

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

STAFF SUMMARY REPORT – Cheryl Prowell
MEETING DATE: July 9, 2014

ITEM: 5A

SUBJECT: **Cleanup Programs** – Status Report Including Case Closures

DISCUSSION: This is a semi-annual status report on the Board’s three cleanup programs: the Underground Storage Tank (UST) Cleanup Program, the Site Cleanup Program (SCP), and the Military Cleanup Program (also known as the Department of Defense or “DOD” program). These programs are responsible for overseeing the investigation and cleanup of soil and groundwater pollution. This report introduces the two new program managers, summarizes our fiscal year (FY 13-14) performance measure accomplishments, highlights our progress in implementing the State’s UST Low Threat Closure Policy, and notes some recent developments regarding trichloroethene vapor intrusion.

New Program Managers

Since our last status report in February 2014, we have had a changeover in the UST and SCP program managers. Laurent Meillier is the new UST program manager following Chuck Headlee’s retirement. Cheryl Prowell is the new SCP program manager following Mary Rose Cassa’s retirement.

Performance Measures

The Regional Water Boards have been using performance measures for several years to show the public what our programs accomplish and whether the environment is improving. For the cleanup programs, we have two existing measures and three pending measures. FY 13-14 results for the performance measure *Number of Cases Closed* are shown below. This measure indicates the elimination of threats to human health and water quality. We exceeded the targets for all three programs.

Cleanup Program	FY 13-14 Case Closure		
	Target	Actual	% of Target
UST	42	62	150%
SCP	25	29	116%
DOD	40	91	228%
Total	107	183	171%

FY 13-14 results for the performance measure *Number of Cases Starting Active Remediation* are shown below. This measure indicates the transition from site investigation to actual cleanup, which leads to beneficial uses being restored or protected. We exceeded the targets for all three programs.

Cleanup Program	FY 13-14 Cases Starting Active Remediation		
	Target	Actual	% of Target
UST	10	18	180%
SCP	17	29	171%
DOD	10	16	160%
Total	37	62	170%

UST Policy Implementation

In the last six months, Board staff has made good progress in implementing the State Water Board's 2012 Low-Threat Underground Storage Tank Case Closure Policy. The Policy brings greater consistency to the statewide UST program by establishing low-threat closure criteria and directing oversight agencies to close UST cases that meet the criteria or to provide justification for continued oversight. In tandem, the State Water Board set criteria for local oversight agencies and certified most of them in our region. Local oversight agencies managed about two-thirds of the open UST cases in our region.

Below are key accomplishments over the last six months:

- We assumed responsibility for 56 cases previously overseen by the cities of Berkeley and Hayward, local agencies that elected not to seek State Water Board certification.
- We and our local oversight agency partners closed 133 UST cases.
- We worked closely with State Water Board staff to develop an internal dispute resolution process for low-threat closures, so that any disagreements between State Water Board staff and the regulator (Regional Water Board or local oversight agency) are elevated as needed to reach a resolution.

Trichloroethene (TCE) Vapor Intrusion

Board staff are collaborating with our Cal/EPA and U.S. EPA partners to incorporate new toxicity information about TCE into our cleanup programs. Recent research indicates that exposure to TCE, a commonly-used industrial solvent, may increase the risks of fetal heart malformations during the first trimester of pregnancy. In response, U.S. EPA Region 9 staff developed Short Term Response Action Levels (STRALs), which are indoor air concentrations that will protect women of childbearing age during this critical exposure period. The STRALs are higher than safe long-term exposure values – but only a little higher, and any STRAL exceedances need a prompt response.

In December 2013, U.S. EPA Region 9 staff provided us with guidance for addressing TCE vapor intrusion at several federal Superfund sites in the South Bay that our office oversees; that guidance incorporates the new STRALs. The December 2013 guidance letter has received national attention due to delays in the release of nationwide guidance from U.S. EPA. The new STRALs have prompted regulators and industry to reexamine our processes

for identifying and mitigating short term risks to ensure protectiveness during ongoing investigations and cleanups that may take years. We will be incorporating this new toxicity information into our oversight efforts at all the TCE-impacted sites we oversee.

RECOMMEN-
DATION: This is an information item only and no action is necessary.

File No. 1210.47 (CLP)