

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Vic Pal)
MEETING DATE: August 9, 2006

ITEM: 6

SUBJECT: CARGILL INCORPORATED, 7220 CENTRAL AVENUE, NEWARK,
ALAMEDA COUNTY - Hearing to Consider Imposition of Amended
Administrative Civil Liability (ACL) for Discharge of Bittern in Violation of
the State Water Resource Control Board's Permit for Storm Water Discharges
Associated with Industrial Activities, Water Quality Order No. 97-03-DWQ,
NPDES No. CAS000001

CHRONOLOGY: The Board has not previously considered this item.

DISCUSSION: In June 2005, Cargill had a bittern release of 7,100 gallons to salt marsh from
a rail tanker car at its Newark facility. Cargill has updated its procedures for
rail tanker car cleaning since the release.

As provided for under the California Water Code, I issued an ACL
Complaint for a liability of \$71,000. During the public comment period for
the Complaint, the Complaint was amended in response to four non-
substantive wording changes requested by Cargill and to describe Cargill's
proposed Supplemental Environmental Project (SEP) for up to \$43,000 of the
liability (Appendix A). No other comments were received.

Cargill will undertake a SEP with the California Department of Fish and
Game (CDFG) relating to the closure of wells at CDFG's Eden Landing
Marsh Restoration Project along the Hayward shoreline south of the San
Mateo Bridge. On July 24, Cargill waived its right to a hearing on the
amended ACL as indicated in Appendix B.

RECOMMEN-
DATION: No Action Required

File No. 2190.11

APPENDICES: A - Amended ACL Complaint
B - Signed Waiver