



California Regional Water Quality Control Board San Francisco Bay Region



Winston H. Hickox
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Environmental
Protection

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Gray Davis
Governor

Mr. Jim Adams
Catellus Development Corporation
201 Mission Street, 2nd Floor
San Francisco, CA 94105

Date: May 12, 1999
File: 38S0044
2223.06

EXHIBIT B

Subject: Approval of Risk Management Plan and Covenant and Environmental Restriction
Mission Bay Project Area, San Francisco, California

Dear Mr. Adams:

Regional Board Staff have reviewed ENVIRON's "Risk Management Plan for the Mission Bay Project Area, San Francisco, California," dated May 11, 1999 and its accompanying documentation ("RMP"), as well as reviewed and provided comments on previous drafts over the last ninety days. Accompanying the RMP is a "Covenant and Environmental Restriction on Property (Covenant)," prepared by Catellus Development Corporation, The Regents of the University of California, and the City and County of San Francisco (including the San Francisco Port Commission). The Covenant has also been submitted for review and comment in numerous versions, the most recent of which was finalized on May 7, 1999. Board Staff have received comments on both the RMP and the Covenant from the San Francisco BayKeeper, the San Francisco Redevelopment Agency, Mission Bay Citizen's Advisory Committee-Toxics Subcommittee, and the Department of Toxic Substances Control.

The RMP is based upon results of extensive environmental investigations and human health and ecological risk analyses conducted since 1996. The RMP identifies specific risk management measures that must be implemented prior to, during, and after development of each parcel within the Mission Bay Area. The RMP and Covenant are based upon the anticipated mixed-use development for the Mission Bay Project Area. The RMP measures will be enforced through the Covenant and other means.

Based on this information, Regional Board Staff approve the May 11, 1999 Risk Management Plan and the Covenant and Environmental Restriction as submitted on May 7, 1999. Please contact Mr. Vic Pal at (510) 622-2403, e-mail vp@rb2.swrcb.ca.gov if you have any questions regarding this matter.

Sincerely,

Loretta Barsamian
Executive Officer

Steve Morse
Chief, Toxics Clean-Up Division

cc: see attached Distribution List

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN FRANCISCO BAY REGION

CERTIFICATE OF COMPLETION

Unified Agency Review of Hazardous Materials Release Sites
California Health and Safety Code §§ 25260-25268

The California Regional Water Quality Control Board, San Francisco Bay Region ("Regional Board"), was designated as the Administering Agency by the Site Designation Committee after a request by Catellus Development Corporation (the "Responsible Party") to oversee the Site Investigation and Remedial Action at portions of the Redevelopment Areas North and South of China Basin Channel within the Mission Bay Project Area, City and County of San Francisco, California, as designated in Resolution No. 98-044, attached as Exhibit "A" to this Certificate ("Site").

In accordance with Health and Safety Code § 25264, the Administering Agency, after appropriate consultation with other agencies, has determined and certifies that:

1. As indicated in Regional Board Resolution No. 98-044, the Administering Agency has determined that the investigation of the Site has been satisfactorily completed.
2. The Administering Agency has further reviewed and approved the May 11, 1999 Risk Management Plan ("RMP"), including its accompanying remedial action standards, remedial action objectives, and supporting documentation, and the Covenant and Environmental Restriction ("Covenant") for the Site, and has determined that Site remedial action standards and objectives and the Site permanent remedy will be accomplished by management of the Site in accordance with the RMP and Covenant. No further investigation or response action will be required at the Site other than the requirements of the RMP and Covenant. See May 12, 1999 letter from Stephen Morse, attached as Exhibit B, and May 12, 1999 memorandum from Steve Morse to Regional Board, attached as Exhibit C.
3. The Responsible Party has complied with the requirements of all state and local laws, ordinances, regulations, and standards that are applicable to the Site investigation and remedial action.
4. The above determinations and this Certificate apply only to those areas of the Site which are both: (i) enrolled by the Site Designation Committee in the AB 2061 program, and (ii) are within the geographic scope of property covered by the RMP and the Covenant(s). Any property within the Mission Bay Development Area which is included in the area covered by the RMP and the Covenant, and which, subsequent to the effective date of this Certificate, is enrolled in the AB 2061 program, shall be thereafter included as part of the "Site" for purposes of the determinations and benefits of this Certificate.
5. The above determinations and this Certificate do not apply to any investigation and remediation requirements for petroleum hydrocarbons located in the area covered by Order 98-028. The requirements for such petroleum hydrocarbons may be the subject of a separate Certificate when their remedial action has been completed.
6. This Certificate of Completion is further subject to conditions specified in Exhibit D.

Therefore, no agency may take action against a Responsible Party at the Site with respect to the hazardous materials releases except as provided in this Certificate or as specified in Health and Safety Code § 25264(c) (1) through (6).

Issued this 25 day of May, 1999
by the Administering Agency


Loretta K. Barsamian
Executive Officer