



ALAMEDA COUNTY  
**HEALTH CARE SERVICES AGENCY**  
 DEPARTMENT OF ENVIRONMENTAL HEALTH  
 LOCAL OVERSIGHT PROGRAM (LOP)  
 For Hazardous Materials Releases  
 1131 Harbor Bay Parkway  
 Alameda, CA 94502-

OAKLAND  
 CA 945  
 23 AUG '17  
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BRE Properties, Inc.  
 525 Market Street, 4th Floor  
 San Francisco, CA 94105

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ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

August 21, 2017

BRE Properties, Inc.  
525 Market Street, 4<sup>th</sup> Fl  
San Francisco, CA 94105

BRE Properties, Inc.  
44 Montgomery, Floor 36  
San Francisco, CA 94104-4602

SPK Industrial Portfolio LLC  
c/o Prop Tax Dept.  
PO Box A-3879  
Chicago, IL 60690

F.P. Lathrop  
Goldsmith Lathrop  
Address Unknown

FP and Marcia F. and Sandra Hyde  
FP and Marcia F. and Sandra Hyde Trust  
Address Unknown

Subject: Request for Closure Response, List of Landowners Form Request, Meeting Request; Fuel Leak Case No. RO0000071 and Geotracker Global ID T0600102203, Goldsmith Lathrop, 5813-5815 Shellmound St, Emeryville, CA 94608

Dear Ladies and Gentleman:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case files including the *Request for Regulatory Closure*, dated July 11, 2017. The report was submitted on your behalf by Gribi Associates (Gribi). Thank you for submitting the report.

ACDEH is considering the subject case for potential closure. As you are aware a site investigation and groundwater monitoring for underground storage tank (UST) leak case has been performed at the subject property to which you are named as the primary or active responsible party. Please be aware that the closure will be limited to the UST case at the site. Prior, or at, the time of closure, ACDEH will require that you enter into an agreement to open another environmental case to investigate residual contamination at the site that is not associated with this specific UST.

On three previous dates (December 6, 2013, August 28, 2014, and June 8, 2017) ACDEH sent Responsible Parties notices that closure of the case was under consideration, informed you that a public comment notice had been generated and would be sent to interested parties, provided you a copy of the public notice and a list of known interested parties, and requested the return of a completed *List of Landowners Form*. As of today the *List of Landowners Form* has not been returned completed; however the public comment period has ended. The public comment period did not yield any public comments. **Case closure cannot proceed until the *List of Landowners Form* is completed and returned.** As described below, the intent of the form is to verify that all recent parcel owners have received a copy of the public comment, and have had an opportunity to comment on the potential closure of the environmental case. As noted above, please be aware that the closure is specifically limited to contamination associated with the former UST and not other sources known to be present beneath the site.

**List of Landowners Form**

Pursuant to Section 25297.15 (a), ACDEH, 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. ACDEH 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 or e-mail it back to ACDEH by the date identified below.