

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

TENTATIVE ORDER

AMENDMENT OF WASTE DISCHARGE REQUIREMENTS

**SIERRA POINT ENVIRONMENTAL MANAGEMENT ASSOCIATION
SIERRA POINT CLASS III SOLID WASTE DISPOSAL SITE
BRISBANE, SAN MATEO COUNTY**

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

1. The closed Sierra Point Solid Waste Disposal Site (site) is located in the City of Brisbane, San Mateo County, depicted in Figure 1. The site encompasses an area of approximately 131 acres, of which 29 acres are located in the City of South San Francisco and 102 acres are located in the City of Brisbane. The site is bounded to the north, south and east by San Francisco Bay and to the west by Highway 101, and Southern Pacific Transportation Company railroad tracks. The site operated between 1965 and 1972, and was used for the disposal of municipal solid wastes. Following closure it has been redeveloped as an office park and a marina.
2. Applicability and Extension of Existing Order: The current Waste Discharge Requirements for the Sierra Point Landfill are contained in Board Order No. 96-058 (Order), and remains in effect. The Order states that the current owners of property overlying the landfill, and any new property owner, are responsible for compliance with the Order and are jointly responsible for overall site maintenance, and have a continuing responsibility for correcting any problems associated with this solid waste disposal site during subsequent use of the landfill for other purposes.
3. Reason for Amendment: The purpose of this Amendment is to update the dischargers that were named in Order No. 96-058, as described in Findings 4 and 5.
4. Order No. 96-058 listed the following parties as dischargers:
 - The Sierra Point Development Company
 - Sierra Point Associates One & Two (joint ventures of The Koll Sierra Point Partners One and Koll Sierra Point Partners Two respectively, and New England Mutual Life Insurance Company)
 - Hitachi America Ltd.
 - Tuntex Properties Inc.
 - Argentum International Inc., and
 - The City of Brisbane.

5. In 1999, the Sierra Point Environmental Management Association (SPEMA) was created to handle the joint environmental affairs of the site owners with regard to compliance with Board Order No. 96-058. SPEMA is a mandatory association of the site owners. Any new property owner automatically becomes a member of SPEMA on taking title to the parcel, and all members of SPEMA are dischargers. As of today, the current members of SPEMA and responsible dischargers are:
 - 2000 Sierra Point Parkway, LLC
 - ARE-San Francisco NO 17 LLC
 - Areus, Inc.
 - BRE SH Brisbane Owner LLC
 - City of Brisbane
 - Diamond Marina, LLC
 - Fund-VIII-1000 Marina, LLC
 - HCP LS Brisbane, LLC
 - Marina Boulevard Property, LLC
 - Real Estate Services Sierra Point
 - Sierra Point LLC
 - Summit Hospitality 114, LLC
 - Universal Paragon Corporation
 - US Investment LP-Sierra Point America.
6. This action is an amendment of an order to revise the identity of the dischargers. There is no reasonable possibility that this action will have a significant effect on the environment (Cal. Code Regs., tit. 14, § 15300.2).
7. The Board in a public meeting heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Finding 1 of Waste Discharge Requirements Order No. 96-058 is amended to read as follows:

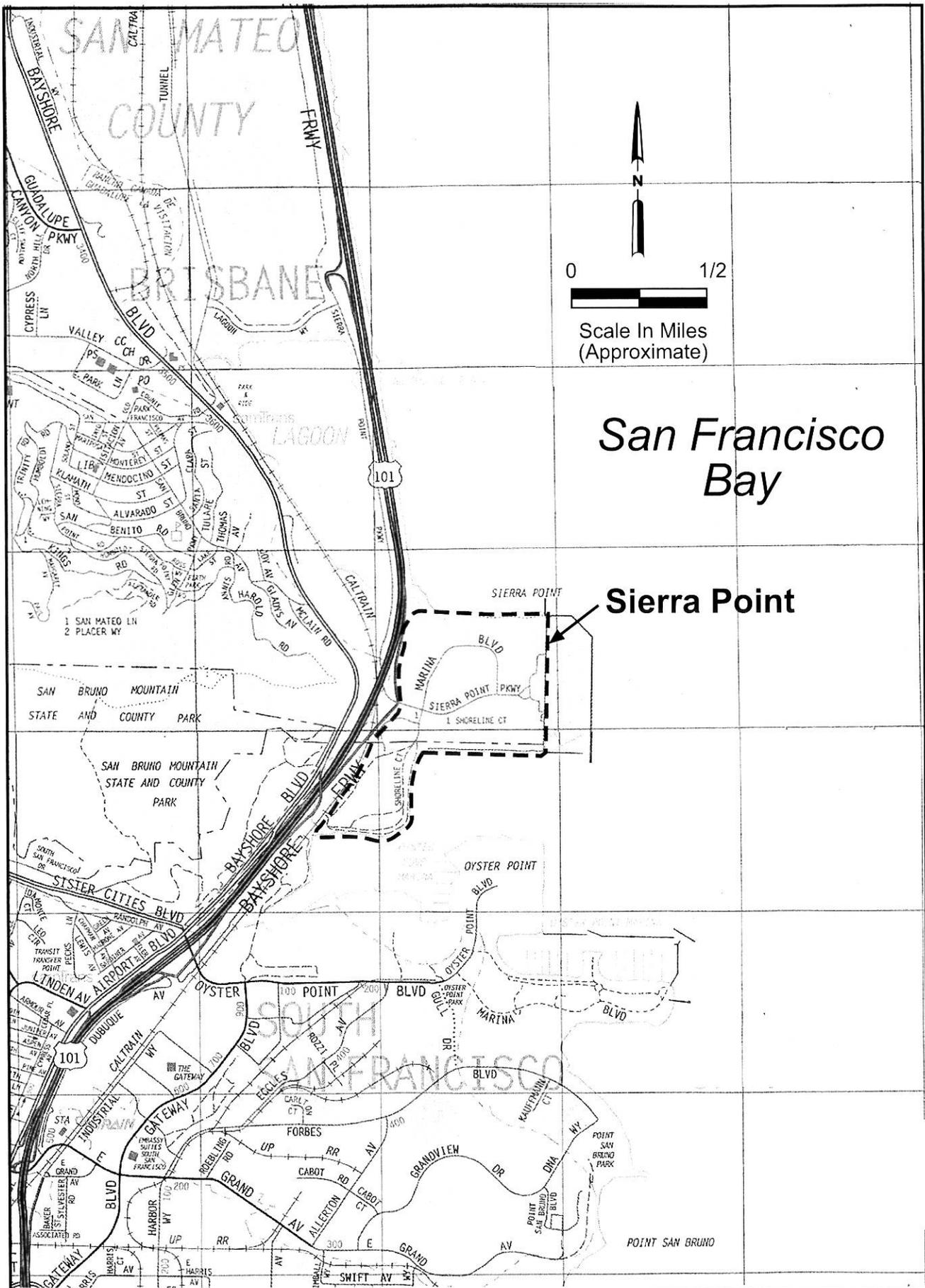
The Sierra Point Environmental Management Association (SPEMA) is a mandatory association of the site property owners, and is referred to hereinafter as the discharger.

IT IS FURTHER ORDERED that Provision C.12. of Waste Discharge Requirements Order No. 96-058 is deleted.

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

Bruce H. Wolfe
Executive Officer

Figure 1- Site Location Map



San Francisco Bay

Sierra Point

Figure 1
Site Location Map
Former Sierra Point Landfill
 Brisbane and South San Francisco, California