
San Francisco Bay Regional Water Quality Control Board

May 28, 2013
File No: 1250.29 (CTH)

Walt Wadlow walt.wadlow@acwd.com
General Manager
Alameda County Water District
43885 South Grimmer Blvd
Fremont, CA 94538

SUBJECT: Cooperative Agreement between the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) and the Alameda County Water District (Water District)

Dear Mr. Wadlow:

This letter updates our expectations for the Water District when overseeing cleanup sites pursuant to the 1996 Cooperative Agreement between our two agencies.

Background

The 1996 Cooperative Agreement (“Agreement,” copy attached) lays out the terms under which the Water District oversees cleanup sites on behalf of the Regional Water Board. The Agreement covers both Leaking Underground Fuel Tank (LUFT) sites and Site Cleanup Program (SCP) sites, which are non-LUFT sites [referred to in the Agreement under their former name: Spills, Leaks, Investigation, and Cleanup (SLIC) program sites]. It identifies duties and responsibilities for both agencies and lists State and Regional Water Board standards and guidance that should be used in the Water District’s oversight efforts. The Agreement is beneficial to both agencies, giving the Water District a greater role in protecting its groundwater basin and allowing the Regional Water Board to leverage its scarce staff resources.

The Agreement remains beneficial to both agencies, but the framework for overseeing LUFT and SCP sites has changed since 1996. The Regional Water Board has since issued guidance allowing low-threat closure of LUFT and SCP sites and developed environmental screening levels (ESLs) to streamline site cleanup. More recently, the State Water Board has established performance targets for all its programs (including for LUFT and SCP site cleanup) and adopted a low-threat closure policy for LUFT sites. We are addressing the changed oversight framework in this letter.

Updated Expectations

Below are our updated expectations for the Water District's oversight of LUFT and SCP sites, which augment the existing terms of the Agreement:

1. Standards and Guidelines: The Water District's oversight of the investigation and remediation of both LUFT sites and SCP sites shall be conducted in accordance with State and Regional Water Board policies, procedures, and standards. These include but are not limited to the following documents and any future amendments to those documents:
 - a. State Water Resources Control Board, State Underground Storage Tank Regulations, Corrective Actions Requirements, codified at Title 23 California Code of Regulations Section 2720 – 2728.
 - b. State Water Resources Control Board, Resolution No. 92-49, Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304, adopted June 18, 1992.
 - c. Regional Water Quality Control Board, San Francisco Bay Region, Water Quality Control Plan, San Francisco Bay Basin (Region 2), adopted June 21, 1995, particularly "Groundwater Protection and Management" section of Chapter 4 (Implementation Plan).
 - d. California Health and Safety Code Division 20, Chapters 6.7, 6.75, Sections 25280 – 25299.99.3.
 - e. Regional Water Quality Control Board, San Francisco Bay Region, Environmental Screening Levels (2013).
 - f. State Water Resources Control Board, LUFT Guidance Manual (2012).
 - g. State Water Resources Control Board, Low-Threat Underground Storage Tank Case Closure Policy (2012).
 - h. State Water Resources Control Board, Plan for Implementation of Low-Threat Underground Storage Tank Case Closure Policy and Additional Program Improvements (2012).
 - i. Regional Water Quality Control Board, San Francisco Bay Region, Supplemental Instructions for Low-Threat Case Closure (1996).
 - j. Regional Water Quality Control Board, San Francisco Bay Region, Assessment Tool for Closure of Low-Threat Chlorinated Solvent Sites (2009).
 - k. Regional Water Quality Control Board, San Francisco Bay Region, A Comprehensive Groundwater Protection Evaluation for the South San Francisco Bay Basins (2003).
 - l. Regional Water Quality Control Board, San Francisco Bay Region, Final Draft – Public Participation at Cleanup Sites (2005).

2. Performance Measures and Performance Targets: Regional Water Board staff, in consultation with Water District staff, will define performance measures and targets for the LUFT and SCP cases overseen by the Water District. Performance targets will be the same, proportionately, for the cases overseen by the Water District as they are for the Regional Water Board-lead cases. For example if the Regional Water Board's performance target for LUFT case closures is 10% of open cases for a particular fiscal year, then the same closure rate would apply to the LUFT cases overseen by the Water District for that fiscal year. Performance targets for the selected performance measures will be set three months before the start of each fiscal year. Water District staff will provide semi-annual reporting on performance results compared to targets based on GeoTracker data, by January 15th for the first half of each fiscal year and by July 15th for each full fiscal year. Regional Water Board staff will use the Water District's performance results as a basis for proposed changes in case assignments.
3. Records and Reports: The Water District shall keep (regulator) fields in GeoTracker updated and complete for all open LUFT and SCP sites for which the Water District is shown as the oversight agency in GeoTracker. All Water District written correspondence and documents generated after the date of this letter shall be uploaded to GeoTracker; documents should appear in GeoTracker within five business days of the document date. The Water District will not be responsible for uploading Electronic Deliverable Format (EDF) data and other reports and documents generated by, or originating with, responsible parties, responsible parties' consultants, or other agencies (e.g., State Water Board or Regional Water Board). However, the Water District will notify responsible parties and consultants of their obligation for uploading such reports and documents and for submitting EDF data. The Water District will notify responsible parties and consultants as a new case is created and at other times if needed to ensure compliance. New LUFT and SCP cases shall be added to GeoTracker and given the appropriate file number in accordance with the Regional Water Board's file numbering system. All required fields in GeoTracker shall be filled out for all open cases.

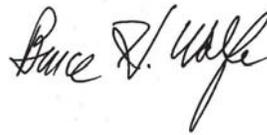
The Water District files shall serve as the public access library for copies of files not in GeoTracker for information on LUFT and SCP cases available under the Public Records Act. The files will only be materials that pre-date this letter. Going forward, all records will be maintained in GeoTracker.

4. Petitions to State Water Board: If a Water District-lead case is petitioned to the State Water Board, the Water District shall provide the following materials to the Regional Water Board in a timely manner: interested parties list, electronic copies of any relevant case files that are not already in GeoTracker, and a draft petition response. The Regional Water Board will respond directly to the State Water Board, including providing the interested parties list and a final petition response.

If in future the Regional Water Board concludes that these updated expectations are not being met, the Regional Water Board will consider exercising its right to terminate the Agreement after a 90-day notice (see provision 6 of the Agreement).

If you have any questions, please contact Chuck Headlee of my staff at (510) 622-2433 [e-mail cheadlee@waterboards.ca.gov].

Sincerely,

A handwritten signature in black ink that reads "Bruce H. Wolfe". The signature is written in a cursive style with a large initial 'B'.

Digitally signed
by Bruce H. Wolfe
Date: 2013.05.28
16:17:44 -07'00'

Bruce H. Wolfe
Executive Officer

Attachment: 1996 Cooperative Agreement

cc w/attach:

Kevin Graves, SWRCB
Steven Inn, ACWD

kgraves@waterboards.ca.gov
steven.inn@acwd.com

COOPERATIVE AGREEMENT
BETWEEN
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD-
SAN FRANCISCO BAY REGION
AND
ALAMEDA COUNTY WATER DISTRICT

THIS COOPERATIVE AGREEMENT is made as of the 27th day of June, 1996, by and between the CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD-SAN FRANCISCO BAY REGION ("Regional Board") and the ALAMEDA COUNTY WATER DISTRICT ("Water District").

This Agreement is entered into in light of the following facts and circumstances:

1. The Regional Board's overall mission is to protect surface waters and groundwaters of the San Francisco Bay Region. The Regional Board has identified over 7,000 sites with confirmed releases which have polluted, or threatened to pollute, groundwater. The Regional Board has statutory authority, under Section 13304 of the Water Code, to require the cleanup and abatement of these sites.
2. The Water District is responsible for supplying water for domestic, industrial, commercial, institutional and agricultural purposes to over 285,000 residents and thousands of businesses in its service area, which includes the cities of Fremont, Newark and Union City ("Tri-Cities"). The Water District overlies the Alameda Creek (Niles Cone) Groundwater Basin, a portion of DWR Basin No. 2-9.01, and obtains approximately thirty to sixty percent of its supply from water stored in this basin.
3. Since 1988, the Water District has provided assistance to the Regional Board in overseeing the investigation and remediation of groundwater pollution attributable to leaks from underground storage tanks or other unauthorized releases. Unauthorized releases may include

subsurface leaks such as from pipelines, sumps, etc., and surface spills from chemical handling, transfer and storage as well as from illegal waste disposal.

4. The Regional Board acknowledges and appreciates the assistance provided by the Water District and encourages the Water District to continue its participation in groundwater protection. In order to memorialize the terms of this participation and to further strengthen the coordination between the Regional Board and the Water District, the parties have entered into this Cooperative Agreement.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. AGREEMENT

The Regional Board encourages and supports the Water District, pursuant to the Porter Cologne Water Quality Control Act, commencing with Section 13000 of the Water Code, to oversee the investigation and remediation of unauthorized releases that threaten groundwater in accordance with the terms of this Agreement. This agreement is supplemental to the authority to protect groundwater which the Water District possesses under Sections 30000 et seq. of the Water Code and under the uncodified Replenishing Assessment Act of the Alameda County Water District (Chapter 1942 of the Statutes of 1961).

2. SCOPE OF OVERSIGHT PROGRAM; STANDARDS AND GUIDELINES

A. Scope. The Water District may oversee the investigation and remediation of the following sites within its boundaries:

(i) all existing and future sites at which the pollution is attributable to leaks from underground fuel tanks ("LUFT sites");

(ii) existing sites at which the pollution is attributable to spills or leaks from structures other than underground fuel tanks when the Water District, Regional Board or

Tri-Cities determines that groundwater quality is threatened ("SLIC sites"). A list of SLIC sites at which investigation and/or remediation is currently underway subject to the Water District's oversight is attached as Attachment One. The Regional Board supports the Water District in continuing its oversight activities at all sites identified on Attachment One and any additional SLIC sites where the Regional Board and Water District concur that the Water District will oversee investigation and remediation activities.

B. Standards/Guidelines. The investigation and remediation of both LUFT sites and SLIC sites should be conducted in accordance with the following authoritative statements of policy, procedure and standards, as applicable:

(i) State Water Resources Control Board, State Underground Storage Tank Regulations, Corrective Action Requirements, codified at Title 23 California Code of Regulations Section 2720-2728. For purposes of this Agreement, the term "regulatory agency" in these regulations shall include the Water District.

(ii) State Water Resources Control Board, Resolution No. 92-49, Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304, adopted June 18, 1992.

(iii) Regional Water Quality Control Board, San Francisco Bay Region, Water Quality Control Plan-San Francisco Bay Basin (Region 2), June 21, 1995, as approved by State Water Resources Control Board on June 20, 1995, particularly "Groundwater Protection and Management" at pages 4-52 through 4-65 and accompanying tables.

(iv) Regional Water Quality Control Board, San Francisco Bay Region, Tri-Regional Board Staff Recommendations for Preliminary Evaluations and Investigation of Underground Tank Sites, August 10, 1990.

The specific procedures to be followed in overseeing investigation/remediation at particular sites are contained in Attachment Two, which is intended to be consistent with each of the four documents referred to above. If any of the four referenced documents are subsequently modified or supplemented, the references to them in this Agreement will be deemed to include such modifications or supplements and Attachment Two will be amended as necessary to remain consistent with them.

3. RECORDS AND REPORTS

The Water District shall maintain a list of LUFT and SLIC sites up to date by adding new sites and indicating which sites have been closed. The Water District shall also maintain a site activity/status tracking system comparable to the tracking system used by the Regional Board. The names and addresses of responsible parties for each site shall be provided to the Regional Board upon request.

The Water District shall submit Quarterly Reports to the Regional Board summarizing the status of all LUFT and SLIC sites and containing the following information for each site: name; location; lead agency; program contamination type; maximum concentrations in soil and groundwater; depth to groundwater and corrective actions taken. The Quarterly Report shall be submitted within twenty one (21) days after each calendar quarter (e.g., the report covering January 1 through March 31 shall be submitted by April 21). A copy will be sent to each of the Tri-Cities.

The Regional Board files shall serve as the public access library for information on SLIC sites. Therefore, the Water District shall provide the Regional Board, and the appropriate city, with copies of all letters, reports and other relevant documents prepared by the Water District regarding SLIC cases. It shall also require the responsible party to submit copies

of all letters and reports prepared by or for it relevant to SLIC cases to the Regional Board and the appropriate city.

The Water District files and those of the appropriate city shall serve as the public access libraries for information on LUFT cases. Copies of all letters, reports and other relevant documents shall be maintained by the Water District and the Water District shall require the responsible party to submit copies of all letters and reports to the appropriate city.

4. CONSULTATION, TRAINING AND TECHNICAL ASSISTANCE

The Regional Board shall, whenever requested by the Water District, consult with the Water District on any procedural or technical questions which may arise in the implementation of this Agreement.

The Regional Board shall make its technical resources (e.g., libraries, scientific and engineering staff) available to the Water District without charge for purposes of implementing this Agreement, upon request.

Water District staff may participate, without charge, in training and educational programs conducted by the Regional Board relevant to groundwater investigation and remediation. Specialized technical training sessions shall be provided subject to the availability of Regional Board staff, upon request.

Requests under this section may be made orally or in writing.

5. RESOLUTION OF DISPUTE

If a dispute occurs between a responsible party and the Water District regarding oversight and requirements for site investigation and remediation, and the dispute cannot be resolved by both parties with good faith effort, then the Water District may request the Regional Board to assist in resolving the dispute. If necessary and appropriate and after consultation with

the Water District, the Regional Board may take over the oversight responsibilities and act as the lead agency for the site.

6. TERM

The term of this Agreement shall be indefinite. Either party may terminate the Agreement by delivering a written notice of election to terminate at least ninety (90) days in advance of the termination date to the other party.

7. NOTICE

Any notice required under this Agreement shall be in writing and shall be given by personal delivery or deposit in the United States mail addressed as follows:

If to the Regional Board:

San Francisco Bay Regional Water
Quality Control Board
2101 Webster Street, Suite 500
Oakland, CA 94612
Attn: Executive Officer

If to the Water District:

Alameda County Water District
43885 South Grimmer Boulevard
P.O. Box 5110
Fremont, CA 94537-5110
Attn: General Manager

8. AGREEMENT NOT EXCLUSIVE

The Regional Board recognizes that the Water District may wish to enter into agreements with one or more of the Tri-Cities related to groundwater protection. Nothing in this Agreement is intended to preclude such independent agreements. Nor is anything in this Agreement intended to limit the Water District's authority under Water Code Sections 31048 or 31082 or under Section 3, Section 4(c) and Section 4(g) of the Replenishment Assessment Act. Nor is anything in this agreement meant to delegate the Regional Board's regulatory authority

to the Water District or to limit or restrict the Regional Board's authority under appropriate provisions of the Porter Cologne Water Quality Control Act commencing with Section 13000 of the Water Code.

9. ACTIVITIES ARE DISCRETIONARY

The activities contemplated herein to be taken by the Regional Board and the Water District are discretionary in that they involve the exercise of judgment and discretion, rather than merely ministerial.

10. ATTACHMENTS

Attachments One and Two are incorporated herein by this reference.

11. AMENDMENTS

This Agreement may be amended only by a writing signed by both parties.

12. This Agreement is not a designation pursuant to the Site Designation Committee Process under California Health and Safety Code Section 25262.

IN WITNESS WHEREOF, the parties have executed this Agreement by their respective duly authorized officers as of the day and year first above written.

CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD-SAN FRANCISCO BAY REGION

Approved by Board
Resolution No. 96-88
dated June 19, 1996

By: Loretta K. Barsamian
Loretta K. Barsamian
Executive Officer

ALAMEDA COUNTY WATER DISTRICT

Approved by Board
of Directors
Resolution No. 96-036
dated June 27, 1996

By: James D. Beard
James D. Beard
General Manager

ATTACHMENT ONE

THE LIST OF SLIC SITES AT WHICH INVESTIGATION AND/OR REMEDIATION
IS CURRENTLY OVERSEEN BY THE ALAMEDA COUNTY WATER DISTRICT

ATTACHMENT TWO

PROCEDURES FOR OVERSIGHT OF INVESTIGATION AND REMEDIATION OF LEAKING UNDERGROUND FUEL TANK ("LUFT") SITES AND SPILLS, LEAKS INVESTIGATION AND CLEANUP ("SLIC") SITES

1. IDENTIFICATION OF RELEASE; RESPONSIBLE PARTIES

The Water District is not required to undertake investigatory activities to identify releases. Rather, the Water District is normally notified of a release by one of the Tri-Cities, by the Regional Board or by other persons, including Responsible Parties.

The Water District will attempt to identify a Responsible Party ("RP"), if necessary, by conducting a review of land title records available from the County Recorder to identify the most recent owner of record. Questions of a legal nature as to the identity of a RP will be referred to the Regional Board for decision. In addition, the Water District will report to the Regional Board whenever it determines that a release site falls into one of the following categories: (1) no RP can be identified or located, (2) the apparent RP is insolvent, (3) the apparent RP refuses to take appropriate action to remedy the site, or (4) Water District is a RP or where a conflict of interest may exist for some other reason.

When the Water District is notified of a release, and is able to identify a RP, it will notify the RP of the investigation and remediation requirements.

2. PRELIMINARY SITE ASSESSMENT

The Water District shall oversee a preliminary site assessment conducted by the RP. The purpose of the preliminary site assessment is to determine the extent of existing soil contamination and whether groundwater has been affected. A preliminary site assessment includes initial site investigation, initial abatement actions, and initial site characterization and any interim remedial actions. A preliminary site assessment includes overseeing the following work:

1. Visual inspection of any tank excavation pit or ground surface;
2. Excavation and disposal or on-site treatment of contaminated backfill and contaminated native soil;
3. Removal of any pollutants floating on groundwater discovered during tank removal and soil excavation;
4. Drilling of borings or installation of groundwater monitoring wells as necessary;
5. Development of a sampling protocol which includes sample collection and preservation methods and analyses of soil and groundwater samples for the appropriate constituents.

During preliminary site assessment, the Water District shall follow procedures established by the Regional Board to verify and document information submitted by the RP.

Based on data collected and analyzed during the preliminary site assessment, the Water District, with consultation from the Regional Board as necessary, shall make a determination as to whether:

1. The LUFT or SLIC site requires emergency investigation and/or cleanup actions due to a serious impact to present beneficial uses of waters of the State.
2. The LUFT or SLIC site requires more extensive investigation and/or cleanup action due to an impact or potential impact to beneficial uses of waters of the State.
3. The LUFT or SLIC site poses a minor threat to water quality.
4. The LUFT or SLIC site has been adequately cleaned up by the RP through initial removal or remedial actions carried out during the preliminary site assessment.

Upon making this determination, the Water District shall take one of the following actions:

1. If immediate or interim remediation is warranted, provide the RP with emergency or interim remediation oversight.
2. If additional site investigation and cleanup is indicated, inform the RP and proceed with site remedial investigation and remediation oversight.
3. If pollution is to be left in place, levels of pollutants must be acceptable to the Regional Board, and the Water District shall establish a monitoring schedule.
4. If the pollution at the site has been satisfactorily abated, certify that fact and provide the Regional Board, the RP, and the appropriate City with documentation to that effect.
5. If there is no impact or potential impact to the waters of the State, recommend no further action to the RP and, if appropriate, close the case.

3. **OVERSEE REMEDIAL INVESTIGATION, REVIEW FEASIBILITY STUDY AND APPROVE CORRECTIVE ACTION PLAN**

The Water District shall oversee the remedial investigation of the site to verify the RP's determination of the hydrogeological characteristics of the site; the lateral and vertical extent of soil and/or water pollution; the sensitivity of the site, and potential threat of adverse water quality

impacts. The results of the investigation shall provide data and information to adequately characterize the pollution on and off-site, and to allow the RP to prepare a feasibility study of applicable and appropriate remedial alternatives.

A. Soil and Water Investigation

In cases where groundwater has been impacted, monitoring wells shall be properly installed and used to obtain samples to:

1. Detect any free product;
2. Define the plume of free product and dissolved constituents;
3. Monitor concentrations of pollutants dissolved in water. In cases where groundwater is impacted, the RP should be directed by the Water District to determine:
 - a. Distance to nearest surface water,
 - b. Depth to groundwater,
 - c. Direction and rate of groundwater flow,
 - d. Composition and characteristics of the subsurface soils,
 - e. Current and potential beneficial uses of underlying and contiguous surface and groundwater,
 - f. Historic, current or planned use of domestic, public and private wells and other potential vertical conduits within 1/2 mile of the site.

B. Feasibility Study

The Water District shall oversee the preparation of a feasibility study report which identifies and evaluates feasible alternatives for cleaning up the site. Cleanup options may include but are not limited to the following:

1. Leave soil pollutants in place;
2. Excavation of polluted soils;
3. Enhanced in-situ or ex-situ soil bioremediation;
4. Soil vapor extraction;
5. Air sparging in combination with soil vapor extraction;

6. Free product removal;
7. Passive or active groundwater bioremediation;
8. Groundwater extraction and treatment technologies (e.g., air stripping or granulated activated carbon adsorption).

In addition to the above cleanup options, the feasibility and necessity of the following actions should be addressed at an early stage:

1. Wellhead treatment or treatment at individual water supply hookup;
2. Replacement of water supply.

C. Corrective Action Plan

The Water District shall oversee the preparation of and approval of a correction action plan that identifies the selected remedial action alternative and establishes an implementation schedule with the details for implementation. The Water District will approve the corrective action plan after determining that implementation of the proposed cleanup will adequately contain or clean up pollutants and after consultation with the Regional Board staff, if necessary.

4. CORRECTIVE ACTION PLAN IMPLEMENTATION

The Water District shall oversee implementation of the corrective action plan. The Water District shall establish or approve a schedule for the RP to monitor, evaluate, and report the results of implementing the cleanup and ensure that copies are sent to the Regional Board and/or appropriate city. Water District will provide information to RP on securing necessary building permits from the appropriate city and discharge permits from the Regional Board or the Union Sanitary District.

5. VERIFICATION MONITORING

The Water District shall oversee periodic groundwater, post cleanup verification, or other monitoring of the site, as necessary, following remedial action (e.g., dissolved product left in place). The Water District shall conduct periodic site inspections and document all observations on the implementation of the investigation and cleanup.

6. PUBLIC PARTICIPATION

Water District will inform the public of the proposed activities in a Corrective Action Plan, and upon completion of the corrective action, as required by 23 CCR Section 2728.

7. CASE CLOSURE

A. "No Confirmed Release" Sites

For UST sites which have completed preliminary investigations during UST removal and where no evidence has been found that leakage has ever occurred (soil and/or groundwater samples are all below appropriate detection limits; no visual signs of pollution, etc.), the Water District may issue a "no further action" letter for these sites provided:

1. the USTs have been properly closed/removed as determined by the appropriate city;
2. the preliminary investigation has been completed in accordance with the Tri-Regional Board Staff Recommendations; and
3. there is no evidence that releases from USTs, associated piping and dispensers had ever occurred.

The no further action letter should state that tank closure activities have been completed, that the available information indicates no release has occurred and that no further action related to the UST is required. Copies of these letters should not be submitted to the Regional Board and the sites should not be included in the Water District's Quarterly Reports since there was no evidence of leakage at these sites and the sites will not be listed on the State's database.

B. Contaminated Soils Sites

When evaluating a closure request from the RP for LUFT and SLIC sites with confirmed release(s), the Water District may issue case closure letters where appropriate for the following situations:

1. Sites where residential or farm heating oil tanks have been properly closed and groundwater has not been impaired; or
2. Sites which fit the "Case #2 - No Further Action Required" conditions outlined in the Tri-Regional Board Staff Recommendations; or
3. Sites with limited soil contamination only and where groundwater has not been impacted (i.e., non-detectable concentrations in the groundwater).

The case closure letter will state that site investigation and soil remediation has been completed and that no further action related to the UST(s) or spill is required. A copy of this letter will be submitted to the Regional Board along with a case closure summary.

C. Contaminated Groundwater Sites

For all other LUFT and SLIC sites with confirmed groundwater pollution (i.e., a site where the groundwater has been impacted by the release), when the Water District has determined that a case closure is appropriate, the Water District shall provide a case closure recommendation letter to the Regional Board. A brief summary of the following information shall be included in the recommendation letter.

1. Site Information
2. Background History
3. Investigative Methods
4. Extent of Soil and Groundwater Contamination
5. Hydrogeology
6. Beneficial Uses
7. Remediation Activities and Effectiveness
8. Conclusions and Recommendations

The Regional Board shall determine if case closure is appropriate. If the Water District's recommendation is accepted, the Regional Board shall issue a closure letter to the RP with a copy to the Water District and the appropriate city stating that no further action is required at the site. If the site has been approved by the State Water Resources Control Board's Cleanup Fund Program for cost reimbursement, a copy of the closure letter should be sent to the Cleanup Fund Program Manager.

8. ENFORCEMENT

The Water District may, at any time it deems appropriate, submit a recommendation to the Regional Board that a cleanup and abatement order be issued pursuant to Water Code Section 13304, or other appropriate enforcement action be taken by the Regional Board. Such recommendations shall include a chronology of actions at the site, the Water District's evaluation of the site and other relevant information. The Regional Board will promptly and carefully consider the Water District recommendation and will take appropriate actions.

The Water District may also refer cases to the Alameda County District Attorney for enforcement. A copy of any such referral letters shall be sent to the Regional Board.