

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 8273

January 26, 2015

NOTICE OF RESPONSIBILITY

Site Name & Address:

API EMERYVILLE PARKSIDE
1342 STANFORD AVE
EMERYVILLE, CA 94608

Local ID: RO0003109
Related ID:
RWQCB ID: T1000006444
Global ID: NA

Responsible Party:

ARCHSTONE
C/O: DANIEL EMERSON
807 BROADWAY STREET SUITE 210
OAKLAND, CA 94607


Date First Reported: 9/11/2012
Substance: 12 - Heater Fuel
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 ARCHSTONE 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 the designation process.

Please contact your caseworker MARK DETTERMAN at this office at (510) 567-6876 if you have questions regarding your site.


Date: 1/26/2015
ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 8297

January 26, 2015

NOTICE OF RESPONSIBILITY

<p><u>Site Name & Address:</u> API EMERYVILLE PARKSIDE 1342 STANFORD AVE EMERYVILLE, CA 94608</p>

Local ID:	R00003109
Related ID:	
RWQCB ID:	T10000006444
Global ID:	NA

Responsible Party:

ARCHSTONE EMERYVILLE RESIDENTIAL LLC
7 GIRALDA FARMS
MADISON, NJ 07940

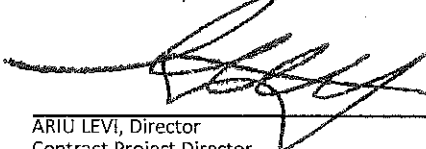
Date First Reported:	9/11/2012
Substance:	12 - Heater Fuel
Funding for Oversight:	LOPS - LOP State-Fund
Multiple RPs?:	Yes

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Contract Project Director

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OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
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(510) 567-6700
FAX (510) 337-9335

AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 8303

January 26, 2015

NOTICE OF RESPONSIBILITY

Site Name & Address: API EMERYVILLE PARKSIDE 1342 STANFORD AVE EMERYVILLE, CA 94608

Local ID:	RO0003109
Related ID:	
RWQCB ID:	T1000006444
Global ID:	NA

Responsible Party:

API EMERYVILLE PARKSIDE
C/O: LEHMAN BROTHERS HOLDINGS
ATTN: JOELLE HALPERIN
1271 AVENUE OF THE AMERICAS
NEW YORK, NY 10020

Date First Reported:	9/11/2012
Substance:	12 - Heater Fuel
Funding for Oversight:	LOPS - LOP State Fund
Multiple RPs?:	Yes

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Date:

1/26/2015

ARIU LEVI, Director
Contract Project Director

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Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY
HEALTH CARE SERVICES



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OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
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FAX (510) 337-9335

AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 8280

January 26, 2015

NOTICE OF RESPONSIBILITY

Site Name & Address: API EMERYVILLE PARKSIDE 1342 STANFORD AVE EMERYVILLE, CA 94608

Local ID:	RO0003109
Related ID:	
RWQCB ID:	T10000006444
Global ID:	NA

Responsible Party:

ARCHSTONE EMERYVILLE RESIDENTIAL LLC
C/O: EQR-TAX DEPT
PO BOX 87407
CHICAGO, IL 60680

Date First Reported:	9/11/2012
Substance:	12 - Heater Fuel
Funding for Oversight:	LOPS - LOP State Fund
Multiple RPs?:	Yes

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ARIU LEVI, Director
Contract Project Director

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Reason:	ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dian Roe (email: dian.roe@acgov.org), File

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HEALTH CARE SERVICES



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1131 HARBOR BAY PARKWAY
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January 26, 2015

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EMERYVILLE, CA 94608

Local ID: R00003109
Related ID:
RWQCB ID: T1000006444
Global ID: NA

Responsible Party:

API EMERYVILLE PARKSIDE LLC
C/O: DAN EMERSON
807 BROADWAY SUITE 210
OAKLAND, CA 94607

Date First Reported: 9/11/2012
Substance: 12 - Heater Fuel
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Contract Project Director

Action: Add
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@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

January 26, 2015

Site Name & Address: API EMERYVILLE PARKSIDE 1342 STANFORD AVE EMERYVILLE, CA 94608

Local ID:	RO0003109
Related ID:	
RWQCB ID:	T1000006444
Global ID:	NA

All Responsible Parties

RP has been named a Primary RP - ARCHSTONE EMERYVILLE RESIDENTIAL LLC
C/O: EQR-TAX DEPT
PO BOX 87407 | CHICAGO, IL 60680 | No Phone Number Listed

RP has been named a Primary RP - ARCHSTONE
C/O: DANIEL EMERSON
807 BROADWAY STREET SUITE 210 | OAKLAND, CA 94607 | No Phone Number Listed

RP has been named a Primary RP - ARCHSTONE EMERYVILLE RESIDENTIAL LLC
7 GIRALDA FARMS | MADISON, NJ 07940 | No Phone Number Listed

RP has been named a Primary RP - API EMERYVILLE PARKSIDE LLC
C/O: DAN EMERSON
807 BROADWAY SUITE 210 | OAKLAND, CA 94607 | No Phone Number Listed

RP has been named a Primary RP - API EMERYVILLE PARKSIDE
C/O: LEHMAN BROTHERS HOLDINGS, ATTN: JOELLE HALPERIN
1271 AVENUE OF THE AMERICAS | NEW YORK, NY 10020 | No Phone Number Listed

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)

January 26, 2015

Responsible Party Identification

Existence of Unauthorized Release

On September 11, 2012 one approximately 6,000-gallon single-walled steel heating oil underground storage tank (UST) was removed from the site. Two soil samples were collected beneath the UST at a depth of 12 feet below surface grade (bgs), and four sidewall samples were collected at 4.5 or 6.0 feet bgs. Up to 200 milligrams per kilogram (mg/kg) total petroleum hydrocarbons as diesel (TPHd) and 360 mg/kg TPH as motor oil (TPHmo) were detected. Groundwater was not encountered in the UST excavation. The data indicates that than an unauthorized release had occurred at the site.

Responsible Party Identification

API Emeryville Parkside LLC purchased the property in February 2007 and therefore is the property owner associated with the former UST at the time of removal. API Emeryville Parkside LLC is a responsible party for the site because it owned the property associated with an unauthorized release (Definition 3), and because it had control of the UST at a time following an unauthorized release (Definition 4).

Archstone Emeryville Residential LLC (Archstone) purchased the property in August 2012 and therefore is the property owner associated with the former UST at the time of removal. Archstone is a responsible party for the site because it currently owns the property associated with an unauthorized release (Definition 3), and because it had control of the UST at a time following an unauthorized release (Definition 4).