

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

ORDER No. R2-2016-0002

**AMENDMENT OF FINAL SITE CLEANUP REQUIREMENTS (ORDER No. R2-2014-0039)
for:**

JONES-HAMILTON COMPANY

for the property located at:

8400 ENTERPRISE DRIVE
NEWARK, ALAMEDA COUNTY

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

1. **Regional Water Board Order:** The Regional Water Board adopted Site Cleanup Requirements, Order No. R2-2014-0039 (Order) for this site on October 22, 2014. The Order names Jones-Hamilton Company as the discharger. The purpose of the Order is to require cleanup to residential standards given the City of Newark's land use plans for the property and its vicinity. The Order requires additional investigation and remedial action for soil, soil vapor, and groundwater in light of the future residential development of the property. The Order requires the discharger to submit technical reports associated with the implementation of these activities.
2. **Reason for Amendment:** Due to delays in permitting that are largely outside the discharger's control, the discharger is unable to complete all tasks by the compliance dates set forth in the Order. As the property does not pose an imminent threat to human health, revising these compliance dates is appropriate. This amendment to the Order provides revised compliance dates for tasks 4, 5, 6, 7, 8, 10, and 11.
3. **California Safe Drinking Water Policy:** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The Order promotes that policy by requiring the discharger to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
4. **CEQA:** This action to amend deadlines set forth in the Order is not a project with the potential to cause a significant effect on the environment. Therefore, the amendment is not subject to CEQA (Cal. Code Regs., tit. 14, § 15061(b)(3)).
5. **Notification:** The Regional Water Board has notified the discharger and all interested agencies and persons of its intent under Water Code section 13304 to amend site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED, pursuant to sections 13304 and 13267 of the Water Code, that Order No. R2-2014-0039 shall be amended as follows:

A. The Order's task compliance dates are revised as follows:

TASK 4. Implement Final Remedial Design Implementation Plan.

REVISED COMPLIANCE DATE: September 30, 2016

TASK 5. Work Plan to Re-Evaluate Ground Water Quality.

REVISED COMPLIANCE DATE: September 30, 2016

TASK 6. Implementation of Work Plan to Re-Evaluate Groundwater Quality.

REVISED COMPLIANCE DATE: January 31, 2017

TASK 7. Risk Management Plan.

REVISED COMPLIANCE DATE: November 30, 2016

TASK 8. Proposed Deed Restriction.

REVISED COMPLIANCE DATE: November 30, 2016

TASK 10. Risk Management Plan Reporting.

REVISED COMPLIANCE DATE: March 31, 2017

TASK 11. Five-Year Status Report to Evaluate Effectiveness of Remedial Actions Taken

REVISED COMPLIANCE DATE: January 31, 2017 and every five years thereafter

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on January 14, 2016.

Bruce H. Wolfe
Executive Officer

FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY
