Public Comment Petition of Zief Foundation Deadline: 3/28/14 by 12:00 noon

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#### ROGERS JOSEPH O'DONNELL

March 5, 2014

#### VIA E-MAIL AND FEDERAL EXPRESS

jtownsend@waterboards.ca.gov

Jeanine Townsend Clerk of the Board State Water Resources Control Board 1001 I Street, 24th Floor Sacramento, CA 95814

> Re: Initial Comments of Chevron U.S.A. Inc. – Petition of Zief Foundation, Proposed Order Directing Reopening of Underground Storage Tank (UST) Case and Further Corrective Action at Former Chevron Service Station Located at 2009 South El Camino Real, San Mateo, Case No. <u>9-7863 dated February 20, 2014 – April 1, 2014 Board Meeting</u>

Dear Ms. Townsend:

I write to provide the initial comments of Chevron U.S.A. Inc. ("Chevron") on the State Water Resources Control Board's Proposed Order Directing Reopening of Underground Storage Tank (UST) Case and Further Corrective Action at Former Chevron Service Station Located at 2009 South El Camino Real, San Mateo, Case No. 9-7863 dated February 20, 2014 ("Draft Order").

The Draft Order grants the Arthur Zief, Jr. Foundation's February 15, 2011, Petition, which sought review of San Mateo County Health System's (Groundwater Protection Program) ("County") January 18, 2011, Case Closure letter stating that no further action is required at a former Chevron-branded service station property located at 2009 S. El Camino Real, San Mateo. The Draft Order recognizes that the Petition was deemed denied because the State Water Board failed to act on it within 270 days. (Health and Safety Code § 25297.1(d)(3), Water Code § 13320, and State Water Board Resolution 88-23; *See also* 23 California Code of Regulations § 2050.5(b).)

The Draft Order does not acknowledge that in December 2013 Chevron, with the approval of the City of San Mateo and Petitioner, undertook significant work to eliminate groundwater from entering the sump on the Petitioner's property.<sup>1</sup>

Nor does the Draft Order acknowledge that the City, Petitioner and Chevron have agreed to a schedule of confirmation sampling over the next twelve months to evaluate whether this work successfully eliminated groundwater from entering the sump. Pending

<sup>1</sup> The Draft Order repeatedly states that this work has not been conducted, which is not correct. (Order, pp. 10, 12, 13.)

RECEIVE 3-5-14 SWRCB Clerk

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this confirmation, the sump continues to discharge to the City's sanitary sewer system, where it undergoes treatment. The effluent from the sump is well within limits of the discharge permit issued by the City to Chevron, as it has been since the permit was first issued in 1998.

I have attached the following documents concerning the implementation of the work that was completed in December, and the agreements reached among the stakeholders (Petitioner, the City of San Mateo and Chevron) concerning the work that has been implemented and the confirmation sampling schedule:

<u>Exhibit 1</u> :	Letter from Brandon Wilken, Conestoga-Rovers & Associates ("CRA"), to Larry A. Paterson, San Mateo Department of Public Works. This letter includes the approved storm water construction design (Attachment A) and the City of San Mateo Building Permit (Attachment B).
<u>Exhibit 2</u> :	Email from Ray Towne, Acting Director, San Mateo Department of Public Works, dated November 8, 2013, to multiple recipients, transmitting October 24, 2013, Meeting Notes.
<u>Exhibit 3</u> :	Email from Ray Towne, Acting Director, San Mateo Department of Public Works, dated November 22, 2013, to multiple recipients, transmitting November 22, 2013, Meeting Notes.
<u>Exhibit 4</u> :	Self-Monitoring Report – Fourth Quarter 2013, dated January 30, 2014 This report includes confirmation that construction to replace the sump and storm water conveyance system was completed December 23, 2013. <sup>2</sup>

In addition, we are unaware of any authority that permits the State Water Board to revive a petition that has been deemed denied. Here, the State Water Board acknowledged receipt of the Petition on March 9, 2011, meaning that the Petition was deemed denied on December 5, 2011. (Health and Safety Code § 25297.1(d)(3), Water Code § 13320, State Water Board Resolution 88-23; *See also* 23 California Code of Regulations § 2050.5(b).)) This denial then triggered the time for Petitioner to seek review of the State Water Board's action by filing a petition for writ of mandate. (Water Code § 13330(a); *See also* Health and Safety Code § 25296.40(b)). Petitioner did not file a petition for writ of mandate challenging the denial. The denial of the Petition is thus final. The Draft Order states that the State Water Board is "reviewing the petition on its own motion," relying on Resolution 88-23. Resolution 88-23 allows the State Water Board to "review any local agency's action or failure to act" "on its own motion," but it does not provide for a petition to be revived more

 $<sup>^{2}</sup>$  There are additional factual and legal errors in the Draft Order that will be further discussed in subsequent comments, if necessary.

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than two years after its denial. In addition, we are aware of no authority that allows the State Water Board to review a local agency action more than three years after the action was taken, and two years after having denied a petition challenging that action.

Notwithstanding these issues, Chevron recognizes the value in having the Local Oversight Program, the County, involved in the evaluation of the work that Chevron has implemented to isolate Petitioner's storm drain system, and to continue its oversight role for this site, including evaluating any future closure request. Thus, Chevron has requested that the County reopen this case. A copy of a letter dated March 5, 2014, from Brian Waite of Chevron Environmental Management Company to Charles Ice of the County making this request is attached as Exhibit 5.

Currently, the State Water Board is scheduled to consider adoption of the Draft Order at a public meeting scheduled for Tuesday April 1, 2014. Given the additional information included in this letter that was not considered in preparing the Draft Order, and Chevron's request that the County reopen this case, Chevron respectfully requests that the State Water Board remove the Draft Order from its April 1, 2014, calendar. Chevron is also willing to meet with State Water Board staff and the stakeholders (Petitioner, the City, and the County) to further discuss the site, if State Water Board staff believes that is appropriate.

We very much appreciate your consideration of these comments and our request that this matter be removed from the State Water Board's April 1, 2014, calendar. Chevron anticipates the submission of additional comments before the stated deadline of 12:00 p.m. on Friday, March 28, 2014, and plans to appear to provide testimony at the hearing on April 1, 2014, if the matter is considered by the State Water Board at its April 1, 2014, meeting.

Please contact me or my colleague Kevin Shipp if you have any questions.

Thank you.

Very truly yours, NOBERT C. GOODMAN

Enclosures

cc (via *e-mail*):

Nathan Jacobsen, Esq. Herman I. Kalfen, Esq., counsel for Petitioner Charles Ice – San Mateo County Groundwater Protection Program Mr. Larry Patterson – City Manager, City of San Mateo

## **EXHIBIT 1**



5900 Hollis Street, Suite A Emeryville, California 94608 Telephone: (510) 420-0700 http://www.craworld.com

Fax: (510) 420-9170

Reference No. 311544

Mr. Larry Patterson City of San Mateo Department of Public Works Director 330 West 20<sup>th</sup> Avenue San Mateo, California 94403

Re: Former Chevron Service Station #97863 20 East 20<sup>th</sup> Avenue San Mateo, California Facility ID: 20<sup>th</sup> East 20<sup>th</sup> Avenue Site

Dear Mr. Larry Patterson:

Conestoga-Rovers & Associates (CRA), on behalf of Chevron Environmental Management Company (CEMC), submits this letter in response to your letter dated September 3, 2013, regarding *Discharges from Sump Pump at East 20th Avenue, San Mateo* (Attachment A). Among other things, the City of San Mateo (City) directed that CEMC "eliminate both groundwater and storm water discharges into the sanitary sewer collection system" at the Zief Family Trust building located at 20 E. 20th Street, San Mateo (Zief Property). The letter further required that Chevron "demonstrate to the City's satisfaction that future discharge of groundwater" meets either the Municipal Regional Stormwater NPDES permit, or a newly issued NPDES permit. Finally, the letter stated that before discharging storm water from the referenced property Chevron must "demonstrate to the City's satisfaction that the stormwater has been sufficiently isolated from all sources of contaminated groundwater[.]"

As a preliminary matter, neither CRA nor CEMC proposes to discharge groundwater or storm water to the City's storm drainage system. The owner of the Zief Property operates the storm sewer connections at the Zief Property. The owner of the Zief Property is thus responsible for any discharges from its building to the City's storm drainage system, and would be responsible for complying with the City's directives that the effluent comply with the Municipal Regional Stormwater NPDES Permit or an unspecified NPDES permit. We note that the Zief Property storm water system is associated with a parking structure and that San Mateo Municipal Code Section 7.39.120 already requires that the property owner clean its parking structure "as frequently and thoroughly as practicable in a manner that does not result in discharge of pollutants to the City storm drain system."

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Reference No. 311544

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We recognize that there is a potential for groundwater to enter the Zief Property storm water system. Since August 1998, the storm water system at the Zief Property has been plumbed to the sanitary sewer and discharged pursuant to a permit (or extension of the permit) issued to CRA and CEMC. Monitoring of the influent to the sanitary sewer system has always met the limits set in the permit. The influent primarily contains storm water runoff from the parking structure.

After the City initially required that the building's storm water system be re-connected to the City's storm drainage system, CRA prepared plans to upgrade the storm water system at the Zief Property to eliminate potential intrusion of groundwater into the building's storm water system. CRA's storm water system construction design was based primarily, but not exclusively, on data presented in the following reports and meetings:

CRA's, September 30, 2011, Report of Findings CRA's, October 31, 2011, Report of Findings Addendum CRA's, January 13, 2012, Response Letter CRA's, March 30, 2012, Report of Findings Addendum 2 CRA's, May 10, 2012, Report of Finding Addendum 3 Onsite meeting with the Representatives from the City, Zief Family Trust, and CEMC and contractors on June 11, 2012 CRA's, June 27, 2012, Response to FHAR Impacts Memo – May 31, 2012 CRA's, September 13, 2012, Pre-Construction Punch List Memo – August 21, 2012 CRA's, February 8, 2013, Storm Water System Technical Memorandum CRA's, April 18, 2013, Response Letter CRA's, July 29, 2013, Self-Monitoring Report-Second Quarter 2013

CRA's plans called for all existing conveyance piping and catch basins upgradient of the sump to be exposed, removed or capped in place, and new piping to be installed. The existing sump and trench drain at the base of the driveway would be coated with a water sealant (Xypex<sup>®</sup>) to mitigate groundwater infiltration. The plans contemplated that the building's storm water system would remain connected to the sanitary sewer pending confirmation sampling demonstrating that groundwater infiltration had been effectively eliminated.

The City's Public Works Department approved these plans in August and September 2012. The City's Building Department approved these plans in November 2012, although the Building Department required that the storm water system be connected to the City's storm drainage system following completion of this work (without the originally proposed confirmation sampling). A copy of the approved plan is presented as Attachment B. CRA continues to



Reference No. 311544

believe that the Zief Property storm water system should remain connected to the sanitary sewer, pending completion of the confirmation sampling.

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The owner of the Zief Property refused to allow CEMC to have access to the property to implement this work. CEMC immediately sought the assistance of your office in obtaining access in October 2012, culminating in a meeting with you on June 17, 2013. (Your September 3, 2013, letter was the first communication we received from the City since that meeting.)

After receiving your September 3, 2013, letter, CRA took steps to implement the approved plans. On October 4, 2013, the City's Building Department issued a permit to CRA's subcontractor, Cornerstone Environmental Contractors, to implement the work. A copy of the permit is presented as Attachment C. CRA has arranged for its subcontractor to begin implementation of the referenced plans starting the week of December 2, 2013, and anticipates that the work will be completed within 15 working days. Following completion of the work, CRA will reconnect the Zief Property's storm water system to the City's storm drainage system, as required by the Building Department, and further responsibility for any discharge from the building's storm water system will be the responsibility of the property owner. However, as noted above, CRA believes that the Zief Property storm water system should remain connected to the sanitary sewer, pending completion of the confirmation sampling.

Your letter also requested information on the Zief Property's elevator pit. On March 17, 2012, CRA and the City inspector inspected the wet well located adjacent to the elevator on the FHAR property. The wet well is approximately 1.5 feet in diameter, water was measured at approximately 1 foot below grade (fbg), and the total depth was 7.21 fbg. The wet well is not connected to the storm water system. The pavement in the vicinity of the wet well is pitched so water and debris flow toward it and small bits of debris were observed floating on the water in the wet well; therefore, surface water can infiltrate the well lid. This wet well was reportedly installed during the construction of the elevator shaft at the FHAR building in 2005 and is owned by the Zief Family Trust. The wet well was reportedly used to lower the groundwater table in the vicinity of the elevator shaft to allow for its construction. CRA recommended that the property owner address the infiltration of surface water to their wet well by capping it with a sealed well box to stop storm water from entering the groundwater table beneath their building.

In sum, CEMC has proposed to undertake all practicable measures to eliminate the intrusion of petroleum-impacted groundwater into the Zief Property's storm water system. CEMC has notified the owner of the Zief Property that CRA and its subcontractor intend to commence



Reference No. 311544

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work during the week of December 2, 2013. If the property owner will not allow CRA to implement these plans, it will be impossible for CEMC to disconnect the storm water system at the Zief Property from the City's sanitary sewer collection system and to eliminate groundwater from entering the Zief Property's storm water system. Because CEMC does not control any point source associated with the Zief Property any further directives relating to discharges from the Zief Property should be directed to the owner of the property.



Reference No. 311544

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If you have any questions regarding the contents of this document, please call Mr. Brandon Wilken at (925) 849-1001 or Ms. Catalina Espino Devine at (925) 790-3949.

Sincerely,

CONESTOGA-ROVERS & ASSOCIATES



Brandon S. Wilken, PG 7564

BW/mws/2

CC:

Attachment A	Regulatory Correspondence
Attachment B	Approved Storm Water Construction Design
Attachment C	City of San Mateo Building Permit

Ms. Catalina Espino Devine, CEMC (electronic only)

Mr. Todd Littleworth, CEMC (*electronic only*)

Mr. Robert Goodman, Rogers Joseph O'Donnell (*electronic only*)

Mr. Dave Curson, FHAR, Inc. (*electronic only*)

Mr. Herman Kalfen, Esq. Kalfen Law Corporation (electronic only)

Ms. Gabrielle Whelan, City of San Mateo (electronic only)

#### ATTACHMENT A

#### REGULATORY CORRESPONDENCE



Department of Public Works Larry A. Patterson, P. E., Director 330 West 20th Avenue San Mateo, California 94403-1388 Telephone (650) 522-7300 FAX: (650) 522-7301 www.cityofsanmateo.org

par est filte d

September 3, 2013

Ms. Catalina Espino Devine Project Manager Chevron Environmental Management Company 6101 Bollinger Canyon Road San Ramon, CA 94583

Mr. Brandon Wilken Conestoga-Rovers& Associates 5900 Hollis Street, Suite A Emeryville, CA 94608

Subject:

Discharges from Sump Pump at E 20<sup>th</sup> Avenue, San Mateo

Dear Ms. Devine and Mr. Wilken:

The City of San Mateo has been working with Chevron and the property owner to reconcile the issues surrounding the discharge from the sump located at the subject property. The City's primary interests in this matter are eliminating the discharge of groundwater and stormwater to the sanitary sewer, and assuring discharges into the storm drainage system comply with the conditions of the Municipal Regional Stormwater Permit (Order R2-2009-0074). The City's interests are based upon:

- A compliance order issued to the City stemming from inadequate capacity in the sanitary sewer collection system, and
- The City's responsibilities under the Municipal Regional Stormwater Permit to implement that permit's prohibition on the discharge of contaminated stormwater and conditions governing the discharge of groundwater to the storm drainage system.

Chevron currently discharges contaminated groundwater commingled with stormwater to the City's sanitary sewer system under an extension of a Waste Discharge Permit authorized on October 22, 2012. The first Waste Discharge Permit issued to Chevron by the City in 1999, and each subsequent permit, contained a condition that Chevron eliminate the source of groundwater contamination and subsequently the discharge of groundwater to the City's sanitary sewer system. Approximately 14 years later, this still has not been accomplished and contaminated groundwater continues to be discharged from this site. On July 28, 2011, the City issued a compliance order to Chevron to eliminate stormwater discharges to the sanitary sewer. This has yet to be accomplished.

#### Letter to Chevron and Conestoga-Rovers Page 2 of 3

### The City hereby directs Chevron to eliminate both groundwater and stormwater discharges into the sanitary sewer collection system.

Chevron must develop a plan to eliminate the discharge of contaminated groundwater and stormwater from the City's sanitary sewer collection system. Based upon the water quality data presented in the Discharger Self-Monitoring Reports (1998-2012), the sump effluent quality would not meet the conditions for discharge to the storm drainage system under the Municipal Regional Stormwater Permit. Therefore authorization to discharge this waste requires a National Pollutant Discharge Elimination System (NPDES) permit from the San Francisco Bay Regional Water Quality Control Board (Regional Water Board).

Prior to discharging **groundwater** from this site to the storm drainage system, Chevron must demonstrate to the City's satisfaction that future discharge of groundwater either:

- Meet the conditions of the Municipal Regional Stormwater Permit or
- Have been authorized by a separate NPDES permit issued by the Regional Water Board.

If authorization for discharge to the storm drainage system is not obtained, Chevron must collect and remove pumped groundwater from the site to a properly licensed waste disposal facility.

Prior to discharging **stormwater** from this site, Chevron must demonstrate to the City's satisfaction that the stormwater has been sufficiently isolated from all sources of contaminated groundwater, and/or contaminated soil including moisture conveyed into the garage through the weep holes. The demonstration must:

- Identify how the sump and elevator pit have been isolated from the sources of contamination and the system (sumps and piping) has been cleaned after it has been isolated,
- Include water quality monitoring from at minimum two of storm events demonstrating hydrocarbon concentrations are below Municipal Regional Stormwater Permit thresholds.

Based on the water quality results the City may require periodic monitoring of stormwater discharges to verify the continued integrity of the system isolating stormwater from the sources of contamination.

The City will continue to work with Chevron and the property owner to facilitate communications between the parties, but ultimately Chevron is responsible for proposing a plan that is acceptable to the property owner and meets the City's requirements to protect public health and the environment.

As noted, the discharges from this location are discharged to the City's sanitary sewer system under a temporary extension of a Waste Discharge Permit that was granted on October 22, 2012, while Chevron worked to eliminate all non-sewage flows to the sanitary sewer system.

The City is hereby notifying Chevron that this temporary extension will expire on December 31, 2013. Your timely response to this notification is required.

Within 10 days of receipt of this letter, please acknowledge its receipt in writing.

Within 30 days of receipt of this letter Chevron must present its plan to the City to eliminate both groundwater and stormwater discharges into the sanitary sewer collection system.

Letter to Chevron and Conestoga-Rovers Page 3 of 3

In accordance with San Mateo Municipal Code section 7.38.440, failure to meet these compliance directives constitute a violation of Chapter 7.38 of the San Mateo Municipal Code and be subject administrative or civil penalties per Chapter 1.10 and 1.11 of the San Mateo Municipal Code.

Sincerely

Larry A. Patterson, P.E. Director of Public Works

cc:

Dave Curson FHAR Herman Kalfen, Kalfen Law Corporation Susanna Chan, Deputy Public Works Director Pete Dalla-Betta, Laboratory & Source Control Supervisor Gabrielle Whelan, Assistant City Attorney Robert C. Goodman, Rogers Joseph O'Donnell Charles Ice, County of San Mateo Russell Hansen, State Water Resources Control Board Nathan Jacobson, Office of Chief Counsel, State Water Resources Control Broad Chron/IU File

#### ATTACHMENT B

#### APPROVED STORM WATER CONSTRUCTION DESIGN





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<ul> <li>SYSTEM IN STRUCTURE SHALL BE CONDUCTED WITHOUT A FERMITT TO WORK.</li> <li>4.0 INSPECTION</li> <li>4.0 INSPECTION REQUIRE A MINIMUM 24 HOURS NOTICE. ALL FRE AND BULDING OFFANTMENT INSPECTIONS ARE TO BE REQUESTED BY THE CONTRACTOR, CONTRACTOR TO BE SPECIFIC AS TO TYPE OF</li> <li>4.0 CHANGE ORDERS</li> <li>5.0 CHANGE ORDERS</li> <li>6.1 ANY SCOPE OF WORK CHANGES OR THEMS WHICH ARISE DURING A PRE-CONSTRUCTOR STEE VIST, PERMITTING PHASE, OR CONSTRUCTOR PHASE SHALL BE COMMUNICATED TO THE ENGINEER OR HIS DESIGNATED THE GONETRUCTOR IN SECOND STEE VIST, PERMISSION AND THE GONETRUCTOR IN SCIENCING PRESENTATIVES SHALL BE OBTINED BEFORE FIELDWORK IS CONTINUED UMLESS THE DELAY PRESENTS A SAFETY RISK. THE CONTRACTOR WILL USE BEST PROFESSIONAL JUDGNEHY IN THESE CASES. A MRITTEN CHANGE ORDER PRESENTS A SAFETY OT HE SETS INTENDE OF EXPERIMENT ON HAUGHTER PRESENTS A SAFETY OT THE SETS AND TO BE EXPERIMENT ON HAUGHTER PRESENTS A SAFETY OF THE STIMULTED TO THE ENGINEER OF HIS DESIGNATED THE BEFORE THELDWORK IS CONTINUED UMLESS THE DELAY PRESENTS A SAFETY OF SETS INATION TO BE EVEN ON HAUGHTER PRESENT AND ALL DURING THE SET CASES. A MRITTEN CHANGE ORDER PERFORMED AND COST ESTIMATED TO THE ENGINEER ON HAUGHTER PERFORMED AND COST ESTIMATED TO BE EVEN ON CULTURG LABOR, EQUIPMENT, MATERIALS, NICHENTALS, NUCHENTALS, OVERHEAD, AND PROFITI SHALL BE SUBMITTED TO THE ENGINEER OR HIS DESIGNATED REPRESENTATIVE FOR APPROVAL WITHIN 3 BUSINESS DAYS OF THE CONTRACTOR'S AMARENESS THAT A CHANGE ORDER IS REQUIRED.</li> </ul>	CLEARLY WARKED SET OF "A-SHUILT DRAWINGS. CONTRACTOR SHALL NOTHY CRA IMMEDIATELY UPON IDENTIFYING POTENTIAL PROBLEMS OR DISCREPANCIES WITH PLANS, LOCATIONE LEVATION, OR OTHER DESIGN RELEARNTS. 10. CONTRACTOR SHALL BE RESPONDED TO CLEAN ANDER DEBNIS DEPOSITE PROM CONSTRUCTION OF REAR SHALL NAMER ANDER DEPOSITE PROM CONSTRUCTION OF REAR ALL STREETS DAMAGED BY CONSTRUCTION IN A TIMELY MANNER TO AVOID CREATING PHILE IN USACCES, INCOMPACING SAMD REPRIR ALL STREETS DAMAGED BY CONSTRUCTION OF REAR SHALL STREETS DAMAGED BY CONSTRUCTION OF REAR ALL STREETS DAMAGED BY CONSTRUCTION IN A TIMELY MANNER TO AVOID CREATING PHILE IN USACCES, INCOMPACINENCES, OR HAZARDS. 11. ALL UTILITIES SHALL HAVE A MINIMAL OVER OF 1, SFEET UNLESS 11. ALL UTILITIES SHALL HAVE A MINIMAL OVER OF 1, SFEET UNLESS 12. THE CONTRACTOR SHALL HAVE A MINIMAL OVER OF 1, SFEET UNLESS 13. THE CONTRACTOR SHALL USE CRANLL AR BACKFILL AND AGGREGATE BASE MATERIALS FROM A CITY APPROVED SCURCE. CONTRACTOR SHALL MATERIAL PACEMENT. CONTRACTOR SHALL NOT CHANGE MATERIAL SOURCE WITHOUT PRIOR APPROVAL FROM ENGINEER.	EQUA HOSE 24. THE C STEL PANN WEDI FOR 25. CONT HE CONT HE EROS HOSE HOSE HOSE HOSE HOSE HOSE HOSE HO	LI WITH CARL OCK FITTINGS (FEMALE CONNECTOR ON BOTH HENDS OF SUMPROTORS SWALL PROVIDE WATTER FOR CONSTITUCTION RELITED COME CONTRACTOR SHALL HAVE AREANGEMENTS FOR INDUCTION RELITED SUMPROTORS IN A REAL PROVIDENT OF THE CONSTITUCTION RELITED TO A REAL PROVIDENT OF THE CONSTITUCTION RELITED REMEMTS (ILL USE RECYCLE DWATER, ENCORACIMENT PERMIT HYDRANT USE, TANKIN, ETC), REMEMTS (ILL USE RECYCLE DWATER, ENCORACIMENT PERMIT HYDRANT USE, TANKIN, ETC), REMAIN TO AND THE RECHT, AND OFF-SITE DISPOSAL OF REMAIN TO AND THE AND CARENT CONSTITUTION OF DEFINIT CONSTRUCTIVE MATERIALS REMOVED FROM AND ADJOINING TO RECONTINGTOR SHALL BE FURNISHED AND INSTALLED BY CONTRACTOR SURROUNDING AND INFOLOMITY TO THE AREA OF REMAINSTRUCTURE MATERIALS REMOVED FROM AND ADJOINING TO RECONTINGTOR SHALL BE FURNISHED AND INSTALLED BY CONTRACTOR SURROUNDING AND INFOLOMITY TO THE AREA OF REMAINSTRUCTURE MATERIALS AREMOVED FROM AND ADJOINING TO REMAINSTRUCTURE MATERIALS AREMOVED AND INSTALLED BY CONTRACTOR SURROUNDING AND INFOLOMITY TO THE AREA OF REMAINSTRUCTURE MATERIALS AREMOVED AND INSTALLED BY CONTRACTOR SURROUNDING AND INFOLOMITY TO THE AREA OF REMAINSTRUCTURE MATERIALS AREMOVED AND INSTALLED BY CONTRACTOR SURROUNDING AND INFOLOMITY AND ADJOINING TO REMAINSTRUCTURE MATERIALS AREAD AND INFOLOMITY TO THE AREA OF REMAINSTRUCTURE AND ADDIN THE AND ADDINING TO REMAINSTRUCTURE AND ADDINAL AND INSTALLED BY REMAINSTRUCTURE AND REAL AND INFOLOMITY AND ADJOINTS TO REMAINSTRUCTURE AND ADDIN THE EXCANTED SOLITATE EFFECTIVE REMAINSTRUCTURE AND REAL AND ADDINING PROPERTIES OR RES. RES. REMAINSTRUCTURE AND REMAINSTRUCTURE ADJOINTS PROPERTIES OR RES. RES. REMAINSTRUCTURE AND REMAINSTRUCTURE ADJOINTS PROPERTIES OR RES. REMAINSTRUCTURE AND REMAINSTRUCTURE ADJOINTS PROPERTIES OR RES. RES. REMAINSTRUCTURE AND REMAINSTRUCTURE ADJOINTS TO BE PAINTED ANT THE REMAINSTRUCTURE ADJOINTS ADJOINTS TO BE PAINTED ANT THE REMAINSTRUCTURE ADDIDING ADJOINTS ADJOINTS TO BE PAINTED ANT THE REMAINSTRUCTURE ADJOINTS ADJOINTS ADJOINTS	BREINNAN No. CO41821 CIVIL BIED COMESTO GA-ROVERS COARSESTO GA-ROVERS COARSESTO GA-ROVERS COARSESTO COARSES Source Reference: Designed By: Date: Designed By: Date: D

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#### ATTACHMENT C

#### CITY OF SAN MATEO BUILDING PERMIT

	Att 6	Con Malas	[········		
(AAA)	Applicati	San Mateo on & Permit			Building Project
	330 West	20th Avenue	Project # bd201	2-244207	
	San Mateo, (650)	522-7172	PA:		-
Project					
Project Location:	, <b>()</b>		na ann an Anna ann an Anna an Anna Anna	Parcel Number:	Total Project Valuation:
1 20 Structure ID Structure	E 2011HAVE bet# Oir.	Street Name	36190 Unit # Business #	035-235-070	\$ 100,000.00
Project Re	move and replace an e	xisting storm water con	veyance system.		
Description.					
legued Data 10	/03/2013 Provin	us Lise Other	nan alamatak dana kanan kanan na bilan akalifa ta Yan na pi dalamit a dalamit a gi	Occupancy	Code UBC
Expiration Date 104	(01/2014 Pronos	ed Use Other	n an		
a - CALIFORNIA LICEN hereby alfirm under pen icense is in full force and license Class and Ag- mint Name: M. BR	SED CONTRACTOR'S DEC only of perjury that Land licens effoct. 722 *	LARATION red under provisions of Chapt 253 - A/C/	iar 9 (commencing with Section 7)	000) of Division 3 of the Busin	ness and Professions Code, and d
IS IDENTRY WORKERS WARNING: FAIL URE TO WILL FINES UP TO ONL 1906 OF THE LABOR CC WORKERS: COMPENSA- hereby affirm under per- bereby affirm under per- top of the porformance of have and will maintal antiponation instruct a carrier:	COMPENSIATION COVE SECURE WORKERS' COM HUNDRED THOUSAND D DDE, INTEREST, AND ATTC TION DECLARATION ality of perjury one of the tollo in a certificate of consum to so of the work for which this po in workers' componsation ins canter and policy number an ERAL INSS.	RAGE AND CENDING AGEN IPENSATION COVERAGE IS DLARS (\$100.000), IN ADD Wring declarations: elf-insure for workers' compe- simit is issued. Policy No.: urance, as required by Section :Policy No: Policy No:	CY: UNI AVAFUL, AND SHALL SUB THEOR TO THE COST OF COMPI INSATION, ISSUED by the Director of an 3706 of the Lobor Code, for the 22730 Ext	JEGT AN EMPLOYER TO CI ENSATION, DAMAGES AS F Industriel Relations as provid parformance of the work for pirntion Date: 3/22	PRIMINAL PENALTIES AND PROVIDED FOR IN SECTION led for by Section 3769 of the Labo which this pormit is issued. My wor
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#### FOR INSPECTION REQUESTS FOR BUILDING CALL 24 HOURS IN ADVANCE (650) 522-7170 FOR INSPECTION REQUESTS FOR FIRE, PLANNING & PUBLIC WORKS

#### CALL 48 HOURS IN ADVANCE FIRE (650) 522-7940 PLANNING (650) 522-7202 PUBLIC WORKS (650) 522-7522 EXT 6900 INSPECTION RECORD

NOTE: THIS CARD AND APPROVED PLANS MUST BE KEPT DISPLAYED IN A CONSPICUOUS PLACE ON OR IN THE BUILDING WHERE THE SAME CAN BE READILY SEEN BY THE INSPECTORS. Inspections must be called for and made as required by Section 108.2 of the Uniform Administrative Code as adopted by the City of San Mateo.

FOUNT	ATION	DATE	INGREGIUR	FIRES	PRINKLER'	DATE	morector
1400			:	A010		· · ·	
1420	PETDARVO		·····	4010	MITNESS ELLISH		
1630	UEED CDD	ļ		4000	POUGH OVERHEAD	·	
1540	STEEL/REBAR	l		4120	2 HB/200 PSI TEST		
1560	PIFRS			4130	OVERHEAD HYDRO		
1590	HOLD DOWNS			1 4180	STANDPIPES		
1600	SLAB STEEL			6800	FIRE PUMP TEST		. (1997) - 1997 (1997) - 1997 (1997) - 1997 (1997) - 1997 (1997) - 1997 (1997) - 1997 (1997) - 1997 (1997) - 1
6875	DRIVEWAY			4340	FINAL		
1720	POOL PRE-GUNITE						
1730	POOL PRE-PLASTER						
				-		•	
ELECT	RIC:						
2030	UNDERGROUND	<u> </u>		FIRE A	LARM SYSTEMS:		
2070	NEW SERVICE			4710	ROUGH-IN		
2080	SERVICE UPGRADE			4730	NFPA 100% TEST		
2130	ROUGH ELEC			4740	110V CIRCUIT		
2190	TEMP SERVICE	,		4750	FIRE/SMKE DAMPERS		
7510	FINAL.			4760	ELEVATOR RECALL		
				4770	AUTO SMKE CTRL/REM.		,
PLUME	UNG:			7550	FINAL		
2510	WATER SERVICE						
2520	UNDERGROUND			FIRE O	THER:		
2555	SHOWER PAN			4260	AUTO FIRE SUPPRES.		
2560	ROUGH	·		4270	BATTERY BKUP TEST	h	
2580	тороит			4510	HOOD & DUCT SYSTEM		
2590	ROUGH GAS			6790	HOT WORK		
2610	GAS TEST		·				
2620	GAS METER RELEASE			PUBLIC	CR-0-W:		
2630	SEWER			1150	STOPPP PRE-CONSTRUCTION		
2670	WATER HEATER			1200	TRAFFIC CONTROL		
7500	EINAL			1810	TRENCHING/SHORING		
1920	FUYA.	Í		1820	COMPACTION		
MECHA	NICAL			1830	FORMWORK		
2870	ROUCH			1840	PAVEMENT BASE		· · ·
2010	oucrs	·		7558	STOPPP FINAL		
2920	FLUES			7560	FINAL		
2950	FURNACE/SOILER		· · · · · · · · · · · · · · · · · · ·	ntra manintere seta			
2960	A/C UNIT				RESULTS/COM	AMENTS	
3040	TYPE - I HOOD	j	· · · · · · · · · · · · · · · · · · ·	-			
7530	FINAL						
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1220		(	· · · · · · · · · · · · · · · · · · ·				
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5010	T DAD						
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0000	SEISINIC UPGRAUE	l					
0800	EXT, SHEATHING	ļ			11410 A 14410 A 1441 A 1441 A 1441 A 1441 A 1441 A 1444 br>		
5090	SHEAR NAIL	·					
0760	RUUP NAIL			-			
5210	PLANNING FRAME	/					
0250	KUUGH FRAME		· ·				
6010	ROUP IN PROGRESS						:
0010	1 mouthing	·	·	-			
EINICO							
6740				-			
0740	EVT MATERROADE		· · · · · · · · · · · · · · · · · · ·				
0700			-	-	·		
6760	EXTERIOR LATH						
6780	SMORE DETECTORS	Í					
5239	SIGNS		<u> </u>	1,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		nd contific	dhalaw
	This building mus	t not be occ	upled until a fin	ai inspe	cuon has been called for a	nu certine	u DUIOW.
FINA	L APPROVALS			CITY	OF SAN MATEO CONTACT	PHONE N	UMBERS
7020	FIRE DEPT-Call Directly			FIRE:	(650) 522	7940	
6720	PLANNING-Call Directly		859926968	I PLAN	NING: (650) 522	7202	
70.40	PUBLIC WORKS+ Call	<u>Reperted</u>			C WORKS: (650) 522	7300	
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City of San Mateo

Receipt

		Date	10/03/2013	
CORNERSTONE ENVIRONMENTAL CONTRA	CTORS INC	Receipt Number	2013087300	
125 MASON CIR. STEG,	Tra	nsaction Number	2013-010537	
CONCORD, CA, 945200000		Payment Method	Check	1085
bd2012244207 - 20 20TH AVE E		Batch Number	2013100300101	
Archive Maintenance	R26-3125-325407		\$ 89.45	
Building Permit Fee/Energy	R26-3125-325401	1	\$ 1,788.93	
Building Service Fee	R26-3125-325408		\$ 480.00	
Building Standard Commission	B10-224104		\$ 4.00	
Park Plan Check & Inspec. Fee	R10-6143-340126		\$ 50.00	
Planning Service	R25-3112-340116		\$ 390.00	
Plumbing Fixture	R26-3125-325404		\$ 64.36	
Plumbing Permit	R26-3125-325404		\$ 47.02	
SMI Tax - Commercial	B10-224102	• • •	\$ 21.00	
		Total Pai	id \$ 2,934.76	

# EXHIBIT 2

From: Sent: To:	Ray Towne <rtowne@cityofsanmateo.org> Friday, November 22, 2013 12:19 PM dcurson@fhar.org; bwilken@CRAworld.com; 'kalfenlawoffice@earthlink.net'; 'rgoodman@rjo.com'; 'BWaite@chevron.com'; Gabrielle Whelan; Pete Dalla-Betta; Isaac Hau; sandym@lwa.com; Susanna Chan; Larry Patterson</rtowne@cityofsanmateo.org>
Cc:	Ray Towne
Subject:	Conference Call November 22 Meeting Summary
Attachments:	2013Nov22 Chevron-20E20th Mtg.docx

Everyone,

Attached are the Meeting Notes from our telephone conference call of November 22, 2013. Please acknowledge your receipt of this email and if you have any comments or revisions please reply to Sandy Mathews (sandym@lwa.com). Thank you Sandy for your quick turn-around on the summary notes.

I have also copied Isaac Hau, Plan Check Engineer, so he is in the loop. Please call me at 650-522-7303 if you have any questions.

Ray Towne, P.E. Interim Public Works Director City of San Mateo

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#### 20 E. 20th Sanitary Sewer Discharges November 22, 2013 Meeting Notes

Attendees

Property Owner	Chevron	City
Dave Curson	Brandon Wilken (CRA)	Larry Patterson
Herman Kalfen	Robert Goodman (RJO)	Ray Towne
	Brian Waite (Chevron)	Susanna Chan
	•	Pete Dalla-Betta
		Sandy Mathews

These notes summarize the major issues discussed including unresolved issues and the agreements reached during the telephone conference call.

1. Sealant: Xypex requires a 15-day cure time. Concern that by doing construction in December the surface will get wet before curing is complete.

**Resolution:** Megamix I is a sealant that can be applied over the Xypex within 2-4 hours of the Xypex application and is ready in 24 hours.

Next steps: Parties to review the information distributed by Brandon on 11/21/2014.

2. Logistics Plan: Concern that the logistics plan has not been provided in writing.

**Resolution:** CRA will provide the Property Owner with the logistics plan by close-ofbusiness today 11/22/2013.

3. **Catch Basin:** The plans showed catch basin with weep holes. Concern that this is counter to the objective of sealing the system from groundwater.

**Resolution:** The catch basin that is ordered for the project will not have weep holes. The catch basin will be verified when it is delivered to the site to confirm there are no weep holes.

4. Site Monitors: Concern that monitors are present to ensure system does not flood during construction.

**Resolution:** CRA will have three on-site monitors during construction: one will be inside coordinating with the contractor; one will be outside to ensure clients of FHAR and others do not enter the construction zone and are directed to safe paths; and one will monitor the alternate parking locations. CRA will have an electronic system that monitors the pumps and sends an alert if they are not functioning.

**Next steps:** CRA will send the parties the emergency response plan to handle water/flooding during the construction period when the pumps are shut down. Preliminary details will be included with the logistics plan, see item 2. Further details will be sent in the next two days.

5. Maintenance Agreement: Concern that an agreement for maintenance of the catch basin and system has not been resolved.

**Resolution:** Agreed that it is preferable to install a catch basin that has an option for a Flo-Guard filter. Parties agreed the work could proceed in parallel with the development of the maintenance agreement. Chevron and the Property Owner will work with the mediator agreed to in October to come to a resolution on the maintenance costs and responsibilities.

Next steps: Chevron and the Property owner will contact the mediator to negotiate the maintenance agreement.

6. Other Issues:

- a. Access Agreement: Robert will email the access agreement to Herman.
- b. Insurance Certificates: Brandon will send CRA and the prime contractor's insurance certificates that name FHAR as additionally insured.
- 7. **Confirmation:** Confirm by email that concerns identified above have been resolved by Wednesday 11/27/2013.

# **EXHIBIT 3**

From:	Ray Towne <rtowne@cityofsanmateo.org></rtowne@cityofsanmateo.org>
Sent:	Friday, November 08, 2013 9:06 AM
To:	dcurson@fhar.org: Wilken, Brandon; kalfenlawoffice@earthlink.net;
Cc: Subject: Attachments:	rgoodman@rjo.com; espc@chevron.com Larry Patterson; Gabrielle Whelan; Pete Dalla-Betta; Isaac Hau; sandym@lwa.com 20 E. 20th Sanitary Sewer Discharges ~OUT-311544~ [Copy] 2013Oct24 Chevron-20E20th Mtg 2.docx

Everyone,

Attached are the Meeting Notes from our group meeting on October 24, 2013. Please acknowledge your receipt of this email and if you have any comments or revisions please reply to Sandy Mathews (sandym@lwa.com).

I wish to direct everyone to the Post-Meeting Notes Item 6. Although it was not discussed at our meeting, it will be necessary to properly submit the revisions through the Building Department. I spoke directly with Isaac Hau, Plan Check Engineer (cc'd above) and request that Brandon Wilken, of Conestoga-Rovers, contact Mr. Hau to follow the City's requirements for the discussed revisions for the drainage design.

Please call me at 650-522-7303 if you have any questions.

Ray Towne, P.E. Interim Public Works Director City of San Mateo

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#### 20 E. 20th Sanitary Sewer Discharges October 24, 2013 Meeting Notes

Attendees

Property Owner	Chevron	City
Dave Curson	Catalina Espino Devine	Larry Patterson
Herman Kalfen	Brandon Wilken	Ray Towne
	Robert Goodman	Pete Dalla-Betta
		Gabrielle Whelan
		Sandy Mathews

These notes summarize the major issues discussed including unresolved issues and the agreements reached to move forward.

- 1. Representatives for Chevron stated they have a contractor ready to begin work on December 1, 2013, based on the submitted plans and that the construction will take 12-15 work days.
- 2. Representatives for the Property Owner stated this construction period, while not ideal, would be acceptable.
- 3. Representatives for the Property Owner and Chevron stated prior to the meeting they reached agreement that the construction work by Chevron would include sealing the elevator wet well.
- 4. Issues to be resolved:
  - Permission to continue discharge to sanitary sewer during confirmation period.
  - Frequency and duration of confirmation sampling.
  - Contributions from other sources (weep holes and unpaved contaminated soil adjacent to retaining wall).

#### i. Permission to continue discharge to sanitary sewer during confirmation period

Representatives for the City agreed to allow continued discharge to the sanitary sewer during the confirmation period.

#### ii. Frequency and duration of confirmation sampling

Duration: All parties agreed the confirmation period would extend from the completion of the project through May 1, 2015 to allow for a full wet and dry season to be considered.

Frequency: All agreed to the following the sampling frequency

- During the wet season confirmation sampling would occur monthly.
  - January, February, March; April 2014; November, December, January, February, March; April 2015

Page 1 of 2

During the dry season sampling would occur quarterly.
 May-July, Aug-Oct 2014

#### iii. Contributions from other sources

While the parties did not reach agreement on the contributions from other sources, they discussed the possibility of stormwater migrating through the soil column adjacent to the retaining wall picking up hydrocarbons. This water would potentially discharge through the weep holes. One possible remedy discussed was paving the area of exposed soil to prevent infiltration of water.

Representatives for the Property Owner and Chevron agreed that no other work needs to be done at this time to address the weep holes or soil adjacent to the retaining wall.

Representatives for Chevron agreed to initiate investigation into paving the soil adjacent to the retaining wall, e.g., speak with property owner, evaluate feasibility.

All parties agreed that the data from the initial wet season sampling will be evaluated to assess whether there appears to be continued hydrocarbon contributions. If so, additional upgrades will be needed and could be undertaken in the dry season.

- 5. Representatives for the Property Owner and Chevron agreed to use a mediator, William Nagle in Burlingame, to assist in the resolution of future issues of contention in this matter.
- 6. Post Meeting Notes:

Ray Towne confirmed that Chevron has all the permits needed to initiate the work. Chevron does have the permits. However, the approved plans show discharge to the storm drainage system. Ray will work with the Building Department to determine what is needed to modify the plans to show discharge to the sanitary sewer. Ray will communication with Chevron if any changes are needed.

## **EXHIBIT 4**

# Chevron

Brian Waite Project Manager Marketing Business Unit Chevron Environmental Management Company 6101 Bollinger Canyon Road San Ramon, CA 94583 Tel (925) 790-6486 bwaite@chevron.com

January 30, 2014

Mr. Larry Patterson City of San Mateo/EMID Water Pollution Source Control Program 330 West 20<sup>th</sup> Avenue San Mateo, California 94403

Subject:

Former Chevron Service Station #97863 20 East 20<sup>th</sup> Avenue San Mateo, California Facility ID: 20th East 20th Avenue Site

Dear Mr. Larry Patterson:

During the current reporting period (Fourth Quarter 2013), the sump pump system at the subject site operated in compliance with the conditions specified in the expired wastewater discharge permit.

I certify under penalty of law that this document and all attachments are prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Please feel free to contact me directly (925) 790-6486 with any questions or concerns.

Sincerely,

Brian A. Waite

Brian Waite Project Manager Digitally signed by brain A. Waite DN: cn=Brian A. Waite, o=Chevron Environmental Management Company, ou, email=bwaite@chevron.com, c=US Date: 2014.01.29 13:26:31 -08:00'



5900 Hollis Street, Suite A Emeryville, California 94608 Telephone: (510) 420-0700 http://www.craworld.com

Fax: (510) 420-9170

January 30, 2014

Reference No. 311544

Larry Patterson City of San Mateo Department of Public Works Director 330 West 20<sup>th</sup> Avenue San Mateo, California 94403

Re: Self-Monitoring Report– Fourth Quarter 2013 Former Chevron Service Station #97863 20 East 20<sup>th</sup> Avenue San Mateo, California Facility ID: 20<sup>th</sup> East 20<sup>th</sup> Avenue Site

Dear Mr. Patterson:

Conestoga-Rovers & Associates (CRA) prepared this document on behalf of Chevron Environmental Management Company (CEMC) in accordance with the requirements of the March 15, 2012 amended waste discharge permit (Permit). Although the Permit expired on June 30, 2012, permission to continue discharging pursuant to the terms of the Permit was given by Mr. Chad Davisson of the City of San Mateo Environmental Services Division in an email to CRA on October 22, 2012. CRA and CEMC have been working with the City of San Mateo (City) and the site property owner to eliminate the discharge of rainwater to the sewer in accordance with the conditions presented in the July 28, 2011 Compliance Order, the City's letter dated August 13, 2012, and the City's September 3, 2013 letter.

On October 24, 2013 and November 22, 2013, representatives from CRA, CEMC, Family Housing & Adult Resources, and the City met to discuss various issues regarding the proposed construction activities required prior to connecting the sump discharge line to the storm sewer. Copies of the notes summarizing the meetings were provided by the City and are included as Attachment A. Construction started On December 6 and was completed December 23, 2014. Water from the sump continues to discharge to the sewer.

> Equal Employment Opportunity Employer

Worldwide Engineering, Environmental, Construction, and IT Services



January 30, 2014

Reference No. 311544

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#### SELF-MONITORING REPORT - FOURTH QUARTER 2013

#### **Reporting Period Activities:**

- CRA collected an initial quarterly flow meter reading on August 26, 2013 and a final flow meter reading on November 12, 2013.
- On November 12, 2013, CRA collected a water sample from the sampling port (SP-1) located on the sump discharge pipe. No discharge requirements were exceeded. These results are included in Attachment B.
- CRA prepared this document, which includes the sump discharge summary presented in Tables 1 and 2.
- CRA's contractor, Cornerstone Environmental, began construction to replace the sump and storm water conveyance system on December 6, 2013.
- Construction to replace the sump and storm water conveyance system was completed on December 23, 2013.
- Water from the sump continues to be discharged to the sewer.

#### **REPORTING PERIOD DATA SUMMARY**

Discharged Volume to Sewer (8/26/2013-11/12/2013) Average Discharge Flow Rate Discharge Violations 10,720 gallons 0.095 gallons per minute None



January 30, 2014

Reference No. 311544

If you have any questions regarding the contents of this document, please call Brandon Wilken at (925) 849-1001.

- 3 -

Sincerely,

CONESTOGA-ROVERS & ASSOCIATES



Branch Ale

Brandon S. Wilken, PG 7564

JS/cw/32 Encl.

- Table 1Sump Discharge SummaryTable 2Sump Water Analytical Results
- Attachment AMeeting Notes from CityAttachment BLaboratory Analytical Report
- cc: Mr. Brian Waite, CEMC (*electronic only*)
  - Mr. Todd Littleworth, CEMC (*electronic only*)
  - Mr. Robert Goodman, Rogers Joseph O'Donnell (electronic only)
  - Mr. Dave Curson, FHAR, Inc. (electronic only)
  - Mr. Herman Kalfen, Esq. Kalfen Law Corporation (electronic only)
  - Ms. Gabrielle Whelan, City of San Mateo (electronic only)

#### TABLES

		Total Flow Since	Time since	Average
Date	Totalizer Reading	Last Reading	Last Reading	Flow Rate
	(gallons)	(gallons)	(days)	(gpm)
07 (01 (00	0			
07/21/99	0			0.261
07/28/99	2,633	2,633	/	0.201
08/16/99	9,728	7,095	19	0.239
09/10/99	19,689	9,961	25	0.2/7
09/11/99	19,972	283	1	0.197
09/24/99	24,675	4,703	13	0.251
10/30/99		14,515 (a)	36	0.280
11/12/99	0	5,241 (a)	13	0.280
11/16/99	1,810	1,810	4	0.314
12/17/99	12,936	11,126	31	0.249
01/19/00	12,936	0	33	0.000
01/26/00	12,956	20	/	0.002
02/29/00	/9,098	66,142	34	1.351
03/22/00	115,519	36,421	22	1.150
04/25/00	152,181	36,662	34	0.749
05/30/00	171,235	19,054	35	0.378
06/22/00	171,239	4	23	0.000
07/25/00	185,216	13,977	33	0.294
08/31/00	198,793	13,577	37	0.255
09/26/00	207,827	9,034	26	0.241
10/19/00	213,562	5,735	23	0.173
11/13/00	213,562	0	25	0.000
11/21/00	213,562	0	8	0.000
12/12/00	229,094	15,532	21	0.514
01/02/01	242,487	13,393	21	0.443
03/01/01	245,500	3,013	58	0.036
03/14/01	245,558	58	13	0.003
04/03/01	245,654	96	20	0.003
04/24/01	269,090	23,436	21	0.775
05/17/01	292,292	23,202	23	0.701
06/28/01	321,089	28,797	42	0.476
07/31/01	340,130	19,041	33	0.401
09/17/01	360,693	20,563	48	0.297
10/24/01	376,336	15,643	37	0.294
11/12/01	386,227	9,891	19	0.362
11/24/01	395,538	9,311	12	0.539
12/17/01	401,975	6,437	23	0.194
01/10/02	454,028	52,053	24	1.506
01/22/02	463,569	9,541	12	0.552
02/19/02	482,046	18,477	28	0.458
03/04/02	490,038	7,992	13	0.427
04/02/02	493,544	3,506	29	0.084
04/30/02	500,597	7,053	28	0.175
05/14/02	503,894	3,297	14	0.164
05/28/02	507,600	3,706	14	0.184
06/07/02	509,693	2,093	10	0.145
06/10/02	510,230	537	3	0.124
07/12/02	515,917	5,687	32	0.123
08/14/02	516,457	540	33	0.011
09/17/02	523,382	6,925	34	0.141
10/17/02	529,197	5,815	30	0.135
10/30/02	530,515	1,318	13	0.070
11/08/02	534,198	3,683	9	0.284
11/13/02	536,827	2,629	5	0.365

		Total Flow Since	Time since	Average
Date	Totalizer Reading	Last Reading	Last Reading	Flow Rate
	(gallons)	(gallons)	(days)	(gpm)
10/11/00	540 022	5 406	28	0 134
$\frac{12}{17}\frac{11}{02}$	042,200 551 104	0,400 8 802	20	1 029
12/17/02	559 216	7,000	20	0.170
01/15/05	556,210	7,090	29 56 ·	0.170
05/12/05	574,704	10,400	20	0.204
04/09/03	509,020	14,924	20	0.370
05/07/05	591,420	1,792	20	0.044
$\frac{100}{11}$	004,900 (10.975	13,300 5 997		0.209
07/10/03	610,073	J,007 4 769	29	0.141
00/07/03	620.274	4,700	20	0.110
10/09/03	629,374	7 808	28	0.200
10/06/03	642 742	5 560	20	0.134
11/05/05	611 881	2 142	15	0.100
11/20/03 12/04/03	649,004	5 064	13	0.055
12/04/03 12/17/03	662 002	13 044	13	0.201
$\frac{12}{12}$	683.847	20.855	10	1 034
12/31/03 01/07/04	600 703	20,000	1 <del>4</del> 7	1.573
01/07/04	712 258	10,000	23	0.379
01/30/04 02/25/04	712,230	5 082	20	0.136
02/23/04 03/10/04	717,040	11 011	14	0.130
03/10/04	720,001	11,011	1 <del>1</del> 27	0.040
04/00/04	746 641	6 684	43	0.108
07/06/04	761 368	14 727	48	0.100
07/21/04	763 104	1 736	15	0.080
07/21/04 08/03/04	764 615	1 511	13	0.081
09/02/04	767 843	3 228	30	0.075
10/12/04	777 506	9,663	40	0.168
12/28/04	780 677	3 171	77	0.029
$\frac{12}{23}$	784 117	6 611	93	0.049
01/27/05	788.315	7.638	30	0.177
$\frac{01}{10}$	795.075	6.760	14	0.335
$\frac{02}{15}$	798.247	3.172	5	0.441
$\frac{02}{23}$	811.639	13.392	8	1.163
03/10/05	828.646	17.007	15	0.787
03/25/05	844.777	16.131	15	0.747
04/08/05	859.514	14.737	14	0.731
04/22/05	865,686	6,172	14	0.306
05/20/05	878,739	19,225	42	0.318
06/09/05	884,617	5,878	20	0.204
06/16/05	885,889	1,272	7	0.126
06/23/05	887,695	1,806	7	0.179
07/11/05	889,812	2,117	18	0.082
07/22/05	891,713	1,901	11	0.120
08/23/05	897,700	5,987	32	0.130
09/09/05	900,080	2,380	17	0.097
09/21/05	901,265	1,185	12	0.069
10/14/05	902,481	1,216	23	0.037
10/26/05	903,567	1,086	12	0.063
11/02/05	903,717	150	7	0.015
11/16/05	906,222	2,505	14	0.124
12/06/05	907,250	1,028	20	0.036
12/21/05	917,551	10,301	15	0.477
01/11/06	928,126	10,575	21	0.350
01/25/06	928,775	649	14	0.032

		Total Flow Since	Time since	Average
Date	Totalizer Reading	Last Reading	Last Reading	Flow Rate
	(gallons)	(gallons)	(days)	(gpm)
02/08/06	929,090	315	14	0.016
02/22/06	934,922	5,832	14	0.289
03/08/06	954,719	19,797	14	0.982
03/22/06	976,468	21,749	14	1.079
04/11/06	998,501	22,033	20	0.765
04/13/06	1,003,441	4,940	2	1.715
04/26/06	1,019,199	15,758	13	0.842
05/12/06	1,027,519	8,320	16	0.361
05/28/06	1,033,828	6,309	16	0.274
06/07/06	1,035,782	1,954	10	0.136
06/26/06	1,039,455	3,673	19	0.134
08/01/06	1,043,713	4,200	<i>3</i> 0	0.062
00/23/00	1,040,070	1,002	14	0.055
09/06/06	1,040,040	1,270	10	0.035
09/20/06	1,047,620	//3	12	0.045
10/10/06	1,049,949	2,329	20	0.081
11/09/06	1,053,363	3,414	30	0.079
11/21/06	1,056,984	3,621	12	0.210
12/12/06	1,067,339	10,355	21	0.342
01/03/07	1,077,635	10,296	22	0.325
01/16/07	1,080,577	2,942	13	0.157
01/31/07	1,083,943	3,366	15	0.156
02/15/07	1,095,951	12,008	15	0.556
03/06/07	1,114,091	18,140	19	0.663
03/21/07	1,120,894	6,803	15	0.315
04/03/07	1,125,655	4,761	13	0.254
04/17/07	1,129,285	3,630	14	0.180
05/01/07	1,137,226	7,941	14	0.394
05/15/07	1,141,707	4,481	14	0.222
05/31/07	1,145,367	3,660	16	0.159
06/12/07	1,147,171	1,804	12	0.104
06/26/07	1,148,527	1,356	14	0.067
07/11/07	1,149,420	893	15	0.041
07/24/07	1,149,925	505	13	0.027
08/16/07	1,150,672	747	23	0.023
08/28/07	1,151,377	705	12	0.041
09/24/07	1,153,716	2,339	27	0.060
10/15/07	1,162,001	8,285	. 21	0.274
10/31/07	1,165,037	3,036	16	0.132
11/15/07	1,169,550	4,513	15	0.209
12/11/07	1,177,033	7,483	26	0.200
01/03/08	1.189.363	12.330	23	0.372
01/04/08	1.195.416	6.053	1	4.203
01/24/08	1,195.516	10,656(b)	20	0.370
02/14/08	1,243.257	47,741	21	1.579
03/11/08	1,265.880	22.623	26	0.604
04/07/08	1,274,195	8.315	27	0.214
04/23/08	1,277,390	3.195	16	0.139
05/06/08	1.279 452	2.062	13	0.110
05/19/08	1 280 993	1.541	13	0.082
06/02/08	1 282 113	1.120	10	0.056
00/02/00	x 1 - 0 - 1 x 0	1,120	**	0.000

		Total Flow Since	Time since	Average
Date	Totalizer Reading	Last Reading	Last Reading	Flow Rate
Dute	(gallons)	(gallons)	(days)	(gpm)
<u></u>	0	0		0,
06/18/08	1,282,709	596	16	0.026
07/01/08	1,282,934	225	13	0.012
07/14/08	1,283,106	172	13	0.009
07/29/08	1,283,180	74	15	0.003
08/11/08	1,283,180	0	13	0.000
08/28/08	1,283,220	40	17	0.002
09/08/08	1.283.229	9	11	0.001
09/25/08	1.283.251	22	17	0.001
11/17/08	1,285,914	2,663	53	0.035
12/01/08	1.286.446	532	14	0.026
12/16/08	1.288.254	1,808	15	0.084
12/30/08	1.290.187	1.933	14	0.096
01/14/09	1.290.877	690	15	0.032
01/26/09	1.293.342	2,465	12	0.143
02/10/09	1,295,919	2.577	15	0.119
$\frac{02}{26}$	1.326.673	30.754	16	1.335
03/11/09	1.332.576	5.903	13	0.315
03/24/09	1.337.402	4.826	13	0.258
04/09/09	1.340.167	2.765	16	0.120
04/23/09	1.341.505	1.338	14	0.066
01/20/09	1 342 137	632	11	0.040
05/18/09	1,342,602	465	14	0.023
06/01/09	1,342,757	155	14	0.008
06/15/09	1.342.765	8	14	0.000
07/14/09	1.342.846	81	29	0.002
10/05/09	1.343.466	620	83	0.005
11/02/09	858.925	NA	NA	NA
01/18/10	865.710	6.785	77	0.061
03/29/10	879,030	13,320	70	0.132
04/12/10	893,221	14,191	14	0.704
07/07/10	907,365	14,144	86	0.114
10/04/10	907,678	313	89	0.002
01/18/11	939.290	31,612	106	0.207
04/21/11	1,015,535	76,245	93	0.569
07/14/11	1.027.218	11,683	84	0.097
08/27/11 d	1,027,695	477	44	0.008
09/29/11	1,027,700	5	33	0.000
12/21/11	1,033,190	5,490	83	0.046
03/17/12	1,050,938	17,748	87	0.142
03/19/12	1,051,782	844	2	0.293
03/29/12	1,058,100	6,318	10	0.439
06/20/12	1,059,691	1,591	83	0.013
06/29/12	1,059,691	0	9	0.000
07/06/12	1,059,600	0	7	0.000
08/02/12	1,059,600	0	27	0.000
09/23/12	1,060,315	715	52	0.010
09/23/12	111	0	0	0.000
12/03/12			71	
12/05/12	18,420	18,309	2	0.174
12/10/12	18,900	480	5	0.067

Date	Totalizer Reading (gallons)	Total Flow Since Last Reading (gallons)	Time since Last Reading (days)	Average Flow Rate (gpm)
12/17/12	20,217	1,317	7	0.131
12/27/12	32,372	12,155	10	0.844
12/31/12	34,965	2,593	4	0.450
01/07/13	36,773	1,808	7	0.179
01/14/13	37,670	897	7	0.089
01/21/13	38,052	382	7	0.038
01/25/13	38,460	408	4	0.071
01/28/13	38,677	217	3	0.050
02/05/13	38,855	178	8	0.015
02/08/13	39,580	725	3	0.168
02/14/13	39,600	20	6	0.002
02/19/13	40,285	685	5	0.095
02/25/13	40,638	353	6	0.041
03/04/13	40,848	210	7	0.021
03/07/13	41,511	663	3	0.153
03/11/13	41,818	307	4	0.053
03/22/13	42,110	292	11	0.018
03/25/13	42,276	166	3	0.038
04/01/13	43,590	1,314	7	0.130
04/11/13	44,900	1,310	10	0.091
04/22/13	44,970	70	11	0.004
04/29/13	45,015	45	7	0.004
05/06/13	45,065	50	7	0.005
05/20/13	45,105	40	14	0.002
06/03/13	45,130	25	14	0.001
08/26/13	45,247	117	84	0.001
11/12/13	55,967	10,720	78	0.095

#### **Abbreviations and Notes:**

gpm = Gallons per minute

- --- = not measured/not available
- (a) = System totalizer was removed 9/24/99 because sediment and algae were affecting its performance. Flow rates between 9/24/99 and 11/12/99 are based on a historical maximum flow rate of 0.28 gpm.
- (b) = System totalizer stuck 1/4/08 through 1/24/08. Flow rate based on historical maximum flow rate.
- (c) = System totalizer removed 10/12/09 and replaced on 11/02/09. New Totalizer reads 858,864 upon system restart.
- (d) = Reading taken from arrival data on 9/29/11. This is the last measurement recorded after disconnecting the sump pumps

Sample Location	Sample Date	Laboratory	TPHg	В	T micrograms	E per liter (ug/l)	<i>x</i>	MTBE	Electrical Conductivity umhos/cm	Notes
						· · · · · · · · · · · · · · · · · · ·				
Sump Water	02/11/98	Sequoia	690	120	11	11	16			А
System Influent	07/28/99	Sequoia	270	15	<1.0	1.0	2.4			в
System Midpoint	07/28/99	Sequoia	<50	< 0.5	<0.5	<0.5	<0.5			в
System Effluent	07/28/99	Sequoia	<50	<0.5	<0.5	<0.5	<0.5			в
Sump Water	11/16/99	Sequoia	194	13	1.02	1.02	1.42			_
Sump Water	12/17/99									С
Sump Water	01/19/00	Sequoia	268	25.9	1.77	2.67	3.91			
Sump Water	02/29/00	Sequoia	815	95.1	4.22	7.09	6.47	43.4		
Sump Water	03/22/00	Sequoia	1,450	173	8.96	12.6	20	14.7		
Sump Water	04/25/00	Sequoia	1,020	90.3	4.88	6.81	12.4	30.6		
Sump Water	05/30/00	Sequoia	514	30.4	1.76	2.57	3.8		***	
Sump Water	06/22/00	Sequoia	380	26	3.1	2.9	4.7	31		
Sump Water	07/25/00	Sequoia	140	12	<1.3	<1.3	<1.3	16		
Sump Water	08/31/00	Sequoia	123	4.15	< 0.5	<0.5	< 0.5	6.75		
Sump Water	09/26/00	Secucia	78.1	3.31	< 0.5	<0.5	< 0.5	7.48		
Sump Water	10/19/00	Secucia	98.9	4.43	< 0.5	<0.5	< 0.5	5.47		
Sump Water	11/13/00	Segunia	213	14.4	3.3	1.38	4.07	19.9		
Sump Water	12/12/00	Sequoia	211	12.4	<0.5	0.827	1.32	6.96		
Sump Water	01/02/01	Saguoia	330	20.4	1 17	163	1.80	12.3		
Sump Water	01/02/01	Sequoia	1 250	131	6.85	8 76	13.6	19.5		
Sump water	04/03/01	Sequoia	1,550	70	<0.5	0.45	12	17.0		
Sump water	0//51/01	Sequoia	100	7.2	<0.5	<0.5	1.7	5.4		
Sump Water	10/24/01	Lancaster	100	2.5	<0.5 5.00	\$0.5	<1.5	0.4		
Sump Water	01/10/02	Lancaster	1,000	120	5.90	8.20	11	23		
Sump Water	04/02/02	Lancaster	1,400	88	2.70	2.70		10		
Sump Water	08/14/02	Lancaster	170	9.5	<0.5	<0.5	<1.5	4.2		
Sump Water	08/14/02	Lancaster	170	9.5	<0.5	<0.5	<1.5	4.2		
Sump Water	10/17/02	Lancaster	<50	1	<0.5	<0.5	<0.5	0.5		
Sump Water	01/15/03	Lancaster	1,300	99	5.7	6.7	9.5	<10		
Sump Water	04/09/03	Lancaster	1,200	95	4.0	3.7	8.8	28		
Sump Water	07/10/03	Lancaster	960	24	0.6	0.7	2	2		
Sump Water	11/05/03	Lancaster	180	4	<0.5	<0.5	<0.5	1		
Sump Water	01/30/04	Lancaster	1,300	78	4	4	6	3		
Sump Water	04/06/04	Lancaster	3,300	110	6	<5	10	<5	***	
Sump Water	07/21/04	Lancaster	220	14	<0.5	<0.5	0.6	2		
Sump Water	10/12/04	Lancaster	2,100	27	2	2	17	14		
Sump Water	12/28/04	Lancaster	<50	<0.5	<0.5	<0.5	<0.5	<0.5		
Sump Water	01/13/05	Lancaster	400	50	4	4	4	10		
Sump Water	04/22/05	Lancaster	3,000	290	19	12	30	22		
Sump Water	07/22/05	Lancaster	920	36	1	1	3	1		
Sump Water	09/21/05	Lancaster	440	12	<0.5	<0.5	0.6	0.5		
Sump Water	10/26/05	Lancaster	100	<3	<3	<3	<3	<3		D
Sump Water	01/25/06	Lancaster	2,600	260	14	13	23	10		
Sump Water	04/26/06	Lancaster	3,100	190	12	14	24	9		r
Sump Water	09/08/06	Lancaster	-	8	< 0.8	< 0.8	1	2		E
Sump Water	11/09/06	Lancaster	420	5	< 0.8	< 0.8	< 0.9	< 1		
Effluent Effluent	01/03/07 04/03/07	Lancaster Lancaster	1,200 2,700	58 160	2	1 8	13	-2 4		

#### TABLE 2. SUMP WATER ANALYTICAL RESULTS FORMER CHEVRON SERVICE STATION #97863 SUMP LOCATED AT 20 E 20th STREET, SAN MATEO, CALIFORNIA

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### TABLE 2. SUMP WATER ANALYTICAL RESULTS FORMER CHEVRON SERVICE STATION #97863 SUMP LOCATED AT 20 E 20th STREET, SAN MATEO, CALIFORNIA

					~		v	MTDE	Electrical	Notes
Sample Location	Sample Date	Lavoratory	IPHg	В	1	L	~	MI DL	Conductivity	140123
			<b></b>		micrograms	per liter (ug/l)		•	umhos/cm	
Effluent	07/11/07	Lancaster	1,100	33	1	1	2	2		
Effluent	10/15/07	Lancaster	210	6	< 0.8	< 0.8	< 0.9	< 1	***	
Effluent	01/24/08	Lancaster	1,200	90	4	3	6	2		
Effluent	04/07/08	Lancaster	2,800	170	11	9	20	4		
Effluent	07/01/08	Lancaster	1,400	70	2	0.9	3	2		
Effluent	10/01/08	Lancaster	< 50	< 0.9	< 0.8	< 0.8	< 0.9	. <1		
Effluent	01/14/09	Lancaster	< 50	< 0.5	< 0.5	< 0.5	< 1.5	< 0.5		
Effluent	02/10/09	Lancaster	< 50	1.8	< 0.5	< 0.5	< 1.5	< 0.5		
Effluent	04/06/09	Lancaster	1,300	77	5.5	3.2	11	2		
Effluent	07/14/09	Lancaster	72	2.6	< 0.5	< 0.5	< 1.5	< 0.5		
Effluent	10/05/09	Lancaster	< 50	2.5	< 0.5	< 0.5	< 1.5	< 0.5		
Effluent	01/18/10	Lancaster	< 50	< 0.5	< 0.5	< 0.5	< 1.5	< 0.5		
Effluent	04/12/10	Lancaster	300	17	1.1	0.6	2.3	< 0.5		
Effluent	07/07/10	Lancaster	1,900	110	7.0	4.5	11	2		
Effluent	10/04/10	Lancaster	250	5.2	< 0.5	0.5	< 1.5	< 0.5		
Effluent	01/18/11	Lancaster	2,400	220	14	7.7	18	2		
Effluent	04/21/11	Lancaster	1,800	86	7.1	6.8	17	1		
Effluent	07/14/11	Lancaster	1,700	78	4.1	2.5	< 10.0	1		
Sump Water	08/31/11	Lancaster	<20	0.4	< 0.2	<0.2	<0.6	<0.5	382	
SP-1	03/29/12	Lancaster	380	10	0.6	0.6	< 3.0	<0.5	778	
SP-1	06/20/12	Lancaster	350	1.8	0.3	0.7	<3.0	<0.5	677	
SP-1	12/31/12	Lancaster	<20	0.3	< 0.2	<0.2	<0,6	<0.5	598	
SP-1	03/25/13	Lancaster	<20	<0.2	0.3	< 0.2	<0.6	<0.5	723	
SP-1	06/03/13	Lancaster	78	0.5	1.3	<0.2	<0.6	<0.5	753	
SP-1	08/26/13	Lancaster	<400	<4.0	<4.0	6.5	15	<0.5	1,910	
SP-1	11/12/13	Lancaster	<20	< 0.2	< 0.2	<0.2	<0.6	<0.5	300	

#### Abbreviations and Notes:

TPHg = Total petroleum hydrocarbons as gasoline by EPA Methods 5030B/ Modified 8015 B, T, E, and X = Benzzen, toluene, ethylbeuzene, and xylenes by EPA Methods 5030/8020 MTBE = Methyl tertiary butyl ether by EPA Methods 5030/8020 and EPA Methods 8030/8020 Bectrical Conductivity analyzed by SM20 2310B < n = Below detection limit of n ug/1 A = Sample was also analyzed for volatile organic compounds by EPA Methods 5030/8260. Results were below the laboratory reporting limit. B = Sung discharge was passed through carbon drums between July and September 1999. System influent, midpoint, and effluent samples were only necessary during this period. C = No samples were collected on December 17, 1999, because not enough water was in the sump to sample. D = BTEX and MTBE sample analytical reporting limits were raised from 0.5 to 3 due to sample foaming. E = TPHg was not sampled due to technician error. Sump water samples have been collected from a sample tot (SP-1) on the sump pump discharge line since November 16, 1999, except on August 31, 2011.

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#### ATTACHMENT A

#### MEETING NOTES FROM THE CITY

#### 20 E. 20th Sanitary Sewer Discharges October 24, 2013 Meeting Notes

Attendees

Property Owner	Chevron	City
Dave Curson	Catalina Espino Devine	Larry Patterson
Herman Kalfen	Brandon Wilken	Ray Towne
	Robert Goodman	Pete Dalla-Betta
		Gabrielle Whelan
		Sandy Mathews

These notes summarize the major issues discussed including unresolved issues and the agreements reached to move forward.

- 1. Representatives for Chevron stated they have a contractor ready to begin work on December 1, 2013, based on the submitted plans and that the construction will take 12-15 work days.
- 2. Representatives for the Property Owner stated this construction period, while not ideal, would be acceptable.
- 3. Representatives for the Property Owner and Chevron stated prior to the meeting they reached agreement that the construction work by Chevron would include sealing the elevator wet well.
- 4. Issues to be resolved:
  - Permission to continue discharge to sanitary sewer during confirmation period.
  - Frequency and duration of confirmation sampling.
  - Contributions from other sources (weep holes and unpaved contaminated soil adjacent to retaining wall).

#### i. Permission to continue discharge to sanitary sewer during confirmation period

Representatives for the City agreed to allow continued discharge to the sanitary sewer during the confirmation period.

#### ii. Frequency and duration of confirmation sampling

Duration: All parties agreed the confirmation period would extend from the completion of the project through May 1, 2015 to allow for a full wet and dry season to be considered.

Frequency: All agreed to the following the sampling frequency

- During the wet season confirmation sampling would occur monthly.
  - January, February, March; April 2014; November, December, January, February, March; April 2015

During the dry season sampling would occur quarterly.
 May-July, Aug-Oct 2014

#### iii. Contributions from other sources

While the parties did not reach agreement on the contributions from other sources, they discussed the possibility of stormwater migrating through the soil column adjacent to the retaining wall picking up hydrocarbons. This water would potentially discharge through the weep holes. One possible remedy discussed was paving the area of exposed soil to prevent infiltration of water.

Representatives for the Property Owner and Chevron agreed that no other work needs to be done at this time to address the weep holes or soil adjacent to the retaining wall.

Representatives for Chevron agreed to initiate investigation into paving the soil adjacent to the retaining wall, e.g., speak with property owner, evaluate feasibility.

All parties agreed that the data from the initial wet season sampling will be evaluated to assess whether there appears to be continued hydrocarbon contributions. If so, additional upgrades will be needed and could be undertaken in the dry season.

- 5. Representatives for the Property Owner and Chevron agreed to use a mediator, William Nagle in Burlingame, to assist in the resolution of future issues of contention in this matter.
- 6. Post Meeting Notes:

Ray Towne confirmed that Chevron has all the permits needed to initiate the work. Chevron does have the permits. However, the approved plans show discharge to the storm drainage system. Ray will work with the Building Department to determine what is needed to modify the plans to show discharge to the sanitary sewer. Ray will communication with Chevron if any changes are needed.

#### 20 E. 20th Sanitary Sewer Discharges November 22, 2013 Meeting Notes

Attendees

Property Owner	Chevron	City	
Dave Curson	Brandon Wilken (CRA)	Larry Patterson	
Herman Kalfen	Robert Goodman (RJO)	Ray Towne	
	Brian Waite (Chevron)	Susanna Chan	
		Pete Dalla-Betta	
		Sandy Mathews	

These notes summarize the major issues discussed including unresolved issues and the agreements reached during the telephone conference call.

1. Sealant: Xypex requires a 15-day cure time. Concern that by doing construction in December the surface will get wet before curing is complete.

**Resolution:** Megamix I is a sealant that can be applied over the Xypex within 2-4 hours of the Xypex application and is ready in 24 hours.

Next steps: Parties to review the information distributed by Brandon on 11/21/2014.

2. Logistics Plan: Concern that the logistics plan has not been provided in writing.

**Resolution:** CRA will provide the Property Owner with the logistics plan by close-ofbusiness today 11/22/2013.

3. Catch Basin: The plans showed catch basin with weep holes. Concern that this is counter to the objective of sealing the system from groundwater.

**Resolution:** The catch basin that is ordered for the project will not have weep holes. The catch basin will be verified when it is delivered to the site to confirm there are no weep holes.

4. Site Monitors: Concern that monitors are present to ensure system does not flood during construction.

**Resolution:** CRA will have three on-site monitors during construction: one will be inside coordinating with the contractor; one will be outside to ensure clients of FHAR and others do not enter the construction zone and are directed to safe paths; and one will monitor the alternate parking locations. CRA will have an electronic system that monitors the pumps and sends an alert if they are not functioning.

**Next steps:** CRA will send the parties the emergency response plan to handle water/flooding during the construction period when the pumps are shut down. Preliminary details will be included with the logistics plan, see item 2. Further details will be sent in the next two days.

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5. Maintenance Agreement: Concern that an agreement for maintenance of the catch basin and system has not been resolved.

**Resolution:** Agreed that it is preferable to install a catch basin that has an option for a Flo-Guard filter. Parties agreed the work could proceed in parallel with the development of the maintenance agreement. Chevron and the Property Owner will work with the mediator agreed to in October to come to a resolution on the maintenance costs and responsibilities.

**Next steps:** Chevron and the Property owner will contact the mediator to negotiate the maintenance agreement.

#### 6. Other Issues:

- a. Access Agreement: Robert will email the access agreement to Herman.
- b. Insurance Certificates: Brandon will send CRA and the prime contractor's insurance certificates that name FHAR as additionally insured.
- 7. **Confirmation:** Confirm by email that concerns identified above have been resolved by Wednesday 11/27/2013.

#### ATTACHMENT B

#### LABORATORY ANALYTICAL REPORT

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Lancaster Laboratories Environmental **Analysis Report** 

2425 New Holland Pike, Lancaster, PA 17601 • 717-656-2300 • Fax: 717-656-2681 • www.LancasterLabs.com

#### ANALYTICAL RESULTS

Prepared by:

Prepared for:

Eurofins Lancaster Laboratories Environmental 2425 New Holland Pike Lancaster, PA 17601 ChevronTexaco 6001 Bollinger Canyon Rd L4310 San Ramon CA 94583

November 25, 2013

Project: 97863

Submittal Date: 11/15/2013 Group Number: 1434440 PO Number: 0015119899 Release Number: SHRILL HOPKINS State of Sample Origin: CA

Client Sample Description SP-1-W-131112 Grab Water Lancaster Labs (LL) # 7279981

The specific methodologies used in obtaining the enclosed analytical results are indicated on the Laboratory Sample Analysis Record.

ELECTRONIC Ch COPY TO ELECTRONIC CF COPY TO ELECTRONIC CF COPY TO

Chevron CRA CRA Attn: CRA EDD Attn: Brandon Wilken

Attn: Jeff Schrupp

Respectfully Submitted,

Matalie Nr. 2

Natalie R. Luciano Senior Specialist

(717) 556-7258

🖏 eurofins

Lancaster Laboratories Environmental **Analysis Report** 

2425 New Holland Pike, Lancaster, PA 17601 • 717-656-2300 • Fax: 717-656-2681 • www.LancasterLabs.com

#### Sample Description: SP-1-W-131112 Grab Water Facility# 97863 CRAW 2009 El Camino-San Mateo T0608100553

#### LL Sample # WW 7279981 LL Group # 1434440 Account # 10880

#### Project Name: 97863

CSMS1

Collected: 11/12/2013 13:20 by JS

Submitted: 11/15/2013 16:05 Reported: 11/25/2013 22:14 ChevronTexaco 6001 Bollinger Canyon Rd L4310 San Ramon CA 94583

CAT No.	Analysis Name		CAS Number	As Received Result	As Received Method Detection Limit*	As Received Limit of Quantitation	Dilution Factor
GC/MS	Volatiles	SW-846	8260B	ug/l	ug/l	ug/l	
10943	Methyl Tertiary Buty	l Ether	1634-04-4	N.D.	0.5	1	1
GC Vol	latiles	SW-846	8015B	ug/l	ug/l	ug/l	
01636	TPH-GRO water C6-C10		n.a.	N.D.	20	50	l
GC Vol	latiles	SW-846	8021B	ug/l	ug/l	ug/l	
02102	Benzene		71-43-2	N.D.	0.2	1.0	1
02102	Ethylbenzene		100-41-4	N.D.	0.2	1.0	1
02102	Toluene		108-88-3	N.D.	0.2	1.0	1
02102	Total Xylenes		1330-20-7	N.D.	0.6	3.0	1
Wet Cł	nemistry	SM 2510	) B-1997	umhos/cm	umhos/cm	umhos/cm	
12146	Specific Conductance		n.a.	300	1.7	5.0	1

#### General Sample Comments

CA ELAP Lab Certification No. 2792; CA NELAP Lab Certification No. 10276CA Trip blank vials were not received by the laboratory for this sample group.

All QC is compliant unless otherwise noted. Please refer to the Quality Control Summary for overall QC performance data and associated samples.

#### Laboratory Sample Analysis Record

CAT No.	Analysis Name	Method	Trial#	Batch#	Analysis Date and Tim	e	Analyst	Dilution Factor
10943	MTBE 8260 Water	SW-846 8260B	1	D133252AA	11/21/2013	13:47	Daniel H Heller	1
01163	GC/MS VOA Water Prep	SW-846 5030B	1	D133252AA	11/21/2013	13:47	Daniel H Heller	1
01636	TPH-GRO water C6-C10	SW-846 8015B	1	13324B53A	11/21/2013	20:17	Marie D Beamenderfer	1
02102	8021 BTEX	SW-846 8021B	1	13324B53A	11/21/2013	20:17	Marie D Beamenderfer	1
01146	GC VOA Water Prep	SW-846 5030B	1	13324B53A	11/21/2013	20:17	Marie D Beamenderfer	1
12146	Specific Conductance	SM 2510 B-1997	1	13322003104A	11/18/2013	22:40	Michele L Graham	1

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**Analysis Report** 

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#### Quality Control Summary

Client Name: ChevronTexaco Reported: 11/25/13 at 10:14 PM

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Group Number: 1434440

Matrix QC may not be reported if insufficient sample or site-specific QC samples were not submitted. In these situations, to demonstrate precision and accuracy at a batch level, a LCS/LCSD was performed, unless otherwise specified in the method.

All Inorganic Initial Calibration and Continuing Calibration Blanks met acceptable method criteria unless otherwise noted on the Analysis Report.

#### Laboratory Compliance Quality Control

Analysis Name	Blank <u>Result</u>	Blank MDL**	Blank <u>LOQ</u>	Report <u>Units</u>	LCS <u>%REC</u>	LCSD <u>%REC</u>	LCS/LCSD <u>Limits</u>	RPD	<u>RPD Max</u>
Batch number: D133252AA Methyl Tertiary Butyl Ether	Sample nu N.D.	mber(s): 7 0.5	279981 1	ug/l	115		75-120		
Batch number: 13324B53A Benzene Ethylbenzene Toluene TPH-GRO water C6-C10 Total Xylenes	Sample nu N.D. N.D. N.D. N.D. N.D. N.D.	mber(s): 7 0.2 0.2 0.2 20. 0.6	279981 1.0 1.0 1.0 50 3.0	ug/l ug/l ug/l ug/l ug/l	101 99 101 105 103	102 101 102 107 105	80-120 80-120 80-120 75-135 80-120	1 2 2 2 2	30 30 30 30 30 30
Batch number: 13322003104A Specific Conductance	Sample nu N.D.	mber(s): 7 1.7	279981 5.0	umhos/cm	100		96-104		

#### Sample Matrix Quality Control

Unspiked (UNSPK) = the sample used in conjunction with the matrix spike Background (BKG) = the sample used in conjunction with the duplicate

Analysis Name	MS <u>%REC</u>	MSD <u>%REC</u>	MS/MSD <u>Limits</u>	<u>RPD</u>	RPD <u>MAX</u>	BKG Conc	DUP <u>Conc</u>	DUP RPD	Dup RPD <u>Max</u>
Batch number: D133252AA Methyl Tertiary Butyl Ether	Sample : 105	number(s) 103	: 7279981 72-126	UNSPK: 1	P27662 30	28			
Batch number: 13322003104A Specific Conductance	Sample	number(s)	: 7279981	BKG:	P279924	1 606	606	0	5

#### Surrogate Quality Control

Surrogate recoveries which are outside of the QC window are confirmed unless attributed to dilution or otherwise noted on the Analysis Report.

Analysis	Name: UST VOCs by	y 8260B - Water			
Batti Iu	Dibromofluoromethane	1,2-Dichloroethane-d4	Toluene-d8	4-Bromofluorobenzene	
7279981	96	95	99	95	
Blank	98	96	98	94	
LCS	94	98	98	99	

\*- Outside of specification

\*\*-This limit was used in the evaluation of the final result for the blank

(1) The result for one or both determinations was less than five times the LOQ.

(2) The unspiked result was more than four times the spike added.



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### **Analysis Report**

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Page 2 of 2

#### Quality Control Summary

Client Name: ChevronTexaco Reported: 11/25/13 at 10:14 PM			Group Number: 1434440							
			Surrogat	e Quality	Control					
MS	97	100	98	98						
MSD	97	98	98	99						
Limits:	80-116	77-113	80-113	78-113						
Analysis Batch nu	Name: TPH-GRO w mber: 13324B53A Trifluorotoluene-F	water C6-C10 Trifluorotoluene-P								
7279981	76	76								
Blank	69	75								
LCS	77	75								
LCSD	77	74								
Limits:	63-135	51-120								

\*- Outside of specification

\*\*-This limit was used in the evaluation of the final result for the blank

(1) The result for one or both determinations was less than five times the LOQ.

(2) The unspiked result was more than four times the spike added.

### Chevron California Region Analysis Request/Chain of Custody



#### Acct. #: 10880 For Lancaster Laboratories use only Group #1434440 Sample #: 7379981

$\mu(\mu)$ $3 - \alpha \gamma = 10 f \partial^2 \gamma$								Analyses Requested																	
		11	י בח-ו	U.J.			<b></b>	1		-			P	rese	erva	tion	Coc	les				Preser	vative Co	les	
Facility #: Chevron 9-7863 OM-L GLOBAL ID: TO608100553											1		H	E.		H H				- н=	H = HCI	T = Thio	sulfate		
Site Address: 2009 El Camino Real, San Mateo, CA (Sump Location: 20 E 20 <sup>th</sup> )												leanup									N =	HNO₃ H₂SO₄	B = Na 0 = Oth	0H er	
Chevron PM: <u>Catalina Espino Devine</u> Lead Consultant: <u>Conestoga-Rovers &amp;</u> Associates									lers	-		Gel C									Dlv	alue rep	orting needs	d	
Consultant/Office:5900 Hollis Street, Suite A, Emeryville, CA 94608									ontair	802		Silica						2510B			D Mi po	ust meet ssible for	owest dete 8260 comp	tion limits ounds	
Consultant Pri Mor : Brandon Wilken									č	D					21	_	12	e by			8021	MTBE C	onfirmation		
Consultant Phone #/(510) 420 - 0700 Fax #(510) 420 - 9170									Der 6	826	GRO)	B		21	74	260E	x 80	lictanc				onfirm hig	hest hit by	260	
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SP-1	W			2013 - 11 - 12	1320		x		78 82					х		х	Х	x			VOA	VOAs w/ HCl, 1-500ml poly			
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Lancaster Laboratories, Inc., 2425 New Holland Pike, PO Box 12425, Lancaster, PA 17605-2425 (717) 656-2300 Copies: White and vellow should accompany samples to Lancaster Laboratories. The pink copy should be retained by the client. 3460 Rev. 08/07

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### **Explanation of Symbols and Abbreviations**

The following defines common symbols and abbreviations used in reporting technical data:

0	•	,	0
RL	Reporting Limit	BMQL	Below Minimum Quantitation Level
N.D.	none detected	MPN	Most Probable Number
TNTC	Too Numerous To Count	CP Units	cobalt-chloroplatinate units
IU	International Units	NTU	nephelometric turbidity units
umhos/cm	micromhos/cm	ng	nanogram(s)
С	degrees Celsius	F	degrees Fahrenheit
meq	milliequivalents	lb.	pound(s)
g	gram(s)	kg	kilogram(s)
μg	microgram(s)	mg	milligram(s)
mL	milliliter(s)	Ĺ	liter(s)
m3	cubic meter(s)	μĹ	microliter(s)
		pg/L	picogram/liter

< less than - The number following the sign is the <u>limit of quantitation</u>, the smallest amount of analyte which can be reliably determined using this specific test.

- > greater than
- **ppm** parts per million One ppm is equivalent to one milligram per kilogram (mg/kg), or one gram per million grams. For aqueous liquids, ppm is usually taken to be equivalent to milligrams per liter (mg/l), because one liter of water has a weight very close to a kilogram. For gases or vapors, one ppm is equivalent to one microliter per liter of gas.
- ppb parts per billion

### Dry weight<br/>basisResults printed under this heading have been adjusted for moisture content. This increases the analyte weight<br/>concentration to approximate the value present in a similar sample without moisture. All other results are reported<br/>on an as-received basis.

#### Data Qualifiers:

C - result confirmed by reanalysis.

**J** - estimated value – The result is  $\geq$  the Method Detection Limit (MDL) and < the Limit of Quantitation (LOQ).

U.S. EPA CLP Data Qualifiers:

#### **Organic Qualifiers**

- A TIC is a possible aldol-condensation product
- B Analyte was also detected in the blank
- **C** Pesticide result confirmed by GC/MS
- **D** Compound quantitated on a diluted sample
- E Concentration exceeds the calibration range of the instrument
- N Presumptive evidence of a compound (TICs only)
- P Concentration difference between primary and
- confirmation columns >25%
- U Compound was not detected
- X,Y,Z Defined in case narrative

#### Inorganic Qualifiers

- **B** Value is <CRDL, but  $\geq$ IDL
- E Estimated due to interference
- M Duplicate injection precision not met
- N Spike sample not within control limits
- S Method of standard additions (MSA) used for calculation
- U Compound was not detected
- W Post digestion spike out of control limits
- \* Duplicate analysis not within control limits
- + Correlation coefficient for MSA < 0.995

#### Analytical test results meet all requirements of NELAC unless otherwise noted under the individual analysis.

Measurement uncertainty values, as applicable, are available upon request.

Tests results relate only to the sample tested. Clients should be aware that a critical step in a chemical or microbiological analysis is the collection of the sample. Unless the sample analyzed is truly representative of the bulk of material involved, the test results will be meaningless. If you have questions regarding the proper techniques of collecting samples, please contact us. We cannot be held responsible for sample integrity, however, unless sampling has been performed by a member of our staff. This report shall not be reproduced except in full, without the written approval of the laboratory.

Times are local to the area of activity. Parameters listed in the 40 CFR part 136 Table II as "analyze immediately" are not performed within 15 minutes.

WARRANTY AND LIMITS OF LIABILITY - In accepting analytical work, we warrant the accuracy of test results for the sample as submitted. THE FOREGOING EXPRESS WARRANTY IS EXCLUSIVE AND IS GIVEN IN LIEU OF ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED. WE DISCLAIM ANY OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING A WARRANTY OF FITNESS FOR PARTICULAR PURPOSE AND WARRANTY OF MERCHANTABILITY. IN NO EVENT SHALL EUROFINS LANCASTER LABORATORIES ENVIRONMENTAL, LLC BE LIABLE FOR INDIRECT, SPECIAL, CONSEQUENTIAL, OR INCIDENTAL DAMAGES INCLUDING, BUT NOT LIMITED TO, DAMAGES FOR LOSS OF PROFIT OR GOODWILL REGARDLESS OF (A) THE NEGLIGENCE (EITHER SOLE OR CONCURRENT) OF EUROFINS LANCASTER LABORATORIES ENVIRONMENTAL AND (B) WHETHER EUROFINS LANCASTER LABORATORIES ENVIRONMENTAL HAS BEEN INFORMED OF THE POSSIBILITY OF SUCH DAMAGES. We accept no legal responsibility for the purposes for which the client uses the test results. No purchase order or other order for work shall be accepted by Eurofins Lancaster Laboratories Environmental which includes any conditions that vary from the Standard Terms and Conditions, and Eurofins Lancaster Laboratories Environmental hereby objects to any conflicting terms contained in any acceptance or order submitted by client.

 ${\sf Page}^{3768}_{6} {}^{0713}_{6}_{6}$ 

## **EXHIBIT 5**

From:Waite, Brian A <BWaite@chevron.com>Sent:Wednesday, March 05, 2014 12:30 PMTo:Charles IceCc:Wilken, BrandonSubject:Former Chevron Station 97866 - 2009 South El Camino Real, San Mateo, CA GPP Site#<br/>110083Attachments:Letter to Charles Ice 030514.pdf

Charles,

Thank you for taking the time to discuss this site with me yesterday. Attached you will find a letter requesting that San Mateo County Groundwater Protection Program formally reopen the above referenced case.

1

Thank you,

Brian A. Waite, P.G. Project Manager **Chevron Environmental Management Company** Marketing Business Unit 6101 Bollinger Canyon Road San Ramon, CA 94583 Tel 925-790-6486 bwaite@chevron.com

Chevron



Brain Waite Project Manager Marketing Business Unit Chevron Environmental Management Company 6101 Bollinger Canyon Road San Ramon, CA 94583 Tel (925) 790-6486 Fax (925) 549-1441 bwaite@chevron.com

Via Email (cice@co.sanmateo.ca.us)

Charles Ice, PG Hazardous Materials Specialist Groundwater Protection Program Lead San Mateo County Environmental Health 2000 Alameda De Las Pulgas, Suite 100 San Mateo CA 94403

Re: Former Chevron Station 97866 – 2009 South El Camino Real, San Mateo, California GPP Site # 110083

Dear Mr. Ice:

I am writing to follow up on our conversation of yesterday in which on behalf of Chevron Environmental Management Company (CEMC) I requested that San Mateo County Groundwater Protection Program (GPP) formally reopen the above referenced case. As you know, CEMC has been working under the oversight of the City of San Mateo to implement work at the neighboring property (20 E. 20th Avenue) to prevent groundwater from entering the storm drainage system and related sump at that property. CEMC, also under the oversight of the City, is engaging in confirmation sampling for the next year to confirm the effectiveness of this work. CEMC believes that it would be appropriate for GPP, as the Local Oversight Program, to be involved in this process, as well as to oversee any future assessment work, and to consider any future requests for closure. Currently all discharges from the sump at 20 E. 20th Avenue are discharged to the City's sanitary sewer collection, pursuant to a discharge permit, as was the case when GPP originally closed this case.

Thank you for your consideration of this request.

Sincerely,

Brian A. Waite Project Manager

cc: Brandon Wilken, CRA