

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

TENTATIVE ORDER

RESCISSION OF WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-055

PORT OF OAKLAND  
BERTHS 55-58 PROJECT  
OAKLAND, ALAMEDA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter called the Board, finds that:

1. **Site Location/Description:** The Port of Oakland (hereinafter the "Port"), through implementation of the Port's Vision 2000 Program, recently completed the modernization and expansion of several marine terminals bordering Oakland Inner Harbor (Figure 1). The improvement program involved the acquisition of a former naval base [the U.S. Navy Fleet Industrial Supply Center Oakland (FISCO)] and an adjacent railyard [the Union Pacific Intermodal Railyard (UPIR)], as well as the conversion of outdated wharves into two new marine terminals now known as Berths 55 and 56 and Berths 57 and 58 (Figure 2). Board Order No. 99-055 was issued to the Port in July 1999 to provide groundwater target values, soil reuse values, and receiving water limits as well as monitoring and reporting requirements for the project.

The construction phase of the Berths 55-58 Project required widening the Oakland Inner Harbor Channel by excavation of the bank and dredging of adjacent sediments, with reuse of the excavated soil and sediment as fill for shallow water habitat enhancement in Middle Harbor or in upland portions of the project. A total volume of approximately 5.5 million cubic yards of material was excavated or dredged and reused on site. Approximately 18,000 cubic yards of soil did not meet upland reuse criteria and was disposed of at a permitted landfill.

2. **Results of Self-Monitoring Conducted Under Order No. 99-055**

Receiving Water: As documented in the *Dredging, Excavation and Filling Final Report* dated October 31, 2001, during the 18 months of receiving water quality monitoring outside the project boundary, there were no exceedances of any receiving water chemical, biological, or turbidity monitoring criteria due to construction activities.

Groundwater: Order No. 99-055 required monitoring a series of wells [Shoreline Wells: UO1-1 to UO1-10; and Deep Wells (also known as Dual Purpose Wells): MW-4B,C to MW-6B,C] located along the shoreline of the marine terminals and throughout the former FISCO site to evaluate trends in groundwater elevation and quality resulting from reuse of excavated fill soils in upland areas. The shoreline wells were also intended to monitor potential migration from upgradient portions of the former FISCO and UPIR sites known to be impacted with petroleum hydrocarbons and/or VOCs [Berth 59, the Trailer On Flat Car (TOFC) and Union Pacific Motor Freight (UPMF) sites]. Board Toxics Cleanup

Division staff are currently overseeing investigation and cleanup activities at these upgradient impacted locations.

According to quarterly monitoring data submitted by the Port for the shoreline wells, chemical pollutants of concern have been non-detect or at levels below Marine Aquatic Habitat Goal (chronic toxicity) Environmental Screening Levels (ESLs), for at least a year in the Berth 57-58 area, and for at least two years in the Berth 55-56 area. One shoreline well (U01-08), however, is uniquely impacted by elevated levels of PCE, TCE and cis-1,2-DCE. Board staff in the Toxics Cleanup Division are currently overseeing remedial characterization of the PCE plume under a separate Board enforcement action. Upon receipt of this Order, the Port plans to properly abandon the remaining shoreline monitoring wells U01-1 through U01-7, U01-9 and U01-10, in accordance with applicable local and state regulations.

For the deep wells, monitoring data submitted by the Port shows chemical pollutants of concern have been non-detect or at levels below Marine Aquatic Habitat Goal ESLs for at least two years. Upon receipt of this Order, the Port will terminate this monitoring program; however, the Port will continue to monitor the deep wells for saltwater intrusion as required by Waste Discharge Requirements Order No. 00-110 for the Oakland Harbor Navigation Improvement (50 Foot Deepening) Project.

3. **Basis for Rescission:** The Port has met all permit requirements for excavation, dredging and filling activities, receiving water monitoring, and groundwater monitoring. All dredging and related construction work is complete. The Port has adequately demonstrated that railyard fill soils relocated to upland portions of the project area do not pose a threat to water quality. There is no longer any need to regulate this site under Order No. 99-055.
4. **California Environmental Quality Act:** This action is an Order to enforce the laws and regulations administered by the Board. This action is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3), Title 14, California code of Regulations.
5. **Notice and Meeting:** The Board has notified the Port and interested agencies and persons of its intent to rescind waste discharger requirements, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
6. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Order No. 99-055 is rescinded.

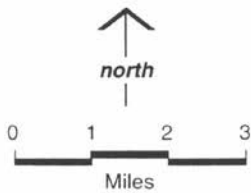
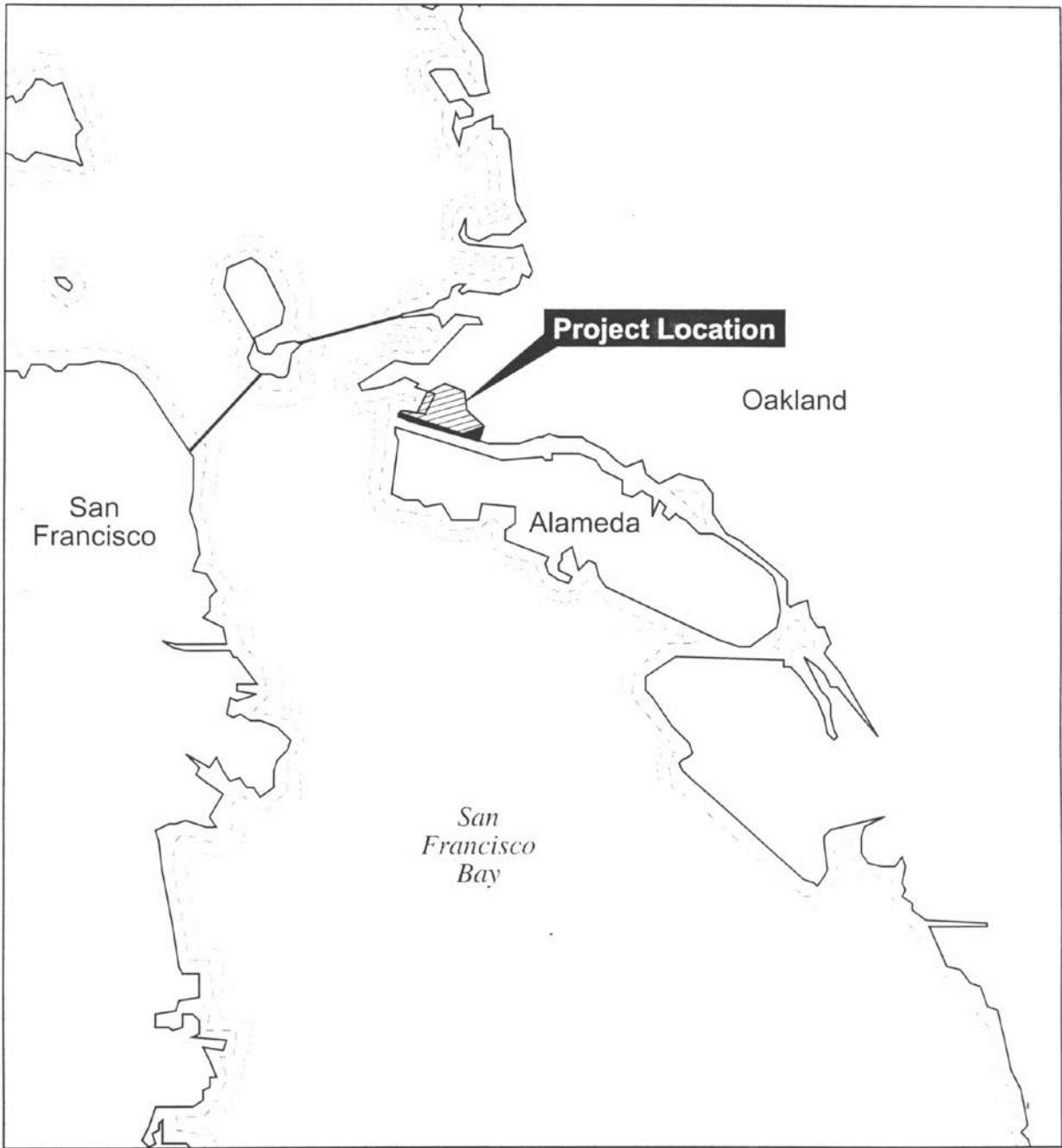
I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on April 12, 2006.

Bruce H. Wolfe  
Executive Officer


Attachments:

Figure 1 – Site Location Map

Figure 2 – Berth 55-58 Facility Map



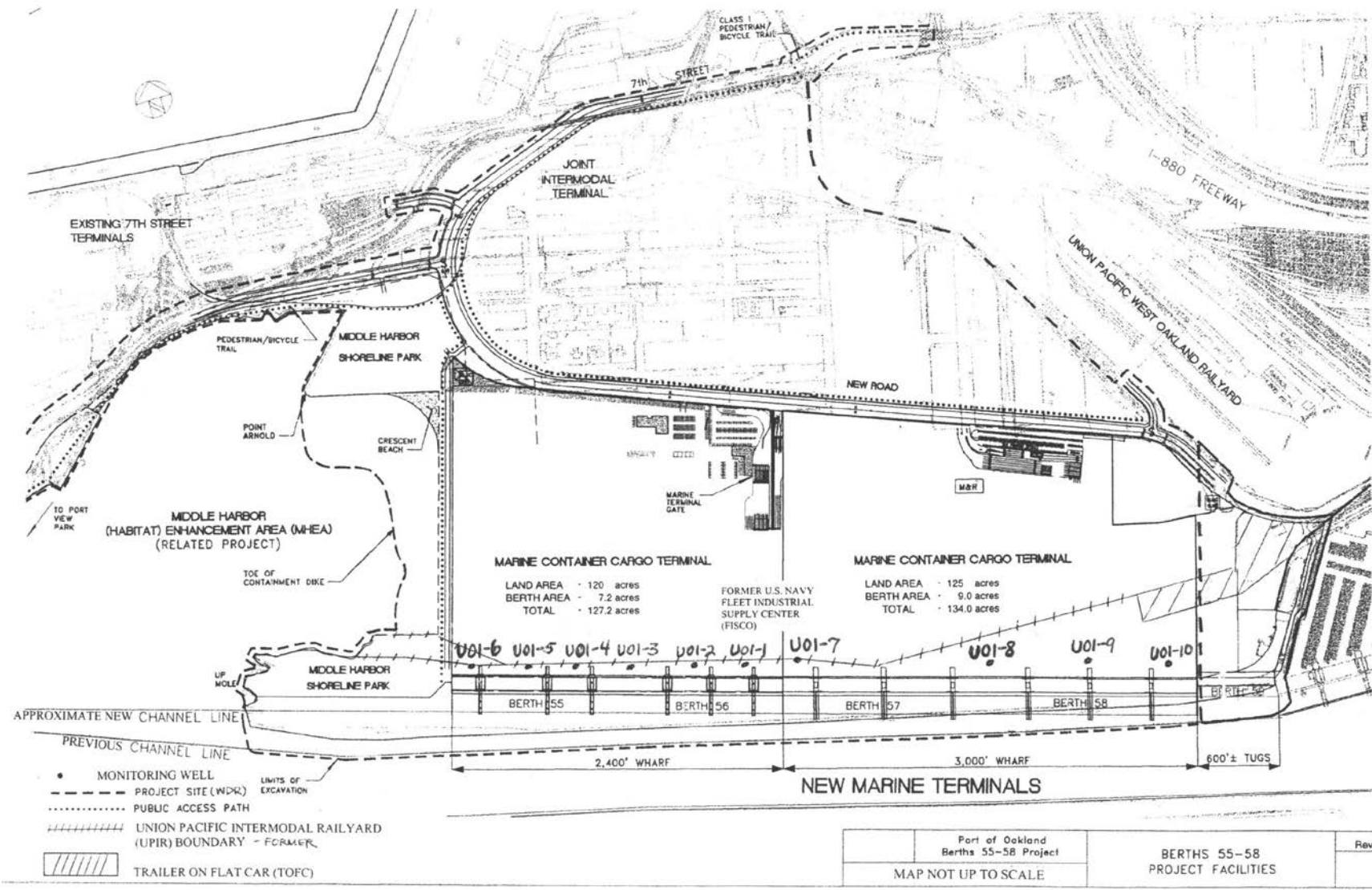

 Approximate Location of Former Union Pacific Intermodal Railroad


 Approximate Location of Former U.S. Navy Fleet Industrial Supply Center (FISCO)

**FIGURE 1**

**SITE LOCATION MAP**

Vision 2000 Program Area  
 (Union Pacific Intermodal Railyard and FISCO Sites)  
 Port of Oakland  
 Oakland, California



|   |                                    |                     |
|---|------------------------------------|---------------------|
| Port of Oakland<br>Berths 55-58 Project | BERTHS 55-58<br>PROJECT FACILITIES | Revised             |
|   |                                    | MAP NOT UP TO SCALE |

Figure 2. Berth 55-58 Facility Map