



February 23, 2017

Mr. Michael Strahs
East Bay Bridge Retail, LLC
c/o Federal Realty Investment Trust
356 Santana Row, Suite 1005
San Jose, CA 95128
(Sent via electronic mail to: mstrahs@federalrealty.com)

Subject: Notification of Potential Closure Consideration, Fuel Leak Case RO0003210 and GeoTracker
Global ID T10000008569, Emery Street, 3839 Emery Street, Emeryville, CA 94608

Dear Mr. Strahs:

As you are aware, Alameda County Department of Environmental Health (ACDEH) is considering closing the above referenced fuel case. Several site investigations for an underground storage tank leak has been performed at the subject property to which you are named as the primary or active responsible party. Thank you for submitting the completed *List of Landowners Form* requested in ACDEH's December 6, 2017 Directive Letter.

Public Participation

Public participation is a requirement for the case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACDEH will distribute the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *Invitation to Comment - Potential Case Closure* requests that landowners or residents submit any comments or questions to ACDEH regarding potential case closure. ACDEH will consider all comments from the public prior to potential case closure. ACDEH will provide you with written notification if any comments are received during the following Public Comment Period:

- **February 27, 2017** – Public Comment Period Begins
- **May 1, 2017** – Public Comment Period Ends

Waste Removal Activities

After public comments have been addressed you will be requested to remove, and document the removal of, any remaining investigation derived waste from the site. If however, final sign-off of investigation derived waste disposal has already occurred, please forward the final and complete documentation (three signatures required) with the requested *List of Landowners Form*, or at the time it becomes available.

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,

A handwritten signature in blue ink, appearing to read "Mark E. Detterman", with a stylized flourish at the end.

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

Mr. Michael Strahs
RO0003210
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Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations &
Electronic Report Upload (ftp) Instructions

Attachment 2 - *Invitation to Comment - Potential Case Closure* and Address List

cc: Chris Heiny, Cornerstone Earth Group, Inc, 1270 Springbrook Road, Suite 101, Walnut Creek,
CA 94597; (Sent via electronic mail to: cheiny@cornerstoneearth.com)

Kurt Soenen, Cornerstone Earth Group, Inc, 1270 Springbrook Road, Suite 101, Walnut Creek,
CA 94597; (Sent via electronic mail to: ksoenen@cornerstoneearth.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)

Electronic File; GeoTracker

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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late 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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.



INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**EMERY STREET
3839 EMERY STREET
FUEL LEAK CASE RO0003210
GEOTRACKER GLOBAL ID T10000008569**

February 23, 2017

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Department of Environmental Health (ACDEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-Threat Closure Policy. Therefore, ACDEH is considering closure of the fuel leak case. Due to the residual contamination on site, the site would be closed with site management requirements that require further evaluation if the site is to be redeveloped in the future.

The public is invited to review and comment on the potential closure of the fuel leak case. This notice is being sent to the current occupants and landowners of the site and adjacent properties and other known interested parties. The entire case file can be viewed over the Internet on the ACDEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.waterboards.ca.gov>). Please send written comments to Mark Detterman at the address below; all comments will be forwarded to the responsible parties. **Comments received by May 1, 2017** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACDEH caseworker, Mark Detterman at 510-567-6876 or by email at mark.detterman@acgov.org. Please refer to ACDEH case RO0003210 in any correspondence.

CRP TBG BRIDGECOURT APARTMENTS LP
PARCEL #: 49-619-1
26 CORPORATE PARK DR #200
IRVINE CA 92606-3115

CRP TBG BRIDGECOURT APARTMENTS LP
PARCEL #: 49-619-4
26 CORPORATE PARK DR
IRVINE CA 92606-3113

EAST BAY BRIDGE RETAIL LLC
PARCEL #: 49-619-5
1626 E JEFFERSON ST
ROCKVILLE MD 20852-4041

EAST BAY BRIDGE RETAIL LLC
PARCEL #: 49-619-2
1626 E JEFFERSON ST
ROCKVILLE MD 20852-4041

EAST BAY BRIDGE RETAIL LLC
PARCEL #: 49-619-3
1626 E JEFFERSON ST
ROCKVILLE MD 20852-4041

EAST BAY BRIDGE RETAIL LLC
PARCEL #: 49-619-6
1626 E JEFFERSON ST
ROCKVILLE MD 20852-4041

OCCUPANT
PARCEL #: 49-619-5
3839 EMERY ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-619-2
3838 HOLLIS ST #LOT2
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-619-3
3838 HOLLIS ST #LOT2
OAKLAND CA 94608

OCCUPANT
PARCEL #: 49-619-1
HOLLIS ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-619-4
EMERY ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-619-6
3889 SAN PABLO AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-619-3
3838 HOLLIS ST LOT2 #LOT2
OAKLAND 94608

OCCUPANT
PARCEL #: 49-619-6
3823 SAN PABLO AV
EMERYVILLE 94608

OCCUPANT
PARCEL #: 49-619-4
3995 EMERY ST
EMERYVILLE 94608

OCCUPANT
PARCEL #: 49-619-6
1199 40TH ST
EMERYVILLE 94608

OCCUPANT
PARCEL #: 49-619-5
3839 EMERY ST 300 #300
EMERYVILLE 94608

OCCUPANT
PARCEL #: 49-619-5
3839 EMERY ST 200 #200
EMERYVILLE 94608

OCCUPANT
PARCEL #: 49-619-4
3997 EMERY ST
EMERYVILLE 94608

OCCUPANT
PARCEL #: 49-619-5
3839 EMERY ST 100 #100
EMERYVILLE 94608