

EXECUTIVE OFFICER'S REPORT: *September 2013*

A Monthly Report to the Board and Public

NEXT MEETING: September 11, 2013 WEBSITE: <http://www.waterboards.ca.gov/sanfranciscobay/>

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Redevelopment of Henkel Surface Technologies Site (Cherie McCaulou)

In March this year, Board staff issued a “no further action” letter for this former industrial site on Niles Boulevard in Fremont. This followed the Board’s rescission of Henkel’s site cleanup requirements in September 2012. The site is proposed for residential or mixed-use development and appropriate cleanup of past contamination is essential.

The site is adjacent to Alameda Creek and within the recharge area of the Niles Cone groundwater basin, a heavily-used basin for drinking water supply. Historical operations at the site included foundry activities (early 1900s to 1920s), engine manufacturing and machining (early 1900s to 1920s), cannery activities (early 1920s to 1940s), herbicide manufacturing (1952 to early 1980’s), and production of metal-treatment chemicals (1950s to 2002). The site’s three warehouses and two-story office building were razed in 2009, but the building slabs and foundations remain.

Soil and groundwater at the site were polluted due to these past operations, and site pollutants included petroleum, pesticides, herbicides, naphthalene, and metals. Site cleanup activities have reduced contaminant concentrations to safe levels for residential use. A risk management plan has been prepared for use during redevelopment activities, designed to assure proper handling of any residual contamination discovered during redevelopment. With these actions now complete, we are confident that the site can safely be redeveloped.

Oily Seep at Hunters Point Naval Shipyard Abated (Tina Low)

In June, the Navy discovered a small seep on the beach (Photo 1a) near the edge of the Parcel E-2 landfill at the former Hunters Point Naval Shipyard. The seep had an oily sheen and contained

elevated concentrations of petroleum hydrocarbons and ammonia. The source is most likely leachate from the landfill. Although the seep is within the footprint of the planned cleanup remedy for the landfill, we required immediate interim action to stop ongoing discharges to the Bay.

With input from Board staff, the Navy installed an organoclay mat (Photo 1b), consisting of reactive material sandwiched between two geotextile layers. The mat is designed to absorb the oily leachate while allowing water to flow through. After the organoclay mat was installed, a layer of sand was placed over the area. The organoclay mat technology was selected because it is designed to work in shoreline environments that are submerged during high tides. We inspected the seep area on July 31 (Photo 1c) and found that the mat was in place and functioning as designed, as there was no visible sheen in the area. The seep area will continue to be monitored weekly for signs of oily discharge until the final cleanup action is complete.

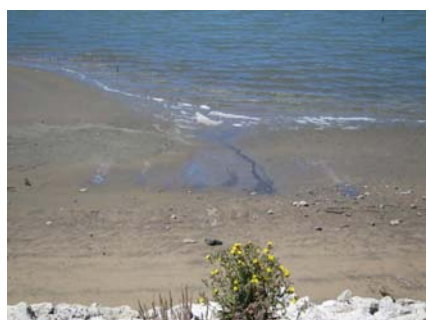


Photo 1a. June 20: Oily seep observed discharging into the Bay near the edge of the Parcel E-2 landfill at the former Hunters Point Naval Shipyard.



Photo 1b. July 24: Navy installs organoclay reactive mat over shoreline seep. Candlestick Park can be seen in the distance.



Photo 1c. July 31: Organoclay mat deployed under a mound of sand; no seep/sheen is observed.

The final landfill and shoreline remedy includes selective hotspot excavation, construction of a low permeability slurry wall barrier around the entire landfill, engineered cover over the landfill, and an extraction trench inboard of the slurry wall to control leachate levels within the landfill. These actions are expected to address the seep problem over the long-term.

Success of Suisun Bay Reserve Fleet Enforcement Continues (David Elias)

In 2006, the U.S. Maritime Administration (Marad) moored over 54 decaying vessels of its Suisun Bay Reserve Fleet in Suisun Bay, many that had been there for decades, giving rise to the fleet's more common name, the Mothball Fleet. In 2010, after a lengthy enforcement action brought by the Board and its co-plaintiffs against Marad that ended in Federal Court, Marad conceded to a consent decree that set a strict schedule for the removal and recycling of the fleet's vessels and for aggressive control of the discharge of exfoliating materials, largely heavy metal-containing paint, from all vessels awaiting removal.

On August 22, Board staff completed the third annual inspection to verify compliance with the 2010 consent decree. The inspection was conducted in concert with our co-plaintiffs in the enforcement action: the San Francisco Baykeeper, the Natural Resources Defense Council, and ArcEcology. In a truly amazing response to the consent decree, Marad has succeeded in removing and recycling all but 13 of the 54 decaying vessels and has practically eliminated the discharge of paint and other materials from the remaining 13 vessels. At this rate, Marad will complete its ship removal obligation years ahead of the consent decree's 2017 deadline. The photos below (Photo 2a and 2b)

show the striking reduction in fleet size since the consent decree was finalized. Note that the 2010 photo contains three more rows of vessels compared to the 2013 photo and that many of the remaining vessels in the 2013 photo are not part of the Mothball Fleet as they are still owned and maintained by the Navy or Coast Guard.

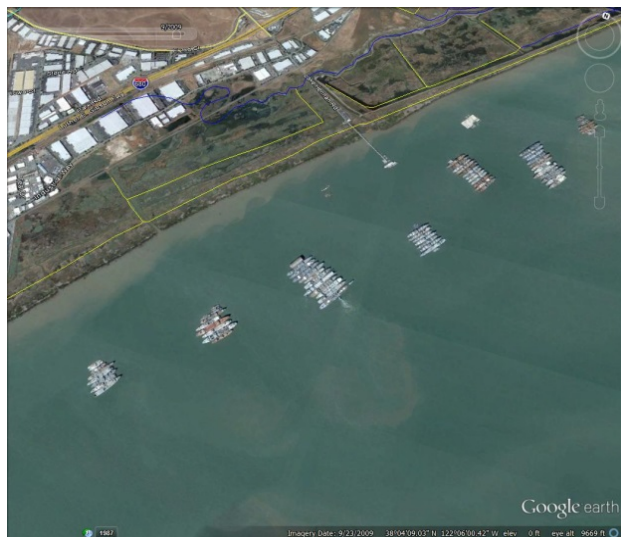


Photo 2a. Suisun Bay fleet, photographed in 2010.



Photo 2b. Suisun Bay fleet, photographed in 2013.

Recent Activity to Reduce Fish Consumption Risk (Jan O'Hara)

The implementation plans for the Board-adopted San Francisco Bay Mercury and PCB TMDLs require dischargers to participate in efforts to reduce the health risk of those who consume Bay fish. To date, these efforts have consisted of education and outreach about the risks posed by consuming fish with elevated levels of mercury and PCBs. The Board-adopted watershed permit for wastewater dischargers and the Municipal Regional Stormwater Permit both include requirements to support risk reduction efforts. In the 2010-2012 timeframe, those covered by these permits have supported the San Francisco Bay Fish Project, which was led by the California Department of Public Health (CDPH), with Board staff involvement. The San Francisco Bay Fish Project granted up to \$25,000 to four community-based organizations, the California Indian Environmental Alliance, Asian Perinatal Advocates, Greenaction for Health and Environmental Justice, and Kids for the Bay, to increase awareness of fish contamination issues and to reduce exposure to chemicals from eating fish caught in the Bay. Outreach messages were based on the State Office of Environmental Health Hazard Assessment's (OEHHA) Guide to Eating San Francisco Bay Fish and Shellfish, which is available at http://www.oehha.ca.gov/fish/nor_cal/2011SFbay.html.

On July 31, Andria Ventura of Clean Water Action led a meeting to brainstorm and discuss how to develop an on-going fish consumption risk reduction communication program in both the San Francisco Bay Area and the Delta. Representatives from CDPH, OEHHA, the California Indian Environmental Alliance, Contra Costa County Health Department, and the Central Valley Regional Water Board attended, as did Jan O'Hara of our Planning and TMDL Division, who gave an overview of the San Francisco Bay Fish Project. Central Valley Region staff discussed their history of addressing the issue of human exposure to mercury in the Delta region and their Delta methylmercury TMDL implementation plan requirements. The California Indian Environmental Alliance representative outlined its successful train-the-trainer program for communicating healthy fish choices at Women-Infant-Children (WIC) clinics.

These programs are challenging to sustain due to a lack of dedicated funding and of understanding about the extent of the problem. A number of potential actions were discussed, which included looking to health-based funding, such as through WIC or Kaiser Permanente, to support these programs and establishing a lead State agency to promote risk communication programs. Since this meeting, the State Board at its August 20 meeting approved using Cleanup and Abatement Account funds to help fund the Delta Mercury Exposure Reduction Program. We will keep you updated on further developments.

2013 International Low Impact Development Symposium (Keith Lichten)

In August, Keith Lichten of the Planning Division attended and was part of the organizing committee for the 2013 International Low Impact Development Symposium in St. Paul, Minnesota. The symposium brought together practitioners and academics from across the world to discuss the latest research, implementation, policy, financing, and education strategies for green infrastructure and low impact development. The symposium's 290 technical sessions included presentations on: evolution of design specifications to remove nutrients from stormwater runoff; hydrologic effects of green roofs; advances in green street and highway design; and implementation challenges and success stories. The conference concluded with tours of green infrastructure in the Twin Cities. This conference was a way for us to learn about innovative approaches to low impact development that we will continue to promote in the Bay Area.



Photo 3. *Example of light rail bioretention system.*
A two-cell bioretention system by the new light rail line in St. Paul, Minnesota, filters street runoff prior to discharging. The cells include limestone settling basins (one at foreground) to remove trash and large sediment, minimizing maintenance of the cells' landscaping.

Completion of the Napa Sonoma Salt Marsh Restoration Pipeline (Bruce Wolfe)

On August 30, the Sonoma County Water Agency hosted an event to celebrate the completion of a pipeline that will deliver up to 1700 acre-feet of recycled water per year from the Sonoma Valley County Sanitation District (District) wastewater treatment plant to ponds 7 and 7A of the Napa River Salt Marsh Restoration Project. This recycled water will be mixed with water from ponds 7A and 8 to dilute the bitterns in Pond 7 before discharge to Napa Slough. The goal of the project is to improve water quality by reducing salinity in Pond 7A and allow dilution and controlled release of the bittern currently in Pond 7. At the event, the Water Board was recognized for issuing NPDES permits both to the District that addresses the discharge from its plant to the ponds and to the

California Department of Fish and Wildlife (DFW) and the U.S. Army Corps of Engineers (Corps), the Restoration Project leads, to address their discharge from the ponds to Napa Slough. The Board also issued water quality certification to DFW and the Corps in 2011 that allows construction of water control structures, fish screens, and a mixing chamber at ponds 7, 7A, and 8.

The use of recycled water to dilute bittern is a key component of the broader Napa Sonoma Salt Marsh Restoration Project that encompasses nearly 10,000 acres, including twelve former salt evaporator ponds on the west side of the Napa River, and is the second-largest restoration project in the Bay Area. Bittern is a highly concentrated and toxic brine byproduct made up of the salts leftover after removal of most of the sodium chloride from historic solar salt production. Aside from the scarcity of funding for restoration, bittern toxicity has been the biggest hurdle for completing restoration work. Completion of the pipeline, funded by a mix of Proposition 50, federal stimulus/ARRA, and Bureau of Reclamation funds, now allows the Corps to complete its water control structures and mixing chamber at the edge of ponds 7 and 7A so that water delivery can start next spring and dilution of Pond 7's bittern can commence. Complete dilution of the bittern is expected to take approximately ten years. We will keep the Board updated on the progress of this project and other expanding uses of recycled water.

Penalty Enforcement Proposed Actions and Final Settlements (Lila Tang)

The following tables show complaints, proposed settlements, and final actions for assessment of penalties as of last month's report. Complaints and proposed settlements are available at:

http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml

New Complaints			
These items are or were recently open for public comment.			
Discharger	Violation	Penalty Proposed	Comment Deadline
Hertz Corp., in Oakland	Unauthorized release of gasoline to groundwater	\$18,800	September 16, 2013

Proposed Settlements			
The following have been noticed for a 30-day public comment period. If no significant comments are received by the comment deadline, the Executive Officer will sign an order implementing the settlement.			
Discharger	Violation	Penalty Proposed	Comment Deadline
Texas Instruments, Inc., in Santa Clara	Unauthorized bypass of treatment	\$24,000	September 9, 2013
City of Benicia, Wastewater Treatment Plant	Discharge limit exceedance	\$3,000	September 6, 2013

Final Actions			
On behalf of the Board, the Executive Officer approved the following imposition of penalties, except for the last one that the Board adopted during its August 14, 2013, meeting.			
Discharger	Violation	Penalty	Supplemental Environmental Project
San Francisco Public Utilities Commission, Southeast Wastewater Treatment Plant, in San Francisco	Discharge limit exceedances	\$6,000	None
City of Petaluma, Ellis Creek Water Recycling Facility, in Petaluma	Discharge limit exceedances	\$9,000	None
Zone 7 Water Agency, Del Valle Water Treatment Plant, in Livermore	Discharge limit exceedances	\$18,000	None
E- D Coat Inc., in Oakland	Failure to submit 2011-12 industrial stormwater report	\$9,263	None

The State Board's Office of Enforcement includes a statewide summary of penalty enforcement in its Executive Director's Report, which can be found on the State Board website:

http://www.waterboards.ca.gov/board_info/eo_rpts.shtml