

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

STAFF SUMMARY REPORT – John Wolfenden  
 MEETING DATE: February 10, 2016

ITEM: **5B**

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

DISCUSSION: This is a semiannual 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). Staff in these programs oversee the investigation and cleanup of soil and groundwater pollution. This report summarizes our mid-fiscal year (FY 15-16) 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 track two performance measures: number of cases closed and number of cases starting active remediation.

Mid-fiscal year 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 are on track to meet or exceed our targets for the full fiscal year.

Cleanup Program	FY 15-16 - Cases Closed		
	Target	Actual*	% of Target
UST	36	27	75%
SCP	26	50	192%
DoD**	40	21	53%
Total	102	98	96%

\*as of December 31      \*\*internal target not tracked by State Board

Mid-fiscal year 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 the desired result of beneficial uses being restored or protected. We are on track to meet or exceed our targets for the full fiscal year except in the UST program. Due to the age of our remaining UST program cases (average is 22 years), it has become more challenging to move cases into active cleanup because the majority of our cases are already in or beyond this phase.

Cleanup Program	FY 15-16 - Cases Starting Active Remediation		
	Target	Actual*	% of Target
UST	12	4	33%
SCP	15	17	113%
DoD	10	11	110%
Total	37	32	86%

\*as of December 31

### **UST Program**

*Expedited Claim Account Program (ECAP):* ECAP is a new program created by SB445. It is intended to reduce the overall cost for site cleanup and the time to reach closure by increasing coordination among regulators, claimants and their consultants, and the State Board's UST Cleanup Fund staff. The State Board is implementing an ECAP pilot project that will require participating sites to have project milestones, cost estimates for multi-year funding plans, and reimbursement submission schedules. ECAP will continue until the \$100 million allocation specified in SB445 is committed. State Board staff has prioritized sites for the pilot project using three criteria: 1) threat to human health or the environment, 2) above-average claim reimbursements, and 3) slow cleanup progress. We identified 10 candidate UST program sites in our region using these criteria, and State Board staff has invited these 10 sites to join the pilot project.

*Electronic Submittal of Information via GeoTracker:* We continue to emphasize the importance of GeoTracker upload requirements to those responsible for UST site cleanup. GeoTracker is the State and Regional Water Boards' data management system for sites in the UST, SCP, and DoD programs. State law has required electronic submittal of information to GeoTracker since 2005. This has multiple benefits: it makes site information readily available to regulators and the public, and it simplifies our compliance checking. Electronic submittals include both e-reports and e-data. We previously reported to you on our compliance-checking efforts for SCP program sites. We are currently re-checking compliance for UST sites and have sent 41 notices to non-compliant sites.

### **Senate Bill 445 Implementation**

SB445 (Hill, 2014) created the site cleanup subaccount in the UST Cleanup Fund; required the Regional Water Boards to shift 20% of their SCP program staff positions, which had been funded by cost recovery, to oversee sites and activities not currently subject to cost recovery; and provided UST Cleanup Fund funding for those shifted positions. The goal of SB445 is to clean up high-threat, under-funded contamination sites. At our region, we have shifted portions of 15 staff members' time to work on four SB445 projects: 1) screening backlogged SCP program cases and updating Geotracker accordingly, 2) overseeing underfunded dry cleaner spill sites, 3) overseeing abandoned mines, and 4) improving regional groundwater management. Below is an update on the first two projects. Groundwater management will be discussed separately in next month's Executive Officer's Report. Abandoned mines will be discussed in a separate status report to the Board later this spring.

*Screening Backlogged SCP Program Cases:* Our region started the fiscal year with a backlog of 227 SCP program cases; these include mainly inactive SCP cases. The screening process has involved the following steps: 1) prioritizing the cases for SB445 grant funding or enforcement action, 2) determining the resources and next steps needed to move the cases toward closure, and 3) updating our GeoTracker database with all currently available case information. To date, we have completed the screening of approximately half of the backlogged cases. This screening has identified a few sites that warrant more aggressive management – and we are activating those cases – but has also verified that the backlog generally consists of lower-priority cases. The GeoTracker updating activities have resulted in identifying and counting over 30 case closures this fiscal year for SCP program cases that were actually closed in prior fiscal years; this is the main reason we are far ahead of FY 15-16 performance measure for cases closed in the SCP program.

Additionally, we identified a number of SCP program cases that had never been entered into GeoTracker, because they have not been worked on since GeoTracker was initially implemented in 2000. State Board assisted us in an effort to review our paper case files and open GeoTracker entries for these cases. This resulted in adding 98 cases to our backlog of SCP program cases. Currently we have 323 backlogged cases and 614 active cases, for a total of 937 open cases in the SCP program.

*Dry Cleaner Spill Sites:* There are several thousand former and current dry cleaners in our region. We estimate that more than half of them have had solvent spills, but we and our partner agencies (cities, counties, and the State Department of Toxic Substances Control) have only been able to discover and provide oversight for a fraction of them. The focus of this project is to find and require cleanup at high-threat dry cleaner spill sites that are not currently being cleaned up. We have lists of all former and current dry cleaners for 4 out of the 9 counties in our region (Santa Clara, San Francisco, San Mateo, and Alameda). We've started with the highest priority dry cleaners on the list, based on length of operation and proximity to sensitive groundwater basins. For each targeted dry cleaner, we complete an internet search of each dry cleaner and go to the county assessor's office for the property owners' name and contact information. So far this fiscal year, we have completed searches for 100 dry cleaners. Based on this information, we send each responsible party a site history requirement letter that seeks information about time of property ownership, names and contact information for all operators, utility line locations, and any pending dry-cleaner-spill insurance claims or litigation. To date this fiscal year, we have sent such site history letters to 50 sites. Going forward we will research more properties, enroll them in the cost recovery-funded SCP program where we can, and start moving the sites through the investigation and cleanup progression. Where ability to pay for cleanup or our oversight is an issue, we will encourage the responsible parties to apply for SB445 grants.

### **DoD Program**

Board staff in the DoD program focuses on overseeing the cleanup of former military facilities and facilitating the transfer of land from the Department of Defense to local entities, such as a city or its master developer, for redevelopment or open space. Typically at the time of land transfer, much of the cleanup we have

required has been completed, with the exception of many of the petroleum cleanup sites at each facility that constitute much of the post-transfer cleanup.

After the land transfer, our DoD staff continues to oversee facilities that have remaining cleanup and/or requirements to manage residual contamination. At that time, we stop charging our staff time to the DoD program, enroll the new land owner in the SCP program, and start charging our staff time to that new owner under the SCP program. These facilities are transferred out of the DoD program and moved into the SCP program.

It is vital that we continue to provide oversight of transferred former military facilities to help streamline their redevelopment and restoration in a manner that is protective of human health and the environment. The following table depicts where we have provided such oversight and where it is planned in the future:

**DoD Facility Transfers for Redevelopment/Reuse in the San Francisco Bay Region**

Completed and Planned Transfers	Transferee	Acreage	Transfer Date	Privatized Cleanup Status
Moffett Field Naval Air Station	NASA	2,200	1994	Ongoing
Presidio of San Francisco	National Parks Service	1,491	1994	Completed in 2014
Hamilton Army Air Field	State Coastal Conservancy	929	1995	Completed in 2014
Mare Island Naval Shipyard	State Lands Commission; City of Vallejo	2,824 651	2002	Early Transfer - Ongoing
Point Molate Naval Fuel Depot	City of Richmond	373	2003	Early Transfer - Ongoing
Oakland Army Base	City of Oakland	366	2003	Ongoing
Hamilton Navy Housing	City of Novato	9	2004	Ongoing
Point Molate Naval Fuel Depot	City of Richmond	40	2010	Ongoing
Alameda Naval Air Station (Alameda Point)	City of Alameda	1,480	2013	Ongoing
Alameda Naval Air Station (Alameda Point)	City of Alameda	624	2014	Ongoing
Treasure Island Naval Station	City of San Francisco	750	2014	Ongoing
Parks Army Reserve Training Area	City of Dublin	21	2014	Ongoing
Hunters Point Naval Shipyard	City of San Francisco	13	2015	Ongoing
Hunters Point Naval Shipyard	City of San Francisco	845	2016-22	Ongoing
Treasure Island Naval Station	City of San Francisco	994	2016-22	Ongoing
Mare Island Naval Shipyard	City of Vallejo	1218	2016-22	Not started
Concord Naval Weapons Station	City of Concord	5,038	2017-22	Not started
<b>TOTAL</b>		<b>19,866</b>		

In July 2015, based on our reduction in charges to the DoD program due to past facility transfers, the State Board re-allocated two of our 9.8 DoD staff positions to another region but made no change to our staff allocations in the SCP program. Without an increase in our staff allocations in the SCP program, this re-allocation could affect our ability to continue to provide effective post-transfer oversight. We are working with State Board staff to ensure that the two transferred positions are replaced in the coming fiscal year.

RECOMMEN-  
DATION:

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

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