



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (425) 649-7000

April 27, 1999

CERTIFIED MAIL

Z 337 937 174

Mr. Jeff Goold
Equiva Services, LLC
10602 NE 38th Place
Kirkland, WA 98033

Re: NOTICE OF POTENTIAL LIABILITY
FOR THE RELEASE OF HAZARDOUS SUBSTANCES
UNDER THE MODEL TOXICS CONTROL ACT.

Dear Mr. Goold:

Chapter 70.105D RCW, the Model Toxics Control Act (MTCA), requires the Department of Ecology (Ecology) to provide written notice to all persons it believes to be potentially liable for the release of hazardous substances.

It is Ecology's understanding that Equiva Services, LLC (formerly Texaco, Inc.) was an owner and operator of the Texaco gasoline service station located at 631 Queen Anne Avenue North, Seattle, Washington and that credible evidence exists indicating that a release of a hazardous substance has occurred at this site. The evidence supporting these findings is as follows:

1. A Phase 1 Remedial Investigation Report by Ecology & Environment, Inc. dated August 1991 states that Texaco, Inc. owned and operated this gas station from 1954 to 1977.
2. A petroleum release has occurred at this site and is a threat to human health and or the environment. On site monitoring wells have measured up to 0.81 feet of petroleum product.

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3. Ecology photographs show substantial petroleum release from Texaco's Tanks. Underground storage tanks owned and operated by Texaco were abandoned in place in 1967. During the removal of these tanks in 1993, obvious and substantial petroleum contamination was discovered. Ecology photos show that the petroleum contaminated soils extends from the tank fill spout near the ground surface, down along the fill spout, around the tanks and below the tanks.
4. Declarations from Mr. Gary Arnold and Mr. Roger Aronld state that Texaco's Station Manager, Mr. Bryan Buxton admitted to a 1,500 gallon release. Mr. Buxton worked at the Texaco station from 1957 to 1968 or '69. He then leased the station from Texaco and continued to operate it as a Texaco station from 1968-69 until 1977, when it was sold to the Arnolds. Mr. Buxton told Bill Arnold, Gary Arnold, and Roger Arnold there had been a 1,500 gallon gasoline loss in 1976. Mr. Buxton told the Arnolds that Texaco had paid him for the lost gasoline. Ecology telephone conversation records also confirm that Mr. Buxton told Ecology's Dan Cargill about this loss.

As a result of this evidence, Equiva Services, LLC has been identified as a person potentially liable for the release at this site.

Under the MTCA, you have thirty (30) calendar days from the receipt of this letter to submit written comments to Ecology on your proposed status as a potentially liable person (PLP). Following a review of those comments, Ecology will make a final written determination of your status.

In the interest of expediting this process without admitting liability, you may wish to accept your status as a Potentially Liable Person by waiving your right to the thirty (30) day notice and comment period. This may be accomplished by signing and returning the enclosed form or sending a letter containing similar information to Ecology.

If you are aware of any other persons who may be potentially liable for the release at this site, Ecology encourages you to provide us with their identity and the reason you believe they are potentially liable.

Ecology intends to conduct the following actions at the site: Implement a complete cleanup of the site and reimbursement for Ecology costs.

Ecology's policy is to work cooperatively with PLPs. Please note that cooperating with Ecology in planning or conducting remedial actions at the site is not an admission of guilt or liability and could ultimately result in a more efficient, prompt, and effective cleanup.

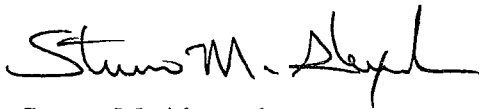
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To date, Ecology has notified Mr. & Mrs. William Arnold that they are potentially liable for the release at 631 Queen Anne Avenue North.

Ecology suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up this site.

If you have any questions or comments please feel free to contact Brian Sato at (425) 649-7265.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven M. Alexander". The signature is fluid and cursive, with the first name "Steven" and last name "Alexander" clearly distinguishable.

Steven M. Alexander
Section Manager
Department of Ecology
Northwest Regional Office

Enclosures

PLP WAIVER

April 27, 1999

Mr. Jeff Goold
Equiva Services, LLC
10602 NE 38th Place
Kirkland, WA 98033

I have received notice from the Department of Ecology which identifies me as a person potentially liable for a release of hazardous substances at the site listed above. I understand that the Department may find me strictly, jointly and severally liable for this release whether I voluntarily accept my proposed status or not. I further understand that by this release I am not necessarily giving up any opportunity to comment on or participate in the ensuing cleanup process or to negotiate with the Department or other PLPs regarding the allocation of costs associated with the investigation and cleanup at this site.

I do hereby voluntarily accept my proposed status as a potentially liable person with regard to the proposed action and in doing so I waive my rights to notice and comment on this status as it relates to this action.

Signature

Date

Relation to Site (ie: owner, operator, etc.)