CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER No. R2-2016-XXXX

RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NO. R2-2004-0064) for:

Shore Terminals, LLC
Wickland Oil Company

For the property located at:

90 San Pablo Avenue
Crockett
Contra Costa County

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

Site Description

1. The Shore Terminals, LLC (Shore) Selby Terminal Site (the Site) is composed of the Main Terminal and three separate areas located northwest and downgradient of the Main Terminal: the John Swett Parcel, the ConocoPhillips (CP) Parcel, and the Rail Transfer Area (RTA). The location of each area is shown on Figure 1 (attached).

    a) The Main Terminal consists of approximately 50 acres located east of San Pablo Avenue. It contains aboveground storage tanks (AST) in two tank farms (northern and southern), a truck loading rack, a vapor recovery unit for the terminal's piping and AST system, a manifold area with truck loading pumps, an operations building, an office building, and product piping. The ASTs are located in bermed secondary containment areas. The operations area is located in the northernmost portion of the Main Terminal and includes the pipe manifold area. The majority of the piping is above grade and connects the ASTs to the pipe manifold area. The pipes travel below grade only as they pass through the berms separating each of the tank farms. The Main Terminal is owned by Shore.

    b) The John Swett Parcel is 1.5 acres, located northwest of the Main Terminal across San Pablo Avenue, and includes a parking area and office building. The John Swett Parcel is currently owned by CP and used intermittently for parking or meetings.

    c) The CP Parcel is approximately 34 acres located immediately northwest of the John Swett Parcel. It is owned by CP, undeveloped, and used for parking.

    d) The 2-acre RTA is located approximately 1,300 feet northwest of the Main Terminal and across A Street from the northernmost corner of the CP Parcel. The RTA, which receives petroleum product by rail, transports this product to the Main Terminal via below grade pipelines: six pipelines to the western part and one pipeline to the eastern part of the Main

Terminal. The RTA is operated by Shore through a lease with Union Pacific Railroad and easements agreements with CP.

2. San Pablo Bay is located approximately 2,000 feet northwest of the Main Terminal and 800 feet northwest of the RTA. Shallow groundwater at and downgradient of the Site flows to the northwest toward the Bay.

Site History

3. Wickland Oil Company (Wickland) began construction of the Main Terminal in 1980 and operated it as a bulk fuel storage terminal through October 1998. The northern tank farm was constructed between 1980 and 1985, and the southern tank farm was constructed between 1991 and 1992. In November 1998, Shore acquired the terminal and has operated it since then. Wickland maintained ownership of the RTA until July 2000, when it was purchased by CS Lands, a subsidiary of Tosco Corporation. In 2002, CS Lands came under the ownership of CP. Shore continues to operate the RTA under a lease agreement with CP.

4. Between the mid-1980s and 2014, known releases of petroleum products occurred at the Site. The exact locations and times of all discharges are not known.

5. Investigations of subsurface conditions, including collecting and analyzing groundwater and soil samples for petroleum hydrocarbons have been conducted since the early 1990s. Wickland installed monitoring wells on the Main Terminal in 1993 as part of the Aboveground Petroleum Storage Act and began groundwater monitoring in 1994. In 1995, methyl tertiary butyl ether (MTBE) was detected in groundwater samples, including samples collected near the northwestern property boundary, suggesting possible off-site migration of contaminants. In 1998, Wickland and Shore jointly investigated the extent of MTBE in groundwater at and downgradient of the Main Terminal. Results indicated MTBE was present in groundwater downgradient of the Main Terminal beneath the John Swett and CP Parcels.

6. In 2000, petroleum hydrocarbons were observed in a storm drain inlet near the RTA. In 2001, while investigating the source of the storm water contamination, Shore discovered a leak in a transfer pipe (P2) located beneath a berm in the northern tank farm on the Main Terminal. This leak was determined to be the source of the hydrocarbons observed in the storm drain inlet near the RTA. Following the P2 release in 2001, Shore repaired the transfer pipe, lined a portion of the storm drain on the Main Terminal to prevent continued infiltration of groundwater and product, conducted soil and groundwater sampling at the Main Terminal and downgradient, installed and implemented product recovery trenches on the Main Terminal and CP Parcel, and collected surface water samples from the storm water system.

7. In July 2004, the Regional Water Board adopted Site Cleanup Requirements Order No. R2-2004-064 (Order). The Order named Shore and Wickland as dischargers for the Site based on ownership and operation history. The Order required additional investigation and remediation of petroleum hydrocarbons and MTBE in the subsurface and submittal of various workplans and reports.

8. In 2004, in response to the Order, Shore prepared Interim Corrective Action Plans (ICAPs) to address the four areas of the Site. The ICAPs established cleanup goals based on the potentially complete exposure pathways of vapor intrusion into the John Swett Parcel building and

groundwater discharge to a surface water body (San Pablo Bay). The ICAPs proposed removal of separate-phase hydrocarbons, stabilization of dissolved-phase hydrocarbons and MTBE, and further characterization of site contamination. Shore implemented the work proposed in the ICAPs following concurrence from Regional Water Board staff.

9. In 2007, Shore defined the lateral extent of groundwater contamination downgradient of the Main Terminal and downgradient of the RTA. Petroleum hydrocarbon contamination in shallow groundwater did not extend to and does not discharge to San Pablo Bay.

10. In 2010, Shore prepared a revised Corrective Action Plan (CAP) that showed that although the vapor intrusion to indoor air exposure pathway was potentially complete, the dissolved-phase concentrations of volatile chemicals of concern in the subsurface beneath the John Swett and CP parcels were too low to pose an unacceptable health risk via vapor intrusion to indoor air. Therefore, the remedial action objective focused on addressing discharge of groundwater containing the chemicals of concern at concentrations that may present an unacceptable risk to a saltwater marine environment. The revised CAP proposed monitored natural attenuation coupled with continued removal of separate-phase hydrocarbons from the product recovery trench at the Main Terminal as the final remedy for the Site. Following Regional Water Board staff concurrence with the proposed remedial methods in March 2011, Shore implemented the revised CAP.

11. Based on groundwater monitoring results collected through 2010, concentrations of MTBE and its breakdown product, tertiary butyl alcohol (TBA), had decreased via natural attenuation to below the cleanup goals at the RTA. Regional Water Board staff concurred with no further action at the RTA in 2011.

12. Groundwater monitoring conducted to date at and downgradient of the Main Terminal indicate concentrations of chemicals of concern (total petroleum hydrocarbons, benzene, toluene, ethylbenzene, xylenes (BTEX) and MTBE) have biodegraded via natural attenuation to less than cleanup goals. TBA, which is an MTBE breakdown product, remains at concentrations greater than cleanup goals; however, monitoring indicates the TBA groundwater plume is decreasing in size, and concentrations show a decreasing trend. Based on monitoring conducted to date, separate-phase petroleum hydrocarbons have been removed to the extent practicable from the product recovery trenches.

Regulatory History

13. The Regional Water Board adopted Site Cleanup Requirements for this site on July 28, 2004 (Order No. R2-2004-0064). The Order named Shore and Wickland as dischargers. The purpose of the Order was to establish site cleanup requirements for the investigation and remediation of petroleum hydrocarbons and MTBE in soil and groundwater. The contamination regulated under the Order was the result of historical petroleum hydrocarbon and MTBE spills and leaks that occurred during the course of operations at the Site.

14. Tasks identified in the Order, including actions required, are presented in the table below. The Order identified which dischargers were responsible for each task, which is also presented in the table below.

Task	Dischargers	Action Required	Date Required	Date Completed
1) Address discharges at the Main Terminal Area	Shore and Wickland	a) Surface Water Sampling and Analysis Plan	September 1, 2004	August 31, 2004
		b) Interim Corrective Action Plan	November 1, 2004	October 29, 2004
		c) Implementation of the Interim Corrective Action Plan	30 Days after ICAP Approval	February 2004
		d) Site Characterization Work Plan	December 1, 2004	November 30, 2004
		e) Site Characterization Report	60 Days after Task 1c	June 13, 2006
		f) Corrective Action Plan	60 Days after Completion of Site Characterization	August 15, 2006
2) Address discharges migrating downgradient from the Main Terminal Area to the CP and John Swett Parcels	Shore for petroleum hydrocarbons and MTBE and Wickland for MTBE only	a) Interim Corrective Action Work Plan	90 Days after Adoption of Site Cleanup Requirements	October 18, 2004
		b) Implementation of the Interim Corrective Action Work Plan	30 Days after ICAP Approval	February 2006
		c) Site Characterization Work Plan	January 15, 2005	January 13, 2005
		d) Site Characterization Report	60 Days after Completion of Task 2c	June 13, 2006
		e) Corrective Action Plan	60 Days after Completion of Site Characterization Report	August 15, 2006

Task	Dischargers	Action Required	Date Required	Date Completed
3) Address MTBE discharges at the RTA	Shore and Wickland	a) Interim Corrective Action Work Plan	November 1, 2004	October 29, 2004
		b) Implementation of the Interim Corrective Action Work Plan	30 Days after ICAP Approval	July 28, 2006
		c) Site Characterization Work Plan	January 15, 2005	January 13, 2005
		d) Site Characterization Report	60 Days after Completion of Tasks	January 7, 2008
		e) Corrective Action Plan	60 Days after Completion of Site Characterization Report	March 5, 2008

Basis for Rescission

15. Order No. R2-2004-0064 established tasks to be completed to address petroleum hydrocarbons and MTBE in soil and groundwater beneath the Main Terminal and downgradient areas. Shore completed all tasks included in the Order within the proper timeframes as indicated above.

16. Shore implemented interim corrective action, completed subsequent investigations to determine the extent of contamination, and implemented final remediation under a revised CAP. Based on activities completed to date, including removal of separate-phase hydrocarbons to the extent practicable and groundwater monitoring, the Main Terminal and downgradient areas qualify for low-threat closure. The criteria assessed and the low-threat closure rationale is presented below.

Low-Threat Closure Criteria	Comments
Pollutant sources are identified and evaluated.	Yes. Leak/spill sources were identified and controlled.
The site is adequately characterized.	Yes. Site history and hydrogeology are characterized. The nature and extent of chemicals of concern in soil and groundwater are defined. Site monitoring wells have been sampled since the 1990s.

Low-Threat Closure Criteria	Comments
Exposure pathways, receptors, and potential risks, threats, and other environmental concerns are identified and assessed.	Yes. Cleanup goals for the Site were developed based on possible exposure pathways and risk to human and ecological receptors. Removal of separate-phase petroleum hydrocarbons was conducted to the extent practicable. Natural attenuation is effectively reducing chemical concentrations to less than cleanup goals.
Pollutant sources are remediated to the extent feasible.	Yes. Separate-phase hydrocarbons have been removed from the Site to the extent feasible. Groundwater monitoring conducted since 1994 shows petroleum hydrocarbons, BTEX, and MTBE concentrations have biodegraded to less than cleanup goals. Concentrations of TBA, the only chemical greater than cleanup goals, are expected to degrade to less than cleanup goals in a reasonable timeframe.
Unacceptable risks to human health, ecological health, and sensitive receptors, considering current and future land and water uses, are mitigated.	Yes. Corrective actions have been implemented, long-term monitoring has been conducted, and natural attenuation is occurring.
Unacceptable threats to groundwater and surface water resources, considering existing and potential beneficial uses, are mitigated.	Yes. Corrective actions have been implemented, long-term monitoring has been conducted, and natural attenuation is occurring.
Groundwater plumes are stable or decreasing.	Yes. Groundwater monitoring results show the extent of dissolved-phase petroleum constituents in groundwater has been defined, concentrations are decreasing, and the plume is not migrating.
Cleanup standards have been met or can be met in a reasonable timeframe.	Yes. Cleanup goals for all chemicals of concern have been met with the exception of TBA. Natural attenuation is occurring and TBA concentrations are anticipated to biodegrade to less than cleanup goals in a reasonable timeframe.
Risk management measures are appropriate, documented, and do not require future Regional Water Board oversight.	Not applicable. No risk management measures are required.

CEQA and Notification

17. This action rescinds an order to enforce the laws and regulations administered by the Regional Water Board. Rescission of the order is not a project as defined in the California Environmental Quality Act (CEQA). There is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (b) (3).)

18. The Regional Water Board has notified the dischargers and all interested agencies and persons of its intent under Water Code section 13304 to rescind site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

California Safe Drinking Water Policy

19. The existing and potential beneficial uses of shallow groundwater at and in the vicinity of the Site include municipal and domestic supply, industrial processes, industrial service supply, agricultural supply, and freshwater replenishment. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This rescission promotes that policy because Shore has ensured that any potential contamination from the Site present in groundwater that is suitable or potentially suitable for municipal or domestic supply wells have been met or will meet maximum contaminant levels in a reasonable timeframe. The lateral extent of petroleum hydrocarbon impact in shallow groundwater has been defined and concentrations are decreasing, which insures that any contaminants remaining in place will not impact any water supply wells or migrate beyond the footprints at concentrations greater than maximum contaminant levels.

Site Documents and Records

20. The project files, including the Closure Report and other documentation supporting this rescission, are located at the Regional Water Board office and are maintained in (http://geotracker.waterboards.ca.gov/) under Shore Terminals Selby Facility, Global ID SL376241201.

IT IS HEREBY ORDERED that Order No. R2-2004-0064 is rescinded.

IT IS FURTHER ORDERED that the dischargers shall properly close monitoring wells and extraction trenches associated with cleanup activities consistent with applicable local agency requirements within 120 days of this rescission. The dischargers shall document closure of wells and trenches in a technical report to be submitted to the Regional Water Board within 30 days following the completion of closure activities. Monitoring wells used as part of the aboveground storage tank leak monitoring program and extraction trenches that still serve a protective purpose shall remain in place, in consultation with Regional Water Board staff.

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

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Bruce H. Wolfe
Executive Officer

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

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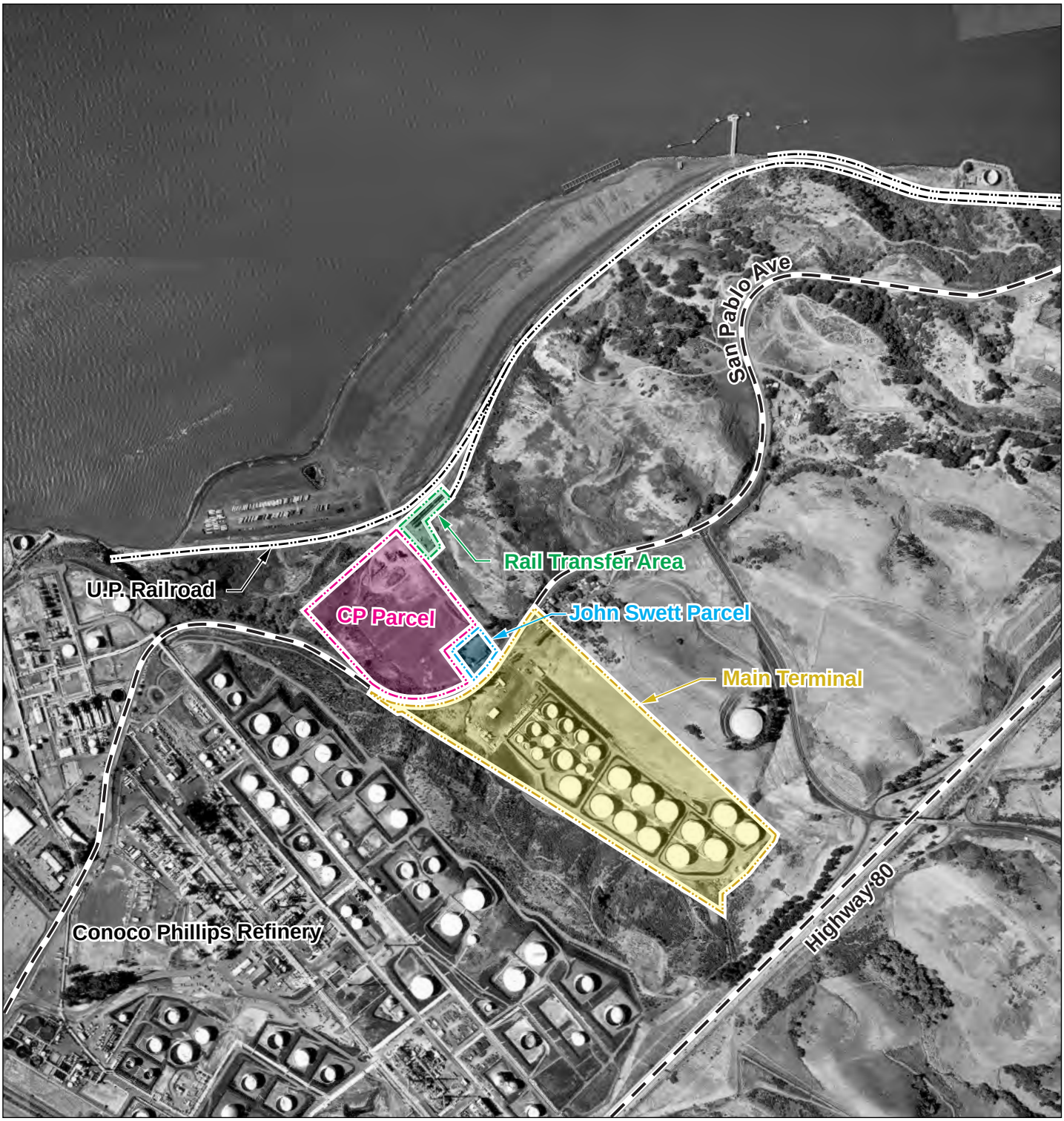

Notes: 1. Base map prepared from a 2002 aerial photograph.
2. Property boundaries are approximate.

0 2,000 4,000

Approximate Scale in Feet

N

Site Vicinity Map

Shore Terminals LLC Selby Facility
Crockett, California

Apex Companies, LLC 3015 SW First Avenue Portland, Oregon 97201	Project Number	1013-17	Figure 1
	February 2016		