

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

EXECUTIVE OFFICER SUMMARY REPORT
MEETING DATE: May 8, 2013

ITEM: 8

SUBJECT: **Alcoa Construction Systems, Inc., Alcoa Properties, Inc., AP Construction Systems, Inc., Challenge Developments, Inc., Dr. Collin Mbanugo, F.M. Smith And Evelyn Ellis Smith, Leona Chemical Company, Ocean Industries, Inc., Realty Syndicate, Ridgemont Development, Inc., Watt Housing Corporation, Watt Industries Oakland, Watt Residential, Inc., Leona Heights Sulfur Mine, located at the end of McDonell Avenue, Oakland, Alameda County –**
Adoption of Time Schedule Order Prescribing Administrative Civil Liability

CHRONOLOGY: 1992 - Waste Discharge Requirements adopted
1998 - Cleanup Abatement Order adopted
2003 - Cleanup Abatement Order amended

DISCUSSION: The Revised Tentative Time Schedule Order (Revised Tentative TSO) (Appendix A) would prescribe administrative civil liabilities for non-compliance with the tasks and schedule proposed in item 7's Revised Tentative Cleanup and Abatement Order Amendment (Revised Tentative CAO Amendment), and, as such, this is a companion to item 7 that can be heard concurrently with that item.

The Leona Heights dischargers have only intermittently complied with the tasks of the 1998 CAO and its 2003 amendment, and most compliance deadlines have been missed. The Revised Tentative TSO prescribes administrative civil liabilities for failure to comply with the Revised Tentative CAO Amendment should the Board adopt it.

A staff report prepared by the Cleanup Team is attached as Appendix C. The Cleanup Team circulated a tentative TSO on March 5, and the comment period closed April 5, 2013. The Cleanup Team received written comments (Appendix B) from the following parties:

1. Adrienne DeBisschop
2. Ocean Industries, Inc.(and subsidiaries)
3. Alcoa, Inc. (for subsidiaries)
4. Peter Mundy
5. California Department of Fish and Wildlife
6. US Army Corps of Engineers
7. Water Board's Advisory Team

Cleanup Team responses to these comments are provided in Appendix B. Note that Appendix B consists of all of item 7's appendices and is not copied here, since both the comments and the Cleanup Team's responses addressed both items 7 and 8. The tentative TSO was revised as appropriate to address comments received. The Cleanup Team also incorporated self-initiated editorial revisions during this process.

The Cleanup Team anticipates that a number of the commenting parties will testify at the hearing.

**RECOMMEN-
DATION:**

I will have a recommendation at the close of the hearing.

CIWQS PLACE ID: 645714

APPENDICES:

- A. Revised Tentative TSO
- B. Item 7 including all appendices – please see item 7
- C. Staff Report