

ALAMEDA COUNTY
HEALTH CARE SERVICES



ENVIRONMENTAL HEALTH DEPARTMENT
OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 7122

June 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:
BAY AREA WAREHOUSE / SANTA FE TERMINAL SRV
4001 HOLLIS ST
Emeryville, CA 94608

Local ID: RO000369
Related ID: 1851
RWQCB ID: 01-0155
Global ID: T0600100144

Responsible Party:

DON MARINI
CATELLUS DEVELOPMENT CORPORATION
201 MISSION STREET
SAN FRANCISCO, CA 94105

Date First Reported: 12/2/1991
Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes

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

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Pursuant to section 25296.10(c)(6) of the Health and Safety Code, a responsible party may request the designation of an administering agency when required to conduct corrective action. Please contact this office for further information about

Date: 06.27.14

ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Sally Meza, SWRCB (email: smeza@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

June 27, 2014

Site Name & Address:

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4001 HOLLIS ST
Emeryville, CA 94608**

**Local ID: RO0000369
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All Responsible Parties

**RP has been named a Primary RP - CHARLES WELLNITZ
BAY AREA WAREHOUSE CO
8707 SAN LEANDRO ST | OAKLAND, CA 94601 | No Phone Number Listed**

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**RP has been named a Primary RP - c/o GENERAL COUNSEL
PROLOGIS LOGISTICS SERVICES, INC
4545 AIRPORT WAY | DENVER, CO 80239 | Phone (303) 567-5000**

**RP has been named a Primary RP – TRU 2005RE I LLC
ONE GEOFFREY WAY | WAYNE, NJ 07470-2030 | Phone (973) 617-3500**

**RP has been named a Primary RP - c/o DARLENE HOUGE
EAST BAY BRIDGE RETAIL LLC
1626 EAST JEFFERSON STREET | ROCKVILLE, MD 20852 | Phone (301) 998-8345**

Responsible Party Identification Background

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ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

June 27, 2014

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Existence of Unauthorized Release

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Catellus Development Corporation (Catellus) was the owner of the property at the time the leaks were discovered. Catellus merged with ProLogis Logistics Services in 2005. ProLogis Logistics Services meets the definition of a responsible party for the site because they owned the property where an unauthorized release occurred (Definition 3).

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Contract Project Director

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June 27, 2014

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AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 8129

June 27, 2014

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Site Name & Address: BAY AREA WAREHOUSE / SANTA FE TERMINAL SRV 4001 HOLLIS ST Emeryville, CA 94608	Local ID: R0000369 Related ID: 1851 RWQCB ID: 01-0155 Global ID: T0600100144
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Responsible Party: TRU 2005RE I LLC ONE GEOFFREY WAY WAYNE, NJ 07470-2030	Date First Reported: 12/2/1991 Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded Funding for Oversight: LOPS - LOP State Fund Multiple RPs?: Yes
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ARIU LEVI, Director
Contract Project Director

Action: Add Reason: ADD
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LUFT LOCAL OVERSIGHT PROGRAM

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Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes

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

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

Pursuant to section 25296.10(c)(6) of the Health and Safety Code, a responsible party may request the designation of an administering agency when required to conduct corrective action. Please contact this office for further information about

Date: 06.27.14

ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Sally Meza, SWRCB (email: smeza@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

June 27, 2014

Site Name & Address:

**BAY AREA WAREHOUSE / SANTA FE TERMINAL SRV
4001 HOLLIS ST
Emeryville, CA 94608**

**Local ID: RO0000369
Related ID: 1851
RWQCB ID: 01-0155
Global ID: T0600100144**

All Responsible Parties

**RP has been named a Primary RP - CHARLES WELLNITZ
BAY AREA WAREHOUSE CO
8707 SAN LEANDRO ST | OAKLAND, CA 94601 | No Phone Number Listed**

**RP has been named a Primary RP - DON MARINI
CATELLUS DEVELOPMENT CORPORATION
201 MISSION ST | SAN FRANCISCO, CA 94105 | No Phone Number Listed**

**RP has been named a Primary RP - c/o GENERAL COUNSEL
PROLOGIS LOGISTICS SERVICES, INC
4545 AIRPORT WAY | DENVER, CO 80239 | Phone (303) 567-5000**

**RP has been named a Primary RP – TRU 2005RE I LLC
ONE GEOFFREY WAY | WAYNE, NJ 07470-2030 | Phone (973) 617-3500**

**RP has been named a Primary RP - c/o DARLENE HOUGE
EAST BAY BRIDGE RETAIL LLC
1626 EAST JEFFERSON STREET | ROCKVILLE, MD 20852 | Phone (301) 998-8345**

Responsible Party Identification Background

Alameda County Environmental Health (ACEH) names a "Responsible Party," as defined under 23 C.C.R Sec. 2720. Section 2720 defines a responsible party 4 ways. An RP can be:

1. "Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."
2. "In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."
3. "Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."
4. "Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

June 27, 2014

Responsible Party Identification

Existence of Unauthorized Release

A 2,000-gallon UST associated with the Bay Area Warehouse Company (BAW) facility was removed in November, 1991. A product odor was noted emanating from the excavation upon removal of the tank. Residual concentrations of total petroleum hydrocarbons as gasoline (TPHg) were reported in soil at up to 3.0 milligrams per kilogram (mg/kg). A grab-groundwater sample recovered from the tank pit documented the presence of 8,800 micrograms per liter (µg/L) TPHg and benzene at 240 µg/L. An undocumented 60-gallon UST was encountered in September 1994 during preparation for grading activities. Excavation sampling indicated residual soil concentrations of 2 mg/kg TPHg, 3 mg/kg TPH as diesel, and 20 mg/kg TPH as oil. These concentrations indicate an unauthorized release has occurred from the underground storage tank systems at this site.

Responsible Party Identification

The Bay Area Warehouse Company (BAW), was the owner and operator of the 2,000-gallon UST. Bay Area Warehouse Company meets the definition of a responsible party for the site because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1) and had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Catellus Development Corporation (Catellus) was the owner of the property at the time the leaks were discovered. Catellus merged with ProLogis Logistics Services in 2005. ProLogis Logistics Services meets the definition of a responsible party for the site because they owned the property where an unauthorized release occurred (Definition 3).

Property ownership was transferred to East Bay Bridge Retail LLC in 2011. East Bay Bridge Retail LLC meets the definition of a responsible party for the site because they owned the property where an unauthorized release occurred (Definition 3).

Redevelopment of the Catellus property in the 1990s resulted in Assessor's parcel reconfiguration of the land formerly occupied by BAW. Ownership of a central portion of the former Bay Area Warehouse facility was purchased by Toys 'R' Us Inc. in 1994 and was transferred to TRU 2005RE I LLC, a Toys 'R' Us subsidiary, in 2005. TRU 2005RE I LLC meets the definition of a responsible party for the site because they owned the property where an unauthorized release occurred (Definition 3).