



Department of Toxic Substances Control



Linda S. Adams
Secretary for
Environmental Protection

Maziar Movassaghi
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Arnold Schwarzenegger
Governor

September 3, 2009

Mr. Charles Swimley
Public Works Department
City of Lodi
1331 South Ham Lane
Lodi, California 95242

DOCKET	
08-AFC-10	
DATE	<u>SEP 03 2009</u>
RECD.	<u>SEP 09 2009</u>

APPROVAL OF FINAL WORKPLAN FOR THE PRELIMINARY ENDANGEREMENT ASSESSMENT OF THE PROPOSED LODI ENERGY CENTER SITE, 12745 N. THORNTON ROAD, LODI, SAN JOAQUIN COUNTY, CALIFORNIA

Dear Mr. Swimley:

The Department of Toxic Substances Control (DTSC), pursuant to the Voluntary Cleanup Agreement (VCA) (Docket No. HSA-VCA 08/09-162, September 3, 2009) for the Proposed Lodi Energy Center Site (Site), has reviewed the August 14, 2009 submittal titled "Preliminary Endangerment Assessment Workplan" (Workplan). The Workplan includes a Site-Specific Health and Safety Plan, Sampling and Analysis Plan, and Quality Assurance Project Plan. The Workplan was developed for the purpose of better defining the lateral and vertical extent of the Site soil contamination to allow for completion of the Preliminary Endangerment Assessment (PEA), and assist with the preparation of the proposed Removal Action Workplan (RAW).

The subject property is owned by the City of Lodi and consists of a 4.4 acre portion of San Joaquin County Assessor's Parcel Number (APN) 055-139-16. The Northern California Power Agency is proposing to construct a gas-fired generating station on the Site property and has submitted an Application for Certification to the California Energy Commission for approval of the proposed project.

DTSC's Brownfields and Environmental Restoration Program, in conjunction with the Human Health and Ecological Risk Office (HERO), have reviewed the Workplan with emphasis on the proposed sampling locations and analytical methodology to ensure that the Site is adequately characterized. We have determined that all issues discussed during our meeting on August 12, 2009, and subsequent conference calls on August 24, 2009 and August 31, 2009 have been satisfactorily addressed.

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Thank you for your conscientious effort and quality of work in the preparation of the Workplan. DTSC found the document to be well written and technically sound, and therefore approves the Workplan for implementation. In the event that you have any questions, please contact me at (916) 255-3953.

Sincerely,



Maria Gillette
Project Manager
Brownfields and Environmental Restoration Program

cc: Mr. D. Stephen Schwabauer
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cc: Ms. Ellie Townsend-Hough
Chemical Engineer
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Mr. Steven R. Becker, P.G.
Supervising Senior Engineering Geologist
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
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**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION
FOR THE *Lodi Energy Center***

DOCKET No. 08-AFC-10

**PROOF OF SERVICE
(Revised 2/17/09)**

APPLICANT

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DECLARATION OF SERVICE

I, April Albright, declare that on September 8, 2009, I served and filed copies of the attached Department of Toxic Substances Control's Approval of Final Workplan for the Preliminary Endangerment Assessment, dated September 3, 2009. The original documents, filed with the Docket Unit, are accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: **[www.energy.ca.gov/sitingcases/lodi]**. The documents have been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

- sent electronically to all email addresses on the Proof of Service list;

- by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

- sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

- depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-10
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Original signed by _____
April Albright