



Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
700 Heinz Avenue
Berkeley, California 94710-2721

Gavin Newsom
Governor

December 5, 2024

Mr. Mike Buck
On Behalf Of:
Mendocino Railway and
Sierra Northern Railway
1222 Research Park Drive
Davis, California 95618
mikebuck@radian-advisors.com

SECOND AMENDMENT TO SITE INVESTIGATION AND REMEDIATION ORDER,
FORMER GEORGIA-PACIFIC MILL SITE, 90 WEST REDWOOD AVENUE, FORT
BRAGG, CALIFORNIA (SITE CODE: 202276)

Dear Mr. Buck,

The Department of Toxic Substances Control (DTSC) has issued the attached Second Amendment to the Site Investigation and Remediation Order (Order Second Amendment) for the former Georgia-Pacific Mill Site (Docket No HSA-RAO 06-07-150). The Order Second Amendment adds Sierra Northern Railway as a respondent to the Order and adds a schedule for deliverables. This Order Second Amendment is final and effective the date the Order is signed by DTSC.

If you have any questions regarding this letter, please contact Morgan Bigelow at (510) 540-2732 or via email at Morgan.Bigelow@dtsc.ca.gov.

Sincerely,

Morgan Bigelow
Project Manager
Site Mitigation and Restoration Program
Department of Toxic Substances Control

Enclosures and cc: (See next page.)

Mr. Mike Buck
December 5, 2024
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Enclosure: *Second Amendment to the Site Investigation and Remediation Order.*

cc: (via e-mail)

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**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY DEPARTMENT OF
TOXIC SUBSTANCES CONTROL**

In the Matter of:)	Docket No. HSA-RAO 06-07-150
)	
Former Georgia-Pacific Mill Site)	SECOND AMENDMENT TO
90 West Redwood Avenue)	SITE INVESTIGATION AND
Fort Bragg, California 95437)	REMEDIATION ORDER
)	
)	
Respondents:)	
)	
Mendocino Railway)	
1222 Research Park Drive)	
Davis, California 95618)	
)	
Georgia-Pacific, LLC)	
133 Peach Tree Street NE)	
Atlanta, Georgia 30303)	
)	
Sierra Northern Railway)	Health and Safety Code
1222 Research Park Drive)	Sections 79055, 78870, 58009, and 58010
Davis, California 95618)	
)	

On February 16, 2007, the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) issued a Site Investigation and Remediation Order, Docket No. HSA-RAO 06-07-150 (2007 Order). On June 9, 2022, DTSC issued a First Amendment to the Site Investigation and Remediation Order, Docket No. HSA-RAO 06-07-150 (First Amendment of the Order). DTSC issues this Second Amendment to the Site Investigation and Remediation Order, Docket No. HSA-RAO 06-07-150 (Second Amendment of the Order), to add Sierra Northern Railway, a California corporation, as an additional Respondent. Pursuant to Section 6.21 of the 2007 Order, this amendment shall be deemed incorporated in the 2007 Order. References to “Order” in this Second Amendment of the Order shall refer to the 2007 Order as amended by the First Amendment of the Order and this Second Amendment of the Order. Pursuant to Section 6.21 of the 2007 Order, this Second Amendment of the Order shall be effective upon the date it is signed by DTSC.

The following section titled “Respondents” in the First Amendment to the Order is hereby amended as follows:

1.1 Respondents. The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) issues this Second Amendment to the Site Investigation and Remediation Order, Docket No. HSA-RAO 06-07-150 to Mendocino Railway, a California corporation, Georgia-Pacific, LLC, a Delaware limited liability company, and Sierra Northern Railway, a California corporation (individually, Respondent, collectively, Respondents).

The following sections in the 2007 Order are hereby amended as follows:

2.1 Liability of Respondents. Each Respondent is a responsible party or liable person as defined in Health and Safety Code section 78145. Georgia-Pacific, LLC (formerly Georgia-Pacific Corporation) previously owned the property and operated a lumber production facility onsite from 1973 until 2002. Mendocino Railway previously owned part of the property until it transferred its interest by grant deed to Sierra Northern Railway on December 23, 2022. Sierra Northern Railway is a current owner of part of the property.

6.5 Submittals. All submittals and notifications from Respondent(s) required by this Order shall be sent simultaneously to:

Marikka Hughes
Regional Branch Chief
Attention: Georgia-Pacific Fort Bragg Project Manager [two copies]
Site Mitigation and Restoration Program
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, California 94710

North Coast Regional Water Quality Control Board
Attn: Mr. Craig Hunt
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

6.8 Compliance with Applicable Laws. Nothing in this Order shall relieve Respondent(s) from complying with all other applicable laws and regulations, including but not limited to compliance with all applicable waste discharge requirements issued by the State Water Resources Control Board or a California Regional Water Quality Control Board. Respondent(s) shall conform to all actions required by this Order with all applicable federal, state, and local

laws and regulations. Any references to any laws, statutes or ordinances shall be deemed to refer to the successor provisions.

6.27 Calendar of Tasks and Schedules. This Section details the deadlines for the submittals required by this Order. If there is a conflict between the submittal deadline within this Section and the submittal deadline elsewhere in the Order, this Section shall govern. DTSC may update this Section by providing written notice to Respondents. Such updates will be effective on the date DTSC provides such written notice to Respondents. An amendment to the Order is not required to update this Section.

Calendar of Tasks and Schedules

TASK

SCHEDULE

Tasks Applicable to Entire Site

- | | |
|--|--|
| 1. Submit Monthly Summary Reports pursuant to Section 6.3; | Within thirty (30) days from the date this Second Amendment of the Order is signed by DTSC. |
| 2. Attend Site Remediation Strategy Meeting; | Within thirty (30) days from the date this Second Amendment of the Order is signed by DTSC. |
| 3. Provide Groundwater sampling results pursuant to Section 5.1.4; | Per Operations and Maintenance Plans. |
| 4. Submit Remedial Action (Five-Year) Review Workplan pursuant to Section 5.17; | Within thirty (30) days before end of five (5)-year period. |
| 5. Submit Emergency Response Action Report pursuant to Section 5.20; | Within seven (7) days of an emergency response action. |
| 6. Provide copies of sampling, data, and documentation pursuant to Section 6.11; | Within seven (7) days of receipt of DTSC's request. |
| 7. Maintain central depository of data, reports, documentation; and | Maintain central depository for a minimum of ten (10) years after conclusion of all activities conducted pursuant to this Second Amendment of the Order. |
| 8. Provide prior written notice to DTSC in accordance with paragraph 6.5 before destroying any documentation prepared pursuant to this Order pursuant to Section 6.12. | At least six (6) months prior to destroying any documents. |

Tasks Specific to OU-E

TASK	SCHEDULE
9. Submit OU-E FS Report Addendum Report pursuant to Section 5.7;	Within one hundred and twenty (120) days from the date this Second Amendment of the Order is signed by DTSC.
10. Submit Updated Public Participation Plan pursuant to Section 5.13;	Within forty (40) days from the date this Second Amendment of the Order is signed by DTSC.
10.1. Submit and distribute Fact Sheets;	For projected or completed key milestones, as specified in Public Participation Plan or when requested by DTSC.
11. Submit Revised Draft OU-E RAP pursuant to Section 5.11;	Not later than sixty (60) days after approval of FS Report Addendum.
11.1. Submit Information Needed to prepare the Responsiveness Summary;	Within ten (10) days of DTSC's request.
11.2. Submit Final RAP pursuant to Section 5.11;	Within thirty (30) days of receipt of DTSC's comments.
12. Submit OU-E Remedial Design pursuant to Section 5.12;	Within sixty (60) days after DTSC's approval of the Final RAP.
13. Submit OU-E Implementation Report pursuant to Section 5.15;	Within 30 days of completion of field activities.
14. Sign and Record an OU-E Land Use Covenant pursuant to Section 5.14;	Concurrent with delivery of final implementation report.
15. Submit OU-E O&M Workplan pursuant to Section 5.16;	Within thirty (30) days of DTSC's request.

Tasks Specific to OU-C

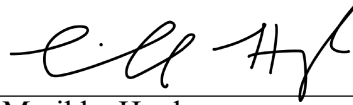
TASK	SCHEDULE
16. Submit Annual Land Use Inspection Reports.	January 15 th of each year following signature of the Land Use Covenant.
17. Submit OU-C Former Aboveground Storage Tank and Machine Equipment Shop/Pilot Study Areas of Interest Remedial Design and Implementation Plan pursuant to Section 5.12;	Within sixty (60) days of the date this Second Amendment of the Order is signed by DTSC.
18. Perform OU-C Former Aboveground Storage Tank and Machine Equipment Shop/Pilot Study Areas of Interest RAP Implementation;	Sixty (60) days from the approval of the Remedial Design and Implementation Plan.
19. OU-C Former Aboveground Storage Tank and Machine Equipment Shop/Pilot Study Areas of Interest Implementation Report pursuant to Section 5.15;	Within 60 days of completion of Final RAP Implementation.

IX. PENALTIES FOR NONCOMPLIANCE

9. Each Respondent may be liable for penalties of up to \$25,000 for each day out of compliance with any term or condition set forth in this Order and for punitive damages up to three times the amount of any costs incurred by DTSC as a result of Respondent's(s') failure to comply, pursuant to Health and Safety Code sections 78470(c), 78665, 78680, 79550, and 79570. Health and Safety Code section 79555 provides that a responsible party who complies with this Order, or with another order or agreement concerning the same response actions required by this Order, may seek treble damages from Respondent(s) who fail or refuse to comply with this Order without sufficient cause.

DATE OF ISSUANCE:

December 4, 2024



Marikka Hughes
Regional Branch Chief
Department of Toxic Substances Control

cc: Site Mitigation and Restoration Program
Headquarters, Planning & Policy
Office of Legal Counsel