

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

STAFF SUMMARY REPORT – Mary Rose Cassa
MEETING DATE: March 13, 2013

ITEM: 6

SUBJECT: **Site Cleanup Programs – Status Report**

DISCUSSION: This status report is intended to expand on the semi-annual status reports we provide the Board on our three cleanup programs that focus on historic spills to soil and groundwater: the Underground Storage Tank (UST) Program, the Site Cleanup Program (SCP), and the Military Program, also known as the Department of Defense/Department of Energy (DOD) Program. The UST Program addresses leaking underground storage tanks, mostly leaking fuel tank sites. SCP addresses all other types of spill sites that have caused soil and groundwater contamination, typically those involving solvents, metals, and pesticides. The DOD Program addresses the full range of spill sites on military facilities.

In partnership with several local agencies, we oversee roughly 13,000 open and closed spill sites within the San Francisco Bay Region. About 9,000 of these sites are overseen by local agencies. Of the 4,000 Board-lead sites, we've closed 2,500, leaving about 1,500 open. The table below shows the number of active Board-lead sites, by program. In addition to these active sites, there are about 400 open but inactive sites in SCP that we consider a low priority.

Program	# Active Sites
Underground Storage Tank (UST)	300
Site Cleanup Program (SCP)	500
Department of Defense (DOD)	300
Total – all cleanup programs	1,100

Staffing and Budget

The cleanup programs account for roughly one-third of the Board's total budget and staff: \$5 million per year covers 35 staff in the two divisions that focus on groundwater and soil cleanup, the Toxics Cleanup Division and the Groundwater Protection/Waste Containment Division. Most of the funding for the cleanup programs comes from cost recovery, where the dischargers (and military) responsible for the spills reimburse our costs of oversight. Another significant funding source is the UST Cleanup Fund, financed by a small tax on gasoline. The State's General Fund pays less than 10% of the cleanup programs' costs.

Program Priorities

Cleaning up spill sites in heavily-used groundwater basins such as Santa Clara Valley, the Niles Cone, and Livermore Valley continues to be a priority for our cleanup programs. We also focus our efforts on sites that pose a vapor intrusion or

public health threat. Third, we try to take advantage of redevelopment and property transfers involving spill sites to get cleanup done.

UST Policy Implementation

Implementing the State Water Board's UST policy adopted last year will be a major focus for us over the next several years. The policy defines low-threat closure criteria for leaking fuel tank sites and directs that all low-threat sites be closed. The policy was prompted by inconsistencies among the regions and local-agency partners and the realization that program funding will expire in just a few years. Our office has been closing low-threat sites for over 15 years, but the new policy will standardize and speed up the process.

ESL Update

Screening levels for soil and groundwater contaminants help dischargers and regulators rapidly assess potential concerns at spill sites and facilitate cleanup. Board staff initially developed Region-specific Environmental Screening Levels (ESLs) in the late 1990s. The ESLs address over 100 commonly-found contaminants and *all* the concerns commonly found at spill sites (e.g., groundwater beneficial uses, direct contact with contaminated soil, migration of contaminant vapors to indoor air). Last month, we updated our ESLs for the first time since 2008. This latest update is significant in that it incorporates new information to address vapor intrusion— the situation where spilled volatile compounds (such as solvents) migrate in vapor form through the soil and into occupied buildings. The latest ESL update makes these screening levels consistent with recent vapor intrusion guidance issued by our sister agency, the State Department of Toxic Substances Control.

Dry Cleaner Spills

Over the past several years, we have learned that a majority of older dry cleaners have spilled chlorinated solvents – notably tetrachloroethylene (“perc” or PCE) – and thereby have contaminated soil and groundwater. PCE is one of the most common contaminants found in municipal wells in California, and dry cleaners are thought to be the primary source. For a variety of reasons, dry cleaner spill sites now represent a large portion of our new cleanup cases.

Dry cleaner spill sites present some unique challenges. They are widely dispersed and often located near residential areas or drinking water supply wells. Chlorinated solvents – including PCE – are toxic, persistent, and recalcitrant to simple cleanup technologies. Perhaps most importantly, the dischargers at dry cleaner spill sites are usually “mom and pop” operations that lack the financial resources needed for cleanup. Frequently, we see these dischargers suing one another to trigger insurance coverage. This litigation can bring money to the table but is costly, time-consuming, and often interferes with our regulatory process. Resolving this funding issue will not be quick or easy. Meanwhile, we will use our existing regulatory tools to pursue cleanup of dry cleaner spill sites when possible.

RECOMMEN-
DATION:

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

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