



120470

PORT OF OAKLAND

April 28, 2006

Mr. Roger Papler
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Subject: Berths 57-59 Groundwater Monitoring Program, Port of Oakland
Former Union Pacific Motor Freight (UPMF) Area
Transfer of Oversight from RWQCB to ACEH
RWQCB SLIC File No. 01S0590 (RWP), Site ID: 2020118
Oakland, California

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Dear Mr. Papler:

With this letter, the Port of Oakland (Port) respectfully requests the transfer of jurisdictional oversight of a portion of the Berth 57-59 Groundwater Monitoring Program (the "Program"), specifically the former Union Pacific Motor Freight (UPMF) Area, from the California Regional Water Quality Control Board (RWQCB) to Alameda County Environmental Health (ACEH). This request is made in the interest of simplifying the regulatory coordination and compliance activities during the upcoming Berth 60-63 construction project (the "Project"), as a 4.6 acre footprint on the western side of the Project overlaps the former UPMF area (Overlap Area, see Figure 1) of the Program. As the 2003 Program began restructuring in early 2005, Program background information is provided below for purposes of clarity.

The 2003 Berths 57-59 Groundwater Monitoring Program was originally comprised of three distinct areas, the Shoreline area (not indicated on Figure 1 owing to more westerly location), the Trailer-On-Flat-Car (TOFC) area, and the UPMF area. Based on groundwater monitoring performed in 2003 and 2004 and planned redevelopment, the three distinct areas of the Program began restructuring in 2005 & 2006 as follows:

- 1) Rescission of Order No. 99-055 Waste Discharge Requirements (WDR) for the Berths 55-58 Project. Upon receipt of the RWQCB's Rescission Order for WDR 99-055 and the RWQCB's closure letter for the shoreline well portion of the Program, the Port will properly abandon nine of the ten shoreline wells. As the Berth 57 shoreline well UO1-8 is uniquely impacted by tetrachloroethene (PCE) and is undergoing continued investigation, this well will not be abandoned, and will remain under the oversight of the RWQCB.
- 2) Request for Closure of the TOFC area wells. The Final Groundwater Monitoring Report for the former TOFC and UPMF area wells was submitted to the RWQCB on April 27, 2006. This report documents the final groundwater monitoring event required and performed for the TOFC area in January 2006. If closure is granted, upon receipt of the RWQCB closure letter for the TOFC area of the Program, the eight TOFC wells will be properly abandoned.
- 3) Redevelopment of Berths 60-63, and the request to transfer the UPMF area of the Program to ACEH. If approved, upon receipt of written RWQCB transfer of jurisdictional

oversight, the Port will proceed with scheduling the abandonment of the UPMF area wells located within the Project footprint.

Looking forward for the Program, upon rescission of the WDR and if the Port's request for TOFC closure and UPMF transfer are granted, the Program as originally structured in 2003 will conclude. The Port anticipates that the Berth 57 shoreline well UO1-8 investigation and remediation will continue under the auspices and direction of the RWQCB under File No. 01S0590 (RWP), Site ID: 2020118.

Regarding jurisdictional transfer, as illustrated in Figure 1, with ACEH having current jurisdictional oversight for the majority of the Berths 60-63 Project, the Port believes it would be simplify the regulatory coordination and compliance activities if ACEH oversaw the Project as a whole. Upon completion of the Project, the Port will reevaluate the oversight of the UPMF area with the regulatory agencies.

We request that upon approval, jurisdictional oversight be transferred for the UPMF area of the Program from the RWQCB to ACEH. Upon review of this request, please contact me at (510) 627-1185 with any questions you may have. Thank you for your attention to this matter.

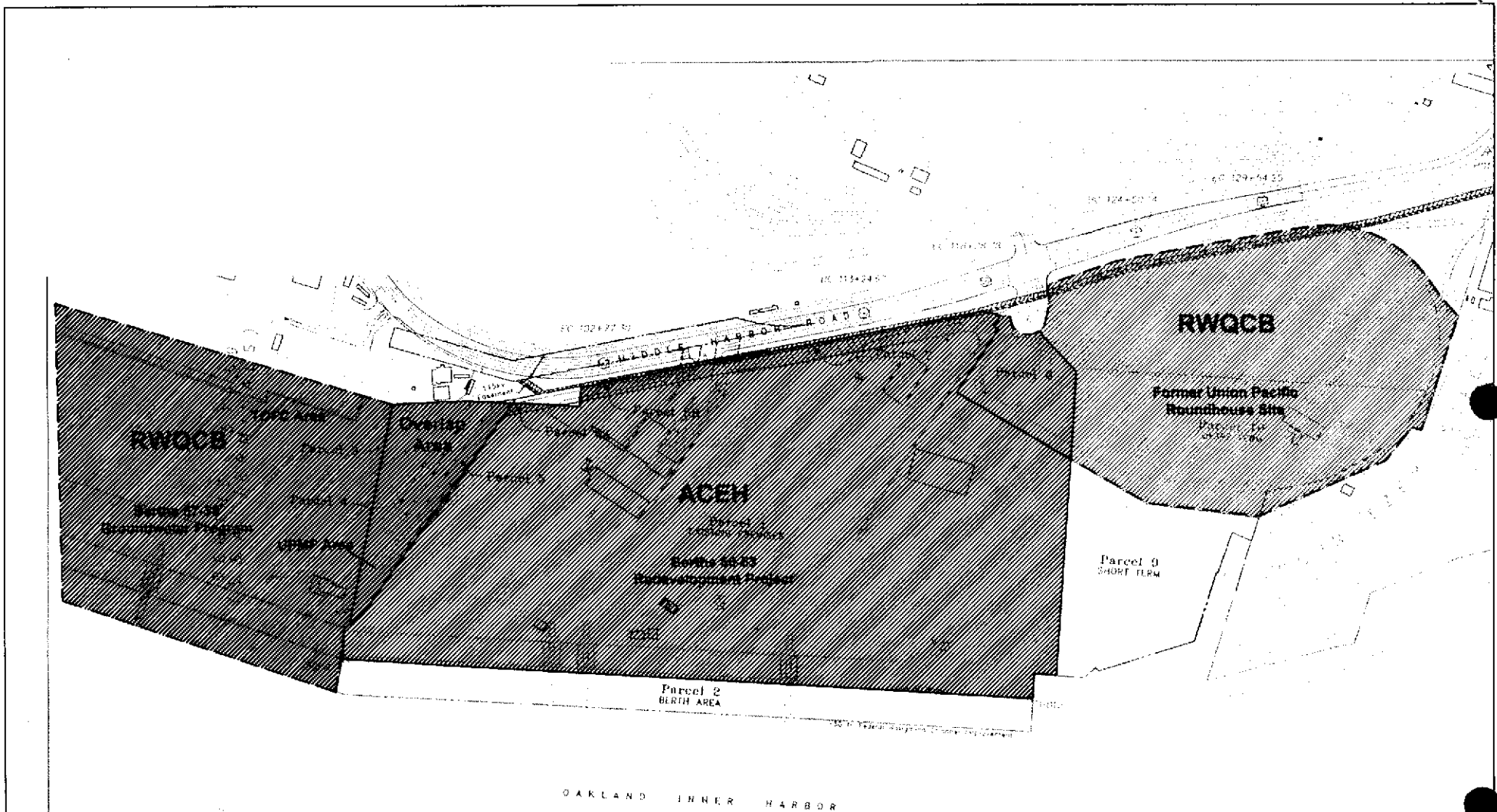
Best Regards,







Dawn L. Crater
Port Environmental Scientist

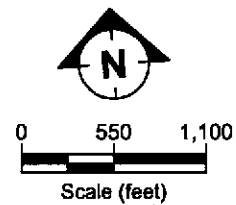
Enclosure: Figure 1: Jurisdictional Boundary


cc w/encl.: Barney Chan, Alameda County Environmental Health
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LEGEND

- ACEH** ALAMEDA COUNTY ENVIRONMENTAL HEALTH
- RWQCB** REGIONAL WATER QUALITY CONTROL BOARD
- TOFC** TRAILER-ON-FLAT-CAR
- UPMF** UNION PACIFIC MOTOR FREIGHT
-  BERTHS 60-63 REDEVELOPMENT PROJECT
-  BERTHS 57-59 GROUNDWATER PROGRAM
-  RWQCB/ACEH 4.6 ACRE OVERLAP AREA
-  FORMER UNION PACIFIC ROUNDHOUSE SITE



JURISDICTIONAL BOUNDARY		
PORT OF OAKLAND BERTHS 60-63 REDEVELOPMENT PROJECT OAKLAND, CALIFORNIA		
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