

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

ORDER No. R2-2016-0034

**AMENDMENT OF 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 for this site on October 22, 2014 (Order No. R2-2014-0039). This order names Jones-Hamilton Company as discharger. The order sets cleanup standards and requires implementation of the discharger's proposed cleanup plan.
2. **Reason for Amendment:** The existing order sets cleanup levels for the identified contaminants of concern for onsite vadose zone soil. The order also allows for the discharger to propose cleanup levels for any additional constituents discovered during site cleanup activities. The discharger has proposed revisions to the existing soil cleanup goal for chromium and has also proposed cleanup goals for petroleum and nickel in soil.

The current soil cleanup goal for chromium of 100 milligrams per kilogram (mg/kg) was used during the facility closure process in 2003 and 2007 and was based on an assumed site background for soil. The cleanup level, however, is lower than typical background in Bay Area soils (Scott, 1991; Lawrence Berkeley National Laboratory [LBNL], 2009). Additionally, the cleanup level does not distinguish between trivalent chromium and hexavalent chromium.

The discharger has proposed a revised soil cleanup level and process for evaluation which requires: 1) soil exceeding 100 mg/kg total chromium be additionally analyzed for hexavalent chromium; 2) the hexavalent chromium cleanup level will be the residential Environmental Screening Level (ESL) (February 2016) of 0.3 mg/kg; and 3) the trivalent chromium cleanup level will be 750 mg/kg, which is less than the ESL for trivalent chromium of 120,000 mg/kg.

The discharger has also proposed to set cleanup levels for petroleum hydrocarbons and nickel in soil, as these constituents were not included in the existing order. The proposed cleanup levels for total petroleum hydrocarbons as gas, diesel, and motor oil (TPHg, TPHd, and TPHmo) in surface soil (0-5 feet from final grade) are each 100 mg/kg. For deeper soil (>5 feet from final grade), 500 mg/kg for each petroleum compound is proposed. The proposed shallow soil cleanup levels are at or below the Tier 1 ESLs for residential use (Feb. 2016). The proposed deeper soil cleanup levels are below the ESLs for TPHg and TPHmo. The deeper soil cleanup level for TPHd is approximately 2 times the Tier 1 ESL of 230 mg/kg, which is based

on direct contact. As direct contact below 5 feet is not a significant issue, these cleanup levels are protective of human health and the environment.

The discharger proposes the use of 272 mg/kg as a cleanup level for nickel in soil, based on background studies in California. This proposed concentration is below the direct contact ESL (Feb. 2016) for nickel in a residential setting of 820 mg/kg and is protective of human health and the environment.

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. This order promotes that policy by requiring discharges to be remediated such that maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use are met in existing and future supply wells.
4. **CEQA:** This action amends an order to enforce the laws and regulations administered by the Regional Water Board. Amendment of the order is not a project as defined in the California Environmental Quality Act (CEQA). There is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (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 soil cleanup levels and process for evaluating chromium in soil is as follows:
 - 1) Soil exceeding 100 mg/kg total chromium must be analyzed for both trivalent chromium and hexavalent chromium;
 - 2) The soil cleanup level for hexavalent chromium is 0.3 mg/kg; and
 - 3) The soil cleanup level for trivalent chromium is 750 mg/kg (defined as total chromium concentration, less the hexavalent concentration).
- B. The soil cleanup levels for petroleum hydrocarbons in soil are as follows:
 - 1) Surface to five feet below final grade is 100 mg/kg each of TPHg, TPHd, and TPHmo; and
 - 2) Below five feet from final grade is 500 mg/kg each of TPHg, TPHd, and TPHmo.
- C. The soil cleanup level for nickel is 272 mg/kg.

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 July 26, 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
=====