

File



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

September 23, 2009

Mr. Jeff Brown
Safeway Inc.
4410 Rosewood Drive
Pleasanton CA 94588-3429

Thomas C. Morin, L.G.
EPI
295 NE Gilman Blvd. Suite 201
Issaquah WA 98027

Dale Walker
Walker's Renton Subaru
720 Rainier Ave S
Renton WA 98055

Re: Termination of VCP Agreement for the following Site:

- **Site Name:** Walker's Renton Subaru
- **Site Address:** 720 Rainier Ave S. Renton WA
- **Facility/Site No.:** 19684856
- **VCP Project No.:** NW0420

Dear Mr. Brown:

The Department of Ecology (Ecology) is terminating the VCP Agreement governing Project No. NW0420. The project involved the cleanup of the Walker's Renton Subaru Property. 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

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Ecology is terminating the Agreement because we understand that you are not actively cleaning up the Site. On June 25, 2009, we sent you a letter requesting an update on the status of your cleanup and your plan for completing the cleanup. The Groundwater Monitoring Reports sent to Ecology of 5/12/09 and 10/08/07 show that residual contamination that act as ongoing sources to the groundwater quality impacts above the MTCA cleanup level for TPH gasoline remain at the southwest corner (MW-1) of the property. This suggests an ongoing source migration of TPH gasoline above the MTCA cleanup levels at that location and possibly beyond the property boundary. Further remedial actions; investigation and mitigation steps are necessary to address this potential ongoing source migration southwest corner of the site. The ongoing Groundwater Monitoring and Reporting will not be sufficient to address the necessary MTCA substantive requirement for an NFA determination at this site. As a result, we have decided to terminate the Agreement.

Next Steps

Based on this decision, Ecology may take one or more of the following steps:

1. Send you an invoice for any costs remaining on your account. In accordance with the terms of the Agreement, you remain responsible for any costs incurred by us before the effective date of termination.
2. Conduct a site hazard assessment (SHA) and rank the Site for further action.
3. Identify those persons we find potentially liable for cleanup of the Site.
4. Initiate discussions for an agreed order or consent decree that will govern further action at the Site.

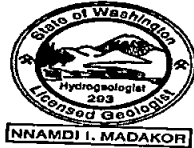
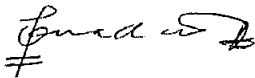
You may apply to reenter the VCP if you decide to conduct further action at the Site.

Contact Information

Ecology is committed to working with you to accomplish the prompt and effective cleanup of the Site. For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion, please contact me by phone at (360) 407-7244 or e-mail at nmad461@ecy.wa.gov.

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Sincerely,



Nnamdi Madakor, PHg, P.G.
VCP Statewide Coordinator
HQ - Toxic Cleanup Program

By certified mail **7008 2810 0001 3940 6845**

cc: Dolores Mitchell - VCP Financial Manager
Russ Olsen - VCP Unit Manager NWRO