



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

April 18, 2013

Agesong Emeryville Owner LLC
432 Ivy Street
San Francisco, CA 94102-4254

Subject: Landowner and Public Participation Notification for Case Closure Consideration for Fuel Leak Case No. RO0003103 (Global ID # T10000004352), Agesong, 4050 Horton Street, Emeryville, CA 94608

Dear Agesong Emeryville Owner LLC:

Alameda County Environmental Health (ACEH) is reviewing the fuel case file for the above referenced site for potential case closure of the environmental case. As you are aware an underground storage tank was removed from the subject property to which you are named as the primary or active responsible party.

List of Landowners Form

As required by Section 25297.15 (a) of the California Health and Safety Code, Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy this requirement, please complete the enclosed *List of Landowners Form*, and mail it back to ACEH by the date identified below. Also your comments, if any, must be considered prior to the proposed closure. Please respond within 30 days from the date of this letter for your comments to be considered.

Site Management Requirements

ACEH has reviewed the case for possible closure under a commercial land use scenario with the following site management requirements:

“Case closure for this fuel leak site is granted for the current residential land use as a Board and Care Facility and the existing building only. Re-evaluation of this case is required if land uses changes to any other residential or other conservative land use scenario; or construction or excavation activities take place. Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. ACEH will re-evaluate the case upon receipt of approved development/construction plans.”

Public Participation

Public participation is a requirement for the Corrective Action Plan and case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACEH has distributed the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *Notification of Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by April 2, 2013. ACEH will consider all comments from the public prior to potential case closure.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mark Detterman), according to the following schedule:

- **May 24, 2013** – Return of *List of Landowner Form*

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: *Public Notification of Potential Case Closure*
List of Landowners Form

cc: Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic File

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Agesong
Address: 4050 Horton Street
City, State, Zip: Emeryville, CA 94608
Record ID #: RO0003103

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: _____

Address: _____

City, State, Zip: _____

E-mail _____

Address: _____

Name: _____

Address: _____

City, State, Zip: _____

E-mail _____

Address: _____

Name: _____

Address: _____

City, State, Zip: _____

E-mail _____

Address: _____

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,

Signature of Primary Responsible Party Printed Name Date E-mail Address