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

STAFF SUMMARY REPORT – Laurent Meillier
MEETING DATE: January 11, 2017

ITEM: **6A**

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) program, the Site Cleanup Program, and the Military Cleanup Program (also known as the Department of Defense or DoD program). These programs oversee the investigation and cleanup of soil and groundwater pollution. This report summarizes our mid-fiscal year (FY 16-17) 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 measures: number of cases closed and number of cases starting active remediation.

Mid-FY 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. While we are below the 50% benchmark in the SCP and DoD programs, we have a number of case closures in process and anticipate reaching the target by the end of the fiscal year.

Cleanup Program	FY 16 - 17 Cases Closed		
	Target	Actual*	% of Target
UST	35	19	54%
SCP	35	13	37%
DoD	40**	13	33%
Total	110	45	41%

*as of December 31, 2016
**internal target (no statewide target)

Mid-FY 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 are somewhat below benchmark in all three programs, particularly in the UST program. Due to the age of our remaining UST cases (average is 22

years), it has become more challenging to move cases into active cleanup because half of our cases are already in or beyond this phase.

Cleanup Program	FY 16 - 17 Cases Starting Active Remediation		
	Target	Actual*	% of Target
UST	10	3	30%
SCP	20	8	40%
DOD	10	4	40%
Total	40	15	38%

*as of December 31, 2016

UST Program

There are currently six agencies within our region overseeing cleanup of leaking fuel UST sites. They include the Board and five county health agencies. The State Water Board funds the county health agencies through the Local Oversight Program (LOP). Board staff provides enforcement support to the LOP agencies as needed. The LOP agencies are responsible for leading investigation, cleanup, and ultimately closure of the UST sites they oversee.

The simpler UST cases are now closed; the remaining open cases are more difficult to close based on their technical complexity, discharger recalcitrance, or a combination of the two. The State Water Board in cooperation with U.S.EPA and its environmental consulting firm is supporting Board and local agency oversight efforts, to help us make progress on the remaining open cases.

Recent legislation (SB445) amended the Health & Safety Code allowing the transfer of $100 million from the UST Cleanup Fund to the Expedited Claim Account Program (ECAP) for the payment of UST-cleanup claims. The goal of ECAP is to reduce the overall cost for site cleanup and the time to reach closure. In our region, eight sites have been invited to participate in the ECAP program resulting in four enrollments to date.

Staff in this region conducted a literature review on the nature, fate and transport, human health risk, and ecological risks associated with the breakdown products of petroleum hydrocarbons. Based on our findings, we conclude that the breakdown products should be treated as having similar toxicity as the hydrocarbons and should not be removed and ignored during routine lab analysis. This memo is available on the Board's website.

Site Cleanup Program

Last year, implementation of SB445 fundamentally changed our Site Cleanup Program (SCP) by diverting 20% of our SCP resources to work on previously unfunded cases and related projects. In response, we developed a prioritization tool to manage our increased SCP workload. This year, we are continuing to adapt to these changes and integrate the new funding source into our program.

We are in the process of hiring four new staff in the SCP program as a result of a budget change proposal effective FY 16-17.

The prioritization system developed last year continues to guide our program. We use it as we plan our workloads on a monthly basis, and we used it as we redistributed cases to the first two of the new hires. We continue to focus our efforts on the cases with the greatest threats to human health and the environment.

Using our SB445 resources, we are continuing to work on four projects: unfunded cases, dry cleaner spill sites, abandoned mines, and sustainable groundwater management. Below is some project-specific news:

Unfunded Cases – Last year we screened and prioritized all of our backlog of 305 inactive cases. Now that the screening is complete, we are beginning to actively manage approximately 30 of the highest priority cases. We have been able to close several cases and enroll 3 cases in the SCP cost recovery program to bring them out of our backlog. Previously, many cases became inactive if there was not a viable discharger who could afford the investigation and cleanup needed to determine that any remaining contamination poses a low threat to human health or the environment. Now, we are promoting the new Site Cleanup Subaccount grant program, which provides funding to underfunded sites. We anticipate that several of our cases will receive grant funding this year.

Dry Cleaner Spill Sites – The purpose of this project is to proactively identify current and past dry cleaner locations where there have been solvent releases and where those releases pose significant threats to major groundwater resources in our region. We have focused our initial efforts in two key groundwater basins: Santa Clara Valley and Livermore Valley. During the first half of FY 16-17, we continued to require and respond to site history reports and began to move into the next phase of requiring and responding to source investigation workplans and reports. We also closed out four cases where releases were not found.

Abandoned Mines – There are approximately 35 inoperative mines in our Region that pose a potential threat to water quality and have not been characterized previously due to lack of funding. SB445 funds are being used to collect the data necessary to evaluate potential or existing water quality impacts, prior to identification and enrollment of responsible parties (RPs) into the SCP program. Last year, staff researched and developed an approach to prioritize these mines for inspection and cleanup, to most efficiently utilize limited staff time and resources. The approach was presented to the Board as well as several regulatory agencies doing similar work. Feedback received was entirely positive. This coming year, the priority mines will be inspected. Soil data collected from an X-Ray Fluorescence Spectrometer and observations of site hydrology and geomorphology will be used to characterize the potential for impacts and to prioritize sites for cleanup,

whereupon a responsible party search will be conducted. RPs will be sent a requirement for further investigation or for cleanup and will be required to enroll in the SCP cost recovery program.

Sustainable Groundwater Management – Engaging the local agency planning process to identify baseline conditions, drinking water well impacts, and localized salt and nutrient areas of concern is essential to protecting and restoring groundwater beneficial uses. The goal is to identify baseline groundwater conditions, share information amongst our regulatory programs, and make recommendations for selective use of our regulatory tools to control discharges and drive further source identification and abatement.

The internal team continues preparing basin "quick look" tables for our 14 priority groundwater basins to summarize water quality and prioritize basins that may need salt and nutrient management plans (SNMPs) or further source investigations. We've evaluated SNMPs for Livermore Valley and Santa Clara Valley and are currently reviewing SNMPs for the Niles Cone (near Fremont) and the Napa Valley. Resolutions of support for the Livermore Valley and Santa Clara Valley plans were brought to you in March and November of this year.

The team is also coordinating with the State Board's Division of Drinking Water to receive real-time notification of supply well contaminant impacts and the Groundwater Ambient Monitoring and Assessment (GAMA) program to leverage the geospatial evaluation tools of the GeoTracker GAMA database to develop/prioritize source investigation strategies.

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 has been completed. One exception is cleanup at petroleum sites, which may require continued oversight by our DoD staff after transfer and through redevelopment. After the land transfer, we stop charging our staff time to the DoD program and enroll the remaining cleanup sites and new land owner in the SCP cost recovery 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.

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

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