

## Nowell, Keith, Env. Health

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**From:** Nowell, Keith, Env. Health  
**Sent:** Monday, March 16, 2015 10:34 AM  
**To:** 'Diane Heinze'  
**Cc:** 'RPapler@waterboards.ca.gov'; Roe, Dilan, Env. Health; John Prall; 'jwolfenden@waterboards.ca.gov'  
**Subject:** RE: Fuel leak cases RO35- Port of Oakland / Union Pacific Railroad and RO435 - Port of Oakland Port of Oakland / Union Pacific Motor Freight

Hi Diane,

This morning I received a phone call from John Wolfenden at the Regional Water Quality Control Board. We briefly discussed the two subject cases. John said he will review the cases, get with Roger Papler, and make a determination on how best to align oversight of the cases. John thought the review might take a week.

Regards,  
Keith

Keith Nowell PG, CHG  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6540  
phone: 510 / 567 - 6764  
fax: 510 / 337 - 9335  
email: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)

PDF copies of case files can be reviewed/downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

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**From:** Diane Heinze [mailto:dheinze@portoakland.com]  
**Sent:** Sunday, March 15, 2015 11:56 AM  
**To:** Nowell, Keith, Env. Health; 'jwolfenden@waterboards.ca.gov'  
**Cc:** 'RPapler@waterboards.ca.gov'; Roe, Dilan, Env. Health; John Prall  
**Subject:** RE: Fuel leak cases RO35- Port of Oakland / Union Pacific Railroad and RO435 - Port of Oakland Port of Oakland / Union Pacific Motor Freight

Hi all,

Based on the Port's meeting with Alameda County last week it seemed that

SF-RB CASE #: 01-1538 (Global ID T0600101587), Port of Oakland / Union Pacific Railroad and addressed as 1717 Middle Harbor Road (ACEH case file # RO0000035)

Is under the oversight of the RWQCB and

SF-RB CASE #: 01-1538 (Global ID T0600101421) Port of Oakland / Union Pacific Motor Freight (ACEH case file # RO0000435) and addressed as 1750 Ferro Street.

Is under the oversight of Alameda County.

Is this correct?

Thanks,

Diane

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**From:** Nowell, Keith, Env. Health [<mailto:Keith.Nowell@acgov.org>]

**Sent:** Friday, March 06, 2015 4:09 PM

**To:** 'jwolfenden@waterboards.ca.gov'

**Cc:** 'RPapler@waterboards.ca.gov'; Roe, Dilan, Env. Health; Diane Heinze; John Prall

**Subject:** Fuel leak cases RO35- Port of Oakland / Union Pacific Railroad and RO435 - Port of Oakland Port of Oakland / Union Pacific Motor Freight

John,

Alameda County Environmental Health (ACEH) is providing oversight for several Port of Oakland (Port) cases. Discussions with the Port suggest at least two of these cases are under the oversight of the San Francisco Bay Region, Regional Water Quality Control Board (SF-RB). Two of the cases in question are:

SF-RB CASE #: 01-1538 (Global ID T0600101587), Port of Oakland / Union Pacific Railroad and addressed as 1717 Middle Harbor Road (ACEH case file # RO0000035)

and

SF-RB CASE #: 01-1538 (Global ID T0600101421) Port of Oakland / Union Pacific Motor Freight (ACEH case file # RO0000435) and addressed as 1750 Ferro Street.

Geotracker lists ACEH as the lead agency for both of these cases. However, as part of the Port redevelopment project named the Vision 2000 program (aka V2K), the SF-RB issued an Order, Order 99-055, that may have transferred oversight of cases along a portion of the Oakland waterfront to the SF-RB. It is the opinion of the Port that the two cases are under SF-RB oversight. I've included two correspondence files from the Port regarding this issue as attachments. I have also attached Order 99-055

In a Staff Summary Report, meeting date April 12, 2006, the San Francisco Bay Region, Regional Water Quality Control Board (SF-RB) discussed a Tentative Order recommending the rescission of Order 99-055. I don't see any indication the order was rescinded. I've included the Staff Summary Report discussing the Tentative Order as an attachment.

ACEH would appreciate a review of the attached documents and an evaluation of the appropriate lead agency based on a review of the case files.

My questions include:

1. Are the two cases encompassed by Order 99-055,
2. Has the Order been rescinded, and
3. Is the SF-RB acting as lead.

If the answer is yes to all three questions, ACEH will close out the cases. If not, lets discuss the status of the cases and determine which agency should be the acting lead agency.

Thank you for your assistance with this matter.

Thank you,  
Keith Nowell

Keith Nowell PG, CHG  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda , CA 94502-6540  
phone: 510 / 567 - 6764  
fax: 510 / 337 - 9335  
email: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)

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