

1 [Settlement of claim)

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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.**

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

16 WHEREAS, the United States has incurred and will incur costs to close the Site, and
17 clean up and otherwise respond to heavy contamination at the Site (“Response Costs”);

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

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

25 Public Utilities Commission: 42%

1 Municipal Transportation Agency: 35%
2 Airport Commission: 12%
3 Port Commission: 6%
4 Department of Public Health: 2%
5 Department of Public Works: 1%
6 Sheriff Department: 1%
7 Department of Administrative Services: 1%

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

14 APPROVED AS TO FORM AND
15 RECOMMENDED:

16 LOUISE H. RENNE
17 City Attorney

18 JOANNE HOEPER
19 Chief Trial Deputy

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

LAWRENCE T. KLEIN
Acting General Manager

RECOMMENDED:

MUNICIPAL TRANSPORTATION AGENCY

ROBERTA BOOMER
Secretary

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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

SHERIFF DEPARTMENT

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MICHAEL HENNESSEY
Sheriff

ADMINISTRATIVE SERVICES

RYAN BROOKS
Director

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller