



***STATE WATER RESOURCES
CONTROL BOARD***

**UST LOCAL OVERSIGHT PROGRAM
(LOP)
GUIDEBOOK**

FY 2010/2011

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INTRODUCTION

This guidebook supplements the Local Oversight Program (LOP) Contract Scope of Work Contract Exhibit "A," for the Fiscal Year (FY) 2010-11 and contains information that is referenced in your contract. Please use this Guidebook as a companion to the LOP Contract Exhibit "A" in the implementation of your program-related activities.

Technical inquiries may be directed to George Lockwood, Contract Manager, (916) 341-5752, email address glockwood@waterboards.ca.gov.

Questions regarding Geotracker data dictionary management may be directed to Hamid Foolad at (916) 341-5791, e-mail address hfoolad@waterboards.ca.gov.

Questions regarding invoice submittal/invoice payment, or general administrative concerns, may be directed to Jenniffer Jordan at (916) 341-5826, jjorden@waterboards.ca.gov.

SCOPE AND OBJECTIVES

- A. Legislation has established a local permit program for California consisting of monitoring requirements for existing Underground Storage Tanks (USTs) storing hazardous substances and design/construction and monitoring requirements for new USTs. The program is implemented by 84 local agencies, 22 LOPs and 9 Regional Water Boards (all counties and cities and joint powers agencies, Directery: < <http://www.calepa.ca.gov/CUPA/Directory/Default.aspx> >) and is funded, in part, by fees charged to the tank owners. The work performed by these agencies has led to the identification of leaking USTs which require corrective action.
- B. Statutory authority exists at the federal, state, and local level to require corrective action by the Responsible Party or Parties at UST release sites and to rank and fund corrective action at UST release sites where a Responsible Party cannot be identified or has insufficient financial resources to accomplish the needed work. Some local agencies have used this authority and taken action to respond to the problem, as have the nine Regional Water Quality Control Boards (Regional Water Boards). In addition, the Regional Water Boards are providing technical assistance to local agencies addressing UST cleanups.
- C. The objective of the LOP Agency Contract is to provide the Contractor with the means to identify and oversee the investigation and remediation of UST petroleum release sites within its jurisdiction. The contract is a part of the State's overall program, referred to as the Local Oversight Program (LOP), to assist local governmental agencies in oversight and remediation at UST release sites.
- D. Pursuant to Health and Safety Code Section 25297.1, work performed under the LOP Agency Contract shall be consistent with cleanup standards specified by the State and applicable Regional Water Boards. Corrective action shall comply with all applicable waste discharge requirements, state policies for water quality control, State and Regional Water Board water quality control plans, Health and Safety Code Chapters 6.7, and Chapters 16 of Title 23, California Code of Regulations.

ELECTRONIC REPORTING REQUIREMENTS

The following is an excerpt from information posted on the State Water Board Web Address regarding electronic processing of data.

http://www.waterboards.ca.gov/ust/cleanup/electronic_reporting/faq.html

On January 1, 2005, the State Water Board adopted regulations that require electronic submittal of information (ESI) for soil and groundwater of underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups (SLIC) sites, Department of Defense sites (DOD), and Land Disposal programs.

Effective July 1, 2005, submittal of a complete copy of all required reports, in PDF format, into GeoTracker replaces the paper copy reporting requirements (paperless reporting).

DEFINITIONS

1. The term "State Water Board" means the California State Water Resources Control Board.
2. The term "Regional Water Board" means the appropriate California Regional Water Quality Control Board(s).
3. The term "Contractor" means the specific agency, acting by and through its authorized representative.
4. The term "U.S. EPA" means United States Environmental Protection Agency.
5. The term "CFR" means Code of Federal Regulations.
6. The term "CCR" means California Code of Regulations.
7. The term "SAM" means State Administrative Manual.
8. The term "SCM" means State Contracting Manual.
9. The term "dissolved product" means any petroleum product which is contained in or present in surface water or ground water.
10. The term "EDF" (Electronic Deliverable Format) is an electronic data format consisting of related text files in ASCII format.
11. The term "floating product" means any petroleum product which is floating upon surface water or ground water.
12. The term "free product" means any petroleum product which is in an undissolved state.
13. The term "GeoTracker" means the on-line information systems database, which replaced LUSTIS and enables an electronic exchange of site data between State Water Board, Regional Water Boards, LOP Agencies, and the local implementing agencies (LIAs).
14. The term "hazardous substance" means those substances listed or defined in Section 25281(f) of the California Health and Safety Code.
15. The term "heating oil" includes fuel oil that is used in the operation of heating equipment, boilers, furnaces and like equipment, such as No. 1, No. 2, No. 4light, No. 4-heavy, No. 5-light, No. 5-heavy and No. 6 of fuel oil, and other residual fuel oils (including Navy Special Fuel Oil and Bunker C).

The term also includes other residual fuels when used as a substitute for the fuel oils just indicated.

16. The term "LUFT" means leaking underground fuel tank.
17. The term "MTBE" stands for Methyl Tertiary Butyl Ether, an oxygenate added to gasoline.
18. The term "operator" means any person in control of, or having responsibility for, the daily operation of an UST.
19. The term "oversee" or "oversight" means the supervision and direction of the quality, scope and type of Corrective Action the assessment and cleanup work described in Task 1 "Cleanup Process" of Exhibit "A" to be performed by a Responsible Party or his or her agent at a UST site.
20. The term "owner" means the owner of an UST.
21. The term "petroleum" means crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute). The term includes but is not limited to petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversions, upgrading and finishing. The term includes waste oil.
22. The term "Responsible Party" means the owner and/or operator of an UST from which an unauthorized release has taken place. The term includes all persons, organizations, and agencies classified as "Responsible Parties" by applicable State Water Board regulations. The term includes, but is not necessarily limited to, the following persons:
 - any person who owns or operates an UST used to store petroleum; in the case of any UST no longer in use, the current owner of the UST;
 - any person who owned or operated the UST immediately before the discontinuation of its use;
 - any owner of property where an unauthorized release of petroleum from an UST has occurred; and,
 - any person who had or has control over an UST at the time of or following an unauthorized release of petroleum.
 - In all cases funded by the Federal Petroleum Trust Fund, the term specifically includes those persons who are designated as responsible parties under the federal Resource Conservation and Recovery Act (RCRA). RCRA responsible parties include:

- any person who owns an underground storage tank used for the storage, use, or dispensing of petroleum products where the underground storage tank was in use on November 8, 1984, or where it is brought into use after that date.
- any person who owned such tank immediately before the discontinuation of its use where the underground storage tank was in use before November 8, 1984, but no longer in use on November 8, 1984.
- any person in control of, or having responsibility for, the daily operation of an underground storage tank (at the time of or following an unauthorized release of petroleum).

Division 20, Chapter 6.96 (Hazardous Materials Liability of Lenders and Fiduciaries) of the Health and Safety Code must be considered when naming responsible parties.

23. The term "site" means a single or geographically contiguous parcel or lot separated by property lines, right-of-way, or address except for large parcels of land, such as Air Force, Army, or Naval Bases where areas of contamination are geographically distant and can be and are identified and remediated as separate sites.

24. The term "site-specific work" means the following activities under the local oversight program:

- Responsible Party identification and notification.
- Site visits.
- Sampling activities.
- Meetings with Responsible Parties or Responsible Party Consultants.
- Meetings with Regional Water Board or other affected agencies regarding a specific site.
- Review of reports, workplans, preliminary assessments, remedial action plans, correspondence, or post-remedial monitoring.
- Issuance of directive letters.
- Development of enforcement actions against a Responsible Party.
- Issuance of a closure document.

The term includes only work carried out by technical program staff and their immediate supervisors.

25. The term "suspected release" means an incident involving known soil or water contamination of unknown origin by petroleum products commonly stored in an UST or an incident involving an UST which the Contractor has reason to believe may be associated with an unauthorized release. Suspected release does not include failure of a precision test unless other evidence exists supporting the conclusion that

an unauthorized release may have occurred, nor does it include any incident or activity for which local fees have been levied to cover Contractor expenses.

26. The term "UST" means:

For any work and/or cost funded from the underground storage tank cleanup fund, the term means an underground storage tank as defined by Section 25299.24 of the California Health and Safety Code.

For any work and/or cost funded from the federal petroleum trust fund, the term means a petroleum underground storage tank as defined by Subchapter IX (commencing with Section 6991) of Chapter 82 of Title 42 of the United States Code, as added by the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616), or as it may subsequently be amended or supplemented, and the regulations adopted pursuant thereto.

27. The term "unauthorized release", for both state and federally funded sites under the Local Oversight Program, means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing from an UST into subsurface soils, groundwater, or surface water.

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SECTION 1

Instructions/Forms for Completing/Submitting Invoices

State Water Board Contact:
Jenniffer Jordan
(916) 341-5826 (phone)
(916) 341-5808 (fax)
jjorden@waterboards.ca.gov

A. A computer disk (or e-mail to jjorden@waterboards.ca.gov) containing site specific time, program management time, property purchases, and services and supplies must be submitted (**Please note the final invoice must be submitted to our office no later than July 31 each FY).**

1. The disk shall include site specific time and costs for the following activities when carried out by technical staff and their immediate supervisors.
 - (a) Responsible Party identification and notification.
 - (b) Site visits.
 - (c) Sampling activities.
 - (d) Meetings with Responsible Parties or Responsible Party consultants.
 - (e) Meetings with the Regional Water Board or other affected agencies regarding a specific site.
 - (f) Review of reports, workplans, preliminary assessments, remedial action plans, or postremedial monitoring.
 - (g) Development of enforcement actions against a Responsible Party.
 - (h) Issuance of a closure document.
2. Site specific time will be reported, at a minimum, to the following codes:
 - (a) 300 (State funded sites)

The contractor has the option of charging to additional codes, if desired, as long as State sites are identified by a "3".

3. The disk shall include program management time and costs for all staff.

Program management time will be reported to the following codes:

- (a) 704--Training (technical staff time for attending training, seminars, workshops, college courses, and Health & Safety Training).

- (b) 400--Enforcement support (non-technical staff who perform site specific duties such as gathering data for notices of responsibility and issuing warning letters and/or notices of violation, etc.).
 - (c) 700--All other non-site specific time.
 - (d) 708--Property and Services and Supplies.
- 4. Staff time will be charged, at a minimum, in 1/10 of an hour increments. It is recommended that staff time be charged at the maximum of one hour increments if possible.
- B. An explanation of all training costs shall be included in the invoice (At least one of the following registration forms, agendas, etc. that provide a description of the training).

INSTRUCTIONS FOR COMPLETING INVOICE COVER SHEET

(ALL FIELDS ARE MANDATORY)

Page 1 of ____ (enter total number of pages for entire invoice package.)

INVOICE NO. - Unique local agency invoice number. The same number applies to all program management, site specific or property invoices included under the cover sheet. Maximum of eight characters.

DATE - Date invoice is prepared.

BILLING PERIOD - Include all days covered by invoice entries.

FINAL INVOICE - Self explanatory.

CONTRACT NO. - State Water Board's eight digit contract number under which the invoice is being submitted.

CONTRACTOR NAME - Checks will be made payable to the name that appears on this line.

SEND PAYMENT TO - Enter name and address of person to receive check.

TOTAL HOURS/AMOUNT - Total program management hours and amount, site specific hours and amount, services and supplies, and property amount. Total dollar amount of invoice.

SUBMITTED BY - Project Director or approved designee must sign. (Advise State Water Board of approved designee(s).)

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY
UST LOCAL OVERSIGHT PROGRAM**

INVOICE COVER SHEET

PAGE 1 OF _____

DATE: ___/___/___

INVOICE NO: _____

BILLING PERIOD

FROM: ___/___/___

TO: ___/___/___

IS THIS THE FINAL INVOICE FOR THIS CONTRACT? () YES () NO

CONTRACT NO: _____

CONTRACTOR NAME: _____ (CHECK WILL BE MADE PAYABLE AS ENTERED)

SEND PAYMENT TO: _____

PROGRAM MANAGEMENT HOURS: _____ PROGRAM MANAGEMENT AMOUNT: \$ _____

SITE SPECIFIC HOURS: _____ SERVICES & SUPPLIES: \$ _____

SITE SPECIFIC AMOUNT: \$ _____

PROPERTY AMOUNT: \$ _____

TOTAL AMOUNT OF INVOICE: \$ _____

SUBMITTED BY: _____
(SIGNATURE)

PRINT NAME/TITLE: _____

STATE WATER BOARD USE

DATE RECEIVED: _____

REVIEWED BY: _____ DATE: _____

APPROVED BY: _____ DATE: _____

HOURLY RATE: _____

NOTES:

INSTRUCTIONS FOR COMPLETING SERVICES AND SUPPLIES INVOICE

CONTRACT NO. - State Water Board's eight digit contract number under which the invoice is being submitted.

NO. OF SHEETS FOR SERVICES AND SUPPLIES INVOICE - Self explanatory.

DATE - Date payment made.

DESCRIPTION OF SERVICES/SUPPLIES - Line Item listed in current fiscal year's budget under the services and supplies category. Please note: Training related expenses, other than a person's time, shall list date of attendance, name of class attended and person attending.

QUANTITY - Enter number of units used.

COST/UNIT - Enter dollar unit cost, including tax.

TOTAL SERVICES/SUPPLIES - Enter total dollar amount.

SUBMITTED BY - Contractor signature or initials.

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 DIVISION OF WATER QUALITY
 UST LOCAL OVERSIGHT PROGRAM
 SERVICES AND SUPPLIES INVOICE
 (ACTIVITY CODE 708)**

Total No. of pages for Services/Supplies Invoice _____

Contract # _____

	Date	Description of Services/Supplies	Qty.	Cost/Unit (\$-w/tax)	Total (\$)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
Total This Page				21	
Total Other Pages				22	
Total Svs/Supplies Purchase				23	

Submitted by: _____

FOR STATE WATER BOARD USE

Amount Approved \$ _____
 Line items disallowed _____

INSTRUCTIONS FOR COMPLETING EQUIPMENT INVOICE

CONTRACT NO. - State Water Board's eight digit contract number under which the invoice is being submitted.

INVOICE NO. - Local agency invoice number.

DATE - Date of payment.

DESCRIPTION OF EQUIPMENT -

QUANTITY - Enter quantity.

COST/UNIT - Enter dollar unit cost, including tax.

TOTAL - Enter total dollar amount per line.

TOTAL EQUIPMENT PURCHASE - Enter the total of all property costs.

SUBMITTED BY - Contractor signature or initials.

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY
UST LOCAL OVERSIGHT PROGRAM**

**EQUIPMENT PURCHASE INVOICE
(Use only for property listed in contract)**

Contract # _____

	Date	Description of Property Purchase	Qty.	Unit	Cost/Unit (\$-w/tax)	Total (\$)
1						
2				EA.		
3				EA.		
4				EA.		
5				EA.		
6				EA.		
Total Property Purchases						

Submitted by: _____

FOR STATE WATER BOARD USE

Amount Approved \$ _____
 Line items disallowed _____

State Board Approval

Notes:

**INSTRUCTIONS FOR COMPLETING ADJUSTMENT INVOICE
COVER SHEET
(ALL FIELDS ARE MANDATORY)**

PAGE 1 OF ____ - Enter total number of pages for entire adjustment invoice package.

ADJUSTMENT NO. - Unique local agency invoice number. The same number applies to all program management, site specific or property invoices included under the cover sheet (maximum of eight characters).

DATE - Date invoices prepared.

BILLING PERIOD - Include all days covered by invoice entries within a fiscal year.

FINAL INVOICE - Self explanatory.

CONTRACT NO. - State Water Board's eight digit contract number under which the invoice is being submitted.

CONTRACTOR NAME - Checks will be made payable to the name that appears on this line.

SEND PAYMENT TO - Enter name and address of person to receive check.

TOTAL HOURS/AMOUNT - Total program management hours and amount, site specific hours and amount, and property amount. - Total dollar amount for all program management, site specific, service and supplies, and property invoices included under the cover sheet.

SUBMITTED BY - Project Director or approved designee must sign. (Advise State Water Board of approved designee(s)).

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY
UST LOCAL OVERSIGHT PROGRAM**

ADJUSTMENT INVOICE COVER SHEET

PAGE 1 OF _____

DATE: ____/____/____

INVOICE NO: _____

BILLING PERIOD

FROM: ____/____/____

TO: ____/____/____

CONTRACT NO: _____

CONTRACTOR NAME _____
(CHECK WILL BE MADE PAYABLE AS ENTERED)

SEND PAYMENT TO: _____

PROGRAM MANAGEMENT HOURS	_____	PROGRAM MANAGEMENT AMOUNT:	\$ _____
SITE SPECIFIC HOURS:	_____	SERVICES & SUPPLIES:	\$ _____
		SITE SPECIFIC AMOUNT:	\$ _____
		PROPERTY AMOUNT:	\$ _____
		TOTAL AMOUNT OF INVOICE:	\$ _____

SUBMITTED BY: _____
(SIGNATURE)

PRINT NAME/TITLE: _____

STATE WATER BOARD USE

DATE RECEIVED: _____

REVIEWED BY: _____ DATE: _____

APPROVED BY _____ DATE: _____

HOURLY RATE: _____

NOTES:

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SECTION 2

Inventory of State Furnished Property Form (SWRCB 3-016)

SEE ATTACHED SECTION 2 FORM 3-016.XLS

INSTRUCTIONS FOR PROCESSING FORM 3-016

Upon completion of this form, submit one (1) copy to State Water Resources Control Board (State Water Board), Business Services Section, 1001 I Street, Sacramento, California 95814, Attention: Property Officer. A copy should also be retained by you for your records. For information call (916) 341-5065.

Upon receipt of the report listing equipment that has been acquired, the State Water Board will forward to you identification decals which are to be affixed to the equipment by you.

IDENTIFICATION OF NONEXPENDABLE EQUIPMENT

Within practical limits all equipment to be identified will be tagged as follows:

- | | |
|--------------------------------------|--|
| Tables, desks, and similar articles: | Place tag on upper left-hand corner of the front of the left leg or pedestal just under the top. |
| Chair: | Place tag at center of the rear edge of the seat. |
| One piece file cabinets: | Place on the upper left-hand corner of the front of the frame. |
| Upholstered furniture: | Place tag on the side of an exposed leg. |

All items will have tags placed in plain sight and easily readable. Manufacturer's mark will be left intact.

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SECTION 3

Instructions for Completing Property Survey Report STD Form 152

STD Form 152 is completed to report State property as lost, stolen* or destroyed. It is also used to sell, trade or dispose of property.

See the following link to Department of General Services, Property Survey Report (STD Form 152):

<http://www.osp.dgs.ca.gov/StandardForms/Forms+Search.htm> . Enter form number 152.

Complete the form as follows:

1. Dept./Agency: State Water Resources Control Board, Division of Water Quality
2. Return Address: 1001 I Street, 15th Floor, Sacramento, CA 95814
(Attn: Jenniffer Jordan)
3. City/Zip Code: Sacramento, CA 95814
4. Document Number: Property Controller will issue.
5. Date: Date form prepared.
6. Replacements: Complete with type of equipment being purchased to replace equipment being surveyed out. Indicate purchase order number that the equipment is being purchased on.
7. Leave blank.
8. Leave blank.
9. Leave blank.
10. Description of item (key noun first) model and serial number as listed on the inventory sheet.
11. State Identification: Gold Tag number.

12. Date purchased: Date equipment purchased.
13. Original Cost: Purchase price.
14. Location: Location (city only) of property being surveyed.
15. Present Condition: Condition of property, good, fair, poor, etc.
16. Disposition Code: Indicate one of the numbers shown under Disposition Code on form.
17. Price Offered: Complete only when item is sold.
18. Amount Received: Complete only when item is sold.
19. Receipt Number: Complete only when item is sold.
20. Reason for surveying each property listed. Note address and location of property being surveyed.
21. Signature of State Water Board Division Chief and date signed.
22. Signature of persons on Property Survey Board and date signed.
23. Signature of persons on Property Survey Board and date signed.
24. Manner of disposal (only after DGS has approved). CWP must complete this item.
25. Date of disposal (only after DGS has approved). CWP must complete this item.
26. Signature: Officer supervising the property disposal
27. Signature: Officer supervising the property disposal
28. Property re-utilization review and sign.
29. Property re-utilization review and sign.
30. Signature: Officer supervising the property disposal.

*(If State property is stolen, STD Form 99 must also be filled out and submitted).

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SECTION 4

Quarterly Training Course Tracking Form

SEE ATTACHED SECTION 4 QTRLY COURSE TRACKING FORM. XLS

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SECTION 5

GeoTracker Instructions and Required Fields

This section of the guide book is to be wholly devoted to GeoTracker, providing a short tutorial course on GeoTracker and contract compliance with GeoTracker:

Go to: http://www.waterboards.ca.gov/ust/electronic_submittal/index.shtml

Scroll down to the "Getting Started" section and click on "Beginner's Guide." Or one can follow these steps individually:

- 1) How to apply and change a pass word:

Apply:

Change:

https://geotracker.waterboards.ca.gov/regulators/change_password.asp

- 2) How to upload docs:

<https://geotracker.waterboards.ca.gov/regulators/tutorial/>

- 3) How to accept/deny (**ESI TUTORIALS**):

<https://geotracker.waterboards.ca.gov/regulators/tutorial/>

- 4) Provide required fields listed in red below and LOP compliance report for Required Fields at:

https://geotracker.waterboards.ca.gov/regulators/reports/required_fields_report.asp

- 5) Provide the data dictionary and definitions: **No longer necessary because LOP uploads have been discontinued.**

- 6) Provide valid value list (VVL) on line w/descriptions can be downloaded in Excel:
<http://geotracker.waterboards.ca.gov/searchvvl.asp>

- 7) Provide glossary of terms (**FAQs**):

https://geotracker.waterboards.ca.gov/regulators/geotracker_faq.asp

- 8) How to develop a record/case(**DATA ENTRY TUTORIALS**):

<https://geotracker.waterboards.ca.gov/regulators/tutorial/>

9) How to create a URF(**DATA ENTRY TUTORIALS**):

<https://geotracker.waterboards.ca.gov/regulators/tutorial/>

Section 5 tutorial is on line at:

<https://geotracker.waterboards.ca.gov/regulators/>

Found in “Other Tools,” “Help/Tutorials,” and “FAQs.”

As a historical note we used to have data uploads from 5 LOPs (Alameda, Orange, San Mateo, Santa Clara, San Diego). These were too cumbersome and the upload would overwrite existing data. GeoTracker was improved and LOP uploads discontinued.

Note: The “Required Fields” in red below will be used to determine contract compliance.

GeoTracker Screen	GeoTracker Field Name	Field Certified
Project Information	Site Type	
Project Information	Status	
Project Information	Status Date	
Project Information	Funding for Cleanup	
Project Information	File Location	
Project Information	RP Identification	
Project Information	Site History	
Project Information	Case Number	
Project Information	Cleanup Oversight Agency	
Project Information	Lead Agency	
Project Information	Lead Date	
Project Information	Latitude/Longitude	
Risk Information	Release Type	
Risk Information	Contaminant(s) of Concern	
Risk Information	Redevelopment Planned (Yes/No)	
Risk Information	Current Land Use	
Risk Information	Beneficial Use	
Risk Information	Potential Media of Concern	
Risk Information	# Impacted Drinking Water Wells	
Risk Information	Report Date	
Risk Information	Discharge Cause	
Risk Information	Discharge Source	
Facility / Site Address	Is this Project a Residence	
Facility / Site Address	Project Name	
Facility / Site Address	Street #	
Facility / Site Address	Street Name / Location	
Facility / Site Address	City	
Facility / Site Address	Zip	
Facility / Site Address	County	

GeoTracker Screen	GeoTracker Field Name	Field Certified
Contacts / Search to Add Contact	Regional Board Contact	
Contacts / Search to Add Contact	Legally Named Responsible Party Board Contact	
Contacts / Search to Add Contact	Responsible Party Contact Responsible Party	
Contacts / Search to Add Contact	Oversight Agency Contact	
Contacts / Search to Add Contact	Begin Date (for each contact) Oversight Agency and Regional Board Contact	
Contacts/Search to Add	End Date (for each contact that is historical)	
Activity Report/Regulatory Action	Type (Deed Restriction, CAOs, MRPs, 13267 Letters, etc.)	
Activity Report/Regulatory Action	Issue Date Type (Deed Restriction, CAOs, MRPs, 13267 Letters, etc.)	
Activity Report/Regulatory Action	Type (Workplans, Reports, Other) Issue Date	
Activity Report/Regulatory Action	Received Date Type (Workplans, Reports, Other)	
Activity Report/Regulatory Action	Reviewed (Y/N)	
Cleanup Action/Insert New	Method	
Cleanup Action/Insert New NewCleanup Action/Insert New	Removal / Remedial Method	
Cleanup Action/Insert New NewCleanup Action/Insert New	Action Begin Date Removal / Remedial	
Cleanup Action/Insert New NewCleanup Action/Insert New	Action End Date Action Begin Date	
Cleanup Action/Insert New NewCleanup Action/Insert New	Est. Completion Date Action End Date	
Cleanup Action/Insert New NewCleanup Action/Insert New	Treated Phase Est. Completion Date	
Cleanup Action/Insert New NewCleanup Action/Insert New	Volume Treated Treated Phase	
Cleanup Action/Insert New NewCleanup Action/Insert New	Contaminant Mass Removed Volume Treated	

GeoTracker Screen	GeoTracker Field Name	Field Certified
Community Involvement	Public Participation Category/Date	
Community Involvement	Public Participation Description Public Participation Category/Date	
Community Involvement	Public Participation/Document Type/Date	
Project IDs/Names/APNs	Project ID Type	
Site Documents	Upload to New Regulatory Action	
Site Documents	Upload RP/3rd Party Document	

SUMMARY:

Are Required Fields Current and Correct? Yes: _____ No: _____ *

*If no, please indicate which are Current and Correct for your case load and complete the Quarterly Summary Reports as necessary and submit electronically in pdf format to:

George Lockwood, Program Manager Jenniffer Jorden, Program Analyst
glockwood@waterboards.ca.gov jjorden@waterboards.ca.gov

I certify the above information entered into GeoTracker is true and accurate:

Signature

Title

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SECTION 6

REMEDIAL ACTION COMPLETION CERTIFICATION FORM

[Date]

[Case File Number]

Dear [Responsible Party]:

This letter confirms the completion of a site investigation and corrective action for the underground storage tank(s) formerly located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tank(s) are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, this agency finds that the site investigation and corrective action carried out at your underground storage tank(s) site is in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and with corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code and that no further action related to the petroleum release(s) at the site is required.

This notice is issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code. Please contact our office if you have any questions regarding this matter.

Sincerely,

(Name of Local Agency Director, Board Executive Director or Regional Board Executive Officer)

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SECTION 7

Report of Crime on State Property Form (STD Form 99)

See the following link, California Highway Patrol Report of Crime on State Property Form (STD Form 99):

http://www.chp.ca.gov/pdf/std_99.pdf

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SECTION 8

Notice of Responsibility Form

Agency Name _____

Site Code _____
Date First Reported ____/____/____
Site Name _____
Substance _____
Address _____
City/State/Zip _____
Federal () State ()
Responsible Party _____
Responsible Party Contact _____
Address _____
City/State/Zip _____

Pursuant to sections 25297.1 and 25297.15 of the Health and Safety Code, you are hereby notified that the above site has been placed in the Local Oversight Program and the individual(s) or entity(ies) shown above, or on the attached list, has(have) been identified as the party(ies) responsible for investigation and cleanup of the above site. Section 25297.15 further requires the primary or active Responsible Party to notify all current record owners of fee title before the local agency considers cleanup or site closure proposals or issues a closure letter. For purposes of implementing section 25297.15, this agency has identified _____ as the primary or active Responsible Party. It is the responsibility of the primary or active Responsible Party to submit a letter to this agency within 20 calendar days of receipt of this notice which identifies all current record owners of fee title. It is also the responsibility of the primary or active Responsible Party to certify to the local agency that the required notifications have been made at the time a cleanup or site closure proposal is made or before the local agency makes a determination that no further action is required. If property ownership changes in the future, you must notify this local agency within 20 calendar days from when you are informed of the change.

Any action or inaction by this local agency associated with corrective action, including responsible party identification, is subject to petition to the State Water Resources Control Board. Petitions must be filed within 30 days from the date of the action/inaction. To obtain petition procedures, please FAX your request to the State Water Board at (916) 341-5808 or telephone (916) 341-5752.

Pursuant to section 25299.37(c)(7) of the Health and Safety Code, a responsible party may request the designation of an administering agency when required to conduct corrective action. Please contact this office for further information about the site designation process.

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SECTION 9

Case Closure Summary Form Leaking Underground Fuel Storage Tank Program

I. Agency Information

Date:

Agency Name:	Address:
City/State/Zip:	Phone:
Responsible staff person:	Title:

II. Case Information

Site Facility Name:		
Site Facility Address:		
RB LUSTIS Case No:	Local Case No:	LOP Case No:
URF filing date:	SWEEPS No:	
Responsible Parties	Addresses	Phone Numbers

Tank No.	Size In Gal.	Contents	Closed-In Place/Removed?	Date
1				
2				
3				

III. Release and Site Characterization Information

Cause and type of release:		
Site characterization complete? Yes No	Date approved by oversight agency:	
Monitoring wells installed? Yes No	Number:	Proper screened interval? Yes No
Highest GW depth below ground surface:	Lowest Depth:	Flow direction:
Most Sensitive Current Use:		
Are drinking water wells affected? Yes No	Aquifer Name:	
Is surface water affected? Yes No	Nearest/affected SW name:	
Off-site beneficial use impacts (addresses, locations):		
Report(s) on file? Yes No	Where is report filed?	

Treatment and Disposal of Affected Material			
Material	Amount (include units)	Action (Treatment or Disposal w/ Destination)	Date

Tank			
Piping			
Free Product			
Soil			
Groundwater			
Barrels			

III. Release and Site Characterization Information (Continued)

Maximum Documented Contaminant Concentrations – Before and After Cleanup									
Contaminant	Soil (ppm)		Water (ppm)		Contaminant	Soil (ppm)		Water (ppm)	
	Before	After	Before	After		Before	After	Before	After
TPH (Gas)					Xylene				
TPH (Diesel)					Ethylbenzene				
Benzene					Oil & Grease				
Toluene					Heavy Metals				
MTBE					MTBE				
Comments (Depth of Remediation, etc.):									

IV. Closure

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? Yes No		
Does completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? Yes No		
Does corrective action protect public health for current land use? Yes No		
Site management requirements:		
Should corrective action be reviewed if land use changes? Yes No		
Monitoring wells Decommissioned: Yes No	Number Decommissioned:	Number Retained:
List enforcement actions taken:		

List enforcement actions rescinded:

V. Local Agency Representative Data

Name:	Title:
Signature:	Date:

VI. RWQCB Notification

Date submitted to RB:	RB Response:	
RWQCB Staff Name	Title:	Date:

VII. Additional Comments Data, etc.

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SECTION 10

SCHEDULE OF REPORTING DATES

DESCRIPTION & REFERENCE	SUBMITTED TO	DUE DATE/INFORMATION
Financial		
Invoice	State Water Board	No more frequently than monthly and no less frequently than quarterly. (Note: Final Invoice must be submitted by July 31.)
Site Related		
Responsible Party Insolvent or Recalcitrant	GeoTracker	Upon notification from Responsible Party must be submitted to GeoTracker by entering data on Internet screens.
Notification of Responsibility	GeoTracker	Real time following issuance of that notification of responsibility was mailed to the responsible party must be submitted to GeoTracker by entering data on Internet screens.
Directive letter	GeoTracker	Real Time following issuance of a letter directing the Responsible Party to submit information pertaining to the planning or scheduling or performance of work, that letter must be submitted to GeoTracker by entering data on Internet screens.
Remedial Action Completion Certification and Case Closure Summary	GeoTracker Regional Board	Following certification by Contractor. Date that the Remedial Action completion letter was signed by the Environmental Health Director along with the actual documents must be submitted to GeoTracker by entering data on Internet screens.
Beneficial Use Concurrence	Regional Board	During site investigation. (In cases where ground water is at risk, the current and potential beneficial uses of affected areas and contiguous surface and ground water must be determined and the

		Regional Board must concur.)
Correspondence	Regional Board	All correspondence between Contractor and operator/owner or their consultants unless directed otherwise by Regional Board. For Responsible Party prepared reports and letters, the Contractor may direct correspondence be copied to the Regional Board.
Lead Status Referral	GeoTracker	Within 10 days following agreement by Contractor and Regional Board to refer lead status for a case to the Regional Board must be submitted to GeoTracker by entering data on Internet screens or weekly uploads of LUFT data.
Relinquish Responsibility for Oversight of UST Releases	GeoTracker	Within 10 days of relinquishing responsibility.
Administrative		
Quarterly Report Summary	GeoTracker	No later than the 15 th day of the month following end of quarter. (Note: LUFT data must also be submitted to GeoTracker by entering data “real-time” on Internet screens.)
Training Certification Summary	State Water Resources Control Board	May be submitted with Invoicing as described above.

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SECTION 11

State Water Resources Control Board Resolution No. 88-23 'Excerpt'

REVIEW BY STATE BOARD OF ACTION OR FAILURE TO ACT BY LOCAL AGENCIES

- (1) Applicability. This section establishes the procedures by which a responsible party or other aggrieved person may petition the State Board for review of the action or decision a local agency made as part of that local agency's participation in the pilot program. Actions or decisions made by local agencies independent of their participation in the pilot program, and actions or decisions of local agencies that are not participating in the pilot program, are not subject to review by the State Board under this section.

- (2) Petitions. Any responsible party or other aggrieved person may petition the State Board for review of an action or decision of a local agency, including a local agency's failure to act, as part of the pilot program.
 - (A) The petition shall be submitted in writing and received by the State Board within 30 days of the action or decision of the local agency. In the case of a failure to act, the 30-day period shall commence upon refusal of the local agency to act, or 60 days after the request has been made to the local agency to act. The State Board will not accept any petition received after the 30-day period for filing petitions but the State Board may, on its own motion, at any time review any local agency's action or failure to act.

 - (B) The petition shall contain the following:
 - (1) The name and address of the petitioner;
 - (2) The specific action or inaction of the local agency which the State Board is requested to review;
 - (3) The date on which the local agency acted or refused to act or on which the local agency was requested to act;
 - (4) A full and complete statement of the reasons the action or failure to act was inappropriate or improper;
 - (5) The manner in which the petitioner is aggrieved;
 - (6) The specific action by the State Board or the local agency which the petitioner requests;
 - (7) A statement of points and authorities in support of legal issues raised in the petition;

- (8) A list of persons, if any, other than the petitioner, known by the local agency to have an interest in the subject matter of the petition. Such list shall be obtained from the local agency;
 - (9) A statement that the petition has been sent to the local agency, the appropriate Regional Board, and to any responsible parties other than the petitioner, known to the petitioner or the local agency;
 - (10) A copy of the request to the local agency for preparation of the local agency record.
- (C) If petitioner requests a hearing for the purpose of presenting additional evidence, the petition shall include a statement that additional evidence is available that was not presented to the local agency or that evidence was improperly excluded by the local agency. A detailed statement of the nature of the evidence and the facts to be proved shall also be included. If evidence was not presented to the local agency, the reason it was not presented shall be explained. If the petitioner contends that evidence was improperly excluded, the request for a hearing shall include a specific statement of the manner in which the evidence was excluded improperly.
- (D) Upon receipt of a petition which does not comply with this subdivision, the petitioner will be notified in what respect the petition is defective and the time within which an amended petition may be filed. If a properly amended petition is not received by the State Board within the time allowed, the petition shall be dismissed unless cause is shown for an extension of time.
- (E) The State Board may dismiss the petition at any time if the petition is withdrawn or the petition fails to raise substantial issues that are appropriate for review.
- (3) Responses. Upon receipt of a petition which complies with subdivision (2), the State Board shall give written notification to the petitioner, the responsible party or parties, if not the petitioner, the local agency, the Regional Board, the Toxic Substances Control Division Office of Legal Counsel in the Department of Health Services, and other interested persons that they shall have 20 days from the date of mailing such notification to file a response to the petition with the State Board. Respondents to petitions shall also send copies of their responses to the petitioner and the local agency, as appropriate. The local agency shall file the record specified in paragraph (B)(10) of subdivision (2) within this 20-day period. Any response which requests a hearing by the State Board shall comply with paragraph (C) of subdivision (2). The time for filing a response may be extended by the State Board. When a review is undertaken on the State Board's own motion, all affected persons known to the State Board shall be notified and given an opportunity to submit information and comments, subject to such conditions as the State Board may prescribe.

- (4) Proceedings before the State Board. After review of the record, the State Board may deny the petition or grant the petition in whole or in part.
- (A) The State Board may order one or more proceedings which are legally or factually related to be considered or heard together unless any party thereto makes a sufficient showing of prejudice.
 - (B) The State Board may, in its discretion, hold a hearing for the receipt of additional evidence. If a hearing is held, the State Board shall give reasonable notice of the time and place and of the issues to be considered to the responsible party or parties, if not the petitioner, the local agency, any interested persons who have filed a response to the petition pursuant to subdivision (3) and such other persons as the State Board deems appropriate. The State Board in its discretion may require that, not later than ten days before the hearing, all interested parties intending to participate shall submit to the State Board in writing the name of each witness who will appear, together with a statement of the qualifications of each expert witness who will appear, the subject of the proposed testimony, and the estimated time required by the witness to present direct testimony. The Board may also require that copies of proposed exhibits be supplied to the State Board not later than ten days before the hearing.
 - (C) The State Board may discuss a proposed order in a public workshop prior to final action at a State Board meeting. At the workshop meeting, the State Board may invite comments on the proposed order from interested persons. These comments shall be based solely upon factual evidence contained in the record or upon legal argument.
 - (D) The evidence before the State Board shall consist of (i) the record before the local agency; (ii) any evidence admitted by the State Board at a hearing and (iii) any other relevant evidence which, in the judgment of the State Board, should be considered to effectuate and implement the pilot program. Upon the close of a hearing, the presiding officer may keep the hearing record open for a definite time, not to exceed thirty days, to allow any party to file additional exhibits, reports or affidavits. If any person desires to submit factual evidence not in the local agency record or hearing record, and the proposed order will be discussed at a workshop meeting such person may take this request to the State Board prior to or during the workshop. This request shall include a description of the evidence, and a statement and supporting argument that the evidence was improperly excluded from the record or an explanation of the reasons why the factual evidence could not previously have been submitted. If the State Board in its discretion approves the request, the evidence must be submitted in writing by the person requesting consideration of the evidence to the State Board, and to any other interested person who filed

the petition or a response to the petition, within five days of such approval. The evidentiary submittal shall be accompanied by a notification that other interested parties shall be allowed an additional five days from the submittal date to file responsive comments in writing. A copy of the notification shall be filed with the State Board.

(E) Any order granting or denying the petition will be adopted at a regularly scheduled State Board meeting. At the meeting the State Board may invite comments on the matter from interested persons. These comments shall be based solely upon factual evidence contained in the record, including any evidence accepted by the State Board pursuant to paragraph (D), or legal argument. No new factual evidence shall be submitted at the State Board meeting. If new legal argument is to be submitted at the State Board meeting, this argument is to be filed in writing with the State Board and other interested persons at least five working days prior to the State Board meeting in order for such argument to be considered by the State Board.

(F) An order adopted by the State Board may:

- (i) Deny the petition upon a finding that the action or failure to act of the local agency was appropriate and proper;
- (ii) Set aside or modify the local agency's action;
- (iii) Direct the local agency to take appropriate action; or
- (iv) Request appropriate action by the Regional Board or the Department of Health Services.

(G) If the State Board does not adopt an order or dismiss the petition within 270 days of written notification provided in subdivision (C), the petition is deemed denied. This time limit may be extended for a period not to exceed 60 days by written agreement between the State Board and the petitioner.

(5) Stay Orders. The State Board may stay in whole or in part, pending final disposition of any petition or any proceedings for review on the State Board's own motion, the effect of the action or decision of the local agency. The filing of a petition shall not operate as a stay of the local agency's action or decision, or effect of the local agency's authority to implement or amend that action or decision, unless a stay is issued by the State Board.

(A) A stay order may be issued upon petition of an interested person, or on the State Board's own motion. The stay order may be issued by the State Board, upon notice and a hearing, or by the State Board's Executive Director. If the stay order is issued by the Executive Director, the State Board shall conduct a hearing within 60 days after the stay order is issued by the Executive Director, to consider whether the stay order should be

rescinded or modified, unless the State Board makes final disposition of the petition within that 60-day period. A request for a stay may be denied without a hearing.

- (B) A petition for a stay shall be supported by affidavit of a person or persons having knowledge of the facts alleged. The requirement of an affidavit may be waived by the State Board in case of an emergency. A petition for a stay will be denied unless the petitioner alleges facts and produces proof of:
 - (i) Substantial harm to petitioner or to the public interest if a stay is not granted;
 - (ii) A lack of substantial harm to other interested persons and or the public interest if a stay is granted;
 - (iii) Substantial questions of law or fact regarding the action or decision of the local agency.

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SECTION 12

Cap Rate Definition and Example Calculation

SEE ATTACHED SECTION 12 CAP RATE CALC.XLS

(i) (1) For purposes of this section, site-specific oversight costs include only the costs of the following activities, when carried out by the staff of a local agency or the local agency's authorized representative, that are either technical program staff or their immediate supervisors:

- (A) Responsible party identification and notification.
- (B) Site visits.
- (C) Sampling activities.
- (D) Meetings with responsible parties or responsible party consultants.
- (E) Meetings with the regional board or with other affected agencies regarding a specific site.
- (F) Review of reports, workplans, preliminary assessments, remedial action plans, or post remedial monitoring.
- (G) Development of enforcement actions against a responsible party.
- (H) Issuance of a closure document.

(2) The responsible party is liable for the site-specific oversight costs, calculated pursuant to paragraphs (3) and (4), incurred by a local agency, in overseeing any cleanup, abatement, or other action taken pursuant to this section to remedy an unauthorized release from an underground storage tank.

(3) Notwithstanding the requirements of any other provision of law, the amount of liability of a responsible party for the oversight costs incurred by the local agency and by the board and regional boards in overseeing any action pursuant to this section shall be calculated as an amount not more than 150 percent of the total amount of the site-specific oversight costs actually incurred by the local agency and shall not include the direct or indirect costs incurred by the board or regional boards.

(4)

(A) The total amount of oversight costs for which a local agency may be reimbursed shall not exceed one hundred fifteen dollars (\$115) per hour, multiplied by the total number of site-specific hours performed by the local agency.

(B) The total amount of the costs per site for administration and technical assistance to local agencies by the board and the regional board entering into agreements pursuant to subdivision (b) shall not exceed a combined total of thirty-five dollars (\$35) for each hour of site-specific oversight. The board shall base its costs on the total hours

of site-specific oversight work performed by all participating local agencies. The regional board shall base its costs on the total number of hours of site-specific oversight costs attributable to the local agency that received regional board assistance.

(C) The amounts specified in subparagraphs (A) and (B) are base rates for the 1990-91 fiscal year. Commencing July 1, 1991, and for each fiscal year thereafter, the board shall adjust the base rates annually to reflect increases or decreases in the cost of living during the prior fiscal year, as measured by the implicit price deflator for state and local government purchases of goods and services, as published by the United States Department of Commerce or by a successor agency of the federal government.

(5) In recovering costs from responsible parties for costs incurred under this section, the local agency shall prorate any costs identifiable as startup costs over the expected number of cases that the local agency will oversee during a 10-year period. A responsible party who has been assessed startup costs for the cleanup of any unauthorized release that, as of January 1, 1991, is the subject of oversight by a local agency, shall receive an adjustment by the local agency in the form of a credit, for the purposes of cost recovery. Startup costs include all of the following expenses:

(A) Small tools, safety clothing, cameras, sampling equipment, and other similar articles necessary to investigate or document pollution.

(B) Office furniture.

(C) Staff assistance needed to develop computer tracking of financial and site-specific records.

(D) Training and setup costs for the first six months of the local agency program.

(6) This subdivision does not apply to costs that are required to be recovered pursuant to Article 7.5 (commencing with Section 25385) of Chapter 6.8.

(j) (1) Notwithstanding subdivisions (a) and (b), the board may enter into an agreement with a local agency and the Santa Clara Valley Water District to implement the local oversight program in Santa Clara County.

(2) Paragraph (1) shall remain operative only until June 30, 2005.

(3) The in-operation of paragraph (1) does not affect the validity of any action taken by the Santa Clara Valley Water District before June 30, 2005, and does not provide a defense for an owner, operator, or other responsible party who fails to comply with that action.

(k) If the board enters into an agreement with a local agency and the Santa Clara Valley Water District to implement the local oversight program in Santa Clara County, pursuant to subdivision (j), the board may provide funding to the Santa Clara Valley Water District pursuant to subdivision (d) of Section 25299.51 for oversight costs incurred by the district on and after July 1, 2002, to June 30, 2005.