

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #:
March 22, 2007

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

NOTICE OF RESPONSIBILITY

Site Name & Address:
SPIEKER PROPERTIES
2000 POWELL ST
EMERYVILLE, CA 94608

Local ID: RO0002822
Related ID: 4051
RWQCB ID:
Global ID: T06019750804

Responsible Party:

SPK EMERYVILLE PROPERTIES LLC
PO BOX A-3879
CHICAGO IL 60690


Date First Reported: 10/16/1998
Substance: 12032 Regular gasoline
Funding for Oversight: LOPF - LOP Federal 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 SPIEKER PROPERTIES LP 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) 341-5650.

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 PLUNKETT, STEVEN, at this office at (510)383-1767 if you have questions regarding your site.



ARIU LEVI, Director
Contract Project Director

Date: 3/23/07

Action: Add
Reason: New RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

March 22, 2007

Site Name & Address:

**SPIEKER PROPERTIES
2000 POWELL STREET
EMERYVILLE, CA 94608-4226**

Local ID: RO0002822

Related ID: NA

RWQCB ID:

Global ID: T06019750804

All Responsible Parties:

RP has been named a Primary RP – SPIEKER PROPERTIES L.P.

c/o TRUDE HURSH

1255 TREAT BLVD., SUITE 150

WALNUT CREEK, CA 94597-7974

RP has been named a Responsible Party – SPIEKER EMERYVILLE PROPERTIES LLC

c/o PROPERTY TAX DEPARTMENT (14672)

PO BOX A-3879, CHICAGO, IL 60690

RP has been named a Responsible Party – HINES

101 CALIFORNIA STREET

SAN FRANCISCO, CA 94111-5894

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."

ACEH has named the responsible parties for this site as detailed below.

Existence of Unauthorized Release

On July 10, 1998 two (2) underground storage tanks (USTs) and a fuel dispenser island was removed from the site. Soil and groundwater sampling conducted in conjunction with the UST removal detected elevated concentrations of total petroleum hydrocarbon as gasoline (TPHg), benzene, toluene, ethylbenzene and xylenes. During the UST removal, up to 27,000 parts per million (ppm) TPHg and 25 ppm benzene were detected in soil, while groundwater samples collected from the UST excavation pit detected up to 30,000 parts per billion (ppb) TPHg and 1,000 ppb benzene.

Responsible Party Identification

Spieker Properties L.P. is the primary responsible party because they owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1). In addition, Spieker Properties was the owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3). Furthermore, Spieker Properties had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

SPK Emeryville Properties LLC was the owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

Hines is a responsible party because they are the owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

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City, State, ZIP+4 CHICAGO, IL 60690	
PS Form 3800, June 2002	See Reverse for Instructions

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 3800
March 22, 2007

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

NOTICE OF RESPONSIBILITY

Site Name & Address:
SPIEKER PROPERTIES
2000 POWELL ST
EMERYVILLE, CA 94608

Local ID: RO0002822
Related ID: 4051
RWQCB ID:
Global ID: T06019750804

Responsible Party:

GEORGE CLEVER
HINES
101 CALIFORNIA STREET, SUITE 1000
SAN FRANCISCO CA 94111-5894

Date First Reported: 10/16/1998
Substance: 12032 Regular gasoline
Funding for Oversight: LOPF - LOP Federal Fund
Multiple RPs?: Yes

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Please contact your caseworker PLUNKETT, STEVEN, at this office at (510)383-1767 if you have questions regarding your site.



ARIU LEVI, Director
Contract Project Director

Date: 3/22/07

Action: Add
Reason: New RP

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

March 22, 2007

Site Name & Address:

SPIEKER PROPERTIES
2000 POWELL STREET
EMERYVILLE, CA 94608-4226

Local ID: RO0002822

Related ID: NA

RWQCB ID:

Global ID: T06019750804

All Responsible Parties:

RP has been named a Primary RP – SPIEKER PROPERTIES L.P.

c/o TRUDE HURSH
1255 TREAT BLVD., SUITE 150
WALNUT CREEK, CA 94597-7974

RP has been named a Responsible Party – SPIEKER EMERYVILLE PROPERTIES LLC

c/o PROPERTY TAX DEPARTMENT (14672)
PO BOX A-3879, CHICAGO, IL 60690

RP has been named a Responsible Party – HINES

101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111-5894

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PS Form 3800, August 2006 See Reverse for Instructions	

ALAMEDA COUNTY
HEALTH CARE SERVICES



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2000 POWELL ST
EMERYVILLE, CA 94608**

**Local ID: RO0002822
Related ID: 4051
RWQCB ID:
Global ID: T06019750804**

Responsible Party:

**SPIEKER PROPERTIES LP
1255 TREAT BLVD #150
WALNUT CREEK CA 94597-7974**

**Date First Reported: 10/16/1998
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City, State, ZIP+4 WALNUT CREEK CA 94597-7974	
PS Form 3800, June 2002 See Reverse for Instructions	