

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

TENTATIVE ORDER

**RESCISSION OF ORDER NO. 01-101
SITE CLEANUP REQUIREMENTS FOR:**

**ZENECA INC.
1415 SOUTH 47th STREET
RICHMOND, CONTRA COSTA COUNTY**

**MEADE STREET OPERABLE UNIT
SUBUNIT 1**

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

1. Site location: The Zeneca Inc. (Zeneca) site is located at 1200 and 1415 South 47th Street in Richmond, south of Interstate 580, and along the San Francisco Bay shoreline (refer to Figure 1). The Zeneca site and portions of the adjacent East Bay Regional Park District property comprise the area designated as the Meade Street Operable Unit, Subunit 1 (refer to Figure 2).
2. Site owner: The Zeneca site was formerly owned by the Stauffer Chemical Company (Stauffer), which utilized the site to manufacture industrial and agricultural chemicals. Sulfuric acid was manufactured from approximately 1897 to 1970. After 1985, Stauffer was acquired and divested by a number of companies, the last being Zeneca's predecessor company, ICI Americas, which acquired the site in 1987. Zeneca is responsible for releases originating at the site by it or its predecessors in interest. The Board named Zeneca as the Discharger in Site Cleanup Requirements, Order No. 01-101. On December 31, 2002, Zeneca sold its portion of the site to Cherokee Simeon Ventures I, LLC (Simeon), which remains the current owner.
3. Purpose of this Order: The purpose of this Order is to rescind Site Cleanup Requirements (SCRs) Order No. 01-101 due to a change in lead agency oversight from the Board to the Department of Toxic Substances Control (DTSC).

4. Basis for lead agency change: The Board adopted SCRs Order No. 01-101 for Subunit 1 in September 2001. The Board's Order required cleanup of the upland areas of Subunit 1 to standards appropriate for commercial reuse and cleanup and restoration of the adjacent wetlands. On December 31, 2002, Zeneca sold its portion of Subunit 1 to Simeon, and shortly after, Simeon announced its intent to revise the future land use from commercial to residential. In 2004-5 the public expressed considerable opposition to the proposed land use and scrutinized cleanup methods for both Subunits 1 and 2. In late 2004 and early 2005, Cal/EPA directed a lead agency change for both Subunits from the Board to DTSC. In March 2005 DTSC issued a Work Order for the upland area of Subunit 1. Due to this change in lead agency oversight, it is appropriate that the Board rescind Order No. 01-101.
5. Current Status of Site: The Discharger and/or its successor in title, Simeon, have completed a significant portion of the remedial action tasks required under the Board's SCRs, including site investigation, removal of contaminant sources, and implementation of extensive remedial measures in Subunit 1's upland and wetland areas. Simeon also recorded two deed restrictions (per Task 8.b of Board Order No. 01-101) which limited Subunit 1 to non-residential use. Modification of the deed restrictions, and additional site monitoring, investigation, and cleanup, will be implemented under the oversight of DTSC.
6. California Environmental Quality Act: This action is an Order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15321, Title 14, California Code of Regulations.
7. Notice and Meeting: The Board has notified the Discharger and interested agencies and persons of its intent to rescind Site Cleanup Requirements, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
8. Public Hearing: The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Site Cleanup Requirements Order No. 01-101 is rescinded.

Rescission of Site Cleanup Requirements for
Meade Street Operable Unit, Subunit 1

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

Figures: Figure 1 - Site Location Map
 Figure 2 - Subunit 1, MSOU