

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 94-117

CONSIDERATION OF AMENDMENTS TO THE WATER QUALITY
CONTROL PLAN FOR THE SAN FRANCISCO BAY BASIN
REGARDING IMPLEMENTATION OF GROUND WATER PROGRAMS

WHEREAS:

1. The California Regional Water Quality Control Board, San Francisco Bay Region (San Francisco Bay RWQCB) revised the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 17, 1986.
2. The State Water Resources Control Board (SWRCB) approved the majority of the Basin Plan under Resolutions No. 87-49 and No. 87-82. Those portions that were remanded and subsequently reconsidered by the San Francisco Bay RWQCB were approved by the SWRCB under Resolution No. 87-92.
3. Division 7 of the California Water Code states that Basin Plans shall be periodically reviewed and, if appropriate, revised.
4. The San Francisco Bay RWQCB, under Resolution No. 92-131, adopted Basin Plan amendments addressing ground water protection and cleanup on October 21, 1992.
5. The SWRCB adopted Resolution No. 94-19 (Attachment 1) which approved the amendments to Chapters 1 Introduction, Chapter 2 Beneficial Uses, and Chapter 3 Water Quality Objectives, and portions of Chapter 4 Implementation. The remaining portions of Chapter 4 were remanded to the San Francisco Bay RWQCB for reconsideration of specific language.
6. On August 17, 1994, the San Francisco Bay RWQCB adopted, under Resolution No. 94-101 (Attachment 2), revised Basin Plan amendments that establish soil cleanup levels for volatile and semi-volatile organic compounds and that allow the establishment of ground water cleanup "non-attainment areas".
7. The Regional Water Quality Control Board, San Diego Region recently adopted a cleanup and abatement policy for ground water and soil, and while the two policies are similar, they are not fully consistent.
8. The revised Basin Plan amendments are consistent with the requirements of Public Resources Code Section 21000 et seq. (California Environmental Quality Act).
9. The San Francisco Bay RWQCB Resolution No. 94-101 was adopted in accordance with State laws and regulations.

10. These Basin Plan amendments do not become effective until approved by the SWRCB and until regulatory provisions are approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the Basin Plan amendment adopted by the San Francisco Bay RWQCB under Resolution No. 94-101 on August 17, 1994 with the exception of:
 - a. Page 12 second bulleted paragraph, second sentence; and
 - b. The section titled "Non-Attainment of Ground Water Cleanup Levels" (page 19 - 21).
2. Holds consideration of items 1.a. and 1.b., above, in abeyance pending SWRCB consideration of the need for a statewide ground water cleanup policy.
3. Directs the SWRCB Executive Director to work with the RWQCB Executive Officers to develop a statewide policy on ground water and soil cleanup, for SWRCB review. It is the SWRCB's desire to have the matter brought forward for review and consideration within 120 days. The SWRCB requests the Executive Director to report at each SWRCB workshop in the interim on the progress toward development of the policy.
4. Authorizes staff to forward the regulatory provisions of the approved amendments to OAL.

CERTIFICATION

The undersigned, Administrative Assistant to the SWRCB, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 13, 1994.


Maureen Marché
Administrative Assistant to the Board