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STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

**Southwest Region Office**  
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November 14, 2023

Jon K. Wactor, Counsel  
ROIC Four Square, LLC  
3640 Grand Avenue, Suite 200  
Oakland, CA 94610  
[jonwactor@welg.law](mailto:jonwactor@welg.law)

**Re: Periodic Review Process Early Notification Letter**

- **Site name:** Bruce Titus Chevrolet (aka Walker Chevrolet)
- **Site address:** 633 Division Avenue, Tacoma, WA 98403
- **Facility/Site ID:** 3427832
- **Cleanup Site ID:** 5318
- **VCP Project No.:** SW1616

Dear Jon Wactor:

Under the Model Toxics Control Act (MTCA), Chapter 70A.305 and WAC 173-340, the Washington State Department of Ecology (Ecology) must conduct a periodic review of all sites every five years where conditions are met under WAC 173-340-420, including the use of institutional controls and environmental covenants as part of the cleanup action, as at this Site. Ecology issued a property-specific no further action (NFA) opinion letter for the cleanup under former Voluntary Cleanup Program (VCP) cleanup project SW1616 on January 9, 2018. This letter serves to inform you that the first periodic review for Bruce Titus Chevrolet<sup>1</sup> (Site) is due.

Based on recent correspondence regarding Property ownership, Ecology has learned:

- 1) That Pierce County parcel 2030120032 (the Property) sold on February 23, 2018, to ROIC Four Square, LLC. Thank you for providing the change of contact information for the new owner.
- 2) The environmental covenant for the Site was executed on November 29, 2017, and required monitoring and inspection at 24-month intervals. Ecology's records indicate that two monitoring events have been completed at the Site: October 2019 and

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<sup>1</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/5318>

February 2021. Thank you for submitting your reports and uploading your data to EIM for the first two monitoring events.

- 3) Based on the date of the covenant, the third monitoring and inspection event is due in the next few months. Ecology is not requiring completion of the third event to perform the periodic review, but if the event has been completed or is scheduled within the next month, we would prefer to include it in this review. Please provide an update on your schedule for the next event.

Ecology uses the following typical process to complete the periodic review:

1. Contact the Site owner to explain the periodic review requirement and the process.
2. Visit the Site to check the current status of the Site conditions.
3. Verify whether the requirements of the restrictive covenant (RC) are being followed properly.
4. Prepare a comprehensive periodic review report based on the Site investigation and cleanup activities/reports.
5. Prepare a brief webpage summary of the periodic review report.
6. Publish the webpage summary (with a link to the draft periodic review report for downloading) in Ecology's Site Register for a minimum 30-day public notice and comment period.
7. Respond to public comments if we receive any.
8. Finalize the draft periodic review report.
9. Mail a copy of the final report to the property owner and other appropriate people with a cover letter.

Ecology will be working with you to schedule a site visit and to further discuss the periodic review process. If you have questions about this letter, please contact me at 360-999-9584 or [dean.malte@ecy.wa.gov](mailto:dean.malte@ecy.wa.gov).

Dean Malte, LG



VCP Cleanup Project Manager  
Toxics Cleanup Program  
Southwest Region Office

DM:at

By Certified Mail:9489 0090 0027 6383 2221 03

cc: TCP Environmental Covenants Coordinator  
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