

file

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION  
2101 WEBSTER STREET, SUITE 500  
OAKLAND, CA 94612  
(510) 464-1255



MAY 24 1994

File No. 2223.09(GVL)

Mr. Ron Mueller  
Pacific Gas and Electric Co.  
P.O. Box 7640  
San Francisco, CA 94120

James Diel  
Manager of Environmental Field Operations  
Southern Pacific Lines  
1600 Vernon Street  
Roseville, CA 95678

David Safreno  
Alameda County Flood Control District  
399 Elmhurst Street  
Hayward, CA 94545

SUBJECT: Cleanup And Abatement Order No. 94-065

Enclosed is a copy of the Cleanup and Abatement Order No. 94-065 relating to the abatement of the detrimental effects of metal refining waste (slag), on your property adjacent to the Pacific States Steel Co. site in Union City. The slag has impacted and continues to impact waters of the State, which is a violation of the California Water Code.

I urge you to take immediate measures necessary to comply with this Order. In case of non-compliance with this Order, I will not hesitate to pursue further enforcement action.

If you have any questions, please call Mr. George Leyva of my staff at (510) 286-3976.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Ritchie", is written over the word "Sincerely,".

Steven R. Ritchie  
Executive Officer

Enclosures : Cleanup and Abatement Order No. 94-065

cc: Hans Lemcke, Operations Manager, PSSCo, P.O. Box 1021, Union City, CA, 94587

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

CLEANUP AND ABATEMENT ORDER NO. 94-065  
REVISING AND RESCINDING CAO 94-033

for

PACIFIC GAS AND ELECTRIC COMPANY  
SOUTHERN PACIFIC RAILROAD COMPANY  
ALAMEDA COUNTY FLOOD CONTROL DISTRICT

1. Pacific Gas and Electric (PG&E), Alameda County Flood Control District (ACFCD) and Southern Pacific Railroad (SPRR), hereinafter called the dischargers, own or operate property located adjacent to and north-easterly of a Federal EPA Superfund Site owned by the Pacific States Steel Corporation (PSSCo), located at 7th and Decoto Road in Union City, (see Figure 1, attached). The dischargers had allowed slag wastes from the Pacific States Steel Foundry to be placed or disposed of on their property in the mid 1970's.
2. The individual properties, hereinafter called the site, have received and are covered with metal refining waste (slag), to various degrees. Approximately 45,000 cubic yards of slag is on PG&E's property, 15,000 cubic yards on SPRR's property and about 300 cubic yards on ACFCD property. Lab analysis of the slag showed elevated levels of lead, chromium and zinc at 440 mg/kg for lead, 1,500 mg/kg for chromium and 3,300 mg/kg for zinc.
3. Pacific States Steel is insolvent and its only substantial asset consists of the above mentioned Superfund site on Decoto Road in Union City. This property is under the control of a Special Master to the U.S. District Court for the Northern District of California who has the power of and functions as a receiver. The special master states that the property is currently worthless due to a burden of about \$30 million in estimated cleanup costs and by liens totaling many millions more. Consequently, it would be inappropriate to include PSSCo as a discharger at this time.
4. During a recent site inspection, Board staff observed leachate from the slag discharging to the ACFCD canal from various locations. The leachate had an elevated pH in the pH-12 to pH-13 range. Lab analysis of the leachate showed elevated levels of soluble lead, chromium and zinc at 0.17mg/l for lead, 0.38 mg/l for chromium and 0.55 mg/l for zinc.
5. PG&E has initiated and is maintaining collection and removal of leachate from the slag area and has disposed of the leachate at an appropriate waste management facility.
6. Based on the above findings, this Board finds that the discharge has impacted and continues to adversely impact the beneficial uses of the waters of the State and has created a condition of pollution and a nuisance.

7. PG&E has submitted a workplan proposal for a subsurface investigation dated April 20, 1994 in order to determine the lateral and vertical extent of the slag deposits and groundwater contamination.
8. This Order contains tasks for the dischargers to perform in order to achieve an adequate abatement of the above wastes' impact on the waters of the State. Each individual discharger named above should work in concert to achieve that abatement.
9. This Order is an action to enforce State law and the water quality objectives found in the Water Quality Control Plan for the San Francisco Bay Basin (the Basin Plan) and as such is exempt from the California Environmental Quality Act pursuant to §15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED pursuant to California Water Code §13304 that the dischargers shall cleanup and abate the effects of the waste discharged, prevent further discharge and take other remedial actions as follows:

A. Prohibitions

1. Discharge of waste or hazardous materials in a manner which will significantly degrade water quality or adversely affect beneficial uses of the waters of the State is prohibited.
2. Significant pollution migration through the subsurface media to waters of the State is prohibited.
3. Activities associated with the subsurface investigation and cleanup, that will cause adverse migration and or pollution are prohibited.

B. Specifications

1. All excavated waste material shall be disposed of at an appropriate California certified waste management unit or if a waste management unit is considered for this site, the waste may be consolidated at a sufficient distance from the flood control channel to prevent future erosion or daylighting.
2. If complete removal of slag and contaminated soil is considered, the dischargers shall cleanup the affected soils to background concentrations for all constituents of concern.
3. If surface water or groundwater contamination is discovered pursuant to the Provisions below, the dischargers shall cleanup the surface water and groundwater to reasonably achievable concentrations for all constituents of concern.
4. All reports submitted pursuant to this Order shall be certified as complete and certified that the report adequately meets the Specifications and Provisions of this Order. Certification may be by a California Certified Engineering Geologist or California Certified Civil Engineer pursuant to §6762 of the Business and Professions Code.
5. All samples shall be analyzed by a State certified laboratory using EPA approved methods or their equivalent.

C. Provisions

1. The dischargers shall submit a technical report, acceptable to the Executive Officer, proposing a soil and groundwater investigation to determine the lateral extent of soil and groundwater contamination. Even though PG&E has separately complied with this provision under Board Order No. 94-033, ACFCD and SPRR must now do so under this Provision for their respective properties and may incorporate PG&E's acceptable workplan.

REPORT DUE DATE: June 3, 1994

2. The dischargers shall submit a progress report on the tenth of each month following issuance of this Order and until an acceptable cleanup is achieved pursuant to this Order. The report should describe all activities completed during the previous calendar month related to compliance with this Order.

REPORT DUE DATE: 10th of each month

3. The dischargers shall submit a technical report, acceptable to the Executive Officer, proposing remedial activity(ies) to be performed and a time schedule to be followed. The report should propose to either clean up the site by complete removal of the slag and contaminated soils or should propose to close the site as a waste management unit (pursuant to Article 8 of Chapter 15, Division 3, Title 23, CCR) or any combination of those two options. The report should be in sufficient detail for Board staff to evaluate whether the action taken by the dischargers will eliminate leachate from the site and abate all detrimental effects of the waste to waters of the State.

REPORT DUE DATE: July 15, 1994

4. The dischargers shall submit a technical report, acceptable to the Executive Officer, certifying completion of all work required in Provision 3 above.

REPORT DUE DATE: October 15, 1994

5. If the dischargers choose to close the site as a waste management unit, the dischargers shall submit a technical report, acceptable to the Executive Officer, proposing a groundwater monitoring program verifying that impact to waters of the State has been abated.

REPORT DUE DATE: October 15, 1994

6. Copies of all correspondence, reports, and documents pertaining to compliance with the Prohibitions, Specifications and Provisions of this Order, shall be provided to the following agencies:

- a. City of Union City
- b. Alameda County Water District
- c. State Department of Health Services/TSCD
- d. Alameda County Public Works
- e. Alameda County Health Services
- f. State Department of Fish & Game
- g. Office of Special Master, U.S. District Court for the Northern District of California

7. The above requirements do not exempt the dischargers from compliance with any other laws, regulations or ordinances which may be applicable, and leaves unaffected any other restraints on this project which may be contained in other statutes or required by other agencies.
8. The dischargers shall immediately notify this Board by telephone whenever an adverse water quality condition occurs as a result of soil excavation and groundwater related activities. A written confirmation on the incident shall follow within five working days.
9. Pursuant to section 13304 of the Water Code, the dischargers are hereby notified that the Regional Board is entitled to, and may seek reimbursement for all reasonable costs actually incurred by the Regional Board to investigate unauthorized discharges of wastes and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. Upon receipt of a billing statement for such costs, the dischargers shall reimburse the Regional Board.
10. Pursuant to California Water Code sections 13304 and 13350, if a discharger fails to comply with the provisions of this Order, the Board may schedule a hearing to consider assessing civil monetary penalties and to consider requesting the Attorney General to take appropriate enforcement action against the dischargers, including injunctive and civil monetary remedies.
11. This Order supersedes and rescinds Cleanup and Abatement Order No. 94-033.

  
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Steven R. Ritchie  
Executive Officer

5/21/94  
Date

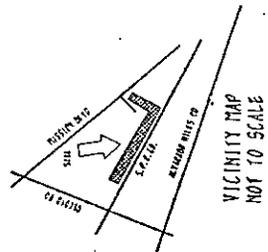
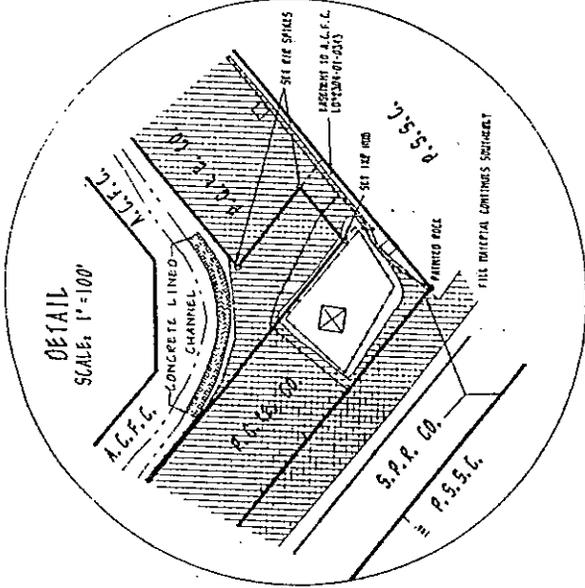
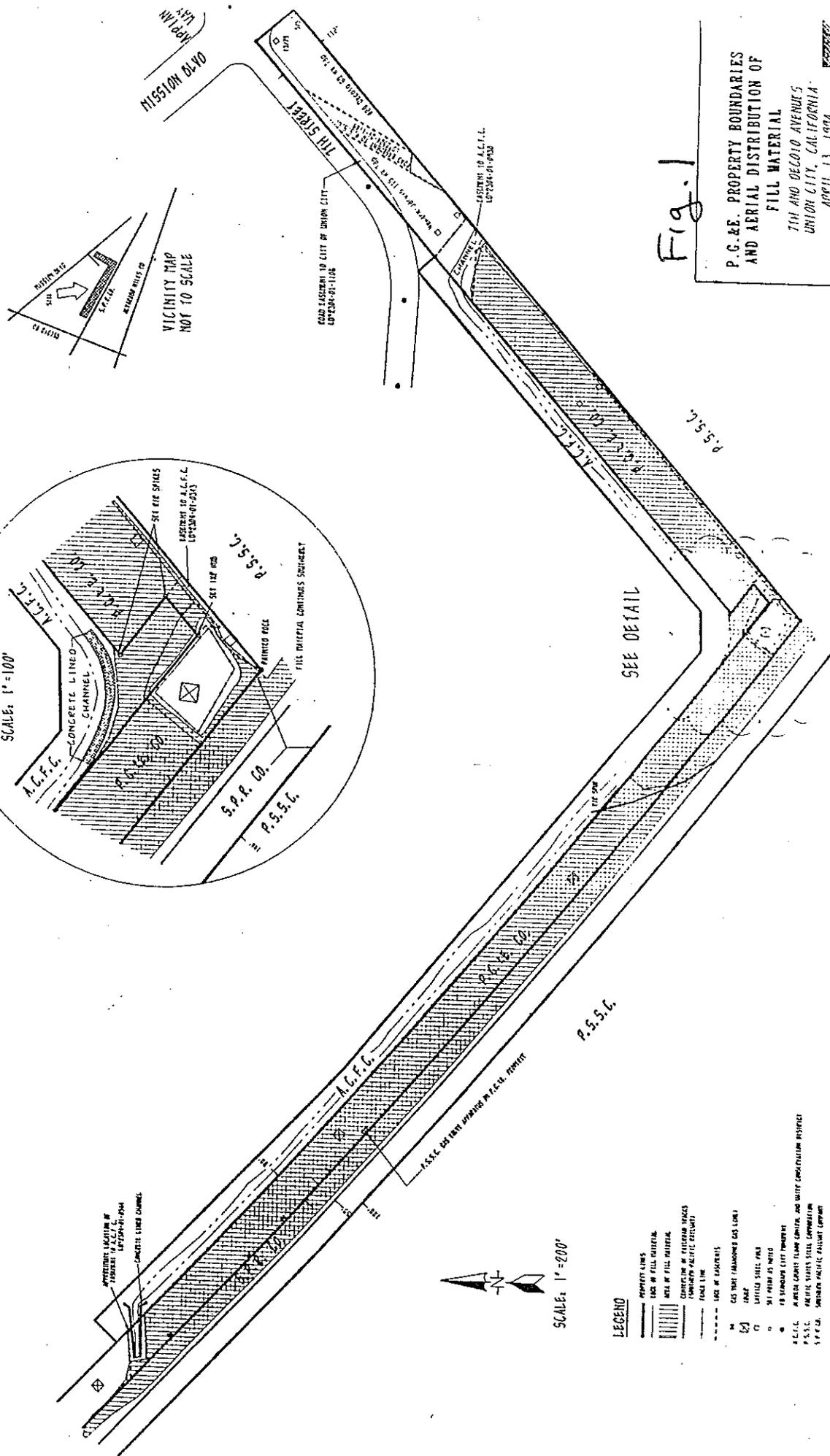


Fig. 1

P.G.&E. PROPERTY BOUNDARIES  
AND AERIAL DISTRIBUTION OF  
FILL MATERIAL  
71H AND DELCOTO AVENUES  
UNION CITY, CALIFORNIA  
APRIL 13, 1994

PROJECT NO.

- LEGEND**
- PROPERTY LINES
  - EDGE OF FILL MATERIAL
  - AREA OF FILL MATERIAL
  - CONTOUR OF EXISTING GRADES
  - CONTOUR OF FILL MATERIAL
  - ROAD LINE
  - EDGE OF EASEMENTS
  - CGS THAT TRANSDUCES GAS LINE
  - STAKE
  - UTILITY SHEET PINS
  - SET POINT AS NOTED
  - 18 INCHES DIA. CIRCULAR
  - A.C.F.C. - AMERICAN COUNTY FILL COMPANY, AND WATER CONSTRUCTION SERVICE
  - P.S.S.C. - PUBLIC STATE SOIL CONSTRUCTION
  - S.P.R. Co. - SOUTHERN PACIFIC RAILROAD COMPANY

SCALE: 1" = 200'



## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255



March 31, 1994  
File No. 2223.09(RHB)

Dr. Victor C. Furtado  
Director - Environmental Operations  
Pacific Gas and Electric Co.  
Room 2437  
77 Beale Street  
San Francisco, Ca. 94120

VCF  
JFM  
RCD  
LGT.

ENVIRONMENTAL SERVICES

APR - 5 1994

COMMENT  
REC MNDTN  
HANDLE

EYI

RP  
LFA  
RCK  
WCF  
MEA  
FILE  
UREPLY  
PREPLY  
FORWARD

SUBJECT: Cleanup And Abatement Order No. 94-033

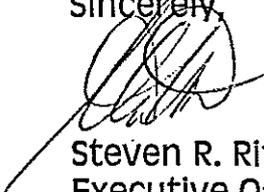
Dear Dr. Furtado:

Enclosed is a copy of the Cleanup and Abatement Order No. 94-033 relating to the discharge of smelter slag leachate into Alameda County Flood Control Channel in Union City, Alameda County. The incident has impacted the channel sediments and surface waters which is in violation of the California Water Code.

I urge you to take immediate measures necessary to comply with this Order. In view of the magnitude of the problem and the lack of measures to prevent further impacts to Waters of the State, I will not hesitate to pursue further enforcement action should this Order be violated.

If you have any questions relating to this Order, please contact Mr. Ray Balcom of my staff at (510) 286-1036.

Sincerely,

  
Steven R. Ritchie  
Executive Officer

Enclosure: Cleanup and Abatement Order No. 94-033  
cc: David Safreno, Alameda County Flood Control District  
Robert P. Kevo, Dept. of Fish & Game

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

CLEANUP AND ABATEMENT ORDER NO. 94- 033

PACIFIC GAS AND ELECTRIC COMPANY

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

1. Pacific Gas and Electric Company (here in after called the discharger) allowed smelter slag wastes from the Pacific States Steel Foundry to be placed or disposed of on their property located at 7th and Decoto Road in Union City in the mid 1970's. The site consists of a power line corridor, a substation and an old parking area partially covered with asphalt. Smelter slag wastes cover a significant portion of the site.
2. Staff received a complaint from Alameda County Flood Control District (ACFCD) and subsequently on February 11, 1994 conducted a joint inspection of this site with Hans Lemech of Pacific States Steel. During the site inspection, staff observed high pH discharges from two storm drains and from two seeps into ACFCD Channel. Water samples were collected from the four sources and from three locations in the ACFCD Channel. Smelter slag samples were also taken. The precipitate sample from the ACFCD Channel shows metals and high pH leaching out of the smelter slag wastes to the channel. The leachate appears to be impacting the channel biota as it enters the water course. Metal and pH levels appear to increase along the water course. The pH of the seeps tested were between 12-13. Lead and zinc concentrations of the sediments in the ACFCD Channel appear to increase at the locations where seeps entered the ACFCD Channel.
3. PG&E immediately initiated corrective measures by installing a leachate collection system for two of the four sources and the other two were capped with cement. Approximately 2,800 gallons of leachate per day is collected in an above ground tank and is hauled off-site as a hazardous waste. Union Sanitary District has agreed to accept the leachate wastewater provided some metals levels are reduced and pH is adjusted to comply with their pretreatment requirements.

4. PG&E has estimated 50,000 cubic yards of smelter slag wastes were disposed of on their site in the mid 1970's.
5. Based on the above findings, the Board finds that the discharge has impacted the waters of the State. The Discharger has permitted smelter slag leachate to be discharged where it has adversely impacted and continues to threaten beneficial uses and has created a condition of pollution and nuisance.
6. This Order contains tasks for cleanup of smelter slag wastes leachate discharge into the Alameda County Flood Control Channel, completion of subsurface characterization, and immediate implementation and evaluation of the interim remedial actions.
7. This Order is an action to enforce State law and the Water Quality Control Plan and as such is exempt from the California Environmental Quality Act pursuant to Section 15321 of the Resource Agency Guidelines.

IT IS HEREBY ORDERED pursuant to California Water Code Section 13304 that the Discharger shall cleanup the waste discharged, abate the effects of the discharge, prevent further discharge and take other remedial actions as follows:

**A. Prohibitions**

1. Discharge of waste or hazardous materials to the waters of the State is prohibited.
2. Migration of waste through the subsurface media to waters of the State is prohibited.
3. Activities associated with the subsurface investigation and cleanup that will cause a discharge of waste to waters of the State are prohibited.

**B. Interim Remedial Actions**

1. Take immediate action to investigate all sources of smelter slag waste leachate entering the ACFCF Channel. All seepage must be contained on site and disposed at an appropriate facility.
2. Submit by April 8, 1994 a technical report which should include but not be limited to the following:

- a) A site diagram defining the lateral and vertical extent of deposited slag wastes including the contaminated soil beneath the slag wastes
- b) Number of seeps and corrective measures undertaken, including conclusions and recommendations

### C. SPECIFICATIONS

1. The Discharger shall immediately conduct a subsurface investigation necessary to define the lateral and vertical extent of soil and groundwater contamination beneath the slag wastes. A detailed workplan shall be submitted to the RWQCB for review and approval.

WORKPLAN DUE DATE: April 20, 1994

2. Final cleanup goals for impacted soils beneath the slag waste pile and polluted groundwater shall meet the applicable standards, including Maximum Contaminated Levels, acceptable to the Board and shall be based on an evaluation of the cost, effectiveness and a risk assessment to determine the effects on human health and the environment. If the discharge to waters of the State is an alternative for treatment of the polluted groundwater, an NPDES permit application must be completed and submitted. An acceptable workplan for groundwater cleanup must be submitted within 15 days of completion of the field investigation.

SOIL AND GROUNDWATER REPORT DUE DATE: May 20, 1994

3. On a monthly basis, the Discharger shall submit a progress report on soil and groundwater investigations and cleanup due by the tenth (10th) of the subsequent month, commencing with a report for the month of April, due by May 10, 1994.
4. All excavated waste materials shall be disposed of in an appropriate manner and if stored temporarily on land then it shall be in a location sufficient to prevent erosion and subsequent discharge to the Waters of the State.
5. All hydrological reports, documents, plans and specifications shall be certified by either a State Registered Geologist, a certified Engineering Geologist or a Civil Engineer registered pursuant to Section 6762 of the Business and Professions Code, who has experience in groundwater hydrology.

6. All samples shall be analyzed by State certified laboratories accepted by the Board using approved EPA methods for the type of analysis to be performed.
7. If the Discharger is delayed, interrupted or prevented from meeting one or more of the completion dates specified in this Order, the Discharger shall promptly notify the Executive Officer in writing of the revised completion dates. The Board may consider revision to this Order.
8. Copies of all correspondence, reports, and documents pertaining to compliance with the Prohibitions, Interim Corrective Measures, and Specifications of this Order, shall be provided to the following agencies:

Department of Fish and Game -Attention- Bob Kevo  
Union City Fire Department - Attention- Chris Boykin  
Alameda County Flood Control District - David Safreno  
Alameda County Health Services - Attention- Arieu Levi  
Alameda County Water District - Attention Michael Lerner  
State Department of Health Services/TSCD

9. The above requirements do not exempt the discharger from compliance with any other laws, regulations or ordinances which may be applicable, and they leave unaffected any other restraints on this project which may be contained in other statutes or required by other agencies.
10. The Discharger shall immediately notify the Regional Board and ACWD by telephone whenever any discharge of waste to waters of the State occurs as a result of any soil excavation and groundwater related activities. A written confirmation on the incident shall follow within five working days.

Pursuant to section 13304 of the Water Code, the Discharger(s) is hereby notified that the Regional Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Regional Board to investigate unauthorized discharges of wastes and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. Upon receipt of a billing statement for such costs, the Dischargers shall reimburse the Regional Board.

Pursuant to California Water Code sections 13304, 13350 and 13385 if a Discharger fails to comply with the provisions of this order, the Board may schedule a hearing to consider assessing civil monetary penalties and to consider requesting the Attorney General to take appropriate enforcement action against the Dischargers, including injunctive and civil monetary remedies.



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Steven R. Ritchie  
Executive Officer

3/31/94

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Date