

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

STAFF SUMMARY REPORT (Elizabeth Wells)
MEETING DATE: June 10, 2015

ITEM: 5A

SUBJECT: DEPARTMENT OF THE NAVY, for the FORMER MARE ISLAND
NAVAL SHIPYARD, VALLEJO, SOLANO COUNTY – Rescission of
Waste Discharge Requirements

CHRONOLOGY: Waste Discharge Requirements (WDRs) Order adopted in 1987.

DISCUSSION: The Tentative Order (Appendix A) would rescind WDRs for 18 historic sites at Mare Island based on the fact that many of the sites have been remediated or closed and those that remain open are being addressed by more recently adopted agreements and orders. The 18 sites are identified in the 1987 Order as “waste management units.” The 1987 Order established WDRs for the sites, requiring compliance with specifications for waste storage, handling, and treatment design criteria; implementation of groundwater monitoring programs; and submittal of various work plans and reports. In addition, the 1987 Order updated and expanded upon the requirements of the Board’s 1985 cleanup and abatement order, which was rescinded in February 2014.

In 2002, the Navy, the California Department of Toxic Substances Control (DTSC), and the Board signed a Federal Facility Site Remediation Agreement. In 2001, Lennar Mare Island (LMI), the City of Vallejo, and DTSC signed a Consent Agreement. In 2002, the Board adopted site cleanup requirements for the Navy and LMI. These agreements and orders supersede the 1987 Order and require continued environmental cleanup by the Navy and LMI under the oversight of DTSC and/or the Board.

The Navy has indicated acceptance of the Tentative Order, and no comments were received on the Tentative Order during its public comment period. While we have made minor editorial and formatting changes, we have not revised the Tentative Order and expect it to remain uncontested.

**RECOMMEN-
DATION:** Adoption of the Tentative Order

FILE NO. 2029.2011 (EKW)

APPENDIX A: Tentative Order

Appendix A

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

TENTATIVE ORDER No. R2-2015-XXXX

RESCISSION OF WASTE DISCHARGE REQUIREMENTS (ORDER No. 87-170) for:

**DEPARTMENT OF THE NAVY
FORMER MARE ISLAND NAVAL SHIPYARD
VALLEJO, SOLANO COUNTY**

for the:

HISTORICAL WASTE MANAGEMENT UNITS

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

Site Description and History

1. Mare Island was entirely owned by the U.S. Navy (Navy) and used as a naval shipyard from 1854 until it was officially closed in April 1996. The primary activities on the site were ship and submarine construction, modernization, and repair. Heavy industrial activities occurred primarily on the east side of the island, adjacent to Mare Island Strait. Portions of Mare Island have been transferred to Lennar Mare Island, LLC (LMI) and the City of Vallejo.
2. In 1987, the Regional Water Board issued Order No. 87-170 pertaining to 18 sites at Mare Island (Figure 1). Order No. 87-170 required compliance with specifications for waste storage, handling, and treatment design criteria; implementation of groundwater monitoring programs; and submittal of various work plans and reports.
3. The 18 sites are identified in Order No. 87-170 as “waste management units.” Since 1987, the Navy and LMI have conducted extensive investigation and remediation activities at Mare Island, including at the waste management units cited in Order No. 87-170.
4. The following agreements and site cleanup requirements require continued environmental cleanup by the Navy and LMI under the oversight of the California Department of Toxic Substances Control (DTSC) and/or the Regional Water Board. They supersede Order No. 87-170 and are part of the basis and rationale for this rescission order:
 - a. On April 16, 2001, LMI, the City of Vallejo, and DTSC signed a Consent Agreement.
 - b. In 2002, the Navy, DTSC, and the Regional Water Board signed a Federal Facility Site Remediation Agreement (FFSRA).
 - c. On October 16, 2002, the Regional Water Board adopted site cleanup requirements (Order No. R2-2002-0105) for the Navy and LMI.
5. The name, description, and current status of each waste management unit cited in Order No. 87-170 are presented in the table below:

Waste Management Unit/Site ID	Description	Closure and Regulatory Status
A. Former Facility Landfill	100 acres, operation started in 1900s, inert and hazardous wastes	Landfill closed – long-term monitoring and maintenance and land use controls; DTSC oversight under FFSRA
B. Former Sanitary Landfill	30-acre portion of Facility Landfill, waste included non-hazardous and hazardous wastes	Landfill closed – long-term monitoring and maintenance and land use controls; DTSC oversight under FFSRA
C. Former Industrial Waste Treatment Ponds	2 ponds used to store sludge, 2 ponds to blend wastewaters; unlined until 1980s	Ponds closed – long-term monitoring and maintenance and land use controls; DTSC oversight under FFSRA
D. Former Oil Sumps	2 unlined sumps, waste oil disposal 1942 to 1964	Sumps closed – long-term monitoring and maintenance and land use controls; DTSC oversight under FFSRA
E. “A” Street Lead Oxide Contamination	Storage area for batteries destined for offsite disposal	Site closed – long-term monitoring and maintenance and land use controls; DTSC oversight under FFSRA
F. 900 Area (IR Site 04)	Sandblasting area, started use in 1952; majority of spent abrasives disposed at Facility Landfill	Site open – investigation/feasibility study; DTSC and Regional Water Board oversight under FFSRA
G. Concord Annex (IR Site 05/Dredge Pond 7S)	Ordnance manufacturing and handling facility, 1857 to 1974	Site open – investigation/feasibility study; DTSC and Regional Water Board oversight under FFSRA
H. Berths 4 and 5 (IR Site 03)	Possible oil contamination of groundwater in area of berths	Site open – investigation/remediation; Regional Water Board oversight under Order No. R2-2002-0105
I. Tank 772	Partially-buried oil tank	Tank closed – no further action; Regional Water Board oversight

Waste Management Unit/Site ID	Description	Closure and Regulatory Status
J. Building 629 Battery Storage Area	Storage area for batteries destined for offsite disposal	Site closed – no further action; DTSC oversight
K. PCB Contaminated Area 1 (SWMUs 26 and 52, IR Site 10)	Storage yard adjacent to Building 831	Site closed – no further action with land use controls; DTSC oversight
L. PCB Contaminated Area 2 (IR Site 11)	Sewer line between Building 866 and the industrial waste treatment plant (IWTP)	Site closed – no further action with land use controls; DTSC oversight
M. PCB Contaminated Area 3	Storm drain sump in Building 516	Site closed – no further action with land use controls; DTSC oversight
N. PCB Contaminated Area 4 (IR Site 13)	Area behind Building 433	Site closed – no further action with land use controls; DTSC oversight
O. Basewide IWTP Collection System (IR Site 14)	Spent abrasives reported used as piping bedding material	Site closed – no further action with land use controls; DTSC oversight
P. T-3 Acid Tank Area (IR Sites 07/20)	4 partially-buried tanks to neutralize battery acids	Site closed – no further action with land use controls; DTSC oversight
Q. Building 225 Area (IR Site 15)	Metal plating shop with waste chromic acid tank	Site open – remediation and monitoring; DTSC oversight under Consent Agreement
R. Building 334 Area (IR Site 09)	Former paint shop, 4 tanks storing oil, alcohol, waste paints, and turpentine	Site open – long-term monitoring and maintenance and land use controls; DTSC oversight under Consent Agreement

Regulatory History

6. On December 16, 1987, the Regional Water Board adopted waste discharge requirements (WDRs) Order No. 87-170. Order No. 87-170 established WDRs for the multiple sites listed above, requiring compliance with waste management unit design specifications and submittal of technical reports. Order No. 87-170 also updated and expanded upon the requirements of cleanup and abatement order (CAO) No. 85-019. The Regional Water Board rescinded CAO No. 85-019 in February 2014.
7. Order No. 87-170 required compliance with specifications for waste storage, handling, and treatment design criteria associated with site-specific geologic conditions. Order No. 87-170

also required the implementation of groundwater monitoring programs at nine of the sites. At the remaining nine sites, Order No. 87-170 specified that the sites shall not adversely impact groundwater or surface water. Order No. 87-170 also required submittal of various work plans and reports, including Reports of Waste Discharge, to characterize site conditions, describe waste handling and disposal practices, and document cleanup procedures.

Basis for Rescission

8. Order No. 87-170 established WDRs for multiple sites at Mare Island. As indicated in Finding 5, many of the sites have been remediated and closed. Those that have not been closed are being addressed by the Navy or LMI under the FFSRA, the Consent Agreement, and/or Order No. R2002-0105 overseen by DTSC and/or the Regional Water Board.

CEQA, Notification, and Public Hearing

9. The rescission of Order No. 87-170 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).)
10. The Regional Water Board has notified the Navy and interested agencies and persons of its intent to rescind Order No. 87-170 and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
11. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the proposed rescission of WDRs for the historical waste management units.

California Safe Drinking Water Policy

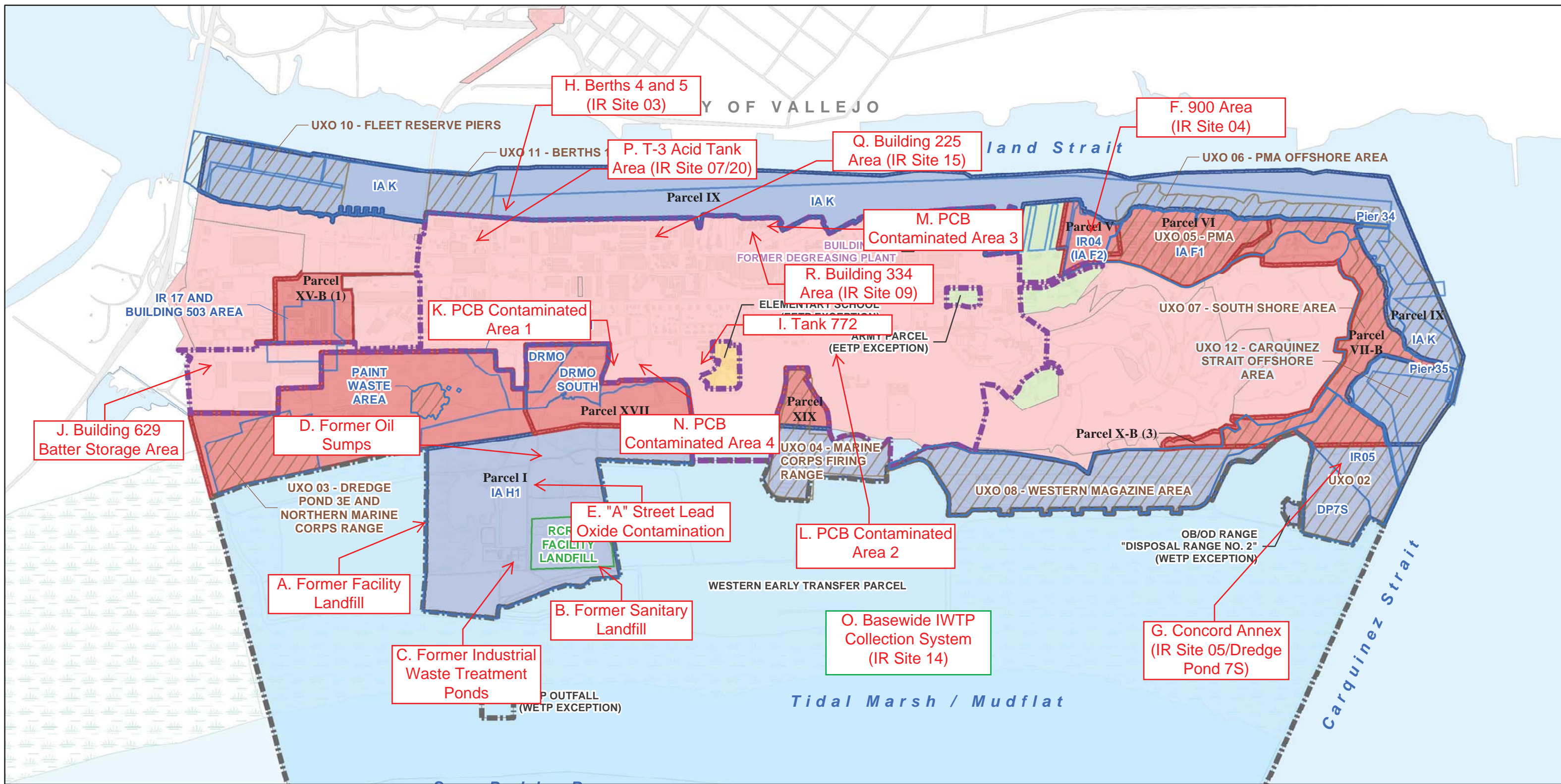
12. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This rescission promotes that policy because the Navy has ensured that any potential contamination from the waste management units present in groundwater that is suitable or potentially suitable for municipal or domestic supply (i.e., that does not meet the exceptions for State Water Board Resolution No. 88-63) will not cause exceedances of the maximum contaminant levels (MCLs) designed to protect human health and ensure that water is safe for domestic use. The waste management units have been or are being remediated, engineered, and closed to eliminate contact with surface water and groundwater beyond their footprints, which ensures that any waste remaining in place will not impact any water supply wells or migrate beyond the footprints at concentrations greater than MCLs.

IT IS HEREBY ORDERED that Order No. 87-170 is rescinded.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on _____, 2015.

Bruce H. Wolfe
Executive Officer

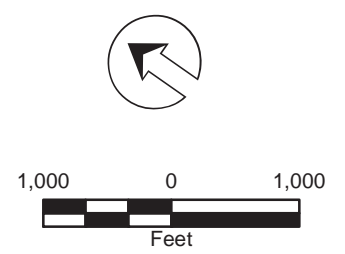
Attachment: Figure 1



- EETP NAVY-RETAINED CONDITION
- ▨ MUNITIONS RESPONSE PROGRAM AREA
- ▭ INVESTIGATION AREA OR IR SITE
- ▭ RCRA / FACILITY LANDFILL
- ▭ EASTERN EARLY TRANSFER PARCEL
- ▭ WESTERN EARLY TRANSFER PARCEL

- TRANSFER PARCEL STATUS**
- ▭ EDC - NOT TRANSFERRED
 - ▭ REVERSIONARY - NOT TRANSFERRED
 - ▭ EDC - TRANSFERRED
 - ▭ FED-TO-FED - NOT TRANSFERRED
 - ▭ FED-TO-FED - TRANSFERRED
 - ▭ PBC - TRANSFERRED
 - ▭ REVERSIONARY - TRANSFERRED

- Notes:
- DRMO Defense Reutilization and Marketing Office
 - EDC Economic development conveyance
 - EETP Eastern Early Transfer Parcel
 - FED Federal
 - IA Investigation Area
 - IR Installation Restoration
 - OB/OD Open Burning/Open Detonation
 - PBC Public benefit conveyance
 - PCB Polychlorinated biphenyl
 - PMA Production Manufacturing Area
 - SSTP Sanitary Sewer Treatment Plant
 - UXO Unexploded Ordnance
 - WETP Western Early Transfer Parcel



Mare Island, Vallejo, California
 Department of the Navy, BRAC PMO West, San Diego, California

FIGURE 1
IR SITES AND MUNITIONS
RESPONSE PROGRAM AREAS

Attachment C, FFSRA for Mare Island