

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER 96-084

SITE CLEANUP REQUIREMENTS

FOR PROPERTY LOCATED AT:

**114, 120 and 128 HARBOR WAY
SOUTH SAN FRANCISCO
SAN MATEO COUNTY**

DISCHARGERS:

**MR. & MRS. SAM MAIMAN;
MR. & MRS. HAROLD COOPER;
MRS. GERDA KOPPEL;
WESTERN DRUM; and
MAYCO SALVAGE**

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

1. **Site Location:** The site consisting of 114, 120 and 128 Harbor Way is located in South San Francisco on the west side of Harbor Way near the intersection of East Grand Avenue within an area zoned for industrial use (see Figure 1). To the north and west, the site is bordered by a railroad line owned by Southern Pacific. There is an Olympian Oil Company truck fueling station immediately north of the tracks. The adjacent property to the south is V. B. Salvage Company, a metals recycling auto wrecking yard. The property across Harbor Way to the east is currently home to GMP Construction Equipment Company.

Until 1996 the site was comprised of the following three properties collectively comprising 79,170 square feet (1.8 acres) of land on two parcels with Assessors Parcel Numbers of 015-032-010 and 015-032-060: 114, 120 and 128 Harbor Way, South San Francisco. The city zoning department now records the site as one property and parcel: 128 Harbor Way, parcel number 015-032-0XXX.

2. **Site History:** The subject site is currently owned by a partnership comprised of the

following individuals, all retired: Mr. and Mrs. Sam Maiman of Napa, CA; Mr. and Mrs. Harold Cooper of Burlingame, CA; and Mrs. Gerda Koppel of Millbrae, CA.

Prior to December 1995, the 114 Harbor Way property included a 4,000-square foot metal building which has been leased since 1972 by South San Francisco Tire Company. Their operations consisted of a truck weighing-scale, retail tire sales, retail petroleum sale (until 1994), and automotive service and repair.

The 120 Harbor Way property included a 1,150-square foot wooden structure leased since 1983 by the Italian Sandwich Shop.

The 128 Harbor Way property included a 6,700-square foot Quonset hut structure, vacant since approximately 1990.

The following is a listing of tenants and their corresponding site use in reverse chronological order:

114 Harbor Way, South San Francisco: LUFT site

1972-1995 South San Francisco Tire
1961-1972 Mayco Salvage (scrap metals recycling)

120 Harbor Way, South San Francisco

1983-1995 Italian Sandwich Shop
1978-1982 North Beach Sandwich

128 Harbor Way, South San Francisco: Solvent contamination

1982-present Vacant
1976-1982 Western Drums (drum recycling, including solvents, etc.)
1961-1972 Mayco Salvage (scrap metals recycling ,including lead-acid batteries)

3. **Discovery of Additional Waste:** In mid-December 1995 during the course of site remediation work associated with an underground fuel tank leak related to the former South San Francisco Tire operations at the 114 Harbor Way parcel, elevated concentrations of highly soluble lead were discovered in the stockpiled soils generated. Both the San Mateo County Health Services Department (SMCHSD) and the San Francisco Bay Regional Water Quality Control Board (RWQCB) were immediately apprised of these findings. Based on the premise that the lead contamination might be associated with past metal salvage operations, Remediation Risk Management, Inc. (RRM), the consultant representing the owners, conducted a limited site assessment to identify past property uses and known chemical releases. RRM also made initial efforts to collect some additional sidewall samples, at depth, from the open

underground fuel tank removal excavation and spotted sampling locations throughout the property. In the course of this sampling an additional area of subsurface petroleum contamination was encountered to the rear of the property.

Further, while the lead investigation was in progress, additional pollution was discovered in late December 1995 when a demolition contractor began work on the site to remove existing structures at 128 Harbor Way. In removing a concrete pad under the canopied area behind the Quonset hut, a sump and drainage system was discovered. Two concave sections of an approximately 500-gallon steel tank, that had been split lengthwise to form basins and were then set into the concrete pad. These basins appeared to have been used for the former drum recycling operation. The pad around the basins drained to an open sump which was connected to the sanitary sewer. The sewer line draining the sump was broken and badly deteriorated. Soils underlying the pad and sump system were visibly stained and emitted solvent odors. Because the concrete rubble generated from the pad was, in places, visibly stained and/or odorous, it was segregated for testing. In addition to the canopied pad area behind the Quonset hut, suspect soils with discoloration or odors were encountered in several areas beneath the Quonset hut slab.

4. **Named Dischargers:** Mr. and Mrs. Sam Maiman; Mr. and Mrs. Harold Cooper; Mrs. Gerda Koppel are named as dischargers because of their current ownership of the property. Mr. and Mrs. Sam Maiman; Mr. and Mrs. Harold Cooper all of which conducted business as Mayco Salvage are named as dischargers based on the pollution which resulted from their metal recycling activities onsite. Western Drum is named as a discharger for pollution which resulted from their drum recycling activities onsite.

If additional information is submitted indicating that other parties caused or permitted any waste to be discharged on the site where it entered or could have entered waters of the state, this Order may be amended to include that party.

5. **Regulatory Status:** This site is currently not subject to Board Order.
6. **Site Hydrogeology:** Groundwater is interpreted to be present at depths of approximately 5 feet below ground surface (BGS) and has been observed to rise to depths of approximately 4 feet BGS. Based on the water levels measured in the monitoring wells, the groundwater gradient within the shallow aquifer system is interpreted to slope to the northwest away from San Francisco Bay. The anticipated gradient for the area would generally flow toward the bay.

The site is interpreted as being underlain by estuarine bay mud deposits. These materials are described as unconsolidated, water-saturated, dark plastic clays and silty clays rich in organic material. Lenses and stringers of well-sorted silt and sand, as well as beds of peat may be present. Along the margins of the present San Francisco Bay, the bay mud may be covered by artificial fill (Helley et al., 1979).

Lithologies encountered at the site during the field investigation are similar to those described above. The dark greenish gray clay lithology is interpreted to be the estuarine bay mud deposits reported by Helley and others (1979), and are considered to be native deposits. Overlying the native deposits were sand, silt, clay and gravel materials of varying color. These materials are interpreted to be artificial fill. Where petroleum product was observed in the soil it tended to be present within the artificial fill or at the base of the artificial fill, above the native deposits. Petroleum hydrocarbons, halogenated volatile organic compounds (HVOCs) and heavy metals (primarily lead) were reported in soil samples collected from the site.

7. **Remedial Investigation:**

- a. **Soil:** The current property owners have investigated and defined the extent of onsite soil pollution.
- b. **Groundwater:** The extent of groundwater pollution has been partially completed. The extent of the petroleum hydrocarbons has been adequately defined. Additional groundwater characterization will be necessary for metals and chlorinated solvents.

8. **Remedial Action Plan for Soil:** In order to expedite remediation and prevent further delays in the planned development, the property owners working with Board staff developed and implemented remedial measures for soil at the site.

- a. **Metals Impacted Soil:** The treatability studies indicated that the solubility of all but the most highly affected soil could be reduced to acceptable concentrations by the addition of lime. The remedial measures implemented at the site included the removal and offsite disposal of the highest concentration lead impacted soil and the onsite treatment and management of the remaining soil.

Upon completion of the soil stabilization, the site was divided into a grid pattern and confirmation soil samples were collected and analyzed from each cell to determine the effectiveness of the stabilization. All samples were initially analyzed utilizing the soluble threshold limit concentration (STLC) procedure to determine if the stabilized soil was considered as a California hazardous waste. Approximately 15% of the samples analyzed exceed the STLC value of 5 mg/L lead in the leachate generated. These samples were then analyzed using the synthetic precipitation leaching procedure (SPLP) to determine the long-term threat to underlying groundwater posed the soil. All results from the SPLP were below detectable concentrations. Based upon the results of the SPLP it appears that the stabilized soil does not pose a threat to groundwater.

However, total concentrations of lead in some areas of the site exceed acceptable human health risk-based values. Therefore, capping these areas of the site will be conducted to prevent exposure of the underlying soil. A deed notification will be used to manage the soil onsite.

- b. **Petroleum Impacted Soil:** The remedial measures for petroleum impacted soil included removal and offsite disposal of the high concentration material and onsite management of the remaining soil.
- c. **HVOC Impacted Soil:** The HVOC impacted soil was removed and disposed of offsite.

The dischargers through a combination of soil removal, treatment and future capping of certain areas of the site have achieved a remedy which is protective of human health and the environment for all onsite soil. No further remedial action for soil is necessary. Additional investigation to determine the extent of groundwater pollution is necessary.

- 9. **Basin Plan:** The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The revised Basin Plan was approved by the State Water Resources Control Board and the Office of Administrative Law on July 20, 1995, and November 13, 1995, respectively. A summary of regulatory provisions is contained in 23 CCR 3912. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwaters.

The potential beneficial uses of groundwater underlying and adjacent to the site include:

- a. Municipal and domestic water supply
- b. Industrial process water supply
- c. Industrial service water supply
- d. Agricultural water supply
- e. Freshwater replenishment to surface waters

The existing beneficial uses of the surface waters (San Francisco Bay and Colma Creek) include:

- a. Water contact and non-contact recreation
- b. Wildlife habitat
- c. Fish migration and spawning
- d. Navigation

- e. Estuarine habitat
 - f. Shellfish harvesting
 - g. Commercial and sport fishing
 - h. Industrial service supply
10. **State Water Board Policies:** State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," applies to this discharge and requires attainment of background levels of water quality, or the highest level of water quality which is reasonable if background levels of water quality cannot be restored. Cleanup levels other than background must be consistent with the maximum benefit to the people of the State, not unreasonably affect present and anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives.

State Water Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304," applies to this discharge. This order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

11. **Other Board Policies:** Board Resolution No. 88-160 allows discharges of extracted, treated groundwater from site cleanups to surface waters only if it has been demonstrated that neither reclamation nor discharge to the sanitary sewer is technically and economically feasible.

Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas of high TDS, low yield, or naturally-high contaminant levels.

12. **Scope of this Order:** This Order contains tasks to define the extent of groundwater pollution at the site. Upon acceptable documentation of implementation of the remedial action plan for soil and compliance with the preliminary cleanup goals discussed in finding 13, this Order approves the remedial measures described in finding 8 as final actions for soil at the site.
13. **Preliminary Cleanup Goals:** The discharger will need to make assumptions about future cleanup standards for soil and groundwater, in order to determine the necessary extent of remedial investigation, interim remedial actions, and the draft cleanup plan. Pending the establishment of site-specific cleanup standards, the following preliminary cleanup goals should be used for these purposes:
- a. **Groundwater:** Applicable water quality objectives (e.g. maximum contaminant levels, or MCLs) or, in the absence of a chemical-specific objective, risk-based levels (e.g. drinking water equivalent levels).

- b. **Soil:** The cleanup goal shall be 1 mg/kg total volatile organic compounds (VOCs), 100 mg/kg total petroleum hydrocarbons (TPH) as gasoline, 1,000 mg/kg as TPH as diesel. Residual metals concentrations must be protective of human health, water quality and the environment.
14. **Basis for 13304 Order:** The discharger has caused or permitted waste to be discharged or deposited where it is or probably will be discharged into waters of the State and creates or threatens to create a condition of pollution or nuisance as defined in Section 13050(m) of the California Water Code.
15. **Cost Recovery:** Pursuant to California Water Code Section 13304, the discharger is hereby notified that the Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this order.
16. **CEQA:** This action is an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
17. **Notification:** The Board has notified the discharger and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.
18. **Public Hearing:** The Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the discharger (or its agents, successors, or assigns) shall cleanup and abate the effects described in the above findings as follows:

A. PROHIBITIONS

1. The discharge of wastes or hazardous substances in a manner which will degrade water quality or adversely affect beneficial uses of waters of the State is prohibited.
2. Further significant migration of wastes or hazardous substances through subsurface transport to waters of the State is prohibited.
3. Activities associated with the subsurface investigation and cleanup which will

cause significant adverse migration of wastes or hazardous substances are prohibited.

B. TASKS

1. DETERMINE EXTENT OF GROUNDWATER POLLUTION AND PROPOSE ADDITIONAL ACTIONS

COMPLIANCE DATE: no later than July 1, 1996

Description: The dischargers shall conduct an investigation to determine the vertical and lateral extent of groundwater pollution related to their discharge of pollutants on the site. The extent of pollution will be defined as concentrations at or below typical cleanup standards for groundwater. The dischargers shall submit a technical report acceptable to the Executive Officer documenting the results of the investigations and proposing additional actions.

2. DOCUMENT IMPLEMENTATION OF REMEDIAL ACTION PLAN FOR SOIL

COMPLIANCE DATE: no later than July 1, 1996

Description: The dischargers shall submit a technical report acceptable to the Executive Officer documenting the implementation of the remedial action plan (RAP) for soil.

3. PROPOSE CAP AND DEED NOTIFICATION

COMPLIANCE DATE: no later than September 1, 1996

Description: The dischargers shall propose a capping design and deed notification acceptable to the Executive Officer. The cap must be an effective barrier to prevent exposure to the underlying soil which exceeds health-based concentrations of lead. The deed notification will be used as a management tool to ensure that property remained capped and that any subsurface activities will follow appropriate health and safety procedures. The notice will also require that affected soil and groundwater, if necessary, are properly handled for disposal purposes.

4. GROUNDWATER MONITORING PROGRAM

COMPLIANCE DATE: no later than July 1, 1996

Description: The dischargers shall submit a technical report acceptable to the

Executive Officer proposing a groundwater monitoring program for the site.

5. DELAYED COMPLIANCE

Description: If the dischargers are delayed, interrupted, or prevented from meeting one or more of the completion dates specified for the above tasks, the dischargers shall promptly notify the Executive Officer and the Board may consider revision to this Order.

C. PROVISIONS

1. **No Nuisance:** The storage, handling, treatment, or disposal of polluted soil or groundwater shall not create a nuisance as defined in California Water Code Section 13050(m).
2. **Good Operation and Maintenance (O&M):** The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed to achieve compliance with the requirements of this Order.
3. **Cost Recovery:** The discharger shall be liable, pursuant to California Water Code Section 13304, to the Board for all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. If the site addressed by this Order is enrolled in a State Board-managed reimbursement program, reimbursement shall be made pursuant to this Order and according to the procedures established in that program. Any disputes raised by the discharger over reimbursement amounts or methods used in that program shall be consistent with the dispute resolution procedures for that program.
4. **Access to Site and Records:** In accordance with California Water Code Section 13267(c), the discharger shall permit the Board or its authorized representative:
 - a. Entry upon premises in which any pollution source exists, or may potentially exist, or in which any required records are kept, which are relevant to this Order.
 - b. Access to copy any records required to be kept under the requirements of this Order.
 - c. Inspection of any monitoring or remediation facilities installed in response to this Order.
 - d. Sampling of any groundwater or soil which is accessible, or may become

accessible, as part of any investigation or remedial action program undertaken by the discharger.

5. **Contractor / Consultant Qualifications:** All technical documents shall be signed by and stamped with the seal of a California registered geologist, a California certified engineering geologist, or a California registered civil engineer.
6. **Lab Qualifications:** All samples shall be analyzed by State-certified laboratories or laboratories accepted by the Board using approved EPA methods for the type of analysis to be performed. All laboratories shall maintain quality assurance/quality control (QA/QC) records for Board review. This provision does not apply to analyses that can only reasonably be performed on-site (e.g. temperature).
7. **Document Distribution:** Copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order shall be provided to the following agencies:
 - a. City of South San Francisco
 - b. County of San Mateo Health Services Agency
 - c. Department of Toxic Substances Control

The Executive Officer may modify this distribution list as needed.

8. **Reporting of Changed Owner or Operator:** The discharger shall file a technical report on any changes in site occupancy or ownership associated with the property described in this Order.
9. **Reporting of Hazardous Substance Release:** If any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, the discharger shall report such discharge to the Regional Board by calling (510) 286-1255 during regular office hours (Monday through Friday, 8:00 to 5:00).

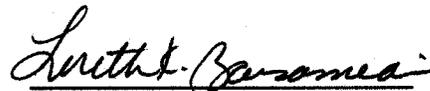
A written report shall be filed with the Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.

This reporting is in addition to reporting to the Office of Emergency Services required pursuant to the Health and Safety Code.

10. **Periodic SCR Review:** The Board will review this Order periodically and may revise

it when necessary. The discharger may request revisions and upon review the Executive Officer may recommend that the Board revise these requirements.

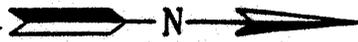
I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 19, 1996.



Loretta K. Barsamian
Executive Officer

**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**

Attachments: Site Map



PACIFIC RAIL ROAD

OLYMPIAN OIL
190 E. GRAND AVE.

E. GRAND AVENUE

128 HARBOR WAY

114 HARBOR WAY

(FORMERLY
WESTERN DRUMS)

ITALIAN
SANDWICH
SHOP

APPROX. LOCATION
FORMER UST

S.S.F.
TIRE SERVICE

120 HARBOR WAY

TRUCK SCALE

LENGEND

--- SUBJECT SITE

HARBOR WAY

0 50 100
Scale in Feet



SITE PLAN
114-120-128 HARBOR WAY
SOUTH SAN FRANCISCO, CALIFORNIA

FIGURE 1