

FILE NO. 011565

RESOLUTION NO. 787-01
RO#01014

1 [Settlement of claim)

2

3 **Resolution approving settlement of the unlitigated claim of the United States**
4 **Environmental Protection Agency in an amount not to exceed \$180,000 for payment of**
5 **costs of responding to contamination at Casmalia Resources Hazardous Waste**
6 **Disposal Site.**

7

8 WHEREAS, the United States Environmental Protection Agency ("US EPA") asserted a
9 claim against the City and County of San Francisco by Special Notice Letter on January 25,
10 2001, U.S. EPA Docket # 99-02(a), entitled Casmalia Resources Hazardous Waste Disposal
11 Site;

12

13 WHEREAS, various departments or commissions of the City and County of San
14 Francisco legally shipped hazardous wastes to the Casmalia Resources Hazardous Waste
15 Disposal Site ("the Site") within the period of 1973 to 1989 during which the Site operated as a
16 waste disposal facility;

17

18 WHEREAS, the United States has incurred and will incur costs to close the Site, and
19 clean up and otherwise respond to heavy contamination at the Site ("Response Costs");

20

21 WHEREAS, under the federal Comprehensive Environmental Response,
22 Compensation and Liability Act of 1980, the City is a party, along with hundreds of other
23 entities, responsible for contributing to payment of the Response Costs relating to the Site;

24

25 WHEREAS, the following departments or commissions of the City and County of San
26 Francisco have recommended settlement of the claim by payment of the final settlement
27 amount in the following percentages, representing the proportion each such department or
28 commission bears to the total contribution of hazardous wastes by the City to the Site

lw
10/1525

~~Public Utilities Commission: 42%~~

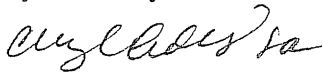
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Public Utilities Commission:	42%
Municipal Transportation Agency:	35%
Airport Commission:	12%
Port Commission:	6%
Department of Public Health:	2%
Department of Public Works:	1%
Sheriff Department:	1%
Department of Administrative Services:	1%

WHEREAS, the City Attorney has approved the settlement; now, therefore, be it
RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code,
settlement and compromise of said claim by payment in an amount not to exceed \$180,000,
the exact amount of which will be determined through further negotiation between the City
Attorney is hereby approved.

APPROVED AS TO FORM AND
RECOMMENDED:

LOUISE H. RENNE
City Attorney



JOANNE HOEPER
Chief Trial Deputy

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

STEVEN D. LEONARD
Acting General Manager

RECOMMENDED:

MUNICIPAL TRANSPORTATION AGENCY

ROBERTA BOOMER
Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RECOMMENDED:

AIRPORT COMMISSION

JEAN CARAMATTI
Secretary

PORT COMMISSION



DOUGLAS WONG
Executive Director

DEPARTMENT OF PUBLIC HEALTH

MITCHELL KATZ, M.D.
Director

DEPARTMENT OF PUBLIC WORKS

EDWIN M. LEE
Director

Public Utilities Commission:	42%
Municipal Transportation Agency:	35%
Airport Commission:	12%
Port Commission:	6%
Department of Public Health:	2%
Department of Public Works:	1%
Sheriff Department:	1%
Department of Administrative Services:	1%

WHEREAS, the City Attorney has approved the settlement; now, therefore, be it
RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code,
settlement and compromise of said claim by payment in an amount not to exceed \$180,000,
the exact amount of which will be determined through further negotiation between the City
Attorney is hereby approved.

APPROVED AS TO FORM AND
RECOMMENDED:

LOUISE H. RENNE
City Attorney

JOANNE HOEPER
Chief Trial Deputy

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

STEVEN D. LEONARD
Acting General Manager

RECOMMENDED:

MUNICIPAL TRANSPORTATION AGENCY

ROBERTA BOOMER
Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RECOMMENDED:

AIRPORT COMMISSION

JEAN CARAMATTI
Secretary


PORT COMMISSION

DOUGLAS WONG
Executive Director

DEPARTMENT OF PUBLIC HEALTH

MITCHELL KATZ, M.D.
Director

DEPARTMENT OF PUBLIC WORKS


EDWIN M. LEE
Director

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RECOMMENDED:


AIRPORT COMMISSION

JEAN CARAMATTI
Secretary

PORT COMMISSION

DOUGLAS WONG
Executive Director

DEPARTMENT OF PUBLIC HEALTH

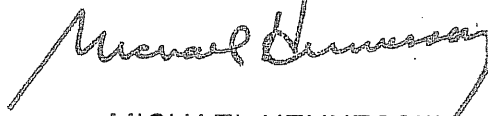

MITCHELL KATZ, M.D.
Director

DEPARTMENT OF PUBLIC WORKS

EDWIN M. LEE
Director

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SHERIFF DEPARTMENT



MICHAEL HENNESSEY
Sheriff

ADMINISTRATIVE SERVICES

RYAN BROOKS
Director

FUNDS AVAILABLE:

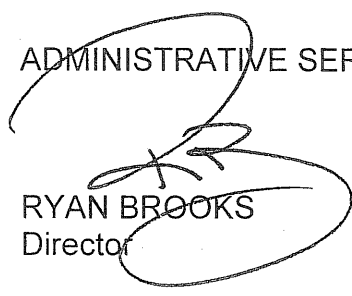
EDWARD HARRINGTON
Controller

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SHERIFF DEPARTMENT

MICHAEL HENNESSEY
Sheriff

ADMINISTRATIVE SERVICES



RYAN BROOKS
Director

FUNDS AVAILABLE:



EDWARD HARRINGTON
Controller

1G-AGF-AAA 05311
Amount not to exceed \$180,000.00



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 011565

Date Passed:

Resolution approving settlement of the unlitigated claim of the United States Environmental Protection Agency in an amount not to exceed \$180,000 for payment of costs of responding to contamination at Casmalia Resources Hazardous Waste Disposal Site.

October 15, 2001 Board of Supervisors — AMENDED

October 15, 2001 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval, Yee

File No. 011565


I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on October 15, 2001 by the Board of Supervisors of the City and County of San Francisco.



for Gloria L. Young
Clerk of the Board

OCT 26 2001

Date Approved



Mayor Willie L. Brown Jr.