
San Francisco Bay Regional Water Quality Control Board

June 17, 2013
File No. 01S0326 (UHB)

Pick Your Part Auto Wrecking
ATTN: Cindi Galfin, Vice President crgalfin@lkqcorp.com
2931 East White Star Avenue
Anaheim, CA 92806

SUBJECT: Transmittal of Tentative Order – Rescission of Site Cleanup Requirements for Pick Your Part Auto Wrecking, 2885 West Winton Avenue, Hayward, Alameda County

Dear Ms. Galfin:

Attached is a Tentative Order for the subject site. The purpose of the Tentative Order is to rescind Order No. 98-109 (Site Cleanup Requirements).

This matter will be considered by the Regional Water Board during its regular meeting on August 14, 2013. The meeting will start at 9:00 am and will be held in the first floor auditorium of the Elihu Harris Building, 1515 Clay Street, Oakland, California. Any written comments by you or interested persons must be submitted to the Regional Water Board offices by July 15, 2013. Comments submitted after this date will not be considered by the Regional Water Board.

Pursuant to section 2050(c) of Title 23 of the California Code of Regulations, any party that challenges the Regional Water Board's action on this matter through a petition to the State Water Board under Water Code section 13320 will be limited to raising only those substantive issues or objections that were raised before the Regional Water Board at the public hearing or in timely submitted written correspondence delivered to the Regional Water Board (see above).

If you have any questions, please contact Uta Hellmann-Blumberg of my staff at (510) 622-5047 [e-mail uhellmann-blumberg@waterboards.ca.gov].

Sincerely,

Bruce H. Wolfe
Executive Officer

Attachment
cc w/attach: see next page

Danilo Galang
Fire Department
City of Hayward
777 B Street
Hayward, CA 94541-5007
(danny.galang@hayward-ca.gov)

Hugh Murphy
Fire Department
City of Hayward
777 B Street
Hayward, CA 94541-5007
(hugh.murphy@hayward-ca.gov)

Hayward Area Recreation and Park District
Attn: Larry Lapore
1099 E Street
Hayward, CA 94541
(lepl@haywardrec.org)

Alameda County Environmental Health
Attn: Donna Drogos (donna.drogos@acgov.org)
1131 Harbor Bay Parkway
Alameda, CA 94502
(donna.drogos@acgov.org)

Hayward Regional Shoreline
c/o East Bay Regional Park District
P.O. Box 5381
Oakland, CA 94605-0381

E & J Auto Wreckers
2851 West Winton Avenue
Hayward, CA 94545

Jonathan Skaggs, P.G.
Senior Geologist
AMEC Environment & Infrastructure
3520 Executive Center Drive, Suite 200
Austin, TX 78731
(Jonathan.Skaggs@amec.com)

Cecil Felix, P.G.
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
(cecil.felix@waterboards.ca.gov)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

TENTATIVE ORDER

RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NO. 98-109) FOR:

PICK YOUR PART AUTO WRECKING

for the property located at

2885 WEST WINTON AVENUE
HAYWARD
ALAMEDA COUNTY

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

1. **Regional Water Board Orders:** The Regional Water Board adopted site cleanup requirements for this site on October 21, 1998 (Order No. 98-109). This Order names Pick-Your-Part Auto Wrecking as a discharger. It requires a Remedial Action Plan (RAP) and, upon approval of the RAP, clean-up of contaminated soil and groundwater followed by the submission of a technical report documenting the completion of cleanup tasks. In addition, the Order requires compliance with a Self-Monitoring Program and prohibits activities that would lead to future discharge of waste or hazardous substances or migration of such substances to waters of the State. The site is also subject to Order No. R2-2005-0001 (Cleanup and Abatement Order enforcing the NPDES General Permit for Discharges of Storm Water Associated with Industrial Activities).
2. **Location:** The Site, comprised of approximately 15 acres, is located at 2885 West Winton Avenue in Hayward (see Site Plan, attached). Order No. 98-109 referred to the Site as 2557 W. Winton Avenue, which was the address of the business office, located immediately east of the Site.
3. **Summary of Investigation and Remediation Activities:** Several environmental investigations have been performed on- and off-site between 1989 and 2009. These investigations covered the entire site, but were primarily focused on specific features of concern in the western portion of the site where automobile dismantling activities were performed. Chemicals of concern in shallow soil and soil vapor include total petroleum hydrocarbons quantified as diesel (TPHd) and gasoline (TPHg), polynuclear aromatic hydrocarbons (PAHs), , and benzene, toluene, ethylbenzene, and xylenes (collectively referred to as BTEX). Petroleum hydrocarbons and volatile organic compounds (VOCs) were sporadically detected at low concentrations in groundwater during monitoring conducted between 1994 and 2009.

In 1989, the Discharger performed on-site interim remedial activities in the northwest portion of the site, which included excavating and biotreating approximately 1,120 cubic yards of soil containing heavy-end petroleum hydrocarbons. The resulting excavation was lined with a clay liner, and excavated soil that met target concentrations placed on the liner as backfill.

In 2009, the Discharger conducted further site assessment and excavated approximately 2,500 cubic yards of soil for off-site disposal. All seven site groundwater monitoring wells were destroyed under permit and oversight from Alameda County Public Works Agency. The entire site was then capped with a soil-cement pavement. This pavement limits the exposure of future commercial/industrial workers to petroleum-affected shallow soil and improves site storm water drainage.

In 2011, the parcels adjacent to the site were investigated to assess the presence of constituents in soil. Metals, PAHs, BTEX, and TPH were detected in shallow soil. Based on the conclusions of risk assessments, no further action was required in the western off-site area.

The RAP, approved in 2013, consists of a site management plan (SMP). The specific elements of the SMP are as follows:

- Requirement for additional assessment and/or mitigation of the potential for vapor intrusion resulting from the presence of TPHg and BTEX in shallow soil vapor prior to the construction of on-site structures in the western portion of the site (Parcel No. 438-30-9-2);
- Health and safety precautions for maintenance workers who may access soil and/or groundwater that could contain residual chemicals; and
- Procedures for the management of residual constituents present in soil and groundwater at the site during subsurface (earthwork) activities.

The activities and results are summarized in the 2013 Revised Report of Interim Activities and Proposed Remediation Plan.

4. **Basis for Rescission:** The Discharger has complied with the requirements of Order No. 98-109. Several site investigations were conducted between 1989 and 2009 and contaminated soil was removed. The low levels of remaining contamination pose little risk for the receptors that were identified based on the conceptual site model. The SMP provides guidelines for protecting future construction and commercial workers from risks posed by the remaining contamination. Low levels of soil contamination observed in the western off-site area do not pose an unacceptable risk to human health or the environment.
5. **California Safe Drinking Water Policy:** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order complies with that policy because shallow groundwater at this site is not considered a drinking water source, due to its brackish condition and low pumping yield.

6. **CEQA:** This action rescinds an Order to enforce the laws and regulations administered by the Regional Water Board. 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).)

7. **Notification:** The Regional Water Board has notified the discharger and all interested agencies and persons of its intent under Water Code section 13304 to rescind site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

8. **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 Water Code, that Order No. 98-109 is rescinded.

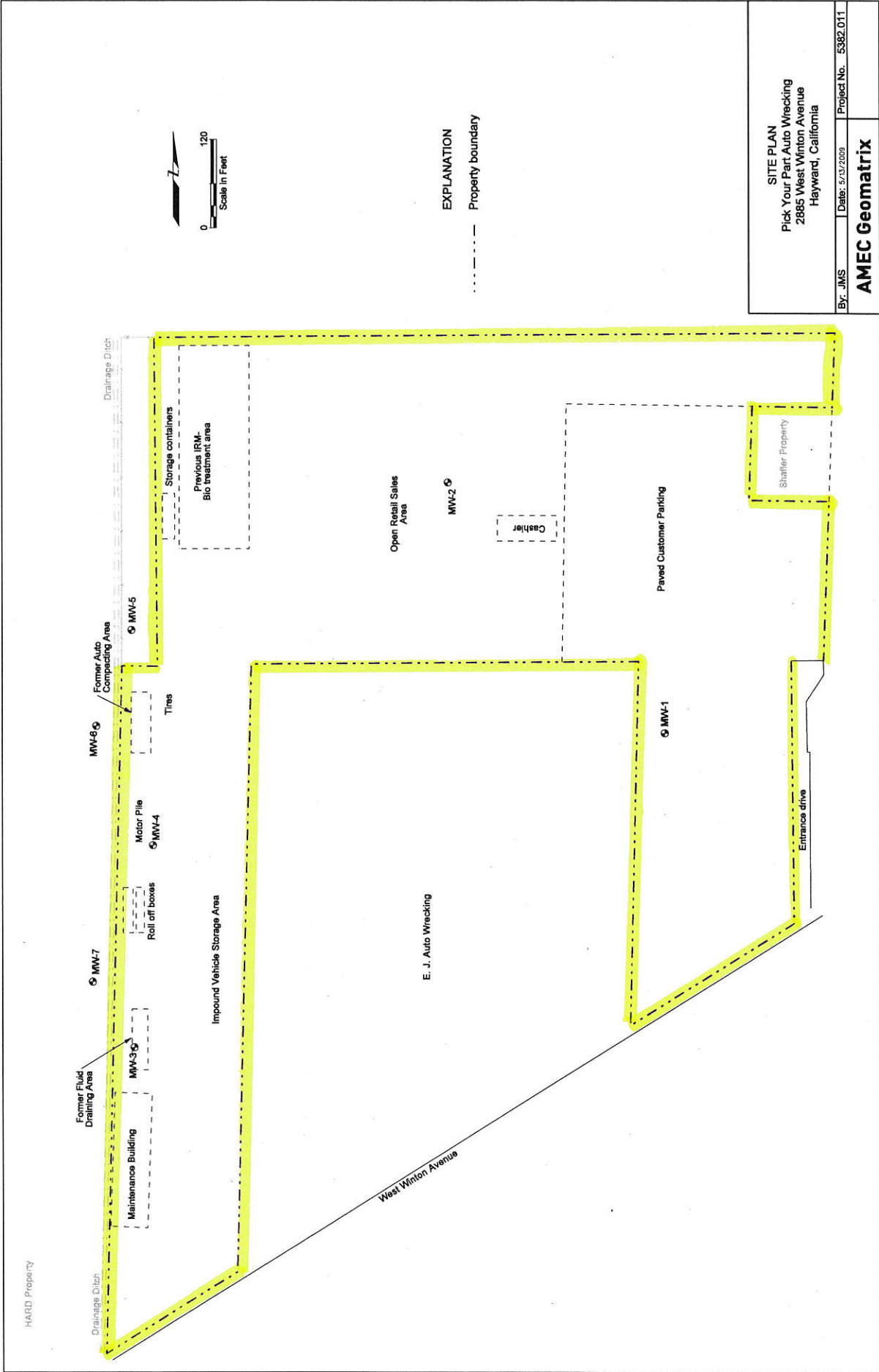
I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on _____.

 Bruce H. Wolfe
 Executive Officer

=====

FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY

Attachment: Site Plan



SITE PLAN Pick Your Part Auto Wrecking 2885 West Winton Avenue Hayward, California	
By: JMS	Date: 3/17/2009
AMEC Geomatrix	
Project No. 5382.011	