CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

March 22, 2017

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7015 1520 0001 8017 2068

Mr. Robert Alfieri
Chief of Facilities
Washington Hospital
2000 Mowry Avenue
Fremont, California 94539
robert_alfieri@whhs.com

SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS LOCATED AT WASHINGTON HOSPITAL, 2000 MOWRY AVENUE, FREMONT

Dear Mr. Alfieri:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on March 9, 2017, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	**Failure to Maintain Operating Permit –** The UST operating permit had an expiration date of March 1, 2017.	All	March 2, 2017	Ongoing	H&SC 25284(a)
2	**Failure to Maintain Tank Information (Form B) –** Tank 1 does not list tank manufacturer on the tank information section in CERS.	Tank 1	March 9, 2017	Ongoing	23 CCR 2711(a)
3	**Failure to Maintain Monitoring Plan –** The monitoring plan for Tank 2 does not list positive shutdown or fail safe in CERS. In lieu of this, there is no annual tightness test being conducted. Additionally, the sensor in the trench is not listed in the additional comments section. In the training section the designated operator training lists "no", but DO training is required annually.	Tank 2	March 9, 2017	Ongoing	23 CCR 2632(d)(1)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	**Failure to Maintain Financial Responsibility** – The Certificate of Financial Responsibility form lists the mechanism type incorrectly as "CCR Title 23." However, an insurance policy is being used, but was not available at time of the inspection.	All	March 9, 2017	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
5	**Failure to Install Line Leak Detector (LLD)** – Tank 2 sump #1 has a turbine for pressurized piping without a LLD.	Tank 2	March 9, 2017	Ongoing	H&SC 25290.1(h); 23 CCR 2636(f)(2)
6	**Failure to Perform Designated Operator (DO) Inspections** – There was no monthly DO inspection conducted in February 2017.	All	February 1, 2017	February 28, 2017	23 CCR 2715(c)
7	**Failure to Tag Monitoring Equipment** – The following monitoring equipment components did not have tags placed in a readily visible location or the tags were not legible: Tank 2 sump #1 sensor; Tank 2 sump #3 hydrostatic monitoring sensor, i.e., brine reservoir sensor; Tank 1 sump #1 sensor and brine reservoir sensor, and the monitoring panel.	All	March 9, 2017	Ongoing	23 CCR 2638(f)
8	**Failure to Tag Monitoring Equipment** – Tank 2 trench #1 sensor was missing a tag, but this was corrected at the time of inspection.	Tank 2	March 9, 2017	March 9, 2017	23 CCR 2638(f)
9	**Failure to Monitor Product Piping** – Tank 2 trench #2 sensor was not able to detect a leak at the earliest opportunity because it was raised approximately a half inch above the trench floor.	Tank 2	March 9, 2017	Ongoing	23 CCR 2630(d)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Fremont City Fire Department of within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board
Ms. Rebecca Green
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

Local CUPA
Mr. Jay Swardenski
Fire Marshal
Fremont City Fire Department
300 Capitol Avenue, Building A
Fremont, California 94538
jswardenski@fremont.gov

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of $500 to $5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,

Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: *(via email only)*

Mr. Jay Swardenski
Fire Marshal
Fremont City Fire Department
jswardenski@fremont.gov

Ms. Janie O'Connor
Hazardous Materials Technician
Fremont City Fire Department
joconnor@fremont.gov