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8:56 am, Dec 22, 2010

Alameda County
Environmental Health

December 17, 2010

Ms. Donna Drogos, P.E.
Supervising Hazardous Materials Specialist
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Subject: Notice to Comply Letter of November 18, 2010 for Fuel Leak Case No. RO#0000035 and Fuel Leak Case RO#0000435

Dear Ms. Drogos:

The Port of Oakland ("Port") is in receipt of Mr. Paresh Khatri's letter, dated 18 November 2010. I understand that Mr. Khatri has transferred to another position in the County, so I am responding to you. Mr. Khatri's letter refers to the Port's being in non-compliance with: 1) an Alameda County Environmental Health ("ACEH") October 23, 2000 letter requiring corrective action; and 2) a requirement to claim the site on the State Water Resources Control Board ("SWRCB") Geotracker site. The ACEH November 18, 2010 letter refers to two sites:

- Fuel Leak Case No RO0000035, Geotracker Global ID T0600101587, Port of Oakland/Union Pacific Railroad at 1717 Middle Harbor Road, Oakland, CA 94607; and
- Fuel Leak Case No. RO0000435, Geotracker Global ID T0600101421, Port of Oakland/Union Pacific Motor Freight at 1750 Ferro Street, Oakland, CA 94607

The Port accessed GeoTracker and found that ACEH was listed as the lead regulatory agency for the two sites identified above. One of the sites is referred to as the Trailer on Flat Car Site ("TOFC") and the other site is referred to as the Union Pacific Motor Freight site ("UPMF"). In addition, GeoTracker has a third site, listed as T0600191529, entitled "Union Pacific Motor Freight". For the third site, the San Francisco Bay Regional Water Quality Control Board ("RWQCB") is listed as the Lead Agency and ACEH as the Local Oversight Program.

Regarding Mr. Khatri's November 18, 2010, notice about corrective action implementation, it is not clear to which site he is referring. In 2000, the Port was planning to reconstruct the TOFC treatment system during the Port's Vision 2000 Maritime Development Program Construction Program for new marine terminals.

NOTICE TO COMPLY LETTER

December 17, 2010

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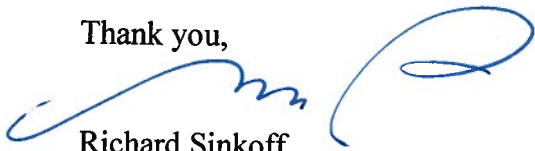
The RWQCB oversaw the TOFC system reconstruction and operation and the recent system shutdown. In addition, the Port has been working with the RWQCB to obtain closure of the TOFC site and has negotiated a proposed Deed Restriction with the RWQCB. The Port is also completing a Site Management Plan covering the TOFC site for submittal to and approval by the RWQCB.

Mr. Khatri's concerns regarding GeoTracker compliance is unclear. On 13 August 2009, the Port claimed the GeoTracker site Fuel Leak Case No. RO0000435 following receipt of a prior Notice of Violation, dated July 28, 2009 (pertaining to the UPMF site) (see attached Accepted Document on FTP Site). In addition, the GeoTracker user name and password set up in August 2009 remain active for the UPMF site.

The Port respectfully requests a meeting with you and/or your staff to resolve to which site the November 18, 2010, letter refers and to determine the actions the Port needs to take to ensure compliance with ACEH requirements. The Port is available for a meeting at your convenience. The attendees from the Port would be Mr. John Prall and Ms. Yane Nordhav of BASELINE Environmental Consulting. Since the November 18, 2010 letter requests that the Port claim the Geotracker "site" by December 20, 2010, the Port would appreciate an opportunity to meet with you and/or your staff before that date. If a meeting is not possible before December 20, 2010, we would request a time extension for complying with the requirements of the November 18, 2010, letter until after our proposed meeting. If you should wish to contact the Port, please call Mr. Prall, Associate Port Environmental Scientist, at (510) 627-1373 or via email at jprall@portoakland.com.

I declare, under penalty of perjury, that the information and/or recommendations contained in this letter, attached document or report, are true and correct to the best of my knowledge.

Thank you,



Richard Sinkoff.
Director, Environmental Programs and Planning

Attachment noted in text

cc: John Prall, Associate Port Environmental Scientist, Port of Oakland
Anne Whittington, Port Environmental Assessment Supervisor, Port of Oakland
Michele Heffes, Deputy Port Attorney, Port of Oakland
Deborah Ballati, Esq., Farella Braun + Martel
Yane Nordhav, P.G., BASELINE Environnemental Consulting

From: Anne Whittington
To: paresh.khatri@acgov.org
CC: jediel@up.com; John Prall; Michele Heffes; Richard Sinkoff
Date: 8/6/2009 1:42 PM
Subject: Extension for claiming Geotracker Global ID T0600101421 - 1750 Ferro St. Oakland

Dear Mr. Khatri,

As we discussed yesterday, I am requesting a one week extension to August 17 to claim the following site in the Geotracker system:
Union Pacific Motor Freight
1750 Ferro St., Oakland CA
Geotracker Global ID T0600101421
Fuel Leak Case No. R00000435

The extension is needed since John Prall is on vacation, and he is the appropriate person to manage the Port of Oakland's Geotracker account for the maritime area. He did respond last year to your July 3, 2008 letter, and he will review the file to ensure that the Geotracker record is up to date and claimed by the appropriate party.

FYI, the Geotracker system shows another site at the same address: T0600191529, with a cleanup status of "OPEN - INACTIVE AS OF 6/2/2009".

Thank you for your consideration in this matter.

Anne Whittington

Anne M. Whittington, AICP
Environmental Planning Supervisor
Port of Oakland
530 Water Street, Oakland, CA 94607
Telephone: (510) 627-1559
Fax: (510) 465-3755
awhittington@portoakland.com

John Prall

From: dehloptoxic, Env. Health [deh.loptoxic@acgov.org]
Sent: Thursday, August 13, 2009 3:21 PM
To: Paresh Env. Health Khatri; John Prall
Subject: ACCEPTED DOCUMENT ON FTP SITE

ACCEPTED DOCUMENT ON FTP SITE

CASE: RO435, 1750 FERRO ST

Your recently submitted document was successfully uploaded to the Alameda County Environmental Health Toxics Program ftp site. The document will appear in the case file within the next 2 to 3 business days. Your case worker has been notified of the document submittal. If the document requires a response from this agency and you have not heard from your case worker within 60 days from the date your submittal was accepted, please contact the case worker.

Online case files can be reviewed at <http://www.acgov.org/aceh/lop/ust.htm>

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of intended recipient(s) and may contain confidential and protected information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all

From: John Prall [mailto:jprall@portoakland.com]
Sent: Wednesday, August 12, 2009 3:01 PM
To: dehloptoxic, Env. Health; Khatri, Paresh, Env. Health
Subject: RO#435 Report Upload

Dear Mr. Khatri-

I uploaded a snap shot of the Port GeoTracker page showing that the site-1750 Ferro Street- has been claimed.

John Prall
Associate Environmental Scientist
Port of Oakland
530 Water Street
Oakland, CA 94607
(510) 627-1373

John Prall

From: GeoTracker [GeoTracker@waterboards.ca.gov]
Sent: Wednesday, August 12, 2009 1:02 PM
To: John Prall
Subject: Re: Port of Oakland

John,
The letter you received should reference the GeoTracker Global ID #. I looked up that address (1750 Ferro) and the Global ID appears to be T0600101421.

Here's how to "claim" it:

Log onto your account.

On the left under "Facility Management" click on "Request Additional Facilities".

In the box that says "Global ID" enter "T0600101421" (w/o the quotes).

Click on the button "Request Checked Facilities".

The site will move to your "Pending Facilities".

Send me an email or call me (note: Friday is a state furlough day) and I'll approve your request.

Once I approve your request you will have officially "claimed" your site.

Brian Levers
GeoTracker Help Desk
Phone 866-480-1028

>>> "John Prall" <jprall@portoakland.com> 8/10/2009 11:34 AM >>>

Hello-

How do I claim a site such as 1750 Ferro Street, Oakland, CA that I received a letter from Mr Khatri about it?

John Prall
Associate Environmental Scientist
Port of Oakland
530 Water Street
Oakland, CA

(510) 627-1373

John Prall - Fwd: GeoTracker Password Request

From: Tim Leong
To: John Prall
Date: 8/12/2009 1:58 PM
Subject: Fwd: GeoTracker Password Request

>>> <geotracker@waterboards.ca.gov> 8/12/2009 1:49 PM >>>

This message was sent from the GeoTracker ESI website in response to a password request. Your username and password are as follows:

Username: TLEONG
Password: Oakland2005

Remember, the login page is case-sensitive. You must enter your username and password exactly as they are shown above. If you have comments or suggestions please email the site administrator (geotracker@waterboards.ca.gov).

~~John Prall~~
John Prall
Aragemite

~~jeet@ca.gov~~

→ the wrong account ←