



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

January 23, 2013

Mr. Don Harris
Harvest Orchard Park Retirement Residence, LLC
2250 McGilchrist Street SE
PO Box 14111
Salem, OR 97309

Re: Termination of VCP Agreement for the following Site:

- **Site Name:** Harvest Orchard Park Retirement
- **Site Address:** 620 N 34th Avenue, Yakima
- **Facility/Site No.:** 1431907
- **Cleanup Site No.:** 3933
- **VCP Project No.:** CE0287

Dear Mr. Harris:

The Department of Ecology (Ecology) is terminating the VCP Agreement governing Project No. CE0287. The project involved the cleanup of the Harvest Orchard Park Retirement facility (Site). The effective date of termination is the date of this letter. We are providing this notice in accordance with the terms of the Agreement.

Reason

Ecology is terminating the Agreement because we understand that there is no active remediation ongoing at the Site. Our last correspondence with you about the Site was a Further Action letter dated June 30, 2010. That letter stated that in order for a No Further Action determination to be made at the Site an institutional control in the form of an environmental covenant is required. On January 10, 2013, you responded to an email from Jeff Newschwander, Ecology's Site Manager for this Site, indicating that a covenant would not be filed because the lender does not require a No Further Action letter at this time.

Next Steps

Based on this decision, Ecology will take the following steps:

1. List the Site as requiring an institutional control.



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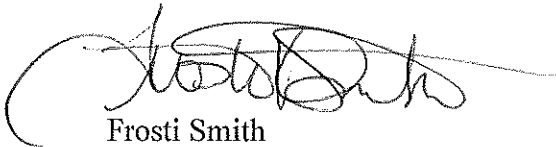
2. Conduct a Periodic (5 Year) Review at the Site. This review will be conducted approximately 5 years from the date of the June 2010 Further Action letter requiring the institutional control.

You may apply to reenter the VCP if you decide to conduct further action at the Site or if you chose to pursue a No Further Action determination by implementation of an institutional control.

Contact Information

If you have any questions about this notice, please contact me at (509) 454-7841.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frosti Smith', with a large, sweeping flourish extending to the left.

Frosti Smith
VCP Data Manager
Toxics Cleanup Program, CRO

By certified mail: 7009 2250 0004 4951 1331

cc: Yen-vy Van, Associated Environmental Group
Dolores Mitchell, VCP Financial Manager
ecc: Jeff Newschwander, TCP-CRO