



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

June 9, 2006

MARSILIO DIGIOVANNI  
17015 53<sup>RD</sup> AVE S  
SEATTLE WA

**Re: Further Action Determination under WAC 173-340-515(5) for the following  
Hazardous Waste Site:**

- Site Name: SOUTHGATE OIL
- Site Address: 23428 PACIFIC HWY S KENT WA
- Facility/Site No.: 84946863
- VCP No.: NW0982

Dear: MR DIGIOVANNI

Thank you for submitting your independent remedial action report for the SOUTHGATE OIL facility (Site) for review by the State of Washington Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

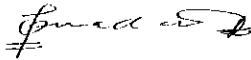
1. April 10, 2006 Notification of Pending Inactive Determination Status for the following Hazardous Waste Site enrolled in the Voluntary Cleanup Program by Ecology

Identify & Terminate Inactive Sites  
Further Action Determination  
VCP- SOUTHGATE OIL TCP ID# NW0982  
June 9, 2006

applicable regulatory requirements and opinions regarding whether remedial actions proposed for or performed at the Site meet those requirements.

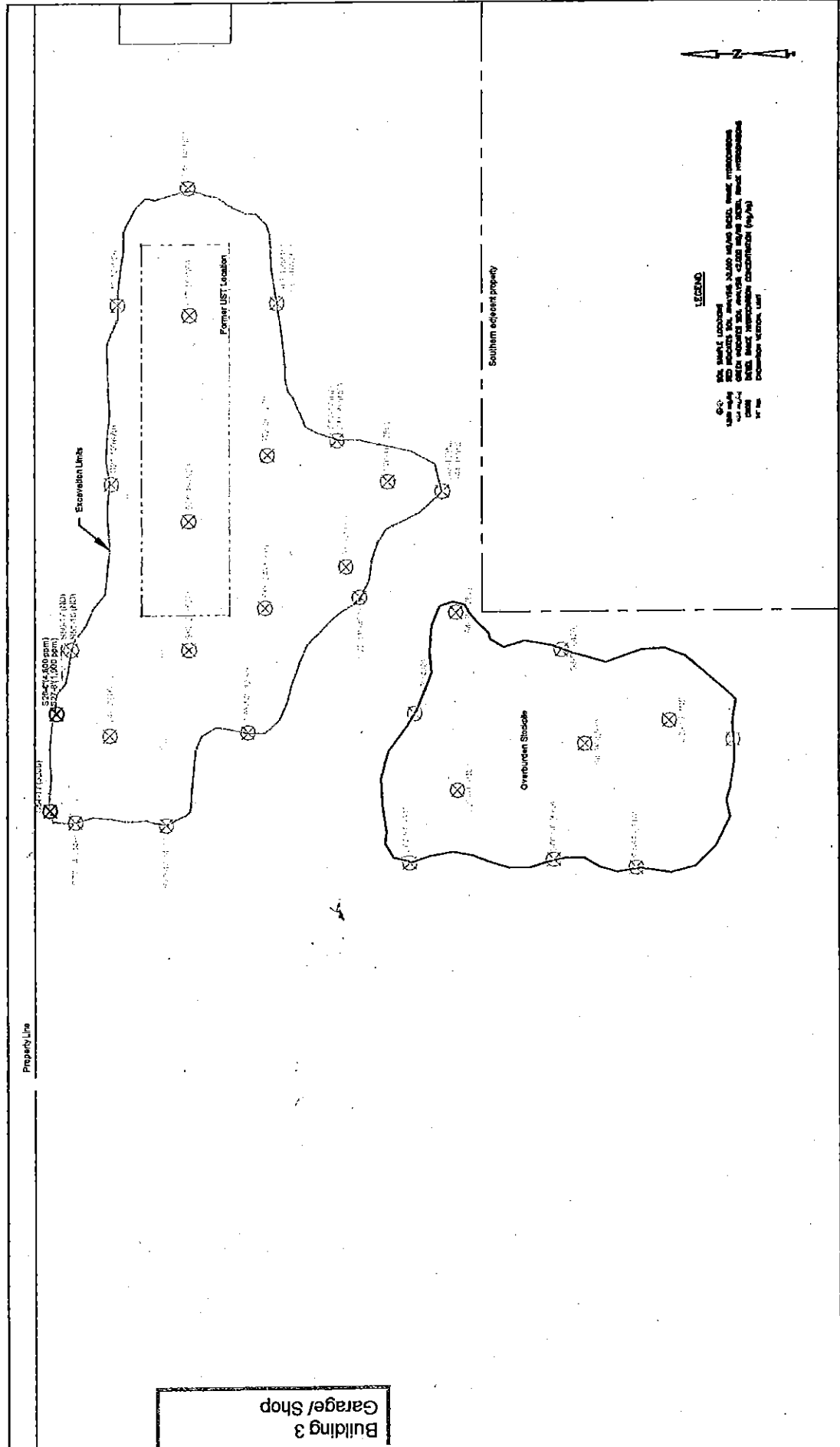
If you have any questions you may reach me at (360) 407-7244.

Sincerely



Nnamdi Madakor, VCP Coordinator  
HQ - Toxic Cleanup Program

cc: Mark Edens, NWRO VCP Unit Manager.  
Dale Myers, NWRO Data Coordinator  
Trish Akana, Ecology (NW0982)  
NM:nm



<p>Figure 2 Confirmation Soil Sample Location Map UST 1 Excavation - Soil Remediation Area Bulk Diesel Terminal - UST Decommissioning Project 23428 Pacific Highway Kent, Washington</p>	<p>PROJECT NAME: DIOGIOVANNI PROPERTY 23428 PACIFIC HIGHWAY SOUTH KENT, WASHINGTON</p> <p>SES PROJECT NUMBER: 301-1</p>	<p>SES Project No.: 301-1 Date: 02/25/02 Drawn By: SSPencer Checked By: SSPencer File ID: Figure 4 - Soil Sample Location Map</p>	<p>10.0 5.0 0 10.0 SCALE IN FEET</p>
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Building 3  
Garage/Shop