

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

RESOLUTION NO. R2-2011-0010

**ADOPTION OF MITIGATED NEGATIVE DECLARATION FOR FINAL SITE
CLEANUP REQUIREMENTS FOR THE SOUTH FIELD TANK FARM,
OAKLAND INTERNATIONAL AIRPORT, OAKLAND, ALAMEDA COUNTY**

WHEREAS:

1. On November 27, 2007, the California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Regional Water Board) adopted site cleanup requirements (“SCR”) Order No. R2-2007-0082 (Order) requiring the responsible parties as defined in the Order to implement interim remedial action plans, propose final remedial action plans, and monitor contaminated groundwater and surface water at the South Field Tank Farm (SFTF) in Oakland International Airport (Site). The Order was adopted to address the existing threats to water quality posed by fuel hydrocarbon releases at the Site. In response to these requirements, the responsible parties implemented interim remedial measures, conducted groundwater and surface water monitoring and prepared final remedial action plans for the Site;
2. The responsible parties have proposed final remedial action plans (RAPs) for the SFTF. The adoption of the final SCR would require implementation of the final RAPs and Risk Management Plans, contained in each of the RAPs. The RAPs propose remedial activities such as: 1) continued operation and performance monitoring of the Permeable Reactive Barrier, 2) excavation and removal of impacted soil, as needed, 3) free product removal, 4) augmented bioremediation, 5) monitored natural attenuation by periodic evaluation of hydrocarbon and oxygenate concentrations and trends, 6) engineering controls, and 7) institutional controls. Cleanup goals were proposed in the RAPs by the responsible parties based on the Regional Water Board’s Tier 1 Environmental Screening Levels as well as site-specific Tier 2 cleanup levels for soil, groundwater and surface water that are protective of human health and the environment;
3. The Regional Water Board is the lead agency for approving the project (Project) under the California Environmental Quality Act (CEQA at Public Resources Code § 21000 et seq.) and has conducted an Initial Study in accordance with Title 14, California Code of Regulations, § 15063 and prepared a Mitigated Negative Declaration in accordance with Title 14, California Code of Regulations, § 15070 et seq. The Project, as defined for the purposes of this CEQA evaluation, consists of the adoption of the final SCR and associated Self-Monitoring Program for four fuel storage and transfer facilities at the SFTF, implementation of the final RAPs for the four facilities, and associated redevelopment of Tank Farm S into a facility to support airport fueling operations. The four facilities at the SFTF consist of:

- Tank Farm S
- Tank Farm C
- Former Humble/PS Trading Inc. Tank Farm (PST Tank Farm)
- Oakland Airport Transfer Station, SFPP, L.P., an operating partnership of Kinder Morgan Energy Partners, L.P. (Fuel Transfer Station)

The Initial Study did not identify any potentially significant impacts that would not be reduced to a less-than-significant level by incorporation of identified mitigation measures into the project design;

4. On January 20, 2011, the Regional Water Board provided a CEQA No Effect Determination form to the Department of Fish and Game;
5. On January 20, 2011, the Regional Water Board provided a Notice of Intent to adopt the Mitigated Negative Declaration to the public, responsible agencies, trustee agencies, and other interested persons. The Regional Water Board also published the Notice of Intent in the local newspaper and posted it at the Site and at the City of Oakland Public Library, noting the availability of the Mitigated Negative Declaration, supporting Initial Study and related Project documents at the Regional Water Board's offices and website, and the City of Oakland Public Library;
6. On January 20, 2011, the Mitigated Negative Declaration and supporting Initial Study were transmitted to the State Clearinghouse (SCH No. 2011012051) and copies were independently mailed to all agencies and persons known to be interested in this matter, thus initiating a 30-day public review and comment period;
7. The Regional Water Board has not received comments on the Mitigated Negative Declaration and supporting documents;
8. The Regional Water Board finds that on the basis of the whole record that there is no substantial evidence that the Project, as revised and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration, all supporting documentation, and the record of proceedings are available at the Regional Water Board's offices;
9. The Mitigated Negative Declaration reflects the independent judgment and analysis of the Regional Water Board;
10. The record of proceedings on which the Regional Water Board's decision is based, is available at the Regional Water Board's office. The Regional Water Board's custodian of records is Ms. Melinda Wong;
11. The Regional Water Board has prepared a Mitigation Monitoring and Reporting Program for the Project, and has included it in the Initial Study; and

12. The Regional Water Board considered all testimony and evidence at a public hearing held March 9, 2011 in Oakland, and good cause was found to adopt the Mitigated Negative Declaration.

THEREFORE BE IT RESOLVED, that the Regional Water Board hereby adopts the Mitigated Negative Declaration for the Project.

I, BRUCE H. WOLFE, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 9, 2011.

Bruce H. Wolfe
Executive Officer