



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

August 18, 2009

CERTIFIED MAIL
7005 1820 0000 6708 3982

release 1495
Starvin Sams arco #8
Bellingham

Mr. John Skance
Strategy Manager
Atlantic Richfield Company
P.O. Box 1257
San Ramon, CA 94583

Dear Mr. Skance:

Re: Reported Release of Hazardous Substances and Potential Liability for the Releases at Sites Listed in Enclosure 1

Under the Model Toxics Control Act (MTCA), chapter 70.105D RCW, which governs the cleanup of hazardous waste sites in Washington State, the Department of Ecology (Ecology) may identify persons that it finds liable for the release of hazardous substances at a site. Before making such a finding, Ecology must provide persons with notice and an opportunity to comment on the proposed finding. Any person whom Ecology finds, based on credible evidence, to be liable is known as a "potential liable person" or "PLP".

Ecology has reviewed data that you have submitted and that Ecology has obtained for the sites listed in Enclosure 1. As a result of Ecology's review, Ecology believes that releases of a hazardous substance have occurred at each site and that further action will be required. Based on recent and previous review of multiple site reports over many years, Ecology has added these sites to our Leaking Underground Storage Tanks List. For sites not already in our database of suspected hazardous waste sites, Ecology intends to add sites in Enclosure 1 to our database of suspected hazardous waste sites.

Proposed Finding of Liability

Ecology is proposing to find Atlantic Richfield Co (ARCO) liable under RCW 70.105D.040 for the release of hazardous substances at each of the sites listed in Enclosure 1. This proposed finding is based on the following evidence:

Atlantic Richfield Company (a BP affiliated company) is doing business in Washington State as, or has otherwise purchased, sold, or operated properties in Washington State formerly owned or operated by Atlantic Richfield Company (ARCO), British Petroleum (BP), BP West Coast Products LLC, Amoco, BP Amoco. The taxpayer of record, seller of record, former site owner, or site operator for the 114 sites listed in Enclosure 1.

entered
CP
4-6-10



Opportunity to Respond to Proposed Finding of Liability

In response to Ecology's proposed finding of liability, you may either:

1. Accept your status as a PLP without admitting liability and expedite the process through a voluntary waiver of your right to comment. This may be accomplished by signing and returning the enclosed form (Enclosure 2) or by sending a letter containing similar information to Ecology;
2. Challenge your status as a PLP by submitting written comments to Ecology within sixty (60) calendar days of the date you receive this letter; or
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Carrie Pederson
Northwest Regional Office, Toxic Cleanup Program
3190 160th Avenue SE
Bellevue, WA 98008-5452

After reviewing any comments submitted or after 60 days if no response has been received, Ecology will make a final determination regarding your status as a PLP for each site listed in Enclosure 1 and provide you with written notice of that determination.

Identification of Other Potentially Liable Persons

Ecology may notify additional persons that may be potentially liable for the release of hazardous substances at one or more of the sites listed in Enclosure 1. Ecology is looking into who else may be PLPs at one or more of these sites. If you are aware of any other persons who may be liable for the releases of hazardous substances at each of the 114 sites listed in Enclosure 1, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up these sites.

Responsibility and Scope of Potential Liability

Please note that Ecology may either conduct, or require PLPs to conduct, remedial actions to investigate and cleanup up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial actions to be conducted.

Please note that each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a

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site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real

property and those costs are not reimbursed, then Ecology has the authority under RCW 70.105D.055 to file a lien against that real property to recover those costs.

Next Steps in Cleanup Process

In response to the release of hazardous substances at each site, Ecology intends to initiate discussions under MTCA with ARCO and/or other PLPs for an order or decree to perform necessary site investigations, remedial actions, and monitoring, including reimbursement of costs to Ecology for expenses incurred. For a description of the process for cleaning up a hazardous waste site under MTCA, please refer to the enclosed fact sheet (Enclosure 3)

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of hazardous waste sites. Please note that your cooperation in planning or conducting remedial actions at each of the sites listed in Enclosure 1 is not an admission of guilt or liability.

If you have any questions or comments, please contact me at (425) 649-7254. Thank you for your cooperation.

Sincerely,



Carrie Pederson
Toxics Cleanup Program
Northwest Regional Office

Cp/wr

Enclosures: 3

cc: Enclosure 1 List of 114 Sites
Enclosure 2 Voluntary Waiver of Right to Comment Form
Enclosure 3 Focus: Model Toxics Control Act Cleanup Regulation: Process for Cleanup of Hazardous Waste Sites (Focus No. 94-129, revised November 2007)

Enclosure 1
List of 114 Sites

	UST ID	ALT Name	Address	City
1	230	Arco Handy Mart	150 SW 160th St	Burien
2	1521	Arco Station Larry's	1904 Wetmore Ave	Everett
3	6126	Arco Refinery Ferndale	4519 Grandview Rd	Ferndale
4	6328	BP Oil Station #01964	16405 SE 272nd St	Covington
5	6337	BP Station #11349	305 A St SE	Auburn
6	8486	Unocal Station #5897	1600 SW 312th	Federal Way
7	8769	Arco 8769	24001 Pacific Hwy S	Kent
8	8778	Arco Station #4445	2020 SW 356th St	Federal Way
9	9049	Arco Dicks	1802 Broadway	Everett
10	9504	Exxon Station #7-6107	721 228th Ave NE	Redmond
11	10180	BP Oil Station #11263	1221 4th Ave	Marysville
12	10362	U-Save Oil BP Station Kenmore	6115 Bothell Way NE	Kenmore
13	10363	U-Save Oil BP Station-Auburn	601 Auburn Way S	Auburn
14	101130	Arco Station #4473	9506 19th Ave SE	Everett
15	200010	BP Station Wong (Former)	12354 15th NE	Seattle
16	619150	Helms Property (former Arco)	12455 Tukwila Int'l Blvd	Tukwila
17	7449	BP Service Station	3215 4th Ave S	Seattle
18	1651	Arco Station 0977-Daves	155 NW 85th	Seattle
19	3263	Arco Facility 0818	3201 20th Ave W	Seattle
20	3825	Arco 5567	401 Ellingson Rd	Pacific
21	5272	Arco Station 5377	13131 19th Ave SE	Everett
22	5970	Arco 4051-Greenlake Gas & Food	7002 Woodlawn Ave NE	Seattle
23	8736	Arco Station #0409	13515 Ambaum Blvd SW	Seattle
24	8738	Arco Station #822	202 5th Ave S	Edmonds
25	8739	Arco Station #0836	11611 NE 8th St	Bellevue
26	8740	Arco Station #0921	4030 Rucker Ave	Everett
27	8742	Arco Station #0980	10822 Roosevelt Way NE	Seattle
28	8743	Arco Station #0986	14359 15th NE	Seattle
29	8746	Arco Station #4090	2200 4th Ave S	Seattle
30	8748	Arco Station #4228	10402 SE 256th	Kent
31	8751	Arco Facility 4291 (former)	801 NE 65th St	Seattle
32	8758	Arco Station #4368	17605 SE 108th Ave	Renton
33	8766	Cameron Enterprises V	1515 164th St SW	Lynnwood
34	8773	Arco Station #4466	800 Front St	Issaquah
35	8776	Arco Station #4451	10504 Aurora Ave N	Seattle
36	8779	Arco Station #5243	31855 Pacific Hwy S	Federal Way
37	8780	Arco Station #5242	17001 Bothell Way NE	Lake Forest Park
38	8781	Arco Station #5241	2202 S 320th St	Federal Way
39	8784	Arco Station #5238	175 Rainier Ave S	Renton
40	8787	Arco Facility #05219/IRC INC	21214 84th Ave S	Kent
41	8788	Arco Station #5218	7200 E Marginal Way S	Seattle
42	8789	Arco Station #5207	401 Park Ave N	Renton
43	8795	Arco Station #6067	8009 164th Ave NE	Redmond
44	8796	Arco Facility 6031	11450 NE 124th St	Kirkland
45	8797	Arco Station #6026 (1989)	17200 140th Ave SE	Renton
46	8803	Arco Tank Farm	1652 SW Lander St	Seattle

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47	8805	Arco Station #6217	12903 NE 20th St	Bellevue
48	8806	Arco Station #6214	4812 196th St	Lynnwood
49	8808	Arco Station #6209	950 N 85th St	Seattle
50	8809	Arco Station #6199	125 Samish Way	Bellingham
51	8810	Arco Station #6194	610 Hwy 20 W	Burlington
52	8812	Arco Facility #6175/Lotus Goodhill Food Mart LLC	3910 S 320th St	Auburn
53	8814	Arco Station #6162	1403 NW Sammamish Rd	Issaquah
54	8815	Arco Station #6155	5800 Southcenter Blvd	Tukwila
55	9502	Exxon Station #7-3535	8408 N Aurora Ave	Seattle
56	9555	BP Oil #03144	26821 Maple Valley Hwy	Maple Valley
57	10131	BP Oil #11064	13310 Interurban Ave	Tukwila
58	10132	Tocso (BP) Station #11048	15846 1st Ave S	Burien
60	10133	BP Oil Station #11255	19924 Int'l Blvd	Seatac
61	10134	BP Oil Station #11069	1517 W Dravus St	Seattle
62	10136	BP Oil Station #11067	15615 NE 8th St	Bellevue
63	10138	BP Oil Station #11062	11001 Roosevelt Way NE	Seattle
64	10140	BP Oil Station #11060	4580 Fauntleroy Way SW	Seattle
65	10142	BP Oil Station #11071	11848 NE 85th St	Kirkland
66	10144	BP Oil Station #11063	9800 NE 116th St	Kirkland
67	10145	BP Oil Station #11051	720 N Central Ave	Kent
68	10147	BP Oil Station #11050	2535 S 320th St	Federal Way
69	10148	Tosco Station #11047	33520 21st Ave SW	Federal Way
70	10162	BP Oil Station #11061	5100 NE 25th Ave	Seattle
71	10169	BP Oil #11093	16320 Mill Creek Blvd	Mill Creek
72	10172	BP Oil Station #11066	2421 148th Ave NE	Bellevue
73	10173	BP Oil Station #11068	28718 Military Rd	Federal Way
74	10182	BP Oil Station #11096	7601 Lake Ballinger Way	Edmonds
75	10183	BP Oil Station #11264	301 W Mukilteo Blvd	Everett
76	10187	BP Oil Station #11265	4102 Rucker Ave	Everett
77	97529	Arco Facility 5375	6966 Coal Creek Pkwy SE	Newcastle
78	97530	Arco Facility #05373/Veer Kumar Inc	2125 E College Way	Mt Vernon
79	97531	Arco Station 5363	27202 Pacific Hwy S	Federal Way
80	97535	Arco Station #5246	5620 Martin Luther S	Seattle
81	97618	Arco Facility 5445	665 23rd Ave	Seattle
82	97711	Arco Facility 5544 (former)	19918 68th Ave S	Kent
83	97712	Arco Station #5491	1537 Duvall NE	Renton
84	99027	Arco Station #5581	830 Moore St	Sedro-Woolley
85	100008	Arco Facility 5508	1306 112th St SW	Everett
86	100035	BP Oil Station #11054	21208 68th Ave S	Kent
87	100392	Arco Facility 5665	3825 Harbor Point Blvd	Mukilteo
88	101055	Budget Rent A Car	2101 6th St	Bremerton
89	102352	Arco Facility 05902	710 S Grady Way	Renton
90	200506	Schoner Square	196th St SW & 37th Ave W	Lynnwood
91	421749	Arco Station 5236 (former)	14656 Ambaum Blvd SW	Burien
92	619494	Arco 1166	14653 1st Ave S	Burien
93	3101	BP Station Reynolds Bremerton	1534 6th St	Bremerton
94	3645	BP Sta. Burlington Wash Rack	100 N Burlington Blvd	Burlington

Enclosure 1
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95	6338	Ernies BP Enumclaw	320 Griffin Ave	Enumclaw
96	8096	Pacific Center's Old Arco/Arco Stn 862	3701 196th SW	Lynnwood
97	8179	Arco Schauer	8819 14th Ave S	Seattle
98	8344	BP Station Stokes	7833 SE 28th St	Mercer Island
99	9544	Exxon Station #7-0337	1960 148th NE	Redmond
100	9546	Exxon Station #7-2421	4715 NE Sunset Blvd	Renton
101	9683	Starvin Sams Arco #8	4209 Meridian St	Bellingham
102	10139	BP Station Brooklyn (former Mobil 99-D9T)	4557 Brooklyn Ave	Seattle
103	10141	BP Oil 11053	2022 S Puget Dr	Renton
104	10170	BP Oil Station #11046	33800 1st Way S	Federal Way
105	10326	BP Branded Station #02607	10744 Silverdale Way	Silverdale
106	10735	BP Station Ferndale Refinery	3901 Unick Rd	Ferndale
107	10892	BP Station Oak Harbor	1366 W Pioneer Way	Oak Harbor
108	99028	Arco Station Covington	17450 SE 272nd St	Covington
109	99039	BP Oil Station #11352	18725 Bothell Way NE	Bothell
110	100259	Arco Station 99 Market	6132 Evergreen Way	Everett
111	100543	Sedgwick One Stop BP	1701 SE Sedgewick Rd	Port Orchard
112	100598	BP Station #5522	10023 Old Frontier Rd NW	Silverdale
113	100626	Templetons Grocery	1116 Charleston Beach Rd	Bremerton
114	200860	Arco 0980 Caribbean House Apts	10800 Roosevelt Way NE	Seattle

Enclosure 2

Voluntary Waiver of Right to Comment Form

Atlantic Richfield Company
P.O. Box 1257
San Ramon, CA 94583

Pursuant to WAC 173-340-500 and WAC 173-340-520(1)(b)(i). I _____, a duly authorized representative of Atlantic Richfield Company, do hereby waive the right to the thirty (30) day notice and comment period described in WAC 173-340-500(3) and accept status of Atlantic Richfield Company as a Potential Liable Person at the following sites:

	UST ID	ALT Name	Address	City	Waive	Do Not Waive
1	230	Arco Handy Mart	150 SW 160th St	Burien		
2	1521	Arco Station Larry's	1904 Wetmore Ave	Everett		
3	6126	Arco Refinery Ferndale	4519 Grandview Rd	Ferndale		
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113	100626	Templetons Grocery	1116 Charleston Beach Rd	Bremerton		
114	200860	Arco 0980 Caribbean House Apts	10800 Roosevelt Way NE	Seattle		

This waiver is solely for purposes of entering into an Agreed Order or a Consent Decree. By waiving this right, Atlantic Richfield Company makes no admission of liability.

Signature

Date

Relation to the sites (i.e., owner, operator, former owner, former operator)