Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

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700 Heinz Avenue
Berkeley, California 94710-2721

Arnold Schwarzenegger
Governor

COMPLAINT INVESTIGATION REPORT AMENDMENT

LOG NUMBER: Log. No.: 05 -0305-0132

SUBJECT OF INVESTIGATION: University of California Richmond Field Station (UCRFS)

ADDRESS: 1301 South 46th Street, Richmond, California 94804

TELEPHONE NUMBER: (510) 642-4848

LOCATION OF ACTIVITY: 1301 South 46th Street, Richmond, California 94804

MAILING ADDRESS: 317 University Hall, Berkeley, California 94720-1150

ID Number: CAD 983 669 268

DATE INVESTIGATION STARTED: May 19, 2005

DATE OF AMENDMENT: **November 7, 2008**

The investigation report dated July 18, 2008 is being amended after further review of information and facts that support violation 3.b. Violation 3.b. will no longer be pursued as a violation, and violation 7.b. has been added.

C. VIOLATIONS

Class 1 Violations

3. Disposal of Hazardous Waste at An Unauthorized Point

UCRFS violated HSC section 25189.2 (c) in that UCRFS caused the disposal of hazardous wastes at a point not authorized by DTSC, to wit:

b. [Upon further consideration of the facts and circumstances surrounding this count in the Summary of Violations, DTSC will not pursue this alleged violation.]

On or about November 15, 16, 25 and 26, 2002, UCRFS shipped to Zeneca, 122 truckloads (1,700 cubic yards before treatment as described in violation 1.a.) of treated excavated cinders and

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sediment containing mercury concentrations at 24 mg/kg and 28 mg/kg. The TTLC for mercury is 20 mg/kg.

7. Shipment of Hazardous Waste to an Unpermitted Facility

UCRFS violated HSC section 25189.2 (b) in that UCRFS shipped hazardous wastes to a facility not permitted or authorized to receive hazardous waste, which is a violation of HSC Section 25189.5(c),to wit:

b. On or about November 15, 16, 25 and 26, 2002, UCRFS shipped to Zeneca for further treatment, 122 truckloads (1,700 cubic yards before treatment as described in violation 1.a.) of powder activated carbon treated excavated cinders and sediment containing mercury concentrations at 24 mg/kg and 28 mg/kg. The TTLC for mercury is 20 mg/kg.

According to UCB's June 30, 2005 letter (Attachment H), response 1.a., seven post-treatment samples were collected and submitted for analysis for total mercury. Dissolved mercury concentration in the leachate from the treated soil samples was also requested for analysis. The results showed that mercury levels in the leachate ranged from 0.00024 to 0.00168, which were below Zeneca's acceptance criteria of 0.25 µg/l. See table below.

Sample ID	Post Treatment Sample Results (mg/kg), Attachment H, Table 1. ( )= Total Threshold limit Concentration, TTLC If concentration is >=TTLC, considered hazardous waste	
	Mercury (20 mg/kg)	Dissolved Mercury Concentration in leachate (µg/l)
Treated Hg-1	12	0.00085
Treated Hg-2	9.6	0.00032
Treated Hg-3	28	0.00044
Sample ID	Post Treatment Sample Results (mg/kg), Attachment H, Table 1. ( )= Total Threshold limit Concentration, TTLC If concentration is >=TTLC, considered hazardous waste	
	Mercury (20 mg/kg)	Dissolved Mercury Concentration in leachate (µg/l)
Treated Hg-4	8.3	0.00032
Treated Hg-5	13	0.00168
Treated Hg-6	14	0.00033

Treated Hg-7	24	0.00024

Evidence: Attachment H, Response to DTSC's Request For Information, Phase 1 Implementation Report, Subunit 2A, Meade Street Operable Unit Richmond Field Station, Richmond, California, dated June 30, 2005; response 1.a., Table 1.

Witness: Luz Castillo

Corrective Action

Although no further action is required regarding this violation, in the future, UCRFS must ensure that hazardous wastes shall only be shipped to a permitted or otherwise authorized hazardous waste, treatment, storage, and/or disposal facility.

Luz J. Castillo

Luz Castillo
Senior Hazardous Substances Scientist
Enforcement and Emergency Response Program

NOV. 7, 2008
Date