

To: Thomas Mumley, State of California Regional Water Quality Control Board  
San Francisco Bay Region

From: Dana Dillworth

RE: **Amending Waste Discharge Requirements for Bayfront Landfills**

Brisbane R2-2001-0041 (Baylands)

Brisbane R2-1996-058 amended R2-2015-0006 (Sierra Point)

Brisbane Shoreline landfills not included

July 20, 2022

Thank you for the opportunity to comment on our local bayside toxic landfills and consideration of updating regulations for Waste Discharges by recognizing future impacts from climate change. Thank you for including new landfills that have not been included up to the present, which leads to conversations of how far and how inclusive this list is.

To adequately cover Brisbane, there are two areas missing. The Consolidated Chemical (VWR) property along the south end of Bayshore Boulevard and an area west of Tunnel Road, east of the Caltrain tracks formerly known as the Unocal building.

The Unocal property may be leaking a BTEX mixture of petroleum substances from Kinder Morgan and their prior industrial wastes. The monitoring wells adjoining the property were damaged and not replaced to my knowledge. There is also a segment in the Kinder Morgan Remediation Plan that requires wetland, natural attenuation as the clean-up remedy for prior spills. Will these properties be included in the future sea-level rise clean-up planning efforts to include natural and engineered future habitats?

As a community and founding member of the Brisbane Baylands Community Advisory Group, I am concerned that what constitutes planning for our Bayfront becomes ministerial reporting task, not subject to public consideration or review. We appreciate a public process which includes community input from our City Parks and Recreation, Open Space and Ecology, Public Safety, and town elders with memories of what was dumped or how long the fires burned underground.

Under Provision A 1. We would appreciate the language to include City and community acceptance in addition to RWQCB's Executive Officer's acceptance.

I'm concerned about piecemeal planning and putting communities at risk. Our city needs to be involved. I have reviewed studies and EIR's on Kinder Morgan, the Brisbane Baylands, Consolidated Chemical (VWR,) and Sierra Point, Brisbane. What concerns me is that landowners, with Water Board approval, have managed to reduce their cleanup levels (no longer to drinking water standards, but maintain lower industrial standards), under-characterize the fill (shipyard waste called household waste,) and do their wetland and tidal studies in off season or drought-torn periods.

The waterboard should require a comprehensive watershed management plan to understand seasonal and local tidal, wetland, and groundwater movement. Monitoring with frequent leachate chemical composition tests during king and negative tides, dry and wet seasons. To have a hodgepodge of strategies and clean-up goals along our waterfront makes no sense.

Provision 3. Settlement Analysis should state a maximum, not to exceed distance between permanent survey monuments. Our toxic landfill is 1.5 miles long a few hundred acres. Our town has also experienced a marker that got moved and created lot-line disagreements. Given the current surcharge operation, proposed landform changes, and multiple landholders, future

surveying may be difficult, particularly if it doesn't go to bedrock or have some modern GPS connection.

While it isn't particularly requested, a Statewide goal to increase wetlands for future generations should be noted, particularly freshwater. A mitigation factor greater than 1:1 could be adopted here. Sea-level adaptations and strategies considered by other communities like European Union's stricter standards should be considered, even lauded. The State of California asked for this responsibility, let's do it right!

There is no mention of landfills with interim orders or no protections in place. Our solid waste landfill (R2-2001-0041) ceased operation but has no closure plan to date (60 years.) Their current soils consolidation use is causing the waste layer to pancake and ooze out. That doesn't seem to alarm anyone.... Waste compaction potentially impacting the Bay may also be occurring on Marina Boulevard property, Sierra Point (R2-1996-58, R2-2015-0006) with the construction in the northwest corner. Reporting once every five years doesn't seem adequate if your neighbors' de-watering or your current land uses are having an impact.

I would also suggest that the Lead Agency, the city of endangerment order, should be among the signing agents in the list of B,2b i-iii.

It was asked at our July 12th meeting about third-party independent reviews. When the BBCAG started we had received grants and assistance from Washington University and other professionals in community landfill remediation planning. An open community planning process subject to peer review would be appreciated over a rushed document due in 180 days.

Thank you again for the opportunity to comment on your new requirements. If your need to contact me, Dana Dillworth at 415-468-8587 or email me at [earthhelp@earthlink.net](mailto:earthhelp@earthlink.net).