the Navy, and Congresswoman Barbara Lee.



Photo 1. Alameda Naval Air Station Conveyance Ceremony.

This transfer is due, in no small part, to decades of diligent regulatory oversight from the Water Board, U.S. EPA, and the California Department of Toxic Substances Control. John West, the caseworker for the last seven years, contributed greatly to preparing the property for transfer. The City plans to redevelop the land into a mixed-use, public transit-oriented community. There are a number of open petroleum-impacted sites that were part of the transfer that the U.S. Navy will be cleaning up and monitoring. Therefore, we will continue to be involved with this project.

### **In-house Training**

We had no training in July, have no training planned in August and September, and will resume in-house training in October.

### **Staff Presentations**

On July 17, Brian Thompson gave a presentation on the Water Boards' enforcement program and our enforcement efforts in the San Francisco Bay Region at a California Environmental Enforcement Roundtable Forum, hosted by U.S. EPA Region 9. U.S. EPA schedules these meetings bimonthly for civil and criminal investigators at local, state, and federal agencies to share enforcement strategies and join resources. At this meeting, U.S. EPA introduced a new civil enforcement unit that was created after a reorganization of Region 9 in February 2013. Brian presented the basic framework of Water Board enforcement before discussing some strategic efforts taken in the our Region, including efforts aimed at preventing waters of the State from being illegally filled, improving how agencies respond to potable water spills, reducing sediment discharges from construction sites, and reducing pollutant discharges from industrial facilities.

On July 18, I, as a member of the Management Committee of the Long-Term Management Strategy for the Placement of Dredged Material (LTMS), joined the other members of the Management Committee and Board member Jim McGrath in discussing the findings of the recently completed 12-year review of the LTMS at a meeting of the Bay Conversation and Development Commission (BCDC). I emphasized that the LTMS has been a model of permit streamlining and has provided the dredging community with permit certainty, but that we need to consider how best to increase the opportunities for cost-effective reuse of dredged material and how to make sure that the LTMS is both responsive to dwindling dredging budgets and the need to continue to protect San Francisco Bay water quality. BCDC stated its willingness to continue to work with the Management Committee on these issues.

From July 22 to 26, Bill Johnson attended the National NPDES Permit Writers Conference in Shepherdstown, West Virginia. U.S. EPA invited Bill to represent the State of California at the conference. He spoke on a panel titled, "States Talking to States: Water Quality Permitting (Best Practices and Innovative Approaches)." He described how the Water Board worked with the Bay Area Clean Water Agencies to resolve dioxin-permitting challenges. He and U.S. EPA Region 9 staff also presented a workshop called "TMDL to Permits." Together, they provided practical advice to NPDES permit writers nationwide to help them facilitate development of TMDL requirements that transfer smoothly into NPDES permits. Bill presented the Water Board's mercury and PCBs watershed permit as an innovative case study, illustrating its benefits and efficiencies.

**Penalty Enforcement Proposed Actions and Final Settlements** (Lila Tang)

The following table shows proposed settlements for assessment of penalties. As of last month's report, there were no new complaints issued or settlements finalized. However, at the August 14 meeting, there will be a hearing for the Board to consider imposition of liabilities based on a complaint that prosecution staff issued in May 2013. The hearing will follow separation of functions and procedures. New proposed settlements 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>
San Francisco Public Utilities Commission, Southeast Wastewater Treatment Plant, in San Francisco	Discharge limit exceedances	\$6,000	August 26, 2013
City of Petaluma, Ellis Creek Water Recycling Facility, in Petaluma	Discharge limit exceedances	\$9,000	August 26, 2013
Zone 7 Water Agency, Del Valle Water Treatment Plant, in Livermore	Discharge limit exceedances	\$18,000	August 8, 2013

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)