

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER No. 00-044

UPDATED WASTE DISCHARGE REQUIREMENTS AND RECISSION
OF ORDERS 82-054, 87-168, AND 88-110 FOR:

USS-POSCO Industries
Pittsburg, Contra Costa County

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

BACKGROUND AND PURPOSE OF ORDER

1. USS-POSCO Industries (UPI) (hereinafter called the Discharger) owns and operates a steel finishing facility located in Pittsburg, Contra Costa Co. At this facility, UPI has discharged Class I (hazardous) wastes and Class II (non-hazardous, designated) wastes to land. The discharge of these wastes to land has the potential to impair and/or degrade the quality and beneficial uses of waters of the State.
2. The **purpose** of this Order is to update waste discharge requirements (WDRs) established by the Regional Board for the UPI facility in the 1980's. Specifically, this Order updates and supercedes the prior Regional Board Orders to reflect changes that have occurred in facility operations and regulatory requirements. These changes include the closure of unlined treatment and disposal areas, and the initiation of the Resource Conservation and Recovery Act (RCRA) Corrective Action Process (CAP) by the Department of Toxic Substance Control (DTSC).
3. This Order does not update or amend in any way WDR Order No. 94-040, adopted March 16, 1994, for the regulation of the active Class II Waste Management Unit (WMU-II) at the UPI Facility. WMU-II is a lined Class II landfill constructed in 1994 in accordance with the California Code of Regulations, Title 27. WMU-II accepts non-hazardous, designated waste sludges generated by wastewater treatment processes at UPI's metal finishing facility. WDR 94-040 established construction, operation and monitoring requirements for WMU-II for the protection of water quality and allows the Regional Board to maintain lead agency status for its regulation. On March 1, 2000, WDR 94-040 was reviewed and deemed current with no changes necessary.

SITE DESCRIPTION AND HISTORY

4. The UPI facility (the Site) is located at 900 Loveridge Road, Pittsburg, Contra Costa County. The Site comprises approximately 460 acres situated along the southern shore of New York Slough, east of Suisun Bay on the north side of the City of Pittsburg. The Site is generally flat with a gently north-northwest-trending slope. In 1986, UPI was formed as a joint venture between USX Corporation (formerly U.S. Steel Corporation) and Pohang Iron and Steel Co., LTD. The facility was owned by USX Corporation prior to 1986. Steel manufacturing and finishing operations have occurred at the Site since 1909.
5. The Site is bordered by Dow Chemical's Pittsburg Plant to the east, Harbor Street and a residential area to the west, Kirker Creek and the Pittsburg-Antioch highway to the south, New York Slough to the north, and a number of small businesses to the northwest. The attached Figures 1 through 4 illustrate the Site location, layout, and boundaries.
6. The Site includes five primary areas of past and/or present operations:
 - Metal Finishing Facility;
 - Terminal Wastewater Treatment Plant (TWTP);
 - Wastewater Treatment Oil Separation System (WTOSS);
 - Land Disposal Site L-A (Site L-A); and
 - Land Disposal Site L-B (Site L-B).
7. Presently the facility processes semi-finished hot band coils obtained from off-site steel producers. UPI converts these hot band coils into finished steel products through methods known as "cold reduction", "annealing", and "finishing". These methods employ techniques such as electrolytic tinning and chroming, pickling with hydrochloric and sulfuric acids, hot-dip galvanizing, cold rolling, alkaline cleaning, and annealing. Finished steel products include cold-rolled steel, galvanized steel, and tin and chrome-plated steel strip.
8. By-products from the metal finishing processes, as well as process water, stormwater, monitoring well purge water, and landfill leachate in accordance with WDR 94-040, are treated on-site at the TWTP and the WTOSS. Treated wastewater is discharged to New York Slough under a National Pollution Discharge Elimination System (NPDES) permit (WDR Order No. 93-107).
9. Solid wastes (de-watered sludges) generated from the metal finishing and wastewater treatment processes consist of non-hazardous, designated wastes that are disposed of in WMU-II located in Site L-B.

Site L-B

10. Site L-B is 50 acres and has been operated since 1971. From 1971 to 1989, Site L-B consisted of five unlined sludge-thickening impoundments and a dried sludge disposal area. The impoundments accepted Class I (hazardous) waste sludge from the wastewater treatment plant

for de-watering and drying. The dried sludge was then placed on the unlined ground surface for disposal. As of 1978, the sludge disposal area was accepting 9600 tons/year of dried sludge containing heavy metals from all of the five drying impoundments.

11. In 1989, the five Site L-B impoundments were closed due to their unsuitability as Class I liquid waste disposal units. The dried sludge disposal area continued to accept dried hazardous waste sludge for disposal and became known as Waste Management Unit I (WMU-I). Dried sludges and soils from the base of the five impoundments were removed and transferred to WMU-I. WMU-I was closed in September 1995 in accordance with the *Closure and Post Closure Maintenance Plan* dated April 8, 1994. The final closure certification was approved by DTSC on December 28, 1995. Post closure monitoring of WMU-I began in January 1996 in accordance with the approved *Closure and Post Closure Maintenance Plan*, and is currently in effect.
12. In 1993, pursuant to DTSC and Regional Board requirements, the Discharger submitted a Report of Waste Discharge (ROWD) with plans for the construction of a new Class II landfill (WMU-II) and closure of WMU-I. In response to the ROWD, WDR 94-040 was adopted to establish construction and operation requirements for WMU-II. In September 1995, final approval was granted by the Regional Board for the acceptance of Class II designated waste in WMU-II.
13. In 1999, DTSC approved the CMS recommendation of no further corrective action for Site L-B, thus completing the RCRA CAP for Site L-B. Currently, Site L-B monitoring requirements include 1) DTSC's post closure monitoring plan for WMU-I and 2) WDR 94-040 for WMU-II.

Site L-A

14. Site L-A is 135 acres and has been operated as a debris dump since the 1930s. In 1982 it was operated as a cut-and-fill disposal site, accepting 5 to 8 tons per day of designated (non-hazardous) wastes including clean fill, concrete, bricks, lumber, and ferrous and non-ferrous metallic products. Site L-A also contains numerous slag piles and some oil-burn pits. Prior to 1982 Site L-A had occasionally accepted Class 1 (hazardous) wastes including air-dried sludges from the wastewater treatment plant. Since the early 1990's Site L-A has received only inert demolition waste.
15. Site L-A is currently inactive and undergoing evaluation for remedial measures in the CMS phase of the RCRA CAP under DTSC oversight. Site L-A is monitored as part of the Site-wide groundwater monitoring program specified in the *RCRA Facilities Investigation (RFI) Workplan*, dated July 2, 1996 and approved by DTSC.

Flow Stabilization Ponds (Site FSP)

16. Site FSP consisted of two unlined flow stabilization ponds that were added to the wastewater treatment system in 1970. As of 1982, the ponds received between 15 and 20 million gallons per day (mgd) of untreated wastewater. The wastewater consisted of metal finishing process wastes, non-contact cooling water, water softener brines, and storm water runoff. In 1989, the

flow stabilization ponds were removed and replaced with an aboveground storage and treatment system. Sludges and soils from the base of the ponds were removed and transferred to the WMU-I.

17. Site FSP is currently in the CMS stage of the RCRA Corrective Action process under DTSC oversight. Monitoring of Site FSP occurs as part of the Site-wide groundwater monitoring program specified in the *RCRA Facilities Investigation (RFI) Workplan*, dated July 2, 1996 and approved by DTSC.

REGULATORY HISTORY AND CURRENT STATUS

18. Previous Regional Board Orders for the UPI facility include:

- WDR Order No. 82-054 (adopted 9/15/82)
- WDR Order No. 87-168 (adopted 12/16/87)
- WDR Order No. 88-110 (adopted 6/15/88)

WDR 82-054 established Waste Discharge Requirements for Site L-A, 2) Site L-B, and Site FSP. WDR 87-168 amended WDR 82-054 to add requirements of the Toxic Pits Cleanup Act (TPCA) related to five surface impoundments located in Site L-B. WDR 88-110 amended provisions of the previous WDRs to require 1) submittal of a Report of Waste Discharge (ROWD) for the five Site L-B impoundments, and 2) submittal of a plan and schedule for the removal of liquids from three of the five Site L-B impoundments.

19. The UPI facility was considered a RCRA facility, due to the treatment, storage, and/or disposal of hazardous wastes that occur there. In June 1993, UPI submitted an updated RCRA Part A permit and applied for RCRA Part B permit renewal (which was subsequently granted in 1995). The RCRA Part A and Part B applications triggered the preparation of a RCRA Facilities Assessment (RFA) and initiation of the RCRA CAP. At that time, the DTSC assumed the role of lead agency for all areas of the UPI facility under the RCRA CAP. The RCRA CAP consists of four phases including 1) RCRA Facilities Assessment (RFA), 2) RCRA Facilities Investigation (RFI), 3) Corrective Measures Study (CMS), and 4) Corrective Measures Implementation (CMI). The intent of the RCRA CAP is to address all areas and operations at the facility where past releases of hazardous substances threaten human or environmental health. In 1999 the DTSC rescinded the RCRA Part B permit and issued a consent agreement with UPI (CAD No. 009 150 194) to retain RCRA CAP authority for the Site.
20. In June 1994, an RFA was completed. Forty-four (44) Solid Waste Management Units (SWMUs) were identified and assessed for the likelihood of hazardous substance releases. In July 1996, an RFI workplan was approved by DTSC. The RFI workplan proposed further investigation for 19 of the 44 identified SWMUs, and specified a Site-wide groundwater monitoring program. The final RFI, submitted in April 1998, recommended that twelve (12) SWMUs warranted inclusion in the CMS phase of the RCRA CAP. Currently, only SWMU No. 12 (Site L-B) has completed the CMS phase of the RCRA CAP with no further action

necessary other than monitoring. The other eleven SWMUs (including Site L-A) remain in the CMS phase undergoing evaluation for possible corrective/remedial measures.

21. The UPI facility is currently undergoing the RCRA CAP, pursuant to consent agreement, to identify, evaluate, and remediate any and all public and environmental health threats associated with UPI's manufacturing processes, and the treatment, storage, and disposal of hazardous wastes at the facility. The RCRA CAP includes a groundwater monitoring program applicable to all areas of the Site, and a post-closure monitoring program for specific to WMU-I. Both monitoring programs will continue to be administered by DTSC. Therefore, a duplicative Self-Monitoring Program (SMP) is not specified in this Order. The RCRA CAP does not apply to WMU-II because it does not accept hazardous wastes and is regulated by the Regional Board under separate Order. The Regional Board will continue to regulate WMU-II under WDR Order No. 94-040.

HYDROLOGY AND HYDROGEOLOGY

22. New York Slough, at the northern boundary of the Site, is approximately 750 feet wide and 40 feet deep. Flow is generally due to tidal currents and discharge from the San Joaquin River. At the southern perimeter of the Site lies Kirker Creek, which drains the coastal hills and is diverted eastward via an unlined ditch along the facility's southern boundary.
23. Sediments beneath the Site derive from alluvial outwash of the Coast Range hills to the south. Sediment deposition was primarily controlled by the fluvial system of the ancestral Sacramento and San Joaquin Rivers, and is characterized by discontinuous, lenticular, sandy clays with subordinate clayey and silty sands. These units are highly variable in horizontal and vertical continuity. A five to eight foot thick clay layer directly underlies Site L-B.
24. Two water-bearing units have been identified beneath the Site. These include 1) an upper unconfined water-bearing zone, and 2) a lower confined sand & gravel aquifer. The upper unit occurs from ground surface to a maximum depth of about 75 feet below ground surface (fbgs). This unit is comprised of silts and silty clays interbedded with laterally discontinuous silty sand and clayey sand lenses. The unconfined water level is typically between 6 and 13 fbgs. For monitoring purposes, the upper water-bearing unit is divided into a "shallow zone" (5 to 30 fbgs) and an "intermediate zone" (40 to 75 fbgs).
25. The lower water-bearing unit comprises the main aquifer in the area. This aquifer is confined and consists of sands and gravels averaging 70 feet thick. The depth to the top of the aquifer is about 90 to 100 fbgs. The confined piezometric surface is typically between 5 and 10 fbgs. This unit is monitored as the "deep" zone.
26. The upper and lower aquifers are separated by a silty-clay aquitard that ranges in thickness from 24 to 36 feet. Based on a pumping test conducted about 800 feet east of WMU-II, there appears to be little hydrologic connection between the two aquifers at the western end of the Site. However, evidence of historic salt-water intrusion due to over pumping in the deep aquifer indicates there is hydraulic communication with New York Slough.

27. Depth to bedrock is estimated to be between 400 and 800 fbs. Bedrock is the Tahama formation that consists of tertiary-aged shales, sandstones, and conglomerates and dips steeply to the north.

Groundwater Gradients

28. Since there are only two deep wells at the Site, the horizontal groundwater gradient for the lower aquifer cannot be directly evaluated, but is assumed to be northerly toward New York Slough. For the upper aquifer, the horizontal gradient appears to be consistently northward with a magnitude of about 0.002 ft./ft. Wells M-8 and M-10 located in Site L-B north of WMU-II have anomalously high groundwater elevations that influence the gradient in a more easterly direction in that area. These higher groundwater levels may be due to ponded water that frequently occurs at that location.
29. Based on data from the two shallow and deep well clusters at the Site (M-1 & M-1D and M-4 & M-4D) there appears to be a slight, consistently upward vertical gradient between the upper and lower aquifers. The magnitude of the gradient ranges from about 0.02 to 0.07 ft./ft.

Background Groundwater Quality

30. Concentrations of total dissolved solids (TDS) from shallow zone wells located throughout the Site have historically ranged between 1700 and 6800 mg/l. Furthermore, manganese concentrations have been detected as high as 2300 ug/l in intermediate zone wells and 1900 ug/l in deep zone wells. Shallow zone wells generally exhibit lower manganese concentrations, but often above the secondary drinking water maximum contaminant level of 50 ug/l. Manganese concentrations in wells at the nearby Southern Energy Pittsburg Power facility have been detected as high as 3700 ug/l. The presence of elevated TDS in shallow zone groundwater beneath the Site appears to be due to historic salt-water intrusion that has been documented in the area. Elevated manganese in shallow, intermediate, and deep zone groundwater beneath the Site appears to be due to a natural mineral source that causes unusually high background concentrations.
31. Various volatile organic compounds (VOCs) have been detected in three separate areas around the Site. These areas are described as: 1) the railroad tracks up-gradient (south) of WMU-I (wells M-1, M-1B, M-1D, M-1E, M-1G, LB-4, M-4, and M-9); 2) the south central area of the facility also near the railroad tracks; and 3) the eastern Site border with the Dow Chemical Plant. Based on concentration and gradient data, impacts in these areas appear to be due to independent sources.

BASIN PLAN AND RESOLUTIONS

32. The Regional Board adopted a revised Water Quality Plan for the San Francisco Bay Basin (Basin Plan) in June 21, 1995. This updated and consolidated plan represents the Regional Board's master water quality control planning document. The State Water Resource Control Board and the Office of the Administrative Law approved the revised Basin Plan on July 20 and November 13, respectively, of 1995. A summary of regulatory provisions is contained in

Section 3912, Title 23 of the California Code of Regulations. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface water and groundwater.

33. The Basin Plan provides that all groundwaters are considered suitable, or potentially suitable, for municipal or domestic water supply (MUN) and that, in making any exceptions, the Regional Board will consider the criteria referenced in Regional Board Resolution No. 89-39, "Sources of Drinking Water", where:
- (a) The total dissolved solids exceed 3,000 mg/l (5,000 μ S/cm, electrical conductivity), and it is not reasonably expected by the Regional Board that the groundwater could supply a public water system, or
 - (b) There is contamination, either by natural processes or human activity (unrelated to the specific pollution incident), that cannot reasonably be treated for domestic use using best management practices or best economically achievable treatment practices, or
 - (c) The water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day.
34. Shallow zone groundwater beneath the Site (as referenced in Findings Nos. 24 and 30) generally exceeds 3000 mg/l total dissolved solids, and is not reasonably expected to supply a public water system. Therefore, the shallow zone groundwater beneath the Site satisfies the Basin Plan exemption criteria cited in Finding No. 33(a).

BENEFICIAL USES OF SURFACE WATER AND GROUNDWATER

Groundwater

35. The Site resides within the boundaries of the Pittsburg Plain Groundwater Basin, as defined in the Basin Plan. The existing and potential beneficial uses identified for groundwater in this basin, according to the Basin Plan, include:
- Municipal and Domestic Supply (MUN)
 - Industrial Process Supply (PROC)
 - Industrial Service Supply (IND)
 - Agricultural Supply (AGR)

Surface Water

36. The existing and potential beneficial uses identified for surface water in Kirker Creek and New York Slough, according to the Basin Plan, include:
- Ocean, Commercial, and Sport Fishing (COMM)
 - Preservation of Rare and Endangered Species (RARE)

- Water Contact Recreation (REC1)
- Non-Water Contact Recreation (REC2)
- Fish Migration (MIGR)
- Fish Spawning (SPWN)
- Wildlife Habitat (WILD)
- Estuarine Habitat (EST)
- Marine Habitat (MAR)
- Navigation (NAV)
- Industrial Process Supply (PROC)
- Industrial Service Supply (IND)
- Groundwater Recharge (GWR)
- Agricultural Supply (AGR)
- Municipal and Domestic Supply (MUN)

CALIFORNIA ENVIRONMENTAL QUALITY ACT

37. This action is exempt from provisions of the California Environmental Quality Act pursuant to Section 15301, Title 14 of the California Code of Regulations.

NOTICIFICATION AND PUBLIC MEETING

38. The Regional Board has notified the Discharger and interested agencies and persons of its intent to update waste discharge requirements and has provided them with an opportunity to submit their written views and recommendations.
39. The Regional Board, in a public meeting, heard and considered all comments pertaining to the proposed waste discharge requirements for the Site.

IT IS HEREBY ORDERED pursuant to the authority in Section 13263 of the California Water Code (CWC) that the Discharger, their agents, successors, and assigns, shall comply with the following:

A. PROHIBITIONS

1. The relocation of wastes to or from waste management units shall not create a condition of pollution or nuisance as defined in Section 13050 (1) and (m) of the California Water Code. Any relocated waste shall not be placed in or allowed to contact ponded water from any source whatsoever. Wastes shall not be relocated to any location where they can be discharged into waters of the State or of the United States.
2. Leachate and ponded water containing leachate or in contact with waste shall not be discharged to waters of the State or of the United States unless specifically authorized under an NPDES permit.

3. The creation of any new waste management units is prohibited without prior Regional Board staff concurrence.
4. The Discharger shall not excavate within or reconfigure any existing waste management unit without the prior Regional Board staff concurrence.
5. The Discharger, or any future owner of the Site, shall not cause the following conditions to exist in waters of the State at any place outside waste management units:
 - a. Surface Waters:
 - Floating, suspended, or deposited macroscopic particulate matter or foam;
 - Bottom deposits or aquatic growth;
 - Adversely alter temperature, turbidity, or apparent color beyond natural background levels;
 - Visible, floating, suspended, or deposited oil or other products of petroleum origin; and
 - Toxic or other deleterious substances to be present in concentrations or quantities that may cause deleterious effects on aquatic biota, wildlife, or waterfowl, or that render any of these unfit for human consumption either at levels created in the receiving waters, or as a results of biological concentrations.
 - b. Groundwater:
 - Further degradation of groundwater quality;
 - Substantial worsening of existing groundwater impacts.

B. SPECIFICATIONS

1. The Discharger shall comply with all applicable requirements of Title 27 of the California Code of Regulations (Title 27) and Title 23, Division 3, Chapter 15 of the California Code of Regulations (Chapter 15). WMU-I is subject to Chapter 15 due to the disposal of hazardous wastes at that location.
2. The Discharger shall comply with all requirements as specified by DTSC including monitoring of WMU-I (currently under post-closure monitoring) and the Site, pursuant to the programs established by DTSC.
3. The Discharger shall install any reasonable additional groundwater and leachate monitoring devices required to fulfill the terms of any future monitoring programs as determined by DTSC or specified by this Regional Board at the request of DTSC.
4. The Discharger shall maintain all devices or designed features, installed in accordance with this Order or DTSC requirements, such that these devices continue to operate as intended without interruption.

5. The Discharger shall provide a minimum of two surveyed permanent monuments near the closed WMU-I from which the location and elevation of wastes, containment structures, and monitoring facilities can be determined throughout the post-closure maintenance period. These monuments shall be installed by a licensed land surveyor or registered civil engineer.
6. The Discharger shall maintain and monitor all operations and containment systems at the Site, including the WMU-I: 1) so as not to cause any further release to surface or groundwater, and 2) in order to achieve the corrective action goals established by DTSC. The Discharger shall also maintain and monitor all operations and containment systems at the facility so as not to cause any new release or impact on water quality at the points of compliance.
7. Surface water drainage shall not contact waste during the post-closure life of the WMU-I.
8. The Regional Board considers the Discharger to have continuing responsibility for correcting any problems that arise in the future as a result of waste discharge at the WMU-I, Site L-A, or manufacturing, treatment, storage, or disposal operations Site-wide.
9. All technical reports required pursuant to this Order shall be prepared under the supervision of a California Registered Civil Engineer, a California Registered Geologist, or a California Certified Engineering Geologist.

Aboveground Petroleum Storage Tanks

10. The Discharger shall comply with the requirements of Aboveground Petroleum Storage Act (APSA) found in Chapter 6.67, Section 25270 of the California Health and Safety Code, and with Part 112, Title 40 of the Federal Code of Regulations (40CFR Part 112).
11. The exterior surfaces of all regulated aboveground petroleum storage tanks, including connecting piping, shall be monitored either by visual observation or other methods, to assure that petroleum products will not discharge to surface waters and groundwater of the State.
12. All regulated tanks, with tank bottoms that cannot be visually inspected, shall have their tank bottoms tested for integrity and thickness using American Petroleum Institute (API) standard 653 or the most current industry or Regional Board-approved standard.

C. PROVISIONS

1. All technical and monitoring reports required pursuant to this Order are being requested pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order or attachments to this Order, or failure to submit a report of sufficient technical quality acceptable to the Executive Officer may subject the Discharger(s) to enforcement action pursuant to Section 13268 of the California Water Code.
2. Except as provided in the schedules below, the Discharger shall comply with the Prohibitions, Specifications, and Provisions of this Order immediately upon adoption. All requirements

pertain to the WMU-I, Site L-B, Site L-A, and the entire UPI facility, unless otherwise specified and to the extent applicable, with the exception of WMU-II which is regulated under WDR 94-040.

3. The Discharger shall submit surface water, groundwater, and leachate monitoring reports annually to the Regional Board that are acceptable to the Executive Officer. These reports shall satisfy the requirements of Article 5 of Chapter 15, with respect to WMU-I and Site L-B. Each annual monitoring report shall also include a summary of any revision to the monitoring program approved by DTSC during the preceding year. **Annual monitoring reports for the prior year shall be submitted by March 31st.**
4. The Discharger shall prepare a plan (including a schedule), acceptable to the Executive Officer, for the implementation of the aboveground petroleum storage tank and piping monitoring requirements of Specification B.11. **The plan shall be submitted by December 31, 2000.**
5. The Discharger shall prepare a plan (including a schedule), acceptable to the Executive Officer, for the implementation of the aboveground petroleum storage tank bottom integrity and thickness testing requirements of Specification B.12, if applicable. The plan shall discuss the testing schedule and influencing factors including tank bottom corrosion rate and tank bottom age. **The plan shall be submitted by December 31, 2000.**
6. The Discharger shall immediately notify DTSC of any flooding, equipment failure, or slope failure or other change in conditions at the WMU-I that could impair the integrity of waste or leachate containment or precipitation and drainage control facilities.
7. The Discharger shall maintain a copy of this Order at the Site so as to be available at all times to site operating personnel.
8. UPI shall submit a detailed Post Earthquake Inspection Report acceptable to the Executive Officer, in the event of any earthquake generating ground shaking of Richter Magnitude 7 or greater at or within 30 miles of the Site. The report shall describe the containment features, groundwater monitoring, and control facilities potentially impacted by the static and seismic deformations of any waste management unit. Damage to any waste containment facility that may immediately impact State waters must be reported as soon as possible to the Executive Officer. **REPORT DUE: Within 2 weeks of Earthquake**
9. **CHANGE IN OWNERSHIP**
In the event of any change in control or ownership of the facility presently owned or controlled by UPI, UPI shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office. To assume operation of this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of this Order within 30 days of the change of ownership. The request must contain the requesting entity's full legal name, the address and telephone number of the persons responsible for contact with the Board. Failure to submit the request within 30 days, may be considered a discharge without requirements, a violation of the California Water Code.

10. DUTY TO COMPLY

The Discharger(s) must comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board orders, or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350].

11. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the Discharger(s) shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)].

12. TERMINATION

Where the Discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

13. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the Discharger from liability under Federal, State or local laws, nor do they create a vested right for the Discharger to continue the waste discharge. [CWC Section 13263(g)]

14. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any of these provision are found to be invalid, the remainder of the requirements shall not be affected. [CWC 9213]

15. OPERATION AND MAINTENANCE

The Discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Dischargers to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

16. RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately

notify the office of Emergency Services of the discharge in accordance with the spill reporting provision of the state toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the Dischargers are in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13271(a)]

17. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

18. ENTRY AND INSPECTION

The Discharger shall allow the Regional Board, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the Site, in accordance with applicable health and safety procedures, where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this order or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

19. MONITORING DEVICES

All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurements devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the Discharger shall submit to the Executive Officer a written statement signed by a registered professional engineer

certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

20. ENDANGERMENT OF PUBLIC OR ENVIRONMENTAL HEALTH

The Discharger shall report any noncompliance that may endanger public health or the environment. Any such information shall be provided orally to the Executive officer within 24 hours from the time the Discharger become aware of the circumstances. A written submission shall also be provided within five days of the time the Discharger become aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by case basis if the oral report has been received within 24 hours.

21. MAINTENANCE OF RECORDS

The Discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurements;
- (b) The individuals who performed the sampling or measurements;
- (c) The date(s) analyses were performed.
- (d) The individuals who performed the analyses;
- (e) The analytical techniques or method used; and
- (f) The results of such analyses.

22. All application reports or information submitted to the Executive Officer shall be signed and certified as follows:

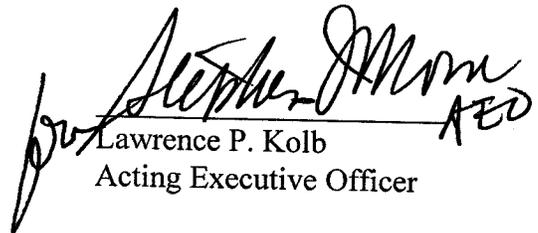
- (a) For a corporation -- by a principal executive officer or the level of vice president.

- (b) For a partnership or sole proprietorship -- by a general partner or the proprietor, respectively.
- (c) For a municipality, state, federal, or other public agency -- by either a principal executive officer or ranking elected official.

A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:

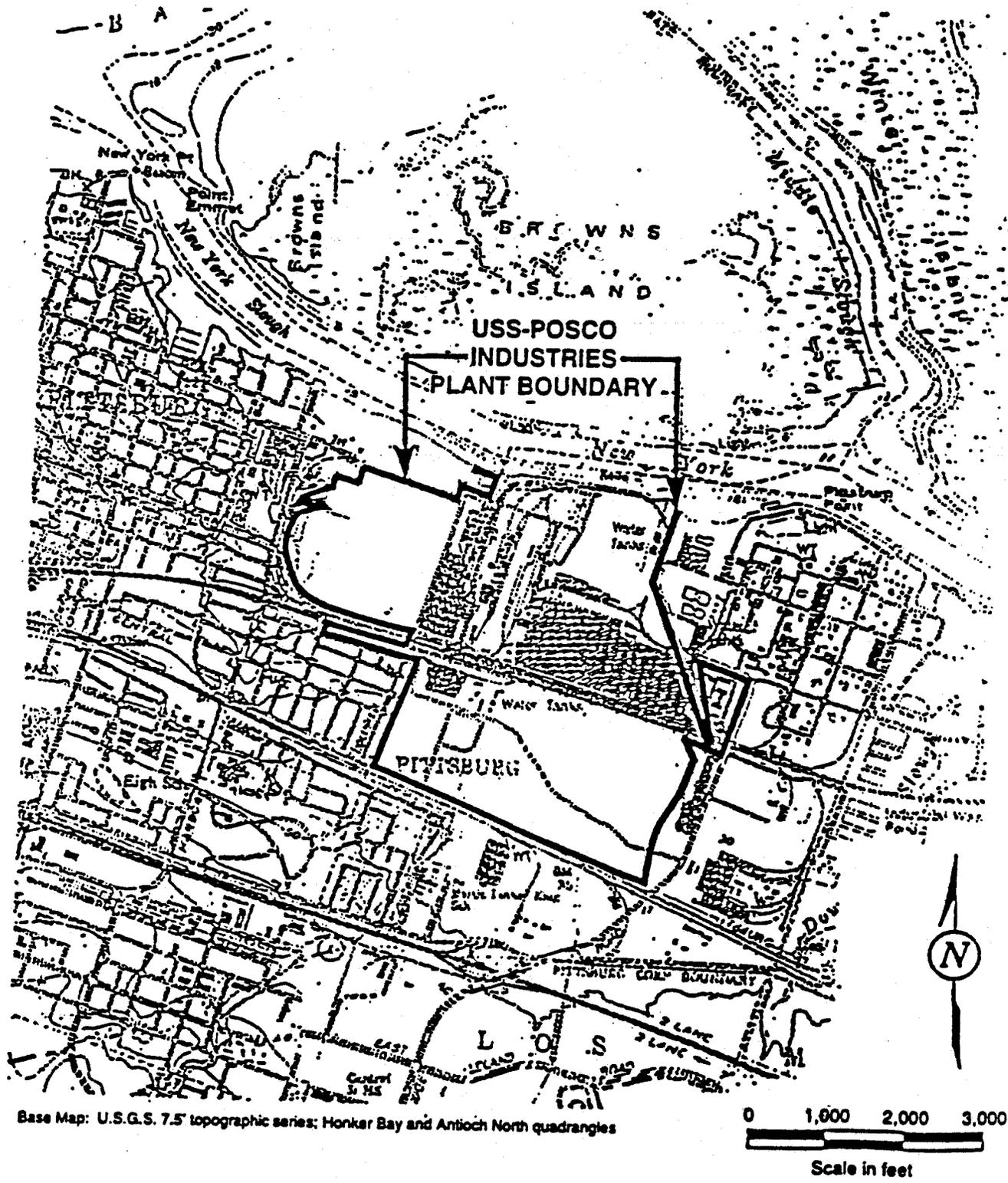
- (a) The authorization is made in writing by a person described in paragraph (a) of this provision;
 - (b) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - (c) The written authorization is submitted to the Executive Officer.
23. Any person signing a document under this Section shall make the following certification: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [CWC Sections 13263, 13267, and 13268]"
24. This Regional Board's Waste Discharge Requirements Orders No. 82-054, 87-168, and 88-110 are hereby rescinded.
25. This Order is subject to Regional Board review and updating as necessary to comply with changing state, or federal laws, regulations, policies, or guidelines; changes in the Regional Board's Basin Plan; or changes in the discharge characteristics. The Regional Board may also consider changes to this Order upon request of the Discharger or DTSC.

I, Lawrence P. Kolb, Acting Executive Officer, do hereby certify that the foregoing is a full, complete, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 21, 2000.


Lawrence P. Kolb
Acting Executive Officer

Attachments:

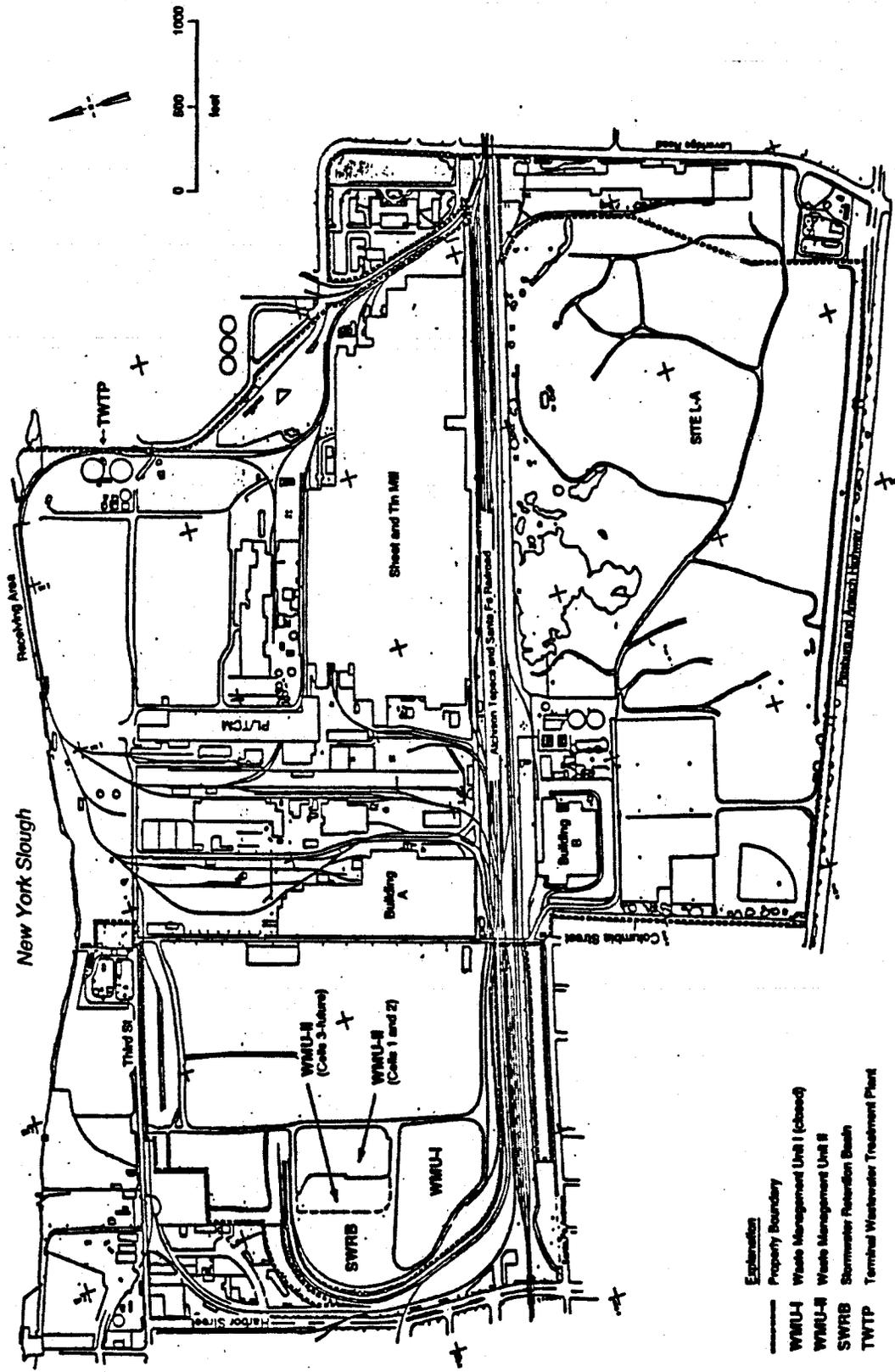
- 1. Figure 1 - Site Location Map
- 2. Figure 2 - Current Site Layout
- 3. Figure 3 - Historic Site Layout
- 4. Figure 4 - Current Site L-B layout w/ WMUs



Base Map: U.S.G.S. 7.5' topographic series; Honker Bay and Antioch North quadrangles

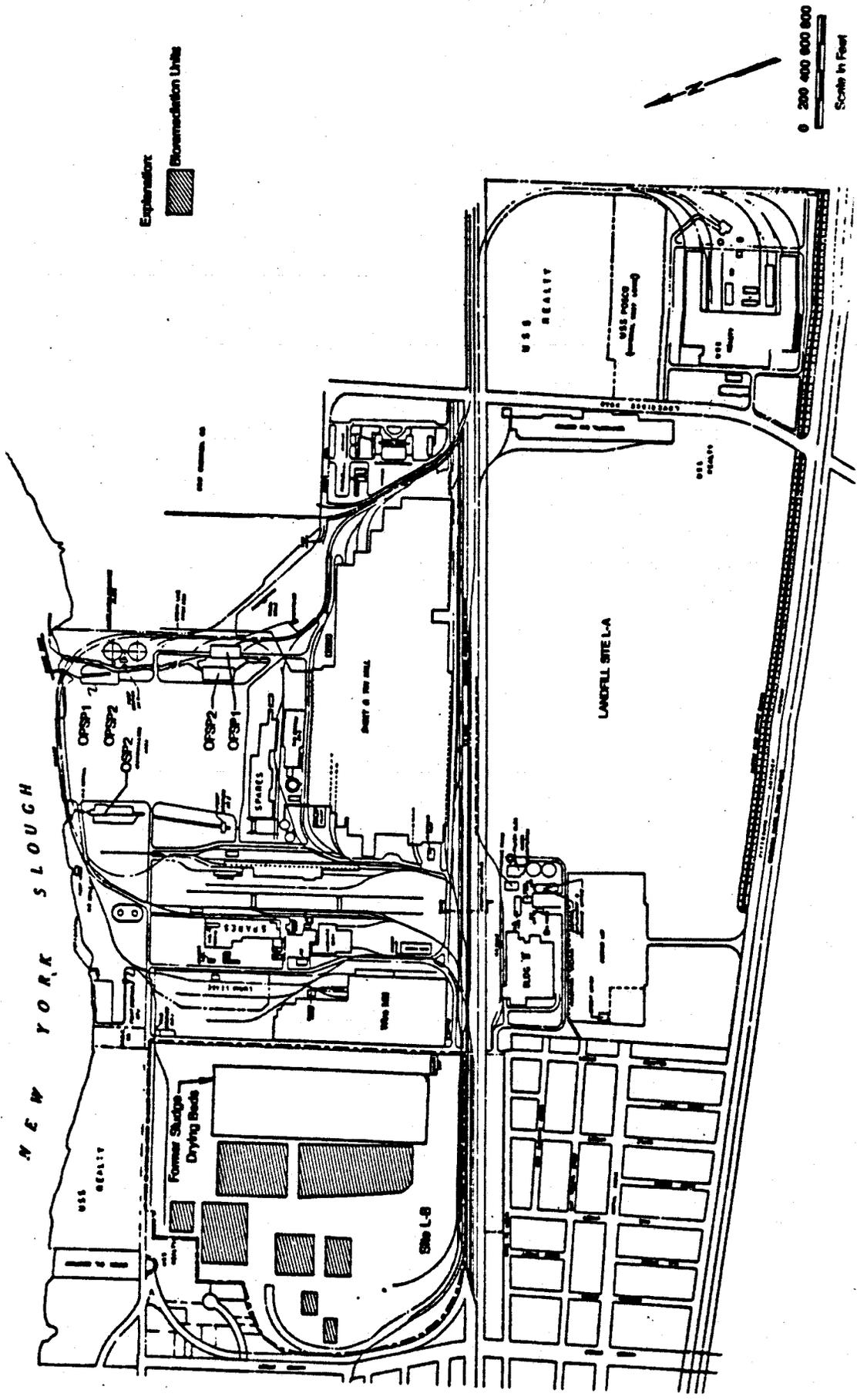
0 1,000 2,000 3,000
Scale in feet

Figure 1. USS-POSCO Industries Site Location Map



- Explanation**
- Property Boundary
 - WMU-I Waste Management Unit I (closed)
 - WMU-II Waste Management Unit II
 - SWRB Stormwater Retention Basin
 - TWTP Terribal Wastewater Treatment Plant

Figure 2. USS-POSCO Industries Current Site Layout



Date 8/21/92

Figure 3. USS-POSCO Industries - Historic Site L-B Layout

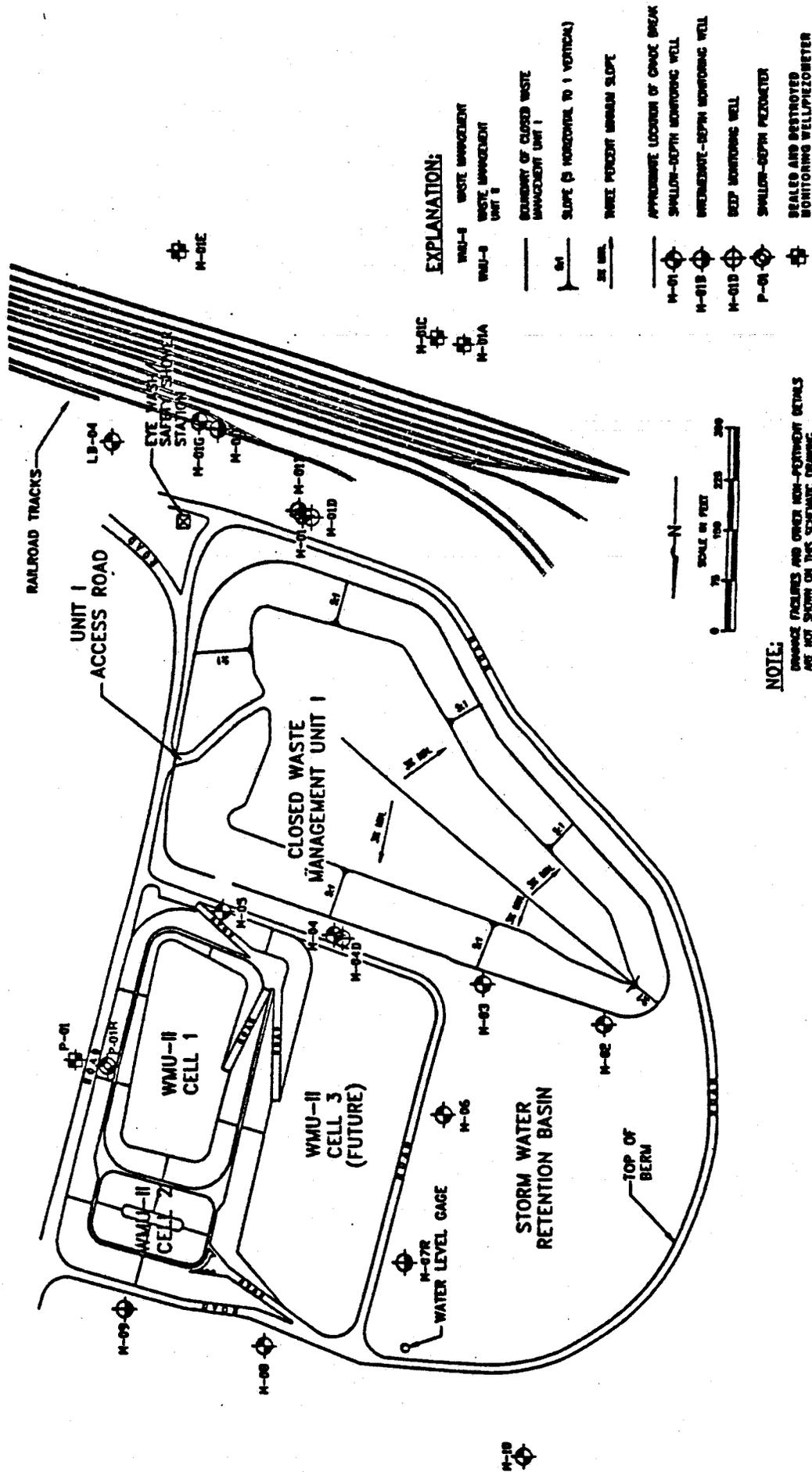


Figure 4. USS-POSCO Industries Current Site L-B Layout