



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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December 1, 2009

Mr. James Soutter (*Sent via E-mail to: James.Soutter@equityoffice.com*)
Equity Office Properties
2655 Campus Drive, Suite 100
San Mateo, CA 94403

Subject: Fuel Leak Case No. RO0002900 and Geotracker Global ID T0600165110, SPK Industrial Property, 700 Independent Road, Oakland, CA 94621 – Additional Responsible Party

Dear Mr. Soutter:

In a Notice of Responsibility dated February 17, 2006, Equity Office Properties was notified that the above referenced site had been placed in the Local Oversight Program and that they were named as a Responsible Party for the fuel leak case. 700 Independent LP purchased the property on or about June 26, 2008. 700 Independent LP has been named an additional Responsible Party for the fuel leak case 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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment A: Responsible Parties Data Sheet

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cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

Charles Almestad, Kleinfelder West, Inc., 1970 Broadway, Suite 710
Oakland, CA 94612 (Sent via E-mail to: calmestad@kleinfelder.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH

Geotracker, File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

December 01, 2009

Site Name & Address:

**SPK INDUSTRIAL PROPERTY
700 INDEPENDENT RD
OAKLAND, CA 94621**

**Local ID: RO0002900
Related ID: NA
RWQCB ID: NA
Global ID: T0600165110**

All Responsible Parties

**RP has been named a Primary RP - JAMES SOUTTER
EQUITY OFFICE PROPERTIES**

1740 TECHNOLOGY DRIVE, SUITE 150 | SAN JOSE, CA 95110 | Phone (408) 487-4188

**RP has been named a RP - FRANCIS J MEYNARD
700 INDEPENDENT ROAD LP**

104 CALEDONIA STREET SUITE C | SAUSALITO, CA 94965 | Phone (415) 331-3838

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:

"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

"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."

"Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

"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.

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

December 01, 2009

Responsible Party Identification

Existence of Unauthorized Release

An underground storage tank (UST) was discovered in the area of the loading dock during site investigation activities in 2005. The UST and associated piping were removed on August 17, 2005. The UST was observed to be rusty and stained with many holes. The soils surrounding the UST were visibly stained and had a hydrocarbon odor. Total petroleum hydrocarbons (TPH) as diesel and TPH as gasoline were detected in soil samples collected in the area of the UST at concentrations up to 5,090 and 877 milligrams per kilogram, respectively. The observations during tank removal and results from the soil sampling during the UST excavation indicate that an unauthorized release occurred.

Responsible Party Identification

Equity Office Properties owned the property at the time of the UST discovery and was identified as a responsible party for the fuel leak case in a Notice of Responsibility dated February 17, 2006. Equity Office Properties is a responsible party because they are the former owner of property where an unauthorized release occurred (Definition 3).

700 Independent LP purchased the property on or about June 26, 2008. 700 Independent Road LP is a responsible party because they are the current owner of the property where an unauthorized release occurred (Definition 3).