

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

**TENTATIVE ORDER  
ORDER NO. R2-2005-00XX**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR THE  
DISCHARGERS CITED HEREIN.**

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

1. Four Dischargers have previously been issued National Pollutant Discharge Elimination System (NPDES) Permits in the Orders listed below:

<b><u>DISCHARGER</u></b>	<b><u>NPDES PERMIT NO.</u></b>	<b><u>ORDER NO.</u></b>
Angel Island State Park	CA0037401	93-022
Port of Oakland, Galbraith Site	CA003007	94-131
U.S. Navy, Point Molate Site	CA0030074	97-045
Fairchild Semiconductor Corporation	CA0028185	99-093

**ANGEL ISLAND STATE PARK**

2. California Department of Parks and Recreation, Angel Island State Park (Angel Island) is located on Angel Island in Central San Francisco Bay. There are various occupied and unoccupied buildings, residences and restroom facilities for park visitors on Angel Island
3. In 1993, the Board adopted Order No. 93-022 (NPDES permit), to regulate the discharge of treated wastewater from Angel Island to Central San Francisco Bay.
4. In 2004, Angel Island started disposing of its treated wastewater to an on-site leach field; and stopped discharging to the Bay. The Board adopted Order No. R2-2004-0043 to regulate the discharge to the leach field.
5. The leach field is operating successfully, and Angel Island is no longer discharging treated wastewater into the Bay.
6. Thus, Order No. 93-022 should be rescinded.

NPDES Permit Rescissions  
Tentative Order

**PORT OF OAKLAND, GALBRAITH SITE**

7. In 1994, the Port of Oakland (Port) submitted an application to discharge decant water from dredged sediments at the Galbraith site. The Galbraith site is located immediately south, east of Oakland Airport.
8. In 1994, the Regional Water Board adopted Order No. 94-131 for the Port's dredging operation. This consisted of building two temporary surface impoundments on top of an old landfill, which received dredge spoils. The Order allowed for the discharge of up to 7 million gallons per day of decant water from the surface impoundments.
9. The dredging operation is long over, the surface impoundments are closed and a new golf course has been built upon the landfill. The Port no longer discharges decant water from dredged sediments.
10. Thus, Order No. 94-131 should be rescinded.

**U.S. DEPARTMENT OF THE NAVY, POINT MOLATE SITE**

11. The United States Department of the Navy (Navy) owns treatment facilities on the Point Molate Site. Point Molate is located on the edge of San Pablo Bay just north of the Richmond-San Rafael Bridge in Richmond, Contra Costa County.
12. In 1997, the Regional Water Board adopted Order No. 97-045 to regulate the discharge to the Bay of both treated stormwater and groundwater that was contaminated by past fuel handling practices.
13. In 2001, the Regional Water Board adopted an NPDES General Permit (Order No. 01-100) to regulate the discharge of treated groundwater resulting from the cleanup of groundwater polluted by fuel leaks and other related wastes at service stations and similar sites. All dischargers eligible for this permit would submit a Notice of Intent (NOI) to obtain coverage.
14. The Navy submitted an NOI and is currently covered under the NPDES General Permit.
15. Thus, Order No. 97-045 should be rescinded.

**FAIRCHILD SEMICONDUCTOR CORPORATION**

16. Fairchild Semiconductor Corporation (Fairchild) owned and operated a semiconductor manufacturing facility located in San Jose, Santa Clara County. The facility operated from 1977 through 1983. In 1998, the property was redeveloped as a retail shopping center.

NPDES Permit Rescissions  
Tentative Order

17. In 1982, Fairchild began extracting and treating groundwater to prevent migration of contaminants and to remediate affected groundwater. In 1998, Fairchild suspended groundwater extraction.
18. Since suspension of groundwater extraction, water quality has continued to improve based on data from monitoring wells; and there has been no indication of contaminant migration. For this reason, the Regional Water Board does not envision a need to resume groundwater extraction in the foreseeable future. An NPDES permit is not needed as long as extraction is suspended.
19. Groundwater extraction will be restarted if groundwater monitoring shows rising concentrations of contaminants or contaminant migration. Fairchild will need to submit an application for a new NPDES permit.
20. Thus, Order No. 99-093 should be rescinded.

**CEQA, NOTIFICATION, AND PUBLIC HEARING**

21. The rescission of waste discharge requirements is exempt from the provisions of Chapter 3 (commencing with Section 2100 of Division 13) of the Public Resources Code California Environmental Quality Act (CEQA) pursuant to Section 13389 of the California Water Code.
22. The Regional Water Board has notified the permit holders, interested agencies, and persons of its intent to rescind waste discharge requirements in Order Nos. 93-022, 94-131, 97-045, 99-093, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
23. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of waste discharge requirements for the above discharges.

IT IS HEREBY ORDERED that Order Nos. 93-022, 94-131, 97-045, 99-093 are rescinded.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Region on July 20, 2005.

Bruce H. Wolfe  
Executive Officer