

Successful Brownfields Redevelopment Achieving Clarity on Regulatory Requirements, Process and Options

An Overview of the Los Angeles Regional Board Brownfields Activities

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Davidson Conference Center, USC Campus

RWQCB Responsibilities

- **The basis for Regional Water Board decisions regarding investigation, and cleanup, abatement, and monitoring includes:**
 - (1) site-specific characteristics,
 - (2) applicable state and federal statutes and regulations,
 - (3) applicable water quality control plans adopted by the State Water Board and Regional Water Boards, including beneficial uses, water quality objectives, and implementation plans,
 - (4) State Water Board and Regional Water Board policies, and
 - (5) relevant standards, criteria, and advisories adopted by federal and other state agencies.

Regulations/Policies for Investigation and Cleanup

- **Porter - Cologne Water Quality Control Act (California Water Code)**
- **Los Angeles Region -Water Quality Control Plan (Basin Plan)**
- **Environmental Protection:**
 - **Resolution No. 68-16 Anti-degradation Policy**
 - **Resolution No. 88-63 Sources of Drinking Water Policy**
 - **Resolution No. 92-49 Policies and Procedures for Investigation and Cleanup and Abatement of discharges Under CWC 13304**

Brownfield Health Risk Criteria

- **Public Health Protection:**
 - Cal/EPA OEHHA review and approval of human health risk assessments
 - Risk-based Screening Levels
 - USEPA Preliminary Remediation Goals (October 2004)

Brownfield Health Risk Criteria (Con't)

- **SB 32 (Escutia) - California Land Environmental Restoration and Reuse Act**
 - Authorize local agencies to investigate and cleanup contaminated properties, established guidelines for the selection of oversight agency, publish an information document, publish a list of screening levels, and perform a scientific peer review of screening levels.

Brownfield Health Risk Criteria (Con't)

- **AB 2436 (Frommer) - Deed Restrictions**
 - Environmental Restriction prior to closure if site is not suitable for “unrestricted use” (residential).

LARWQCB Brownfields Redevelopment Priorities

- **Housing and Commercial/Industrial Development by Local Agencies (city and local redevelopment agencies)**
- **Public Transportation Development by State and Local Transportation Agencies and Authorities**
- **Housing Development by Non-profit Community Redevelopment Organizations**
- **Housing and Commercial/Industrial Development by Private Developers**

Coordination with USEPA Brownfields Program and Local Agencies

- **Assist local agencies and/or entities in applying for EPA Brownfields Assessment and Cleanup Grants, and Revolving Loan Funds.**
 - **Issued Brownfields Acknowledgement Letters to the County of Los Angeles and 14 other Cities (Los Angeles, Carson, West Hollywood, El Monte, Montebello, Lynwood, Huntington Park, Gardena, El Segundo, Signal Hill, Maywood, Pico Rivera, and Santa Fe Springs**

LOS ANGELES AREA BROWNFIELD PROJECTS - JULY 2004



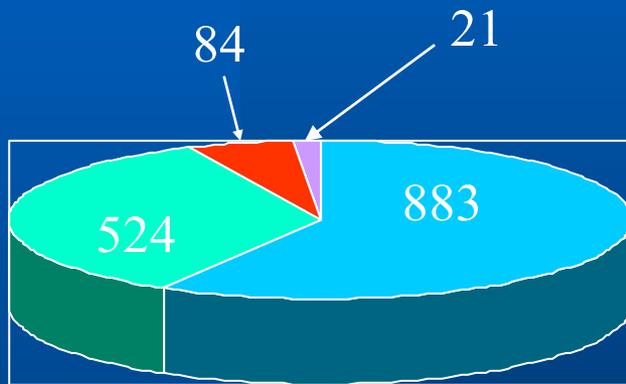
LARWQCB Remediation Section - Existing Major Brownfields and Redevelopment Projects

- **Boeing Projects - Long Beach**
- **Playa Vista Development**
- **Honeywell - El Segundo & Torrance sites**
- **City of Carson Redevelopment sites**
- **City of Santa Fe Springs/CENCO & Mobil Oil Field Rev.**
- **City of Los Angeles Mercy Housing Redevelopment**
- **Golden West Refinery**
- **City of Lynnwood Springs Project**
- **City of Maywood, Auto Zone Redevelopment**
- **City of West Hollywood - La Brea Gateway Center**
- **DoD - Los Angeles Air Force El Segundo Sites**

LOS ANGELES AREA PRIVATE PROJECTS - JULY 2004

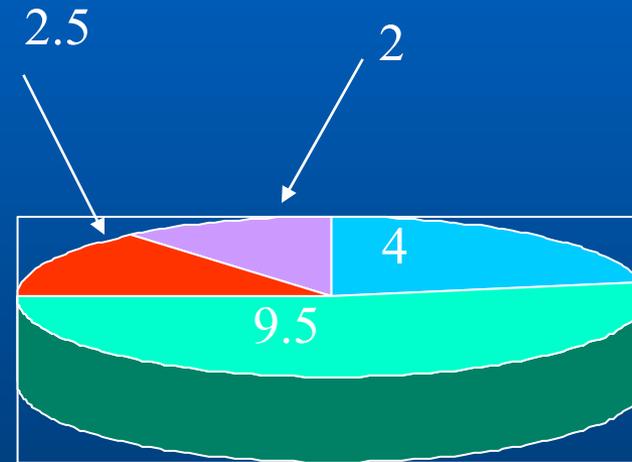


LARWQCB Remediation Section - Total Number of Cases & Staffing



Number of Cases

Total= 1,512

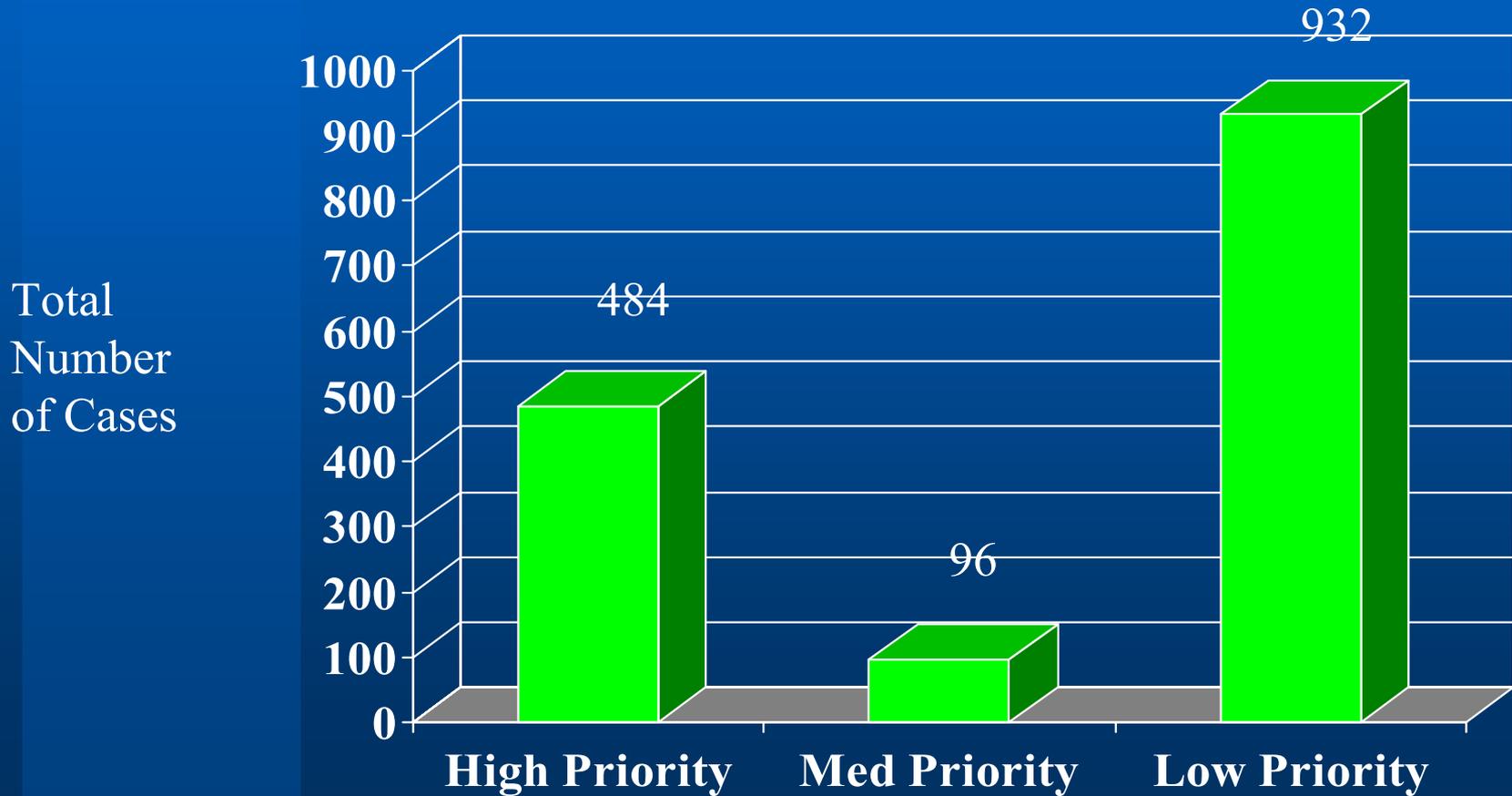


Number of Staff

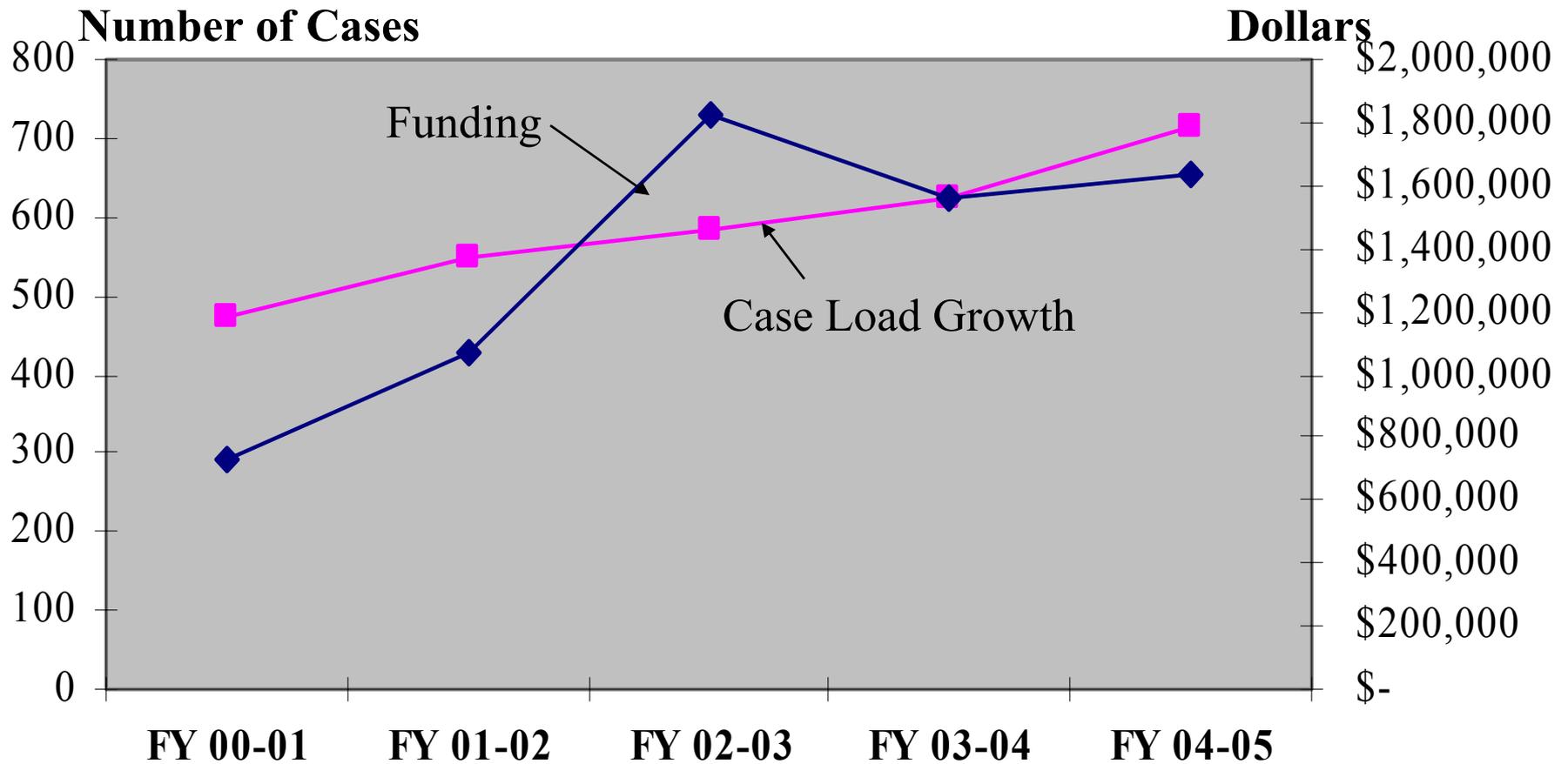
Total = 18



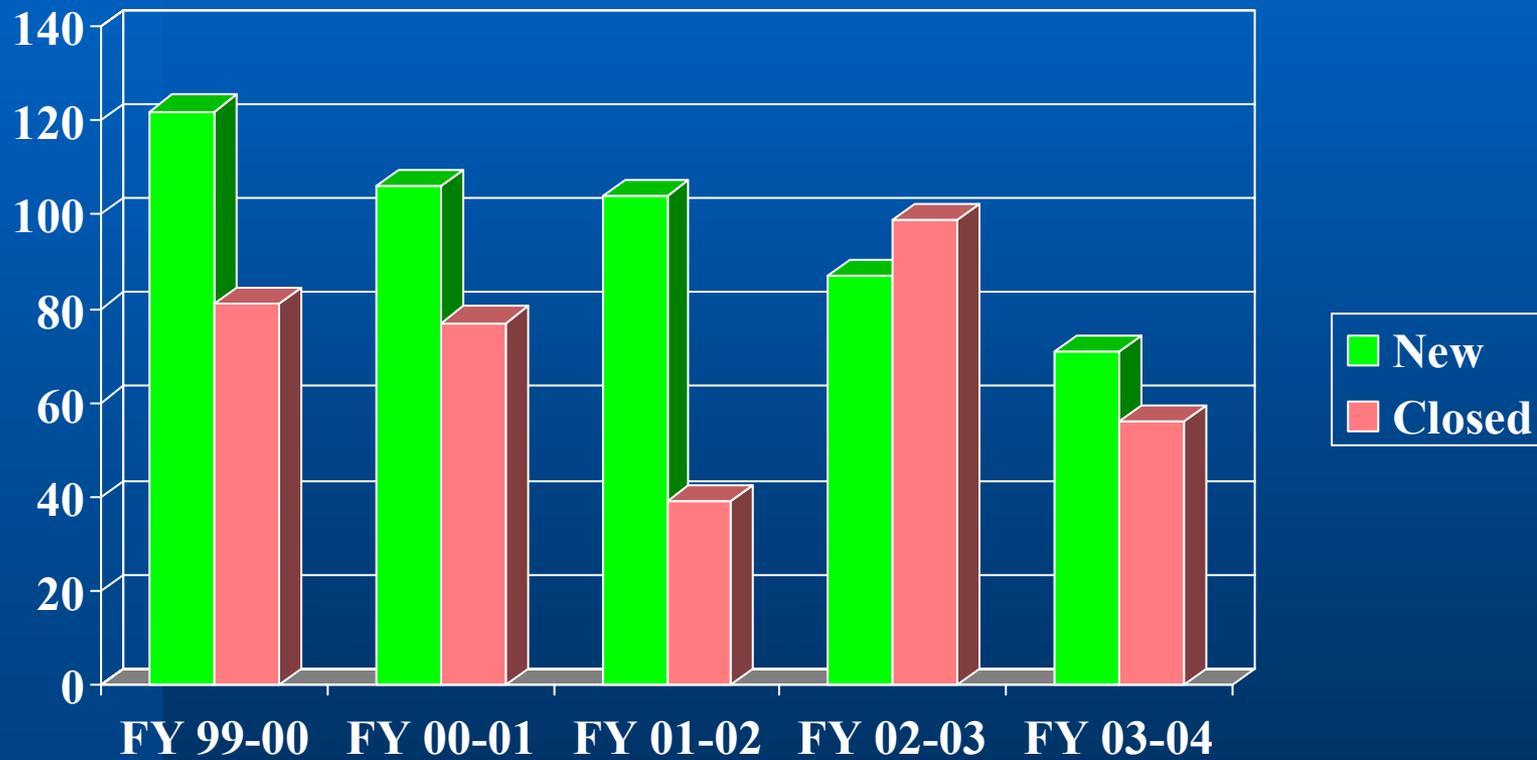
LARWQCB Remediation Section - Priority Cases



SLIC Program Growth & Funding



Rate of New vs Closed Cases



LARWQCB Remediation Section - Options for Working on Non-Priority Cases

Existing Cases:

- Reassign priority based upon work plan criteria
- Transfer soil-only cases to CUPAs, LA Co. HAZMAT Unit (SB 1248 process)
- Refer appropriate sites to DTSC for regulatory oversight
- Implement Self-Directed Process

New Cases:

- New cases subject to the Brownfields MOA Guidelines (Draft-public comment period open)

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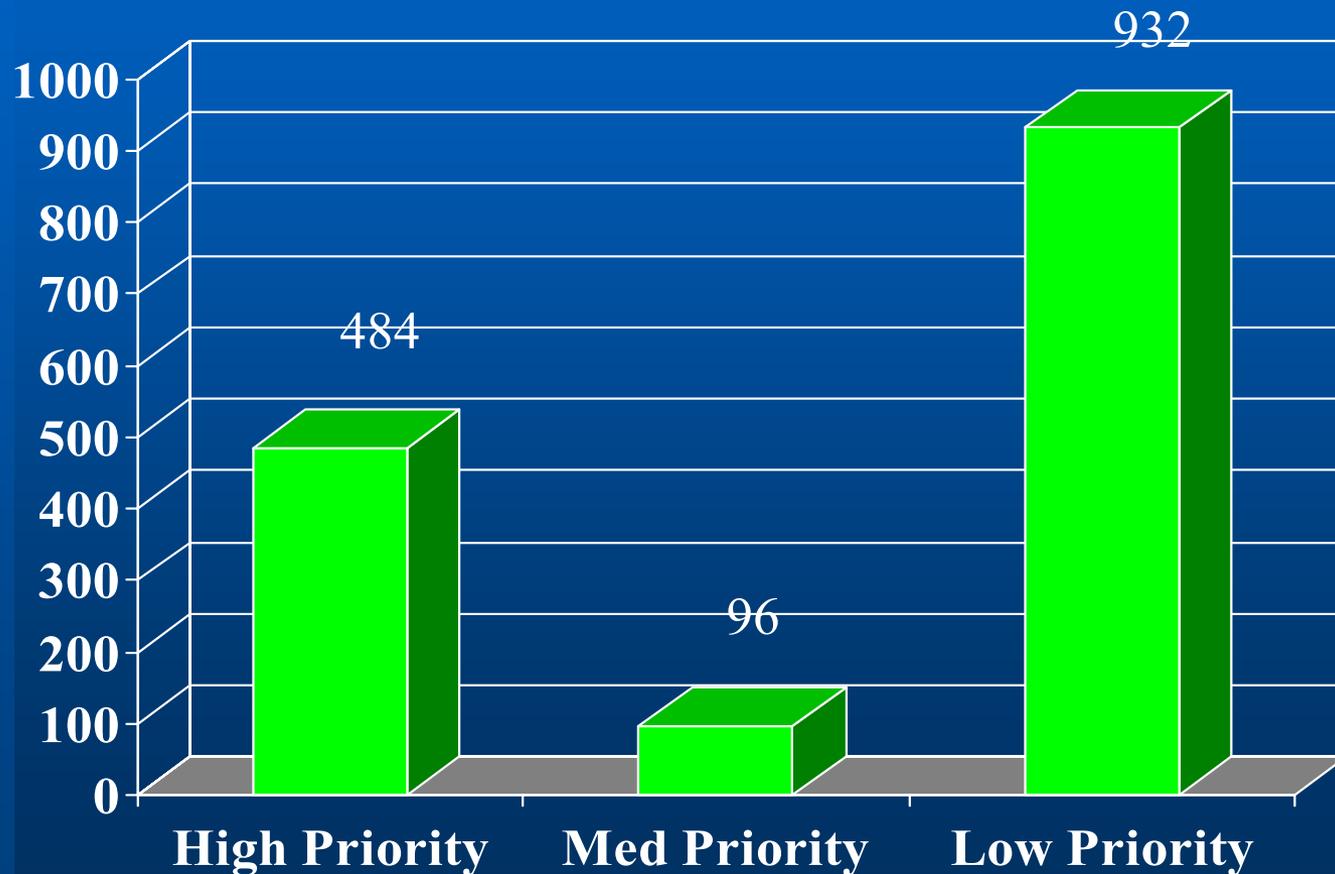
Overview of Regional Board Self-Directed Process

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**November 18, 2004
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LARWQCB Remediation Section - Priority Cases

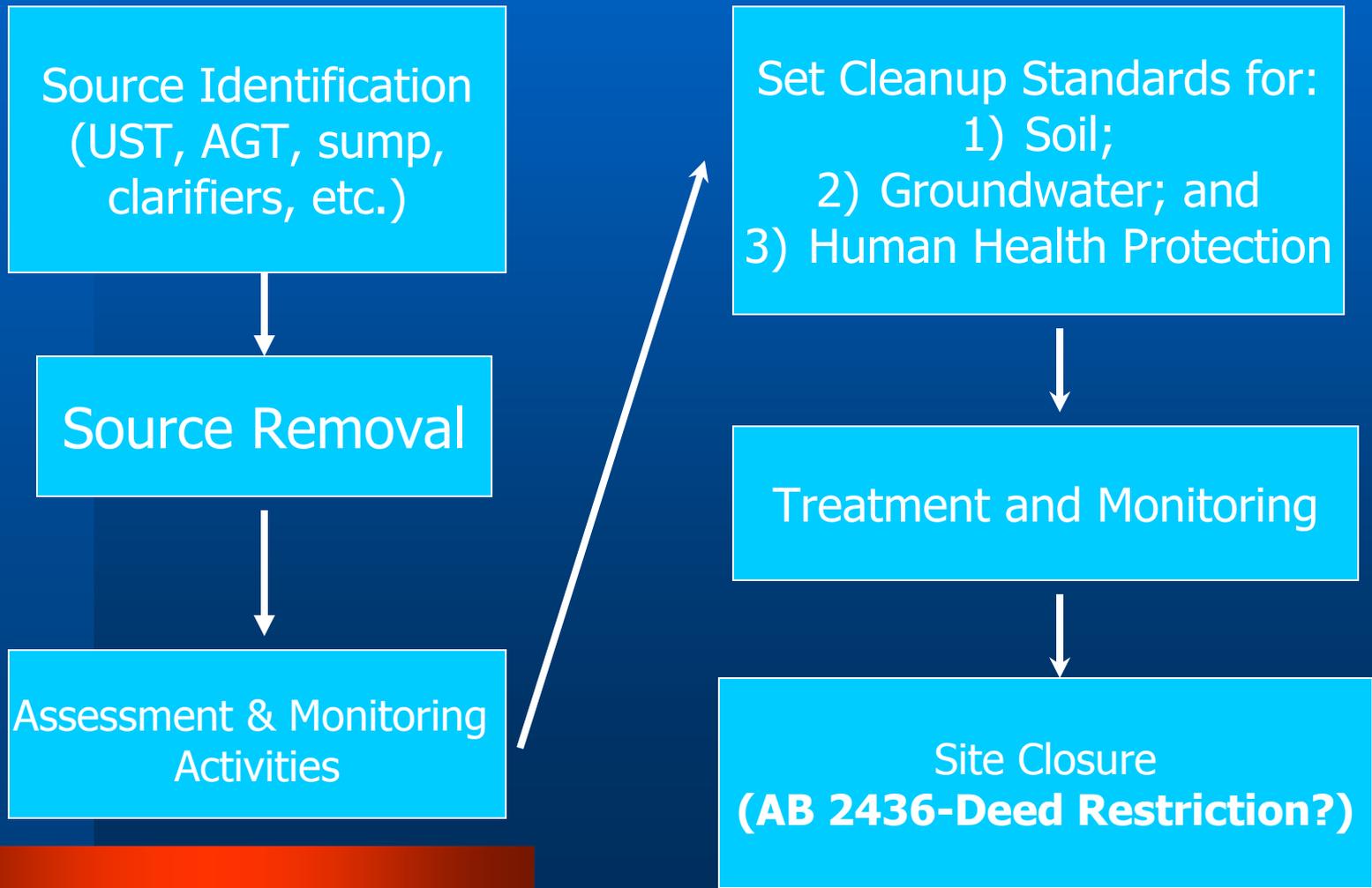
Total
Number
of Cases



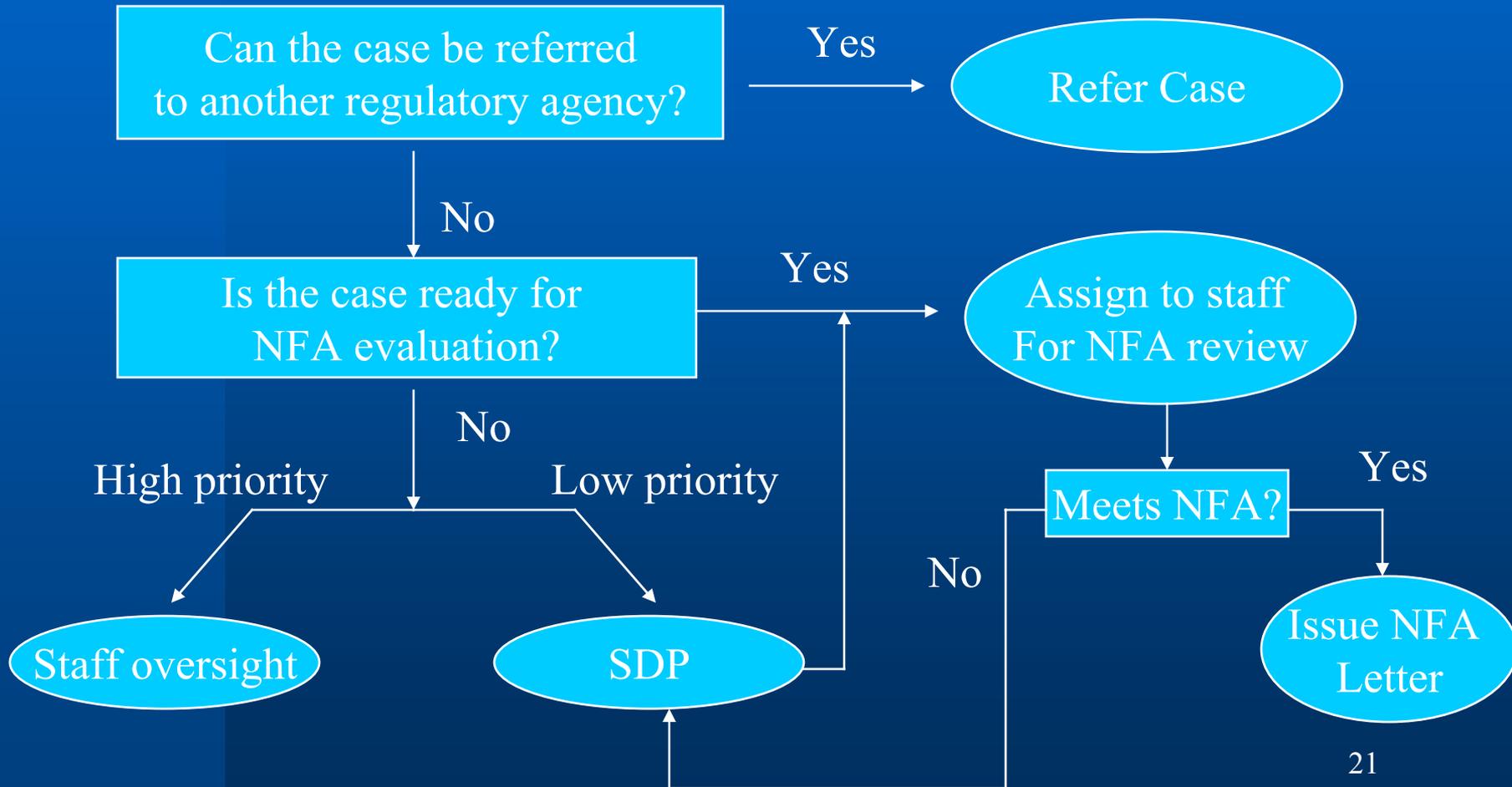
Self-Directed Process--Prioritization Criteria

- Prioritization Criteria
 - 1) Sites that present the greatest threat to water quality
 - 2) Sites within one half mile of domestic supply water production wells
 - 3) Sites with free product
 - 4) Sites that have completed assessment and remediation and may be ready for low risk closure review and evaluation
 - 5) Redevelopment and Brownfield sites
 - 6) Sites with enforcement related activities.

General Cleanup Process



Expedite Case Review



Self-Directed Process

- Concept

- Site prioritized on basis of groundwater protection and threat
- Low and medium priority cases would independently act to remediate site
- Brownfield sites are a high priority (less applicable)

Self-Directed Process (Con't)

- Responsible Party continues with required actions without direct Regional Board oversight
- Responsible Party requests for no further action when assessment, monitoring and cleanup are completed
- Responsible Party assumes substantial risk that process is done properly

Self-Directed Process - Implementation

- Responsible Party requests to enter SDP
- Must have an active cost recovery agreement on file with Regional Board
- Responsible Party reviews SDP Guidance documents and Regional Board requirements
- Responsible Party submits workplan, health & safety plan, etc.
- Are WDRs/NPDES needed?
- Responsible Party initiate phased work, e.g., assessment

Self-Directed Process - Outcome/Site Closure

- When site work is complete, submits final report(s) with closure request (letter), Case Review Form and other final reports Regional Board
- Regional Board staff reviews closure request 60 - 90 days
- If work is complete No Further Action Letter issued
- If work is not complete Regional Board issues directive letter with requirements