

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

STAFF SUMMARY REPORT – Laurent Meillier
 MEETING DATE: July 8, 2015

ITEM: 5.D

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 Department of Defense/Department of Energy program (DOD/DOE). These programs oversee the investigation and cleanup of soil and groundwater pollution. This report summarizes our fiscal year (FY 14-15) performance measure accomplishments and provides updates on key activities in the cleanup programs.

Performance Measures

The Regional Water Boards have been using performance measures for several years to gauge our effectiveness in restoring and protecting water quality. For the cleanup programs, we have two performance measures: number of cases closed and number of cases starting active remediation.

FY 14-15 results for *Number of Cases Closed* are shown below. This measure indicates the elimination of threats to human health and water quality. We are slightly below our targets in the UST and SCP programs and above our target in the DOD program. This year a number of DOD staff focused on reviewing a back log of site closure requests and determined that a large number of sites were complete. We attribute the UST and SCP results to a certain amount of variability in year-to-year performance. Over the prior five FYs, annual case closures have ranged from 31 to 67 (for USTs) and from 21 to 35 (SCP). We cannot point to any particular factors that would explain the lower UST and SCP performance this FY. However, there are a number of factors that make closing cases within a particular fiscal year difficult. For instance, cases with legacy or recalcitrant compounds have long timeframes for remediation and verification monitoring. In addition, remedial progress may be slowed if the responsible parties have limited ability to pay for cleanup, and staff changes have sometimes resulted in closure delays.

Cleanup Program	FY 14-15 Case Closure		
	Target	Actual	% of Target
UST	55	51	93%
SCP	30	24	80%
DOD	40	53	133%
Total	125	128	102%

FY 14-15 results for *Number of Cases Starting 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 are close to meeting our target in the SCP program and above our target in the DOD program. In recent years, both DOD and Water Board staff have increased their efforts to facilitate federal property transfers and redevelopment. The higher number of sites going into remediation is a result of those efforts.

Cleanup Program	FY 14-15 Cases Starting Active Remediation		
	Target	Actual	% of Target
UST	15	15	100%
SCP	19	18	95%
DOD	10	16	160%
Total	44	49	111%

Senate Bill 445 Update

Senate Bill 445 took effect in January this year. The new law extends the UST Fund through 2026 and adds a tax of \$0.003 per gallon of gasoline to fund removal of single walled tanks, clean up of school properties, and creation of the Site Cleanup Subaccount for cleanup of non-UST sites. The Subaccount will provide grants to under-funded sites, such as drycleaners, and will pay for our oversight of those under-funded sites. In our Region, we plan to use the SB445 resources to focus on four main projects: 1) oversee dry cleaners, our largest category of under-funded sites, 2) oversee abandoned mines which also tend to be under-funded, 3) screen our backlogged (inactive) SCP cases to see if any of them should be activated, and 4) support groundwater management efforts by local agencies, including salt and nutrient management plans.

The subaccount funds became available on July 1. We will receive funding for three positions, although this will result in a three-position drop in our SCP cost recovery funding (20% of the program's authorized positions). This is because the Site Cleanup Subaccount does not include position authority. Therefore, we will need to redirect staff working on cost recovery sites to do this work. We are exploring options that will allow us to maintain customer service on our existing cases, despite this transition. In the interim, we are in the process of revising our case prioritization system to insure that we are working on the highest priority cases, regardless of whether our oversight is funded by Cost Recovery or the Subaccount. As discussed in our April status report, our prioritization system considers the following factors: 1) Eliminating unacceptable risks to human health and the environment, 2) Controlling migration of contamination in groundwater, especially in the vicinity of supply wells, and 3) Providing good customer service, especially for sites being redeveloped, and when there is public interest. GeoTracker is already used to store much of the data needed to prioritize the cases. We are working on generating a custom report in GeoTracker that will allow us to quickly view the current ranking of our sites to allow us to reprioritize as conditions at a site change, or new cases are identified. This will make the

process more quantitative and transparent. We will provide the Board with an update on priority caseload and backlogs in the fall.

Local Oversight Program Re-certification

Recent state legislation requires the State Water Board to certify local agencies that oversee leaking-UST cleanups as a part of a local oversight program (LOP). Seven local agencies in our region received initial certification in 2012 (see table below). Re-certification is conducted every three years. Starting FY 16-17, the State Water Board is re-certifying all but one of the LOPs (see table below). We took over the remaining UST cases from Napa County earlier this month. In July 2016, we plan to take regulatory oversight of the remaining UST cases from Solano County. We expect to see similar case transfers in the future, as caseloads in the remaining LOPs decline.

LOP Agency	FY 14-15 Case Closures	Remaining UST Cases	Re-certified?
Alameda County	61	191	Yes
Santa Clara County	53	156	Yes
San Mateo County	28	116	Yes
San Francisco County	19	76	Yes
Sonoma County	22	100	Yes
Napa County	6	13	No – due to a low number of cases
Solano County	13	44	Yes – Until July 2016

DOD/DOE Program Update

The DOD/DOE program focuses on cleaning up former military bases and facilitating the transfer of land to local entities for redevelopment or open space. Typically at the time of land transfer the majority of remediation has been completed, with the exception of petroleum contamination. Post-transfer cases with residual contamination continue to be overseen by our DOE/DOE staff but oversight costs are transferred over to the new property owner. These sites are then tracked as part of our SCP program. This trend is likely to continue.

RECOMMEN-
DATION:

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

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