

*STATE OF CALIFORNIA*

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

MEETING DATE: August 10, 2016

ITEM: **4**

SUBJECT: **EXECUTIVE OFFICER'S REPORT**

## EXECUTIVE OFFICER'S REPORT: *August 2016*

A Monthly Report to the Board and Public

**NEXT MEETING:** August 10, 2016

**WEBSITE:** <http://www.waterboards.ca.gov/sanfranciscobay/>

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### **Cleanup Order Amended by Executive Officer (Stephen Hill)**

The Board has delegated to the Executive Officer the authority to issue, amend, or rescind site cleanup orders pursuant to Water Code section 13304. The choice between having these orders acted upon by the Board or by the Executive Officer hinges on the degree of controversy and urgency in each case. In general, I issue, amend, or rescind these orders in situations where there is little or no controversy or when there is some urgency (e.g., cleanup action is needed promptly to address a current or imminent threat to human health or the environment).

Otherwise, we bring these types of cleanup orders to the Board for its consideration and action in a public hearing.

*Jones-Hamilton (Mark Johnson)* In July, I amended the 2014 site cleanup order for the property located at 8400 Enterprise Drive in Newark. This former chemical plant property is one of the sites in the Newark Transit Oriented Development project. The 22-acre property had remained vacant for several years. It is now being cleaned up and will be redeveloped for residential use later this year. The amended order sets forth cleanup levels in both shallow and deep soil for petroleum hydrocarbons and nickel. The existing order did not contain cleanup levels for these constituents. It also modifies the cleanup level for chromium and sets forth a process to evaluate chromium in both its hexavalent and trivalent forms. While the trivalent form of chromium is not necessarily toxic, the hexavalent form is both toxic and highly soluble in water. This modification will allow for a more appropriate evaluation of chromium and ensure that the soil cleanup is protective of human health. A draft of the amended order was circulated for public comment and no comments were received.

### *PG&E Potrero Update (Mark Johnson)*

In July, I signed two Board resolutions and a water quality certification to hasten cleanup at the PG&E Potrero site located between 23<sup>rd</sup> Street and Pier 70 in San Francisco, along the Bay shoreline. The resolutions approve both the mitigated negative declaration (a CEQA document) for the proposed cleanup of the northeastern portion of the site, and the dischargers' proposed cleanup plan for this area.

The site and adjacent areas have been used for industrial activities since the mid-1800s. A manufactured gas plant (MGP) operated in the northeastern portion of the site from the 1870s to the 1930s. An electrical power plant, commonly referred to as the Potrero Power Plant, was first built on the site in the 1910s and later upgraded and expanded in the 1960s. This plant was permanently shut down in 2011.

The MGP operations resulted in impacts to soil and groundwater at the northeastern portion of the site and the adjacent Pier 70 property. The contaminants are primarily petroleum hydrocarbon compounds, including polycyclic aromatic hydrocarbons. After considering various cleanup options, the dischargers proposed "Soil Solidification with Limited Excavation" as the preferred cleanup method. Using deep soil mixing augers, they will be adding a cement mix to solidify soil containing dense non-aqueous phase coal tar/creosote type petroleum material, which is present at depths to approximately 50 feet below grade. Some of the work will be done in-water, which is what triggered the need for a water quality certification and CEQA.

The draft CEQA document was circulated for public comment and only minor comments were received. The adoption of these resolutions and the associated water quality certification will allow cleanup to move forward in this portion of the site. The next cleanup phase will address impacts to contaminated Bay sediments that resulted from former MGP operations.

#### *Terminal One Update (Mark Johnson)*

In late June, we learned of a revised redevelopment proposal for the Terminal One site in Richmond that is at odds with the Board's existing cleanup order for the site. We are working with City of Richmond staff and the developer to resolve the issue. Additional site investigation work will be needed; based on investigation results, the City may need to consider additional site cleanup or changing the redevelopment proposal.

The Terminal One site is located on the Point Richmond shoreline and was used as a port facility from approximately 1915 through the 1980s for shipping and industrial activities. These activities resulted in chlorinated solvent contamination in both soil and groundwater. The site has been owned by the City for many years. In 2004, the Board adopted a site cleanup order that was tailored to the then-proposed residential redevelopment project, which included more stringent cleanup levels under and near proposed buildings. The redevelopment proposal did not include buildings over the most contaminated portion of the site, the former southwest tank farm area. The City completed the required cleanup in 2005, but the redevelopment project stalled due to the economic recession.

The City is now considering a revised redevelopment project that includes residential housing on the entire property, including the southwest tank farm area. This proposal is not consistent with the 2004 site cleanup order, since the site was not cleaned up to residential cleanup levels in the southwest tank farm area. In late June, a concerned citizen informed us of a pending CEQA document for the proposed project. We worked with representatives of the City and the developer to correct language in the City's CEQA document. The revised language was incorporated into the CEQA document, and the project was approved by the Richmond City Council on July 5, 2016. We are continuing to work with these parties to plan for additional site

investigation and risk assessment. This work would determine whether additional cleanup is needed to protect future residents' health. That in turn would determine whether we need to revise the 2004 site cleanup order to require additional work. We anticipate some public interest in the site cleanup aspects due to community opposition to the proposed redevelopment itself. We will keep the Board updated on this project as it proceeds.

### 401 Water Quality Certification Applications Received (Keith Lichten)

The table below lists those applications received for Clean Water Act section 401 water quality certification from June 18 through July 22. A check mark in the right-hand column indicates a project with work that may be in BCDC jurisdiction.

Project Name	City/Location	County	May have BCDC Jurisdiction
Three geotechnical borings in San Leandro Bay	Alameda	Alameda	✓
Robert's Ranch (formerly Boundary Creek) residential subdivision	Castro Valley	Alameda	
Newpark Mall commercial development	Newark	Alameda	
East Bay Regional Park District GUMP Spring B redevelopment	Sunol	Alameda	
Eagle Ridge access road repair	Unincorporated	Alameda	
O'Connell Lane guard rail realignment and creek erosion rehabilitation	Union City	Alameda	
Curry Canyon Pond	Clayton	Contra Costa	
Kinder Morgan LS 90-50-60 pipeline integrity digs	Concord	Contra Costa	✓
Mangini Pond	Concord	Contra Costa	
Bayberry seasonal pond restoration	Walnut Creek	Contra Costa	
Tennessee Valley Dam erosion control	Mill Valley	Marin	
Horseshoe Cove Boat Ramp repair	Sausalito	Marin	✓
Napa Logistics Park Phase 2	American Canyon	Napa	✓
Iommel Road property access road	Calistoga	Napa	
Guadalupe Dam seismic retrofit geotechnical investigations	Los Gatos	Santa Clara	
Calero Dam seismic retrofit geotechnical investigations	San Jose	Santa Clara	
Benicia Refinery NPDES pipeline replacement	Benicia	Solano	✓
Ledgewood Creek pipe repair	Fairfield	Solano	
Mare Island Dry Dock	Vallejo	Solano	✓
Thompson Creek detention-sediment basin and check dam removal	Petaluma	Sonoma	
Verano replacement well	Sonoma	Sonoma	

### Enforcement Actions Proposed and Final (Bill Johnson)

The following tables show complaints, recently proposed settlements, and final actions. Complaints and proposed settlements are available at

[http://www.waterboards.ca.gov/sanfranciscobay/public\\_notices/pending\\_enforcement.shtml](http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml).

<b>Proposed Settlement</b>			
The following is noticed for public comment. If no significant comment is received by the deadline, the Executive Officer will sign an order implementing the settlement			
<b>Discharger</b>	<b>Violation(s)</b>	<b>Penalty Proposed</b>	<b>Comment Deadline</b>
San Francisco Public Utilities	Unauthorized discharge of improperly treated wastewater to waters of the State and U.S.	\$611,100	August 19, 2016
City of Redwood City, 850 Jefferson Avenue in Redwood City	Discharge limit exceedance and late monitoring report	\$6,000	August 15, 2016
C&H Sugar Company, Inc, and Crockett Community Services District	Discharge limit exceedance	\$3,000	August 26, 2016

<b>Final Actions</b>			
On behalf of the Board, the Executive Officer approved the following:			
<b>Discharger</b>	<b>Violation(s)</b>	<b>Penalty Imposed</b>	<b>Supplemental Environmental Project</b>
California Water Service Company, in San Mateo	Potable water discharge killed 276 fish in Polhemus and San Mateo creeks and wasted ~8 million gallons due to the poor response to low pressure alarm	\$1,000,000 <sup>1</sup>	None
City of Pacifica, Calera Creek Water Recycling Plant in Pacifica	Discharge limit exceedances	\$12,000	\$12,000
Univar USA, Inc., Groundwater Treatment System at 2256 Junction Avenue in San Jose	Discharge limit exceedance	\$3,000	\$3,000

<sup>1</sup> Includes \$495,841 to replace a different section of water main adjacent to the creeks impacted by the violation as part of enhanced compliance because that section is not scheduled for replacement. Also, the proposed settlement includes an additional \$20,000 to the California Department of Fish and Wildlife.

The State Board's Office of Enforcement includes a statewide summary of penalty enforcement in its Executive Director Report at [http://www.waterboards.ca.gov/board\\_info/eo\\_rpts.shtml](http://www.waterboards.ca.gov/board_info/eo_rpts.shtml).