



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

October 27, 2014

Griffin Capital Corporation
(c/o: Ms. Julie Treinen)
2321 Rosecrans, Suite 3290
El Segundo, CA 90245

Rockwood Atrium LLC
(c/o: TMG Partners & Ms. Denise Pingston)
100 Bush St., Suite 2600
San Francisco, CA 94104

Emerybay Plaza JS
(c/o: TMG Partners)
6400 Christie Ave., Suite 2000
Emeryville, CA 94608

P O Partners
(c/o: J. David Martin & Walter Kaczmarek)
6475 Christie Ave., Suite 500
Emeryville, CA 94608

P O Partners
(c/o: Mr. Walter Kaczmarek)
5800 Shellmound St., Suite 210
Emeryville, CA 94608

Sixteen Fifty Sixtyfifth St. Assoc.
(c/o: Rich Robbins)
1120 Nye St.
San Rafael, CA 94901

Emeryville Bayfront
(c/o: Benefit Capital Corp.)
1330 Broadway
Oakland, CA 94612

Emeryville Bayfront Limited Partner
(c/o: Robert Lew)
690 Market St., Suite 826
San Francisco, CA 94104

Subject: Notice of Responsibility, Fuel Leak Case No. RO0000440 and GeoTracker Global ID T06000100511, Emery Bay Plaza, 1650 65th Street, Emeryville, CA 94608

Dear Responsible Parties:

In two Notice of Requirement of Reimburse dated May 28, 1993 and October 9, 1992, P O Partners (c/o: Mr. Walter Kaczmarek) was notified that the above referenced site had been placed in the Local Oversight Program (LOP) and that they had been named as a Responsible Party for the fuel leak case. Additional parties have been named as Responsible Parties for the fuel leak case in the attached updated Notice of Responsibility (NOR) as defined under 23 C.C.R. Sec. 2720. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

Sincerely,

Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

Responsible Parties NOR
RO0000440
October 27, 2014 Page 2

Enclosures: Notice of Responsibility
 Attachment A – Responsible Parties Data Sheet

Attachment 1 – Responsible Party(ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Cindy Davis, SWRCB (*Sent via E-mail to: cindy.davis@waterboards.ca.gov*)
Dilan Roe, ACEH (*Sent via E-mail to: dilan.roe@acgov.org*)
Mark Detterman, ACEH (*Sent via E-mail to: mark.detterman@acgov.org*)
GeoTracker, Case Electronic File

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 6187

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608**

**Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511**

Responsible Party:

**EMERYVILLE BAYFRONT
C/O: BENEFIT CAPITAL CORP.
1330 BROADWAY
OAKLAND CA 94612**

**Date First Reported: 5/13/1987
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 EMERYVILLE BAYFRONT 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.



ARIU LEVI, Director
Contract Project Director

Date: 10/27/14

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 6156

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608**

**Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511**

Responsible Party:

**P O PARTNERS
C/O: J. DAVID MARTIN &
C/O: WALTER KACZMAREK
6475 CHRISTIE AVENUE, SUITE 500
EMERYVILLE CA 94608**


**Date First Reported: 5/13/1987
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 P O PARTNERS 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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ARIU LEVI, Director
Contract Project Director

Date: 10/27/14

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
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 6170

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608**

**Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511**

Responsible Party:

**SIXTEEN FIFTY SIXTYFIFTH ST. ASSOC.
C/O: RICH ROBBINS
1120 NYE STREET
SAN RAFAEL CA 94901**

**Date First Reported: 5/13/1987
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 SIXTEEN FIFTY SIXTYFIFTH ST. ASSOC. 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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Please contact your caseworker MARK DETTERMAN at this office at (510) 567-6876 if you have questions regarding your site.

Date: 10/27/14

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

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 6194

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608**

**Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511**

Responsible Party:

**EMERYVILLE BAYFRONT LIMITED PARTNER
C/O: ROBERT LEW
690 MARKET STREET, SUITE 826
SAN FRANCISCO CA 94104**

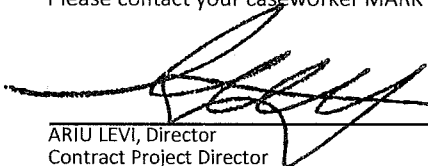
**Date First Reported: 5/13/1987
Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes**

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


Date: 10/22/14

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

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 6149

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608

Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511

Responsible Party:

EMERYBAY PLAZA JS
C/O: TMG PARTNERS
6400 CHRISTIE AVENUE, SUITE 2000
EMERYVILLE CA 94608

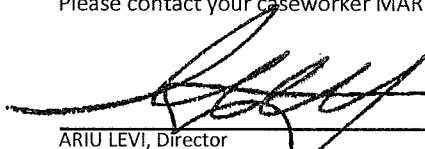
Date First Reported: 5/13/1987
Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes

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 EMERYBAY PLAZA JS 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 the designation process.

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


ARIU LEVI, Director
Contract Project Director

Date: 10/27/14

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 6132

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608**

**Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511**

Responsible Party:

**ROCKWOOD ATRIUM LLC
C/O: TMG PARTNERS &
C/O: MS. DENISE PINGSTON
100 BUSH STREET, SUITE 2600
SAN FRANCISCO CA 94104**

**Date First Reported: 5/13/1987
Substance: 8006619 Gasoline-Automotive (motor gasoline and
additives), leaded & unleaded**

Funding for Oversight: LOPS - LOP State Fund

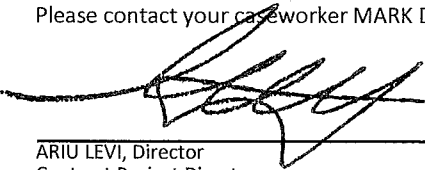
Multiple RPs?: Yes

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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 the designation process.

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



ARIU LEVI, Director
Contract Project Director

Date:

10/27/14

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
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 6125

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608**

**Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511**

Responsible Party:

**GRIFFIN CAPITAL CORPORATION
C/O: JULIE TREINEN
2321 ROSECRANS AVENUE
EL SEGUNDO CA 90245**

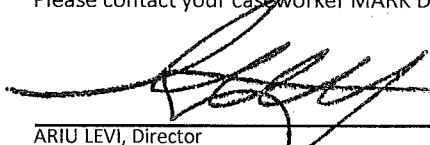
**Date First Reported: 5/13/1987
Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes**

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Date: 10/27/14

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

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 6163

October 27, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608

Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511

Responsible Party:

P O PARTNERS
C/O: WALTER KACZMAREK
5800 SHELLMOUND STREET, SUITE 210
EMERYVILLE CA 94608

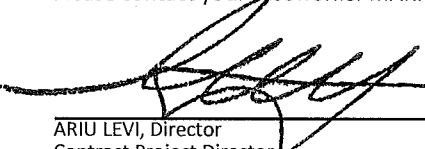
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Multiple RPs?: Yes

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ARIU LEVI, Director
Contract Project Director

Date: 10/27/14

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

October 27, 2014

Site Name & Address:

EMERY BAY PLAZA
1650 65TH ST
Emeryville, CA 94608

Local ID: RO0000440
Related ID: 4352
RWQCB ID: 01-0558
Global ID: T0600100511

All Responsible Parties

RP has been named a Primary RP - C/O: J. DAVID MARTIN & C/O: WALTER KACZMAREK
P O PARTNERS
6475 CHRISTIE AVENUE, SUITE 500 | EMERYVILLE, CA 94608 | No Phone Number Listed

RP has been named a Primary RP – C/O: JULIE TREINEN
GRIFFIN CAPITAL CORPORATION
2321 ROSECRANS AVENUE | EL SEGUNDO, CA 90245 | Phone (310) 606-5900

RP has been named a Primary RP – C/O: WALTER KACZMAREK
P O PARTNERS
5800 SHELLMOUND STREET, SUITE 210 | EMERYVILLE, CA 94608 | No Phone Number Listed

RP has been named a Primary RP - C/O: RICH ROBBINS
SIXTEEN FIFTY SIXTYFIFTH ST. ASSOC.
1120 NYE STREET | SAN RAFAEL, CA 94901 | No Phone Number Listed

RP has been named a Primary RP - C/O: BENEFIT CAPITAL CORP.
EMERYVILLE BAYFRONT
1330 BROADWAY | OAKLAND, CA 94612 | No Phone Number Listed

RP has been named a Primary RP - C/O: ROBERT LEW
EMERYVILLE BAYFRONT LIMITED PARTNER
690 MARKET STREET, SUITE 826 | SAN FRANCISCO, CA 94104 | No Phone Number Listed

RP has been named a Primary RP - C/O: TMG PARTNERS & C/O: MS. DENISE PINGSTON
ROCKWOOD ATRIUM LLC
100 BUSH STREET, SUITE 2600 | SAN FRANCISCO, CA 94104 | No Phone Number Listed

RP has been named a Primary RP - C/O: TMG PARTNERS
EMERYBAY PLAZA JS
6400 CHRISTIE AVENUE, SUITE 2000 | EMERYVILLE, CA 94608 | No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

October 27, 2014

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)

October 27, 2014

Responsible Party Identification

Existence of Unauthorized Release

On July 2, 1987, one 2,000-gallon underground storage tank (UST) and related product piping was removed from the site. The UST historically initially contained gasoline and later stored waste oil. The UST removal report and Unauthorized Release/Contamination Site Report (URF) noted that the tank, vent pipe, product line did not show evidence of corrosion or holes. The URF noted the source of release was a piping leak due to corrosion. During tank excavation, concentrations up to 490 milligrams per kilogram (mg/kg) C9-C14 range Fuel Hydrocarbons, 11 mg/kg benzene, 0.90 mg/kg toluene, and 23 mg/kg xylenes were detected in soil. Soil boring and monitoring well installation on July 28, 1987 noted concentrations of 6,600 mg/kg Total Fuel Hydrocarbons in soil and 33 milligrams per liter (mg/L) Total Fuel Hydrocarbons in groundwater. These data indicate that an unauthorized release had occurred.

Responsible Party Identification

Emeryville Bayfront (aka Emeryville Bayfront Limited Partner) purchased the property, or acquired the title, in March 1983 and is a responsible party because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1), owned or operated the underground storage tank immediately before the discontinuation of its use (Definition 2), owned the property where an unauthorized release has occurred (Definition 3), and had control over an UST at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Sixteen Fifty Sixtyfifth St. Assoc. purchased the property, or acquired the title, in August 1987 and is a responsible party because it owned the property where an unauthorized release has occurred (Definition 3).

P O Partners purchased the property, or acquired the title, in April 1989 and is a responsible party because it owned the property where an unauthorized release has occurred (Definition 3).

Emerybay Plaza JS purchased the property, or acquired the title, in November 1991 and is a responsible party because it owned the property where an unauthorized release has occurred (Definition 3).

Rockwood Atrium LLC purchased the property, or acquired the title, in October 2003 and is a responsible party because it owned the property where an unauthorized release has occurred (Definition 3).

Griffin Capital Corporation, through a series of name changes, (aka Griffin Capital Investors LLC; and Griffin Capital (The Atrium) Investor 20 LLC et al.; and Griffin Capital Atrium Investor 1 LLC et al.) purchased the property, or acquired the title, in July 2005 and is a responsible party because it currently owns the property where an unauthorized release has occurred (Definition 3).

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and [other](#) data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.