

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

ORDER No. R2-2023-0013

RESCISSION OF UPDATED SITE CLEANUP REQUIREMENTS (ORDER NO. R2-2017-0005) for:

OEA AEROSPACE, INC.,
OEA, INC.,
UNIVERSAL PROPULSION COMPANY, INC.,
UNITED TECHNOLOGIES CORPORATION, AND
UNITED STATES DEPARTMENT OF THE AIR FORCE

For the property located at:

3530 BRANSCOMBE ROAD
FAIRFIELD
SOLANO COUNTY

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

1. **Regional Water Board Order:** The Regional Water Board adopted updated site cleanup requirements for the subject property on March 31, 2017 ([Order No. R2-2017-0005; hereinafter referred to as the Order](#)). The property comprises the United Technologies Corporation (UTC) owned property (including the Main Area), the Department of Defense owned property (including the East Launch Area (ELA)), and the OEA Aerospace owned property (including the Nurse Slough property). Order No. R2-2017-0005 names OEA Aerospace, Inc., OEA, Inc., Universal Propulsion Company, Inc., United Technologies Corporation, and United States Department of the Air Force as dischargers. Autoliv is the parent company for OEA Aerospace, Inc., and OEA, Inc. The Order set cleanup standards for soil and groundwater impacted by volatile organic compounds and perchlorate and required dischargers to restore groundwater to a level that is protective of human health, safety, and the environment and ensure that beneficial uses of water resources are maintained.
2. **Compliance with the Order:** Tasks 1 through 12 of the Order are complete as summarized below.
 - a. Task 1 required the dischargers to submit a Storm Water Monitoring Plan to prevent potential migration of perchlorate in stormwater. This task was completed on April 28, 2017, as documented in the following report:
 - [April 28, 2017, Stormwater Monitoring Plan – East Launch Area and Nurse Slough Property OEA Aerospace, Potrero Hills Facility](#)

- b. Task 2 required the dischargers to submit a management plan for long-term management of water supply to residences, including vacated residences and the Stolte Duck Club. This task was completed on April 28, 2017, as documented in the following report:
- [April 28, 2017, OEA Aerospace, Nurse Slough Property Water Supply Management Plan](#)
- c. Task 3 required the dischargers to submit a technical work plan for the property describing how data gaps identified in previous investigations will be addressed. This task was completed on May 1, 2017, as documented in the following report:
- [May 1, 2017, OEA Aerospace, Potrero Hills Facility, Off-Site Perchlorate Investigation Program Data Gap Investigation Work Plan](#)
- d. Task 4 required the dischargers to submit a technical report presenting investigation finding for the Data Gap Investigation proposed in Task 3. The report described geologic conditions encountered, contaminant concentrations, and recommendations required to assess risk to receptors. This task was completed on February 27, 2018, as documented in the following report:
- [February 27, 2018, 2017 Data Gap Investigation Report of Findings](#)
- e. Task 5 required the dischargers to submit a risk assessment work plan for the preparation of a site-specific risk assessment and site-specific cleanup levels for groundwater at the property, inclusive of a conceptual site model. This task was completed on May 11, 2018, as documented in the following report:
- [May 11, 2018, Human Health and Ecological Risk Assessment Work Plan for the East Launch Area and Nurse Slough Property](#)
- f. Task 6 required the dischargers to submit a risk assessment for the property. This task was completed on February 7, 2022, as documented in the following reports:
- [October 12, 2018, Technical Memorandum No. 1 – Vapor Intrusion Evaluation at the East Launch Area and the Nurse Slough Property, Former OEA Aerospace Potrero Hills Facility, Fairfield](#)
 - [October 16, 2018, Technical Memorandum No. 2 – Selection of Chemicals of Potential Concern \(COPC\) and Definition of Exposure Units/Areas for the East Launch Area and Nurse Slough Property Former OEA Aerospace Potrero Hills Facility, Fairfield](#)
 - [October 24, 2018, Technical Memorandum No. 3 – Calculation of Exposure Point Concentrations for Defined Exposure Units in the East Launch Area and Nurse Slough Property Former OEA Aerospace Potrero Hills Facility, Fairfield](#)

- [February 7, 2022, Human Health and Ecological Risk Assessment for the East Launch Area and Nurse Slough Property OEA Aerospace, Inc., Potrero Hills Facility, Fairfield, California \(Risk Assessment\)](#)
- g. Tasks 7, 8, and 9 required the dischargers to submit reports if requested by the Executive Officer. For example, Tasks 7 and 8 related to corrective action reports if the Executive Officer determined, following review of the risk assessment report, that remedial action(s) was required to achieve appropriate clean up goals for the property. The Executive Officer did not request that any reports be submitted under these tasks because there was no human health or ecological risk and low threat closure criteria were achieved. Thus, these reports were not needed, and these tasks are considered complete.
- h. Task 10 required the dischargers to optimize well networks and revise the self-monitoring program. This task was not needed for the East Launch Area and the Nurse Slough Property and are considered complete for these areas. This task was completed for the Main Area well network on October 29, 2020, as documented in the following no further action letter:
- [October 29, 2020, No Further Action for Main Area Site – OEA Aerospace, Inc. Potrero Hills Facility, Solano County](#)
- i. Tasks 11 and 12 required the dischargers to evaluate new technical information and notify the Executive Officer of delayed compliance as needed. These tasks were not needed and thus are considered complete.
3. **Basis for Rescission:** The requirements of the Order have been met, and the case qualifies for low-threat closure because:
- There is no ongoing source and secondary source has been addressed;
 - A site conceptual model has been developed;
 - It has been remediated to the extent feasible;
 - Groundwater conditions are improving over time; and
 - There are no unacceptable risks to human health and the environment and no sensitive receptors.

The 2022 Risk Assessment concluded that there are no significant risks to human health and ecological receptors associated with perchlorate and volatile organic compounds in groundwater. The deed restriction developed for the Nurse Slough property prohibits residential development and eliminates the need for addressing residential exposure pathways. Risk management measures are appropriate, documented, and do not require future Regional Water Board oversight.

4. **Next Steps Prior to Case Closure:** Monitoring wells owned by the dischargers need to be properly closed before this case is closed by the Regional Water Board to eliminate vertical conduits for potential future groundwater contamination.
5. **Human Right to Water:** Under Water Code section 106.3, the State of California's policy is that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (Wat. Code, § 106.3; see also State Water Board Resolution No. 2016-0010.) The human right to water extends to all Californians, including disadvantaged individuals and groups and communities in rural and urban areas. This Order promotes that policy because within a reasonable time frame cleanup standards can be met to achieve maximum contaminant levels. The extent of contamination does not extend into water supply wells.
6. **CEQA:** This action rescinds a Regional Water Board order. 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).)
7. **Notification:** 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.

IT IS HEREBY ORDERED that Order No. R2-2017-0005 is rescinded except for enforcement purposes.

IT IS FURTHER ORDERED that the dischargers shall properly close all monitoring and extraction wells consistent with applicable local agency requirements and shall document such closure in a technical report to be submitted to the Regional Water Board within 30 days following the completion of closure activities.

I, Eileen M. White, 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 August 17, 2023.

Eileen M. White, P.E.
Executive Officer