

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF JULY 13, 2001

Prepared on June 20, 2001

ITEM: 35

SUBJECT: Executive Officer's Report to the Board

Brief discussion of some items of interest to the Board follow. Upon request, staff can provide more detailed information about any particular item.

Watershed and Cleanup Branch Reports

**REGULATION SUMMARY OF
APRIL/MAY 2001**

[Corinne Huckaby 805/549-3504
and Maura Mahon 805/542-4642]

Orders

Reports of Waste Discharge Received	8
Requirements Pending	60
Inspections Made	141
*Self-Monitoring Reports Reviewed (WB)	81
*Self-Monitoring Reports Reviewed (CB)	251
Stormwater Reports Reviewed	8

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	2
Non-Chapter 15 WDR Program	5
Chapter 15 Program	3
Unregulated	0
CAOs Issued	1
ACL Complaints	2
Notice to Comply (NTC)	0
Storm Water (NOV)	6
Unregulated (FTS's – Tanks)	5
Storm Water (ACL Complaints)	0

WATER QUALITY CERTIFICATIONS

[Corinne Huckaby 805/549-3504]

The Office of Administrative Law (OAL) has given approval of the "rule making record" and proposed regulations to govern Water Quality

Certification. The new regulations effect the following changes:

1. Delegate day to day certification action to the Regional Boards (EO). Multi-Region issues and water rights issues are still handled by State Board.
2. Implement a new fee structure. The new fees are: \$500 for standard certification and \$1000 per acre (up to 10 acres) for conditional certifications. There are three actions available, Standard Certification (\$500), Conditional Certification (\$1000/acre up to 10 acres), and Denial.
3. Revise the petition process to include aggrieved parties, not just the applicant.
4. Bring the program into better compliance with CEQA, permit streamlining, the Clean Water Act and Porter-Cologne.

In general, staff recommends "Standard Certification" when the applicant proposes adequate mitigation. Measures included in the application must assure that beneficial uses will be protected, and water quality standards will be met.

Conditional Certification is appropriate when a project may adversely impact surface water quality. Conditions allow the project to proceed under an Army Corps permit, while upholding water quality standards.

Staff will recommend "No Action" when no discharge or adverse impacts are expected. Generally, a project must provide beneficial use and habitat enhancement for no action to be taken by the Regional Board. A chart on the following page lists applications received through June 13, 2001.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM APRIL 24, 2001 THROUGH JUNE 13, 2001

Date Received	Applicant	Project Description	Project Location	Receiving Water	Action Taken
April 30, 2001	California Men's Colony	Sewer Trunk Line Replacement	San Luis Obispo	Chorro Creek	Pending
May 7, 2001	Caltrans	Silt removal from Jones Creek	Gilroy	Jones Creek tributary to Llagas Creek	Incomplete application letter sent
May 9, 2001	BEACON	South Central Coast Beach Enhancement Program	Carpinteria	Pacific Ocean	Pending
May 9, 2001	Laguna County Sanitation District	Road Crossing Improvement Project	Santa Maria/Orcutt	Orcutt (Solomon)Creek	Pending
May 9, 2001	Bruce Gibson	Revegetation Project for Old Creek	Cayucos	Old Creek	Standard Certification
May 17, 2001	City of Capitola	Soquel Creek Lagoon Closure	Capitola	Soquel Creek/Monterey Bay	Standard Certification
May 21, 2001	PG&E	Access Road Repairs	Vandenberg Air Force Base	Unnamed tributary to San Antonio Creek	Pending
June 6, 2001	Channel Islands YMCA	Construct recreational facility	Santa Ynez	Unnamed blue-lined stream; wetlands	Pending
June 8, 2001	Penfield and Smith	Storm damage at Alisal Ranch Golf Course	Solvang	Alisal Creek	Pending
June 11, 2001	City of Morro Bay	Culvert construction for Morro Bay High School Bike Path	Morro Bay	Intermittent drainage	Pending
June 13, 2001	Cachuma Operation and Maintenance Board	Carneros Creek Crossing Repair	Santa Barbara	Carneros Creek	Pending

LOW THREAT DISCHARGES AND WAIVERS

This section is for dischargers who have requested approval to discharge water that poses insignificant threat to water quality or for sites recommended for case closure (low risk sites where no further regulatory action is required). Consequently, we conditionally approved of these proposals. Conditions common to each approval are:

1. If you, the Regional Board, object to the proposal, an NPDES permit or waste discharge requirements will be prepared for the Board's consideration.
2. The discharger remains liable for any treatment system failure that results in significant discharge of pollutants.
3. We have a "low threat discharges" general permit for surface water discharges available, and the discharger may be required to file for coverage by that permit.

Site descriptions and specific conditions are listed below for each case.

Santa Cruz Cannery Building, Moss Landing Harbor, Monterey County [Lida Tan 805/542-4785]

The Moss Landing Harbor District (District) intends to lease portions of the Santa Cruz Cannery Building to three fish packaging and processing companies: Monterey Fish Company, Sea Harvest and Soloman Live Fish. The District submitted an application requesting the fish processing operations be enrolled in the General Permit for Discharges with Low Threat to Water Quality, Order No. 96-4, allowing fish processing water to be discharged to Moss Landing Harbor. Historically, fish packaging and processing companies use seawater and fresh water to process fish either on the docks or in the buildings. The process water has been discharged back into the harbor without any screening to remove solids. Compliance with Order No. 96-4 requires the District and its tenants to screen process waters and comply with a specified monitoring and reporting

program to protect harbor water quality.

To limit seawater discharge to the Monterey Regional Wastewater Treatment Plant sanitary sewer system that reclaims its wastewater for agriculture uses, the District proposes to screen solids from the fish washing seawater and discharge it back into the harbor. Fresh water (non-saline) used for fishing process is discharged into the sanitary sewer system. Monterey Fish Company uses seawater for washing the fish prior to packaging and shipping. Fish is pumped from the fish-holding tanks in the fishing vessels to a water separator, which separates the seawater from the fish, before the fish is loaded onto a conveyor and weighing system. After the fish is weighed, it is packaged with seawater and ice for shipping. Water from the each vessel seawater separator is recycled back to the fish-holding tank and is pumped over board when the vessels go back out to sea. Approximately 1,500 gallons of seawater is used for washing the dock and conveyors daily. The District has installed a screen basin to remove solids before the seawater is discharged into the harbor. Sea Harvest uses mostly fresh water for its fish cutting and cleaning. A rotating screen and a grease trap have been installed before the fresh water is discharged into the sanitary sewer system. An estimated 500 gallons per day of seawater may be used for fish washing. The District has installed a screen basin to remove any solids before the seawater is discharged into the harbor. Solomon Live Fish recirculates seawater to keep its fish alive in the tanks. There is no fish washing, cutting or cleaning, so the seawater is not expected to contain any significant amount of solids. Therefore, no screen is necessary for the seawater discharge into the harbor.

To ensure the discharge meets Basin Plan water quality objectives, screen basins have been installed to remove solids from used seawater. Prior to discharge the seawater back into the harbor, the seawater will be monitored periodically to ensure its compliance with the Basin Plan water quality objectives. Staff reviewed the design specifications submitted to justify the low threat to water quality discharge permit and concluded the District's proposal is adequate. On May 4, 2001, staff

provided the District with a draft low-threat-to-water-quality discharge permit and site-specific Monitoring and Reporting Program No. 96-4. A notice for the upcoming seawater discharge was sent to nearby business and property owners in the harbor. No substantive comment was received from the public. Therefore, subject to Board concurrence, staff has authorized discharge of fish washing seawater to Moss Landing Harbor from the Santa Cruz Building pursuant to General Permit Order No. 96-4 and the site-specific monitoring and reporting program.

Ferms Service, 41 Porter Drive, Pajaro, Monterey County [Matthew Keeling 805/549-3685]

Staff recommends the discharge of treated groundwater from the subject facility be regulated under Order No. 96-4, National Pollutant Discharge Elimination System (NPDES) No. CAG993001, Waste Discharge Requirements, General Permit for Discharges with Low Threat to Water Quality (General Permit) adopted by the Board on October 18, 1996. The proposed discharge must comply with Regional Board standards, prohibitions, and requirements to protect water quality.

Petroleum hydrocarbons including fuel oxygenates such as methyl tertiary-butyl ether (MTBE) were released to the subsurface as a result of underground storage tank and product distribution system spills and leaks. Ferm's Service is taking measures to hydraulically control and remediate the contaminated groundwater with the installation of a groundwater and soil vapor extraction and treatment system at the site. High vacuum dual-phase extraction events are being conducted from selected monitoring wells every two weeks as interim corrective action until the permanent groundwater and soil vapor extraction system is operational.

Impacted groundwater will be removed from the subsurface via downgradient and plume core extraction wells located on adjacent properties. Extracted groundwater will be treated via three in-line granular activated carbon treatment canisters (double redundant system) preceded by a modified zeolite filter

to ensure that all contaminants are removed prior to discharge to the storm sewer. The storm sewer discharges to an open channel (earthen drainage ditch) between Salinas Road and the Union Pacific railroad track at Trafton Road approximately 1.2 miles south of the site. The earthen drainage ditch is approximately two miles long and ultimately drains to Elkhorn Slough. The treatment system flow rate will be between five and ten gallons per minute (up to 14,400 gallons per day) and will discharge the treated ground water directly to the storm sewer via an underground pipe. The maximum allowable flow for a continuous discharge pursuant to the General Permit is 50,000 gallons per day. Treatment system redundancy, routine inspection, maintenance and confirmation sampling ensure the discharge will not pose a significant threat to water quality. Prior to authorizing discharge under the General Permit, staff will prepare a Monitoring and Reporting Program (MRP) including requirements for the treatment system and discharge. This MRP will be used in conjunction with the General Permit MRP No. 96-4 to ensure the protection of water quality. Extracted ground water will be treated to drinking water standards prior to discharge and no adverse effects are expected. Public notification of the proposed discharge was submitted to the property owners within a 300-foot radius of the discharge point on April 30, 2001. No comments from the public have been received as of the date of this report. However, on June 18, 2001 the County of Monterey Public Works Department (County) expressed concerns regarding potential liability as a result of allowing the use of their storm sewer system to convey the treated groundwater. Subsequently, the County is drafting an indemnification letter for Ferm's Service to sign prior to allowing the proposed discharge to its storm sewer. Regional Board staff assured the County that the Regional Board has no intention of holding the County responsible for allowing the use of the storm sewer for conveyance purposes, and that Ferm's Service will be held responsible for the discharge pursuant to the General Permit. A copy of the General Permit was given to the Deputy Public Works Director on June 18, 2001, and the County will be consulted in the preparation of the forthcoming MRP for the

subject site.

Also, the California Department of Fish & Game was contacted at the County's request. Deborah Johnston of Fish & Game indicated that the Water Quality Objectives (primary and secondary maximum contaminant levels for drinking water) set forth as the Discharge Prohibitions of the General Permit are not stringent enough for a discharge to Elkhorn Slough. Ms. Johnston suggested that the discharge limits be set to more stringent USEPA water quality criteria or NOAA SQUIRTs (Screening Quick Reference Tables) values, which have not been promulgated. Notwithstanding Ms. Johnston's comment, staff proposes issuing the General Permit using drinking water standards as applicable Water Quality Objectives as set forth in the Basin Plan and pursuant to Title 22 of the California Code of Regulations. Staff maintains that these limits are protective of the beneficial uses of the potential receiving waters, and that only a small portion of the discharge flow is likely to reach Elkhorn Slough. It is anticipated that a substantial portion of the treatment system flow will infiltrate and evapotranspire within the 2-mile stretch of the open earthen drainage culvert before reaching Elkhorn Slough.

Waiver Of Waste Discharge Requirements For Rucker Creek Sediment Removal, Gilroy, Santa Clara County [Kimberly Gonzalez 805/549-3150]

On May 3, 2001, the Santa Clara Valley Water District (hereafter "District"), submitted a report of waste discharge and mitigated negative declaration describing the Rucker Creek sediment removal project. On June 7, 2001, Regional Board staff spoke with District staff, Scott Katric, regarding details of the Rucker Creek sediment removal and bank protection project.

The District has easement or owns in fee title the project area: Rucker Creek downstream of Guibal Avenue, in Gilroy, Santa Clara County.

The purpose of this project is to restore Rucker creek to its as-built condition. In the

project area, Rucker Creek is an approximately 4-foot wide earthen channel, with 2:1 (horizontal:vertical) side slopes. Along a 100-foot section of Rucker Creek, the District plans to remove approximately 30 cubic yards of sediment, and stabilize eroding banks.

Dredging activities are short-term, to be completed in one day. Bank stabilization is expected to take no more than five days. The project is scheduled for late summer 2001. The proposed activities will temporarily disturb approximately 0.02 acres, or 870 square feet of freshwater wetland habitat. Wetland mitigation will be addressed when the District applies for Section 401 Water Quality Certification. There are no previous records of sediment removal or erosion repair activities at this site.

Prior to sediment removal, the District will collect and analyze sediment to plan for sediment disposal, to determine best management practices, and to monitor water quality impacts. One continuous core sample and one discrete sediment sample will be collected from the project area. Samples will be analyzed to determine sediment disposal options (use as fill or disposal to landfill), to determine appropriate best management practices, and to monitor water quality impacts. Sample results are not available at this time, however District staff expects soils at this site to be non-toxic.

The District will implement a self-monitoring program, which includes visual and physical observations, water quality data collection using field equipment, and laboratory analyses of water samples. Monitoring will occur before, during, and after the project, to determine water quality impacts.

Based on information provided by the District, dredging activities associated with this project appear to be minor. California Water Code Section 13296 allows Regional Boards to waive waste discharge requirements of a specific discharge or type of discharge when it is not against the public interest. These waivers are conditional and may be terminated at any time. Resolution 89-04 integrated a *Waiver of Regulations of Specific Types of Dischargers* policy into the Water Quality

Item No. 35
Executive Officer's Report

6

July 12-13, 2001

Control Plan, Central Coast Basin (Basin Plan). "Minor Dredge Operations" are one type of waste discharge that may be waived under that policy. Dredge operations are considered "minor" when operation is short-term, and dredged sediment is non-toxic and is discharged to land.

To prevent nuisance and assure protection of beneficial uses of surface and ground water, the District will implement best management practices in accordance with their Best Management Practices Manual and California Environmental Quality Act (CEQA) documents.

The District is required to notify the Regional Board at least thirty days prior to any changes in the project's nature before project commencement. The Regional Board reserves the right to issue individual or general waste discharge requirements for this project.

Waiver of Waste Discharge Requirements for Granite Construction Company, Highway Concrete Grinding, Greenfield, Monterey County [Michael LeBrun 805/542-4645]

Granite Construction Company proposes to process a concrete slurry by settling, decanting, and disposal. The concrete slurry is a byproduct of Highway 101 rehabilitation work. The slurry will be neutralized (pH 6.5-8.5) prior to discharge to a settling basin, or a lined settling basin will be used and the decant water will be neutralized. Approximately one million gallons of slurry and 1000 cubic yards of fines will be processed over 40 days (the approximate life of the project).

Based on the limited nature of the project Regional Board staff believes the potential for water quality impacts is minimal. Regional Board staff granted Granite Construction Company a Conditional Waiver of Waste Discharge Requirements. Conditions include full containment of discharge, neutralization, and Regional Board notification of any significant project changes.

WATERSHED BRANCH REPORTS

Status Reports

Castroville Irrigation Project [Lida Tan 805/542-4785]

See Attachment 1.

Pacific Grove Wastewater Collection System, Monterey County [Lida Tan 805/542-4785]

This report is an update on the City of Pacific Grove's progress toward improving its sewer collection system and reducing sewage spills.

Grease Trap Ordinance Implementation Program: The Grease Trap Implementation schedule requires priority one restaurants and food establishments to install the grease trap devices in June 2001. Most establishments in this group have ordered the grease trap devices and expect to complete installation as soon as they arrive. A few businesses in the group have not made any plans to install the devices. The City intends to enforce this requirement. Monterey Regional has been conducting routine inspections in the City for grease trap compliance.

Coordination with Monterey Regional: Monterey Regional Water Pollution Control Agency staff met with City staff recently to discuss implementing recommendations on how to improve the City's sewer collection system. The City public works employees will receive technical training and eventually receive certification as part of the program.

Clean Beach Initiatives: Lover's Point Beach and Still Water Cove in Monterey County have been placed on the Clean Beach Initiative Priority List. Although the list is only a draft, adopted by the Senate and Assembly Subcommittees in May, Monterey County could receive up to \$1 million dollars to address sources that lead to the frequent beach closures at the two beaches.

In addition, Regional Board staff has been working with USEPA, seeking to conduct a sewer collection system survey along the central coast cities. The survey would evaluate collection system integrity and look at ways to reduce sewage spills. Staff believes USEPA's involvement will heighten the

Item No. 35
Executive Officer's Report

coastal cities' awareness of sewage spill prevention.

General Waste Discharge Requirements in Los Osos [Sorrel Marks 805/549-3695]

At its March 31, 2000 meeting, the Board approved General Order No. 00-12, Waste Discharge Requirements for Residential On-site Wastewater Systems within the Bayview Heights and Martin Tract Areas of Los Osos, San Luis Obispo County. Since adoption of General Order No. 00-12, 12 single family residential projects have filed Notices of Intent (applications) for coverage under the General Order. Each of the applicants' projects complies with the criteria specified in General Order No. 00-12 and has been approved for coverage under the Order.

Los Osos Wastewater Project [Sorrel Marks 805/549-3695]

Following is a brief summary of issues relating to the Los Osos wastewater project which have occurred since the status report provided for the Board's May 17, 2001 meeting.

At the time of agenda preparation, results of the public vote to form an assessment district are not yet known. However, results will be available by June 28, 2001, and will be provided in a supplemental mailing. The assessment district is needed to finance approximately \$19 million of project costs not covered by the State Revolving Fund loan and as such represents the lowest cost funding alternative. The assessment district vote is by mail-in ballot and considerable staff time has been spent responding to walk-in visitors and telephone questions.

In order to precipitate dialogue and communicate with the CSD, during the past few months staff has participated in the following:

May 5th: Public meeting of CSD Board of Directors regarding assessment district formation.

May 17th: Public meeting of CSD Board of Directors regarding disposal options.

June 21st: Public meeting of CSD Board of Directors regarding assessment district (protest hearing).

June 28th: Public meeting of CSD Board of Directors regarding results of assessment district vote.

Time Schedule Order No. 00-131 (adopted by the Board in November, 2000) includes the following compliance dates:

<u>Task</u> <u>Date</u>	<u>Completion</u>
Circulate draft EIR (done)	12/15/00
Final CEQA document (done)	04/01/01
Form assessment district or comparable financing for wastewater system	07/29/01
Complete approved design plans	07/15/02
Submit County Use and Coastal Development permits	07/15/02
Begin construction	09/06/02
Complete construction	08/30/04

Status Reports due two weeks after each above date.

Arroyo Grande Flood Control [Gerhardt Hubner 805/542-4647]

On May 24, 2001, Executive Officer Roger Briggs and Senior Engineering Geologist Gerhardt Hubner attended an interagency meeting at the City of San Luis Obispo Library to discuss flood control efforts along the Arroyo Grande Creek (Creek). Specifically, the purpose of the meeting was to discuss recent flooding due to heavy rains and breaching of the levee along the lower Arroyo Grande Creek, and efforts to prevent a reoccurrence. K.H. Achadjian, County of San

Luis Obispo District 4 Supervisor, hosted the meeting. In attendance were staff from the following agencies and organizations: Army Corps of Engineers, Fish and Wildlife Service, National Marine Fisheries Service, Congresswomen Lois Capp's office, District 33 Assemblyman Abel Maldonado's office, California Department of Fish and Game, San Luis Obispo County Departments of Flood Control and Planning, Salmon Enhancement, and the Coastal Resource Conservation District.

The County of San Luis Obispo (County) is pursuing both short and long term strategies to prevent future flooding along the lower reaches of Arroyo Grande Creek. The short-term focus is to prepare the lower Creek for next winter. The County is proposing to excavate sand from a limited number of sand bars in the channel, with work to be initiated by August 1st and conclude by October 15th. The Federal Fish and Wildlife Service is expected to issue its biological opinion as part of its endangered species consultation by August 1st. No Water Quality 401 Certification from this Regional Board will be necessary since no 404 permit from the Army Corps of Engineers is anticipated.

Long-term efforts will entail work to restore the carrying capacity of the Creek to protect against a 50-year flood event. Currently the County estimates the Creek has only 15% of this original capacity. The County would like to apply for and receive a 10-year permit for work in the Creek. Since at least one endangered species (Red-Legged Frog) and several sensitive species inhabit the creek, the trustee agencies (Fish and Wildlife Service, CA Fish and Game, and National Marine Fisheries Service) would like a Habitat Conservation Plan prepared on the entire Arroyo Grande Creek watershed. The group discussed the merit of allowing more activities in the lower watershed (such as flood control maintenance) if the County or agencies provide more habitat protection in the upper watershed. The County did request from the group participants examples of other areas with successful creek maintenance. The group also discussed various funding options for the County. Regional Board staff informed the County that it could submit proposals for

funding under Proposition 13 and the 319h non-point source grant programs. Salmon Enhancement is currently hosting quarterly forums concerning the Creek, and they proposed that as part of the September meeting these issues could be further discussed.

A tour of the Arroyo Grande Creek is planned for the next month or two. Short-term Regional Board staff involvement with this issue will likely involve processing any necessary 401 Certification(s) (as part of the Army Corps of Engineers 404 permit process, if that becomes necessary). In the long-term, staff plans to participate in future Arroyo Grande Creek watershed coordination efforts.

Carpinteria Salt Marsh - Wastewater Discharges from Carpinteria Valley Greenhouses, Santa Barbara County [Michael Higgins 805/542-4649]

Surveys conducted by staff in 1977 and 1982 found, of the 225 greenhouses operating in the Central Coast Region at the time, only a small number likely posed a threat to water quality. Therefore, the 1982 survey recommended the Board waive waste discharge requirements (WDRs) for greenhouses implementing several waste disposal guidelines. In accordance with this Region's April 15, 1983 waiver policy (adopted in accordance with Water Code Section 13269), the Executive Officer (EO) has since regulated waste discharges from greenhouses by means of conditional waivers. For example, since 1994, the EO has issued six waivers in Santa Barbara County

In recent years, the Carpinteria Valley's mild climate and proximity to large markets in Southern California allowed horticulturists to substantially increase the number of greenhouses in the area. To reduce expenses and increase production, most greenhouses improved their growing practices, thereby reducing adverse effects on water quality. The greenhouses usually converted to hydroponic systems, which generate much less wastewater and require much less fertilizer than earlier growing methods. Many growers capture, treat, and return the small flows of relatively

Item No. 35
Executive Officer's Report

9

July 12-13, 2001

clean wastewater to the growing areas for reuse. However, some greenhouses discharge water softener wastewaters directly to surface waters.

Some area greenhouses are within the Santa Monica and Franklin Creek (Creeks) watersheds, which flow into the Carpinteria Salt Marsh (Marsh). Efforts to restore the Marsh have been underway for several years. For example, substantial fill has been removed, and the Southern California Wetlands Recovery Project has earmarked \$50,000 for a restoration project, among other efforts. (Please see the Wetlands Recovery Project Board of Governor's meeting summary later in this report.) The University of California at Santa Barbara, Santa Barbara County's Project Clean Water, and this Region's Central Coast Ambient Monitoring Program have monitored the Creeks and Marsh. The data show the Creeks often discharge elevated nitrate concentrations to the Marsh. Additionally, data obtained from the County Agricultural Commission demonstrate substantial use of pesticides in the area. Discharges to surface waters from greenhouses, row crops, and orchards are likely sources of these pollutants.

On June 6th, staff accompanied members of the citizens group Channelkeeper on a tour of greenhouses suspected of discharging wastewater to Santa Monica and Franklin Creeks. Inspection of several greenhouses found that all had converted to hydroponics systems. However, all except two discharged small flows of water softener wastewater to the Creeks and Marsh.

State and federal law requires dischargers of waste to surface waters to report the discharge to the Board, and to possess a valid NPDES permit adopted by the Board. No greenhouse in the area possesses such a permit. Therefore, staff proposes the following regulatory strategy:

- Identify all greenhouse owners and operators in the Carpinteria Valley;
- Remind them by letter of the applicable legal requirements and that they must cease discharge of wastewater to surface waters without an NPDES permit;
- In accordance with Water Code Section

13267(b), require a technical report from each describing existing and proposed waste disposal methods;

- Require those who wish to continue to discharge wastewater to surface waters to also submit an application for an NPDES permit, in which the Board would require pollutants to be eliminated from the discharge, and
- Require the technical report for greenhouses proposing to cease discharging wastewater to surface waters to propose appropriate measures, and to include a time schedule to implement them.

Southern California Wetlands Recovery Project, Santa Barbara County [Michael Higgins – 805/542-4649]

Coastal wetlands are vital to the health of many species, serving as nurseries for marine animals and feeding grounds for birds, among other functions. The coastline from Point Conception in Santa Barbara County to the border with Mexico once included large wetland areas, of which only five percent remain. The mission of the Southern California Wetlands Recovery Project is to "establish a mosaic of functioning wetland and riparian systems that supports a diversity of fish and other wildlife species."

The Recovery Project's Board of Governors includes representatives from federal and State resource agencies, including the Chairpersons and Executive Officers of the Central Coast, Los Angeles, Santa Ana, and San Diego Regional Boards. The Wetlands Recovery Project Managers Group meets monthly to develop and rank projects. The Managers Group compiles project descriptions and funding estimates in a Work Plan, and proposes the Plan to the Board of Governors for their approval at annual meetings. This Board's staff participates in the Managers Group meetings, and in the Santa Barbara County Task Force, which recommends projects to the Managers Group.

Item No. 35
Executive Officer's Report

10

July 12-13, 2001

At the May 18, 2001 meeting (same day as our Regional Board meeting, which has been an on-going conflict), the Board approved this year's Work Plan, which included over 50 wetlands and watershed projects with a total estimated cost of approximately \$150 million. The Recovery Project has contributed funds for three current projects in Santa Barbara County: the Arroyo Hondo Watershed Acquisition, the Goleta Slough Tidal Restoration Study, and the Summerland/Greenwell Preserve Restoration. The Recovery Project has earmarked funds for the Carpinteria Salt Marsh Restoration and the Ellwood Beach Santa Barbara Shores Specific Plan.

At its June 6 meeting, Managers Group members discussed Board of Governors' recommendations. Governors Board Members suggested minor improvements to the project ranking procedures, and the Managers Group's annual presentation to the Board.

Coastal Erosion Control Meeting in Carpinteria [Julia Dyer 805/594-6144]

On May 22, 2001, in Carpinteria, City Hall, Council chambers, staff member Julia Dyer attended a public meeting on the *Draft Policy on Coastal Erosion Planning and Response for California* prepared by the State of California Resources Agency. This document creates a state policy for improving how the state government plans and responds to coastal erosion along California's 1,100 mile coastline. The policy utilizes an interagency approach by coordinating with other agencies that historically have on worked in unison on this problem. Discussion included the desire to work at a regional approach and defining "sand sheds" instead of individual sea walls in areas of particularly high erosion. The need to eliminate the grooming of beaches to minimize the biological impact and leave cobble and debris which actually helps to stabilize sand. The scope of the plan may be broadened to further upstream to get at the sources of the problems. Regional Board staff added their name to their future contact list to keep our Region in the loop for further developments with the policy.

San Luis Obispo Creek Bacteria [Christopher Rose 805/542-4770]

Staff is developing a Total Maximum Daily Load (TMDL) for pathogens for San Luis Obispo Creek (Creek). Staff began collecting data in March 2001. The results of initial monitoring confirm analysis of data gathered by the County Health Department during September 2000, indicating elevated fecal coliform levels near Mission Plaza. The Mission Plaza area is of particular concern because children use this area for contact recreation.

Data collected thus far by staff indicates varying levels of coliform throughout the watershed. Seasonal variations can also be supported if data provided by County Health is considered.

Staff has conducted seven rounds of sampling, several reconnaissance and field inspections, and has analyzed data. Staff conclusions at this time include:

1. Fecal coliform levels exceed numeric standards established to protect water contact recreation.
2. There are multiple sources of coliform loading to the Creek.
3. Fecal coliform levels are significantly higher at the downstream end of the tunnel conveying stream flow under the city, relative to the upstream end.
4. There is at this time no evidence that broken sewer lines or illegal connections to stormwater conduits are contributing sources.
5. There is very little evidence to suggest that the homeless are a significant source of fecal coliform to the Creek.

The following actions have occurred or are underway as a response to the information collected to date:

1. The County Health Department has posted the Creek at Mission Plaza, offering

public warnings of coliform contamination.

2. Staff has initiated stakeholder involvement. Staff has met with City of San Luis Obispo staff (City) and Cal Poly representatives to coordinate efforts towards source analysis and to develop solutions to any problems identified. Staff has also met with environmental interest groups to coordinate efforts towards public awareness and source analysis.
3. Staff are coordinating TMDL and permitting efforts. Staff is reviewing the WDR for Cal Poly and incorporating coliform monitoring into their reporting program. Staff is also sharing data and providing guidance to City staff to facilitate appropriate development of a municipal Stormwater Management Plan pursuant to Phase II NPDES Municipal Stormwater Regulations. Staff will also be contacting other potentially responsible parties to discuss discharge conditions and controls. Finally, staff may initiate new permit applications based on newly acquired coliform data.
4. Staff will continue monitoring through the low-flow season to confirm historic data, facilitate source analysis, and develop the TMDL.

Buena Vista Mines, Inc. [Gerhardt Hubner 805/542-4647]

Site Conditions

Staff conducted an inspection at the Buena Vista and Klau Mines on June 1, 2001. Observations from that inspection:

Buena Vista Mine: The large rainfall storm events in February caused significant slumping along the banks of the valley that used to contain the retort pile. In response, the United States Environmental Protection Agency's (U.S. EPA) contractors have excavated and removed a large quantity of natural earth on one side of the valley to lessen the slope angle. In doing so they also removed the former concrete channel, which was in danger of being completely

undermined. Erosion control and drainage are now considerably better in this location.

A spring above the old Mahoney adit is discharging a considerable volume of water into a pool. The pool is upgradient from a subsurface collection trench and sump (and appears to be capturing this water). Other acid mine drainage seeps are still evident at several locations at the Buena Vista mine. However, these waters do not appear to be reaching the lower sedimentation basin (as noted in a previous staff inspection conducted in the Spring of this year). Grasses have taken hold and appear to be doing well on the main mine waste repository and the former Western Overburden pile.

The lower collection pond was observed several feet from being full. Staff has been told that this water is primarily storm water collected site-wide. Acid mine drainage pumped from collection galleys and sumps is being sent directly into large tanks for temporary storage, prior to treatment and disposal. U.S. EPA has told staff that they plan to completely empty the pond by the end of June. No water (treated or untreated) was seen discharging into the western concrete channel or the NPDES discharge pipe (intersection of Cypress Mountain and Klau Mine Roads). It appears all treated water is being spray irrigated on the adjacent property just west of Cypress Mountain Rd.

Klau Mine: U.S. EPA contractors are in the process of completely re-terracing the slope above Klau Branch creek. This action will reduce the amount of mercury-laden sediment being eroded and transported directly into the creek. Staff had previously identified (as part of our Mine Study) this area of the Klau Mine as being especially problematic with high concentrations of mercury. In addition, a drainage culvert and energy dissipater to carry storm water from the upper level area has also been installed.

U.S. EPA's contractors were also removing sediment captured in a lower sedimentation basin. This material is subsequently being transported and placed in the Klau mine waste repository. Unfortunately, U.S. EPA will not drain the reservoir due to a lack of funding. In

addition, the acid mine drainage orange colored spring at the intersection of Klau Branch Creek, and Cypress Mountain. Road was visible, and contributing the entire flow of the creek.

U.S. EPA Actions

Mr. Dan Suter, U.S. EPA's Federal On-site Coordinator for this project, has communicated with staff that unless his authority is extended past July 8, 2001, he will no longer be able to continue (and/or finish) his remedial work at both mine sites. U.S. EPA is scheduled to begin demobilizing their operations at both mine sites the later part of June, and will be completely gone by July 8th. Approximately, three hundred thousand dollars were earmarked, and will have been spent for the work completed this spring and summer. Over two million Federal dollars have been spent to date on this project.

Currently, U.S. EPA contractors are batch treating every several days approximately 20,000 gallons of acid mine drainage emanating from seeps and springs at the Buena Vista Mine. Approximately 800,000 gallons have been treated from November 1, 2000 to present. Absent an on-site operator, acid mine drainage will eventually flow off the Buena Vista Mine property uncontrolled and untreated; contributing additional pollution to already impaired surface waterbodies (Las Tablas Creek and Lake Nacimiento), although these flows and contaminants will likely be significantly less than they would be without the EPA's work on the site.

Staff has written a letter dated June 13, 2001, (See Attachment 2) to the U.S. EPA's Region IX Regional Administrator urgently requesting that they continue their current on-site presence. Although U.S. EPA's efforts have vastly improved conditions at the site, and the site should remain more stable than it was before U.S. EPA's action, the current residual acid mine drainage needs continued treatment.

An option would be for Buena Vista Mines Inc. (BVMI), Mr. Harold Biaggini, and Mr. Ed Biaggini to operate the acid mine drainage collection and treatment system. Preferably, this would be through hiring of a reliable, competent and experienced consultant to

operate the system. This consultant could be funded by the \$300,000 restitution Mr. Biaggini was ordered to pay by Federal Judge Keller as part of his Federal criminal sentencing. To our knowledge Mr. Biaggini has not yet made payment, and is in violation of that portion of his sentence. Mr. Biaggini was also ordered in the sentencing hearing to cooperate with State and Federal environmental agencies.

U.S. EPA staff has also told Regional Board staff that it intends to seek National Priority Site Listing for both these mine sites. Surface water sampling in connection with that effort commenced the week of June 4, 2001.

Staff will conduct further inspections and monitoring of both mine sites, while continuing to communicate with both U.S. EPA and the U.S. Justice Department.

CLEANUP BRANCH REPORTS

Case Closures For Above And Underground Tanks (UGT), And Spills, Leaks, Investigations And Cleanups (SLIC)

This section is formatted to easily identify sites where staff is recommending case closure concurrence from the Board. Case closures generally fall into two categories - cases where cleanup goals have been met and cases where cleanup goals have not been met. In the first case, staff generally sends the responsible party a letter stating the case is now closed since cleanup objectives have been met and no further action is needed. Unless the Board objects, staff will continue to send closure letters and simply report these cases by way of the Executive Officer's report.

The second situation occurs where cleanup objectives are not yet met, but for various reasons, staff is recommending closure. These cases will be reported to the Board in more detail. For example, staff has discovered that some sites have a plume of contamination confined to a defined area. Groundwater monitoring may show the plume is decreasing both in concentration and size, and does not

threaten probable beneficial uses. Other specific circumstances may exist such as the plume may be confined to a shallow portion of the aquifer with no actual or expected uses of the groundwater. The reasons for staff recommending closure will be explained with each case.

We are presenting these closures in a manner similar to the way we present waivers of waste discharge requirements. That is, the case will be discussed and if the Board does not object to a case or wishes more information, the issue may be discussed at the Board meeting where we can provide clarification or the Board may reject our recommendation for closure.

Abbreviations commonly used for these cases:
TPH - Total Petroleum Hydrocarbons
TPHd - TPH measured in the carbon range of diesel
TPHg - TPH measured in the carbon range of gasoline
BTEX - Benzene, Toluene, Ethylbenzene, Xylene (components of gasoline)
MTBE - Methyl Tertiary Butyl Ether (gasoline oxygenate additive)
DCA or 1,2, DCA - dichloroethane (gasoline additive)
DCE - dichloroethylene (gasoline additive)
PCE -tetrachloroethylene or perchloroethylene (perc - a solvent)
TCE - trichloroethylene (a solvent)
TCA - trichloroethane (a solvent)

Staff Closed Cases:

San Luis Obispo Post Office, 1655 Dalidio Drive, San Luis Obispo, San Luis Obispo County [Corey Walsh 805/542-4781]

In July and August of 1998, one 550 gallon waste oil and two 6,000-gallon gasoline underground storage tanks (USTs), fuel dispensers, and associated underground piping were removed from the San Luis Obispo Post Office & Vehicle Maintenance Facility, located at 1655 Dalidio Drive, San Luis Obispo. During the UST removal activities, petroleum hydrocarbon constituents were detected in soil and ponded groundwater beneath the unleaded gasoline USTs. In an attempt to reduce the concentrations of petroleum hydrocarbons and

to facilitate UST removal, approximately 4,700 gallons of petroleum impacted groundwater was pumped from the excavation and disposed at an appropriate treatment and disposal facility. The City of San Luis Obispo Fire Department (City) oversaw the excavation of soil, which was subsequently analyzed and used as backfill material in the former UST excavations. In addition, the City requested the United States Postal Service (hereafter Discharger) to further define the extent of petroleum hydrocarbon impacts to soil and groundwater, and to submit the results to the Regional Board.

In January 1999, four borings were installed to collect soil and groundwater samples at the subject site. The Regional Board subsequently requested the Discharger to further delineate the lateral extent of groundwater contamination. Three dedicated monitoring wells were installed in March 2000, to assess groundwater impacts and determine hydraulic gradient. Groundwater monitoring results confirmed that all petroleum constituents, including methyl-tertiary-butyl-ether (MTBE), are below this Board's water quality objectives. Regional Board staff has concurred with the Discharger's request for closure and has requested the destruction of all existing groundwater monitoring wells in preparation for site closure.

Quick Stop Market No. 66, 5960 Highway 9, Felton, Santa Cruz County [Burton Chadwick 805/542-4786]

In December 1998, two 10,000 gallon steel underground gasoline storage tanks, installed in 1973, were removed from the subject property for subsequent replacement. Soil samples collected at the time of tank removal detected maximum concentrations of total petroleum hydrocarbons (as gasoline, TPHg), benzene, and methyl tertiary butyl ether (MTBE) at 4.6 milligrams per kilograms (mg/kg), 0.039 mg/kg, and 43 mg/kg, respectively. Groundwater samples collected (entering the excavation) during the tank removal detected maximum concentrations of TPHg, benzene, MTBE at 170,000

micrograms per liter ($\mu\text{g/L}$), 1,700 $\mu\text{g/L}$, and 49,000 $\mu\text{g/L}$, respectively.

As a result of the detection of contamination in the soil and groundwater samples, the excavation was enlarged, removing additional soil from the excavation's base and sidewalls, and over 100,000-gallons of groundwater were pumped from the excavation. Post over-excavation soil samples did not detect TPHg or benzene; MTBE was detected at a maximum concentration of 4.2 mg/kg. An excavation groundwater sample collected on January 13, 1999, detected concentrations of TPHg, benzene, MTBE at 19,000 $\mu\text{g/L}$, 88 $\mu\text{g/L}$, and 590 $\mu\text{g/L}$, respectively.

Regional Board staff directed additional site characterization on August 6, 1999, to determine the extent of petroleum hydrocarbon groundwater contamination. Three groundwater monitoring wells were installed on December 6 and 13, 1999. TPHg, benzene and MTBE were not detected in soil samples collected during well installations. The site has been monitored for six consecutive quarters since December 1999. With the exception of one occurrence of MTBE at 460 $\mu\text{g/L}$ in monitoring well MW-1 on March 2, 2000, groundwater samples have been below water quality objectives for all petroleum hydrocarbons. MTBE has not been detected in the last four monitoring events.

Based on the above information this site meets our regional closure criteria, no further groundwater investigation or action is necessary and the site poses an insignificant threat to human health or groundwater quality. Therefore, staff closed this case. The property owner has been notified of the case closure and has been directed to implement and document the abandonment of selected monitoring wells. Because this is an active gasoline service station, the property owner has also been directed to retain one downgradient well and to continue to monitor groundwater quality annually under a Post Closure monitoring program. Staff will issue a final case closure letter upon receipt of the well abandonment report documenting the proper destruction the monitoring wells.

Cases Recommended for Closure:

Boggiatto Packing Company, 11000 Blackie Road, Castroville, Monterey County [Burton Chadwick 805/542-4786]

Boggiatto Packing Company, the former lessee and responsible party at this site in Castroville, has requested closure of this case. One 550-gallon gasoline underground storage tank was removed in September 1986. Soil containing residual hydrocarbons was excavated to the extent practical and over 100,000 gallons of hydrocarbon-impacted groundwater and free product were extracted using pump and treatment technologies during 1988 and 1989. In January 1990, Regional Board staff allowed ground water extraction to discontinue because drawdown of the water table was suspected of pulling an offsite source of contamination onto the subject site. In March 1999, approximately 1200 pounds of Oxygen Releasing Compounds were injected into 24-soil borings onsite.

MTBE has not been detected since MTBE testing began in July 1996. Other common contaminants associated with gasoline (toluene, ethylbenzene and xylenes) have not been detected, or have been below Water Quality Objectives (WQO), since March 1999. Benzene and total petroleum hydrocarbons as gasoline (TPHg) have exceeded WQO in only one well since October 1999. Benzene concentrations have declined from 60 to 33 parts per billion (ppb) and TPHg has ranged between 18 and 13 parts per million (ppm) since October 1999. The WQO for benzene and TPHg are 1 ppb and 1 ppm, respectively. The WQO for benzene has been established based on health risks and for TPHg on taste and odor thresholds. Historically, this well contained up to 1.34 feet of free product, and maximum concentrations of 29,000 ppb benzene and 660 ppm TPHg in 1987 and 1988.

First encountered ground water occurs in a "perched" zone at approximately 30 feet below ground surface. The Salinas aquitard, 25- to 100-feet thick in the subject area, separates the perched zone from a 180-foot aquifer (so named due to the average depth to

the middle of the aquifer). The perched zone ground water is not used and a Monterey County Water Resources Agency Ordinance restricts or prohibits ground water extraction in certain portions of the 180-foot aquifer as a precaution against salt-water intrusion. Based on well information provided by the Monterey County Water Resources Agency and available in Geotracker, the nearest municipal supply well (13S/02E-34M01) is located approximately 1025 feet southeast of the site. This well, operated by the Castroville Water District, was constructed in July 1982, is 630-foot-deep, and is perforated at depths between 370-450, 510-570, and 590-610 feet below ground surface. The well reportedly has 1260 connections, serves a population of 5300 and was most recently tested on June 6, 1998 with no contaminants detected. An additional well (13S/02E-34M02) is located approximately 1600 feet south-southeast of the subject site. Its use is designated as domestic, however well construction details are not available.

Staff recommends closure for this site based on the following: (1) the contaminant mass has been removed from the site to the extent practical, (2) the perched zone is not used and use of the deeper 180-foot aquifer is administratively restricted, (3) there are no nearby receptors, (4) there has been no occurrence of MTBE, (5) the plume is constrained onsite and is declining in size and concentration, (6) by the time the affected water is used, WQO will be attained through natural attenuation, and 7) the County Health Department has no objection to closure. Concentrations of contaminants (33 ppb benzene and 13 ppm TPH as gasoline) remaining in ground water are higher than concentrations at other sites staff has typically recommended for closure. However, closure of this site is consistent with closure of similar low risk petroleum hydrocarbon cases in the past due to the greater residence time of affected water prior to its potential use.

USA Petroleum No. 88, 2700 41st Street, Soquel, Santa Cruz County [Burton Chadwick 805/542-4786]

USA Petroleum replaced three 10,000 gallon underground gasoline storage tanks (USTs), piping, and dispensers at the site in January

1998. Soil samples collected at the time of tank removal indicated a limited extent of petroleum hydrocarbon impacted soils. Subsequent subsurface investigation, conducted in July 1998, consisted of installation of three soil borings and one groundwater monitoring well. Groundwater at the site is first encountered at approximately 83 feet below ground surface. Soil boring results confirmed a limited extent of soil contamination and groundwater sampling of well MW-1 indicated concentrations of 2,500 micrograms per liter ($\mu\text{g/L}$) total petroleum hydrocarbons as gasoline, 180 $\mu\text{g/L}$ benzene and 3.1 $\mu\text{g/L}$ methyl-*tertiary*-butyl ether (MTBE). As a result of the detection of contamination in the groundwater sample, three additional groundwater monitoring wells were installed in March 2000.

Based on groundwater samples collected from the four monitoring wells at the site since March 2000, this Regional Board's water quality objectives have been met for all contaminants during the last four consecutive quarters, with the exception of MTBE in well MW-4. On May 23, 2000, and November 21, 2000, MTBE was detected at concentrations of 11 $\mu\text{g/L}$ and 5.4 $\mu\text{g/L}$, respectively. The water quality objective for MTBE is 5 $\mu\text{g/L}$ based on taste and odor thresholds; the primary maximum contaminant level for MTBE is 13 $\mu\text{g/L}$ based on health risks.

It is important to note that the 11 $\mu\text{g/L}$ MTBE concentration, detected in May 2000, has been the highest MTBE concentration discovered to date, and that total petroleum hydrocarbons, benzene, toluene, ethylbenzene, and xylenes have either not been detected, or have been below water quality objectives since May 1999. A recommendation for closure of this case is also based on the following factors: (1) the imminent attainment of water quality objectives, (2) there are no nearby potential receptors, (3) the County Health Department has no objection to closure, (4) there is a low probability that groundwater beneath the site will be used before natural bio-attenuation processes degrade the remaining low levels of dissolved phase MTBE, and (5) the institution of a Post Closure monitoring program.

Because this is an active gasoline service station, the property owner will be directed to retain one downgradient well (MW-2) and to continue to monitor groundwater quality annually under a Post Closure monitoring program. Staff will issue a final case closure letter upon concurrence of this Regional Board and receipt of a well abandonment report documenting the proper destruction monitoring wells MW-1, MW-3 and MW-4.

SLIC Case Closures:

Former El Camino Crop Supply, 330 E. Ninth Street, Gilroy, Santa Clara County [John Mijares 805/549-3696]

El Camino formerly operated an agricultural chemical (fertilizer and pesticides) sales and distribution facility at 330 E. 9th St. from 1966 to October 1989. The facility is on the northeast corner of Chestnut and Ninth streets, about 1/4 mi. from the intersection of Highway 101 and Highway 152 in Gilroy. Industrial, commercial and apartment buildings are on the surrounding properties.

In October 1987 and April 1989, El Camino conducted site assessments in response to a Regional Board request to determine if the site was impacted by twenty-three years of handling and storage of agricultural chemicals. Results of the investigation showed traces of pesticides and significant concentrations of nitrates in soil. El Camino remediated the nitrate-contaminated soil by excavation and removal. About 4,000 cubic yards of nitrate-contaminated soil was excavated to a depth of five feet below ground surface and disposed of appropriately as soil amendment.

In December 1991, El Camino installed three on-site monitoring wells to determine if the nitrate-contaminated soil had affected groundwater. Geologic logs of the monitoring wells indicate underlying soils consist of interspersed layers of sandy clay and clayey sand to an 80-foot depth (maximum well depth).

Groundwater monitoring results from 1992 to 1999 show the depth to groundwater varies

from 24 to 47 feet. Groundwater flow direction is predominantly to the northeast. The results showed that the site did not adversely contribute to nitrate concentrations in groundwater.

On October 11, 1999, El Camino submitted a completed Case Closure Summary Form. Based on soil remediation at the site, results of groundwater monitoring, and information provided in the Case Closure Summary, the Executive Officer, on November 15, 1999, issued a tentative case closure letter subject to the destruction of the monitoring wells.

On March 22, 2001, El Camino's consultant certified that the three monitoring wells had been properly destroyed in compliance with local and state regulations. Santa Clara Valley Water District has issued a Well Destruction Completion Notice for each destroyed well.

On May 1, 2001, the Executive Officer issued a case closure letter to Mr. Don Chuck, owner of El Camino Crop Supply.

Tosco Pipeline, Pismo and Beach Streets, San Luis Obispo; San Luis Obispo County [Katie Anderson (805) 549-3690]

In summer and fall 1989, Unocal replaced two crude oil pipelines located beneath the intersection of Pismo and Beach streets in San Luis Obispo. The work was conducted as part of routine maintenance to the pipeline system. During excavation of the old lines, crude oil-degraded soil was discovered near the old lines, indicating that at least one of the old lines had leaked at some time in the past. Following discovery of the leak, a site assessment was conducted and six ground water monitoring wells were installed. The information indicated that the crude oil plume is primarily confined to the intersection area. The highest concentration of total petroleum hydrocarbons (TPH) in soil was 35,000 milligrams per kilogram. Maximum groundwater concentrations of 8,010 micrograms per liter ($\mu\text{g/L}$) TPH and 0.65 $\mu\text{g/L}$ benzene were detected in 1996. Ground water contamination has since attenuated to non-detectable levels. The San Luis Obispo

creek is approximately one-quarter mile west of the intersection. Ground water has ranged from 8 feet to 29 feet below ground surface. The wells were properly destroyed on December 14 and 15, 1999, under permit from the San Luis Obispo County Health Agency and staff received a copy of the certification of well destruction. This site does not pose a significant threat to human health or groundwater quality. Tosco Distribution Corporation and the City of San Luis Obispo have been notified of the case closure.

Corrective Action Plan Approvals

Staff regularly provides the Board with brief overviews of corrective action plans for underground tank cleanup cases. These reports are intended to keep the Board apprised of proposed cleanup activities as well as to comply with public notification requirements of the California Code of Regulations, Title 23, Chapter 16, Section 2728. Under the public notification requirements, anyone may request review of information and decisions concerning the corrective action plan and the Board may hold a public meeting when requested, if there is sufficient public interest in the plan.

Mushroom Farms, 415 Hall Road,
Watsonville, Monterey County [Burton
Chadwick 805/542-4786]

In 1998, two 10,000 gallon steel underground diesel storage tanks, associated product piping, and dispensers were removed from the subject property. Soil samples collected in June 1998, prior to tank system decommissioning, detected diesel-range hydrocarbons beneath the product dispenser area ranging from one-foot below ground surface to groundwater (encountered at 25 feet) at concentrations from 2,700 to 9,300 milligrams per kilogram (mg/kg). Benzene was not detected; and soil samples were not tested for methyl-tertiary-butyl ether (MTBE).

Groundwater samples collected in March 1999, detected Total Petroleum Hydrocarbons as diesel (TPHd) 8,700 µg/L, benzene at 20

µg/L, and MTBE at 340 µg/L beneath the former dispenser and area of impacted soil. More recent groundwater samples collected on January 4, 2001, detected TPHd at 760 µg/L and MTBE at 650 µg/L in this same well; benzene was not detected.

Soil and groundwater sampling results indicate a column of soil contamination and a localized area of groundwater contamination beneath the former dispenser area. Soil and groundwater conditions underlying the subject site have been adequately characterized. The nearest domestic supply well is located approximately 700 feet and generally downgradient of the area of impact and is owned by Mushroom Farms. The well, constructed in 1975, has a 50 foot-deep sanitary seal and is perforated from 120 and 160 feet below ground surface. Water testing of this well on January 15, 2001, did not detect contamination.

Based on a March 21, 2001 Site Conceptual Model and Corrective Action Plan prepared by Sampson Engineering, Inc., geochemical parameters indicate that biodegradation of petroleum hydrocarbon contamination is occurring onsite, the dissolved phase hydrocarbon plume appears to be stable, and intrinsic bioremediation/monitored natural attenuation is the most cost effective remedial option. Regional Board staff concurs with this conclusion. Mushroom Farms will be required to continue quarterly groundwater monitoring, under the conditions of Monitoring and Reporting Program (Order) 00-142 issued on October 4, 2000, by the Executive Officer, until hydrocarbon concentrations in groundwater are below State maximum contaminant levels.

Status Reports

Unocal Guadalupe Oil Field, San Luis Obispo
County [Katie Anderson – 805/549-3690]

Summary - The following is a status report of Unocal's Guadalupe oil field cleanup. This information was current on June 15, 2001.

Cleanup or Abatement Order No. 98-38 requires that Unocal pilot test cleanup alternatives that may have potential as replacements to

excavation. A panel of three cleanup experts was set up to recommend technologies to test. Unocal and Regional Board staff are working with the pilot test panel members in a mediated process to develop a workplan for a steam injection pilot test. A test location in the northern portion of the diluent tanks plume has been preliminarily selected based on the surficial, subsurface, and plume characteristics (Attachment 3). Depth to groundwater is approximately 60 feet and diluent saturation is relatively high.

Unocal expects to select a contractor for the steam test by end of July 2001. The next step will be for Unocal to design the pilot study, in consultation with Regional Board staff and the expert panel members. The pilot test design must be acceptable to the Executive Officer.

Unocal will then submit the project for environmental review by permitting agencies. Construction is expected to begin in first quarter 2002. The pilot test will operate for approximately 10 months, potentially longer depending on details of the pilot test design. After the test, results will be submitted to the expert panel for its recommendations regarding further actions. These recommendations will be part of the record to be considered by the Board in making future decisions regarding site remediation.

Ballard Canyon/Chalk Hill Road Landfill, Santa Barbara County [Hector Hernandez 805/542-4641]

Summary - The following is a status report on the major developments since the May 18, 2001 Regional Board meeting concerning the Ballard Canyon/Chalk Hill Road Landfill, Solvang, Santa Barbara County.

Background - Between 1948 and 1969, Santa Barbara County Public Works Department (County) leased approximately ten acres of land to operate the Ballard Canyon/Chalk Hill Road Landfill, located approximately one mile northwest of the community of Solvang, Santa Barbara County (Attachment 4). Refuse was placed in an approximately 7.5-acre area using a trench and fill method. The Landfill consists of unlined cells with no leachate collection and removal system. An interim cover was

placed after the Landfill stopped receiving waste. Subsequently, the landowner subdivided the land and sold it for residential use. Two homes were constructed adjacent to the area of waste disposal and several other homes were constructed nearby. Also, several water supply wells were placed near and adjacent to the Landfill (Attachment 5).

In 1988, the County began assessing the Landfill and has subsequently conducted a number of soil gas surveys and installed groundwater monitoring wells at and adjacent to the Landfill (Attachments 5 and 6). Based on these studies, the Regional Board concluded vinyl chloride, tetrachloroethylene, trichloroethylene, cis-1, 2 dichloroethylene and benzene have impacted waters of the State beneath and adjacent to the Landfill with some of these chemicals at concentrations in excess of the Basin Plan's Water Quality Objectives. Consequently, on February 11, 1999, the Regional Board's Executive Officer issued Cleanup and Abatement Order No. 99-12 (Cleanup Order No. 99-12) and Monitoring and Reporting Program No. 99-12 (MRP No. 99-12) to the County. Cleanup Order No. 99-12 directs the County to assess, monitor and remediate the Landfill's environmental impacts.

Depth to groundwater in the eastern portion of the Landfill is approximately 70 feet and the depth to groundwater in the Landfill's western portion is 165 feet. A total of 18 monitoring wells have been completed at the Landfill as part of the ongoing site assessment. Currently, in addition to the 18 monitoring wells, 10 water supply wells are also monitored on a quarterly basis. The groundwater flow direction within the Careaga Formation is towards the northwest with an average linear groundwater velocity of 280 feet per year.

Site Investigation/Cleanup Status - Site assessment activities have been completed in accordance with Cleanup Order No. 99-12 and State Board's Resolution 92-49. The County's Final Site Assessment Report concerning the Ballard Canyon Landfill summarizes the results of the investigation activities performed.

Feasibility Study Addressing Closure Alternatives - In accordance with Cleanup and

Abatement Order No. 99-12 concerning the Landfill and State Board's Resolution 92-49, the County performed a feasibility study for corrective action to evaluate closure alternatives. Although Regional Board staff approved the feasibility study report, it did not approve the report's recommended closure alternative (monolithic soil cover). Regional Board staff instead, approved the installation of a final cover system that includes (from bottom to top) a two foot foundation, HDPE Liner material, a geonet drainage layer, and a one-foot thick vegetative soil layer. The approved final cover system exceeds Title 27 final landfill cover requirements. The County will provide, for Executive Officer review and approval, a final cover system design and construction report (Closure Plan) no later than August 1, 2001.

Groundwater Corrective Action and Interim Cleanup Plan (Gas Extraction System) - The County is on track towards completing installation and beginning operation of a Gas Extraction System by June 15, 2001. The gas extraction system is intended to eliminate or greatly decrease the migration of landfill gases to the atmosphere and underlying groundwater. The County will evaluate the effectiveness of the gas extraction system for a full year prior to studying the feasibility of the various alternatives for groundwater corrective action.

Off-Site Pumping - In response to a Regional Board directive, the County has completed its study off-site groundwater pumping in the immediate Landfill vicinity. The County's April 30, 2001 letter report summarizes the pumping evaluation results and concludes that, while offsite pumping of water supply wells does have an affect on the groundwater plume, the pumping effects on the groundwater plume are minimal to insignificant.

Larner Domestic/Irrigation Well - Mr. Larner continues to deny the County access to his property. Mr. Larner has indicated he has not and does not intend to utilize water from the Larner well No. 2. Further, he has refused to sign a Temporary Entry Permit to allow the County to install the proposed Larner well No. 3 and indicated he will not accept treated groundwater for irrigation use. Mr. Larner has

indicated that he would only consider accepting State Water Project Water as replacement water. Consequently, the County has postponed the installation of Larner well No. 3 until the County receives a signed Temporary Entry Permit from Mr. Larner.

Nevertheless, the County has proceeded with the installation of the proposed pump and treat system and has constructed a pipeline from the pump and treat system up to Mr. Larner's property line. On May 31, 2001, installation of the pump and treat system was completed and Regional Board staff confirmed system operation. During its initial startup, County staff sampled influent and effluent water to determine system effectiveness. Sampling results should be available within 5 to 10 days. The water line is ready for connection to Mr. Larner's irrigation system if and when he agrees to accept the treated water and signs the Temporary Entry Permit allowing the County access to his property.

Regional Board staff is working with the County to expedite regular and continuous operation of the pump and treat system and has asked the County to evaluate its options concerning the pump and treat water. Assuming that Mr. Larner will not accept the pump and treat water for irrigation purposes, the County indicated it would look into hooking up nearby property owners to the system, discharging to a nearby creek and/or re-injection. The County has indicated it intends to have a plan and proposed date for initiating full operation of the pump and treat system by June 15, 2001.

Pending Litigation - The lawsuit filed by the Dries family against the County has recently been settled. Additionally, the County is currently in settlement negotiations with five homeowners represented by Mr. Richard Kravetz. It appears that a settlement will soon be reached. Thus, the only other lawsuit pending is the one filed by the Larner family, represented by Mr. John Dorwin.

Regional Board staff has been issued Subpoenas requesting appearance in court as witnesses concerning the litigation between Mr. Larner and the County. The court trial began in mid June.

Summary - Significant progress has been made at this site during the last year. At this time, Regional Board staff believes that the County has adequately delineated the vertical and lateral extent of groundwater degradation. Staff's position is that the County is making a good faith effort towards meeting Mr. Larner's immediate and long-term water needs.

Staff will be available to answer any other questions that come up during the Board meeting. Staff will continue to keep the public and the Regional Board apprised of progress at the site via regular status reports.

Underground Tanks Summary Report dated May 18, 2001 [Jay Cano 805/549-3699]

See Attachment 7.

Regionwide Reports

Regional Monitoring [Karen Worcester 805/549-3333]

Karen Worcester met with Mark Page of the University of California at Santa Barbara, as well as Morro Bay National Estuary Program staff, to discuss the possibility of including Morro Bay as one of several estuaries Mark will be studying as part of a multi-million dollar ecological indicators study. This study will look at a variety of biological indicators, including algal growth, fish and benthic invertebrate assemblages, and even parasite assemblages, in an effort to seek sensitive tools for detecting impact. Because of the large amount of background data available for the bay and watershed, it is a site of interest for his program.

Karen participated in a statewide Surface Water Ambient Monitoring Program (SWAMP) Bioassessment subcommittee meeting to determine how to strategize a statewide reference study for benthic invertebrate bioassessment. Currently there has never been an organized effort in California to determine what constitutes "best condition". This is important information if bioassessment information is ever to be used in a regulatory framework and is important also for analyzing ambient data. Condition is

highly dependent on eco-region, elevation, slope, and a number of other physical parameters, so developing a meaningful study will be challenging.

Karen, Mary Adams, and volunteer Dave Paradies have been working on a strategy for better tracking of chain of custody, invoices, and data from commercial laboratories. There is currently only "manual" intraoffice coordination about laboratory use, resulting in budgeting difficulties and inability to track data electronically. We are developing an electronic chain of custody sheet that will aid in calculation of anticipated costs, and will help us ensure that all data can be captured into our master database.

Dave has recently completed "AngieScan", built to aid Angela Carpenter in scanning our large dataset for problem waterbodies as she revises the 303(d) list. The software calculates for individual sites and water bodies the percent exceedance over a given standard for each analyte measured. This new tool has resulted in reams of entries, with nutrients (ammonia in particular) heading the list for the Region. One challenge has been selecting "standards" for analytes with narrative criteria, like nitrate for aquatic life. However, given that many waterbodies typically exceed the drinking water objective by several fold (unfortunately), this often is not an issue!

The CCAMP team attended an afternoon ranch retreat to discuss the bigger picture of our program; how monitoring activities support basin planning, permitting and other staff activities, and how we can better meet the needs of Regional Board staff in the future. Karen also met with Angus Lewis and Howard Kolb (staff) to outline short term and longer term work plan tasks and to discuss Basin Planning direction.

Karen has primarily been working on a one-year and five-year workplan for the SWAMP program. This work has included budgeting, site identification, methods description, and task order development, and has proved to be a challenging task.

Administrative Reports

Guadalupe Oil Field Settlement Water Quality

Trust Project, Monarch Lane, Nipomo, San Luis Obispo County. [Michael LeBrun 805/542-4645]

On September 8, 1999, at its regularly scheduled Board Meeting, the Board adopted Resolution 99-03, Guadalupe Oil Field Settlement Water Quality Project, Monarch Lane, Nipomo. Resolution 99-03 granted \$395,485 of the Guadalupe Oil Field Settlement¹ funds to the County of San Luis Obispo for the purpose of cleaning up an abandoned waste oil sump located on Monarch Lane, Pearlie Lane, and Peacock Way within the community of Nipomo. The grant amount was expected to pay for a "bare bones" County-run project that would eliminate the nuisance and threat to water quality posed by the waste oil.

Subsequent to the approval of Resolution 99-03 the State Legislature approved \$750,000 for the project. These funds were made directly available to Department of Toxic Substances Control (DTSC). At this point the clean up at Monarch Lane became a State run project necessitating a change in approach and scope. Further site investigation and characterization were under taken. Full implementation of DTSC's clean-up procedures is required.

In DTSC's March, 2001 *Draft Removal Action Workplan for Nipomo Waste Oil Dump Site*, two alternatives for the removal action were evaluated; 1) Mass Excavation and Off-Site Disposal, 2) Excavation, Separation, and Off-Site Disposal. The cost estimate for the options is \$1.29 million and \$1.04 million respectively.

Actual clean up is scheduled to begin in August 2001. Regional Board staff and the County of San Luis Obispo have been closely tracking project progress. In order to make the Regional Board grant funds (\$395,485) readily available for the project, staff intends to write a contract that allocates the funds directly to DTSC. The County of San Luis Obispo concurs with this change.

Unless the Board objects, we will proceed with this contract, and work with the County and DTSC to see this cleanup accomplished. We will update the Board after cleanup activities are complete.

¹ In July 1998, Unocal and several state agencies entered into an agreement to settle the State's damage claims arising from Unocal's pollution of the Guadalupe Oil Field. The parties agreed to settle the state's monetary claims for a total of \$43.8 million. Of that total, \$15 million was dedicated for water quality projects to be selected by the Regional Board.

Presentations and Training

From May 7 to May 11, 2001, Senior Engineer Geologist Gerhardt Hubner traveled to West Palm Beach, Florida to attend U.S. EPA's: "Workshop on the Fate, Transport and Transformation of Mercury in Aquatic and Terrestrial Environments". The main focus of the workshop was to obtain a better understanding of the mercury cycle, and its influence on the environment. In addition, workshop speakers presented various techniques on how to better manage, control and remediate areas impacted by mercury contamination.

In conjunction with this workshop, Gerhardt was able to participate in a field trip to the Florida Everglades Nutrient Removal Project. This project is crucial component of the South Florida Water Management District's long term Everglades restoration program. At approximately 3820 acres in size, it is one the largest constructed wetlands in the world, with the objective to treat nutrient enriched storm water from upgradient agricultural areas.

Mark Angelo attended a course on Freshwater Bioassessment Concepts and Techniques, sponsored by Monterey Bay Citizen Watershed Monitoring Network, on June 2, 2001.

Shanta Duffield, Doug Gouzie and Larry Harlan attended a course on Contract Management, sponsored by State Board, on June 6, 2001.

Shanta Duffield and Doug Gouzie attended a course on Citizen Water Quality Monitoring, sponsored by State Board, on June 13, 2001.

Lisa Horowitz McCann, Shanta Duffield, Chris Rose, Larry Harlan and Doug Gouzie attended a course on Developing Total Maximum Daily Loads sponsored by the State Water Resources Control Board and US Environmental Protection Agency on June 26 and 27, 2001.

Larry Harlan and Angela Carpenter attended a meeting of the Llagas Creek Watershed Group, organized by the Coalition of Central Coast County Farm Bureaus, on March 27, 2001. They informed the group, largely made up of growers and represented of agricultural interest, about the development process for the Pajaro River Total Maximum Daily Loads, as well as fielded questions and concerns about the proposed process.

Larry Harlan and Angela Carpenter initiated general discussions of the Total Maximum Daily Loads for the Pajaro River with the Pajaro River TMDL Steering Committee (made up of selected stakeholders) on March 28, 2001.

Larry Harlan and Lisa Horowitz McCann presented more detailed information on development of the Total Maximum Daily Loads for the Pajaro River to the Pajaro River TMDL Steering Committee on May 17, 2001.

Larry Harlan attended a Water Quality Short Course for ranchers within the San Benito River watershed, sponsored by University of California Cooperative Extension, in March 2001. He informed the participants about the development process for the Pajaro River Total Maximum Daily Loads, as well as fielded questions and concerns about the proposed process.

Mark Angelo and Dominic Roques presented the San Lorenzo River Sediment TMDL (including the Implementation and Monitoring Plan) to the San Lorenzo River Technical Advisory Committee on June 6, 2001.

Chris Rose and Lisa Horowitz McCann met with representatives from the City of San Luis Obispo to discuss preliminary results of monitoring data and initiate discussions on development of the Total Maximum Daily Load for pathogens in San Luis Obispo Creek in June 2001.

Lisa Horowitz McCann presented general information on the Total Maximum Daily Loads for San Luis Obispo Creek, and specific information on plans to finalize the Total Maximum Daily Load for Nutrients in San Luis Obispo Creek, at the San Luis Obispo Creek Watershed Task Force meeting on June 21, 2001.

Lou Blanck and Katie Anderson attended the Battelle symposium "In-Situ and On-Site Remediation."

On June 13, Lou Blanck spoke to the Central Coast Geologic Society on the topic of geologic structure of the Banning-Beaumont area from gravity profiles (his Masters thesis).

On June 15, Julia Dyer, Sue Gerdson, Cyndee Jones, Bonnie Glenndenning, Sandy Holgate, Carol Hewitt, and Carrie Fauset attended Advanced Word 2000 training.

On June 22, 2001, Amanda Bern and Roger Briggs participated in a meeting called by U.S. Representative Sam Farr on the Salinas River Flood Maintenance project proposed by Monterey County Water Resources Agency.

ATTACHMENTS

1. Regional Board Letter dtd May 31, 2001 re Castroville Irrigation Project
2. Buena Vista Mines, Inc. – Letter dtd 6/13/01 from Regional Board to US EPA

Item No. 35
Executive Officer's Report

23

July 12-13, 2001

- re Removal/Response Action Team
3. Unocal Guadalupe Pilot Test Area Location Map
 4. Ballard Canyon Site Location Map
 5. Ballard Canyon Monitoring Wells Location Map
 6. Ballard Canyon Gas Monitoring Wells Location Map
 7. Underground Tanks Summary Report dtd May 18, 2001

EOptJUL01/Carol