



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 11, 2013

Circle K Stores, Inc.
Attn: Greg Grover
255 East Rincon, Suite 100
Corona, CA 92879

RE: Early Notice Letter Regarding the Release of Hazardous Substances

- Site Name: Sun Mart 30
- Site Address: 6006 West Clearwater Avenue, Kennewick
- Assessor's Parcel No.: 133993011791001
- Facility/Site ID No.: 36343669
- Cleanup Site ID No.: 12145

Dear Mr. Grover:

Under Chapter 70.105D Revised Code of Washington (RCW), upon receiving a report of a release or threatened release of a hazardous substance that may pose a threat to human health or the environment, the Department of Ecology (Ecology) is required to conduct an Initial Investigation.

Ecology received a report on December 3, 2012 from Blaes Environmental Management, Inc. titled *Environmental Due Diligence Site Assessment Report SunMart #30 6006 West Clearwater Avenue Kennewick, Washington*. Soil samples collected exceeded Model Toxics Control Act (MTCA) Method A cleanup levels for gasoline, benzene, and xylenes. Diesel, toluene, and ethylbenzene were also detected, but below cleanups levels.

Under the MTCA, Ecology maintains a statewide database of confirmed or suspected contaminated sites. This database is made available to the public upon request and online at http://www.ecy.wa.gov/programs/tcp/sites_brochure/SiteLists_CSCSinstr.htm. It is Ecology's decision that the above-referenced property will be added to this database because soil and potentially groundwater are contaminated at the site.

Please note that inclusion in the database does **not** mean that Ecology has made a determination regarding the identification of any potentially liable person(s) under the Model Toxics Control Act (administered under Chapter 173-340 WAC).



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It is the policy of the Department of Ecology to work cooperatively with persons to accomplish prompt and effective site cleanups. Ecology prefers to achieve site cleanup cooperatively through independent cleanup actions (WAC 173-340-510). Cooperating with Ecology in planning or conducting remedial actions is not an admission of guilt or liability.

In proceeding with an independent cleanup, please be aware that there are requirements in state law which must be adhered to. In particular, WAC 173-340-300(4) requires a report of independent actions. To the extent known, the report shall include:

1. identification and location of the hazardous substance(s)
2. circumstances of the release and discovery
3. remedial actions planned, completed, or underway

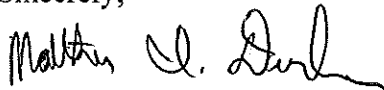
More requirements of independent cleanup actions are discussed in WAC 173-340-120(8)(b). Ecology will use the appropriate requirements contained throughout this chapter in its evaluation of the adequacy of any independent remedial actions performed.

You are encouraged to contact Ecology for limited informal advice and assistance. For technical assistance you are advised to hire an environmental consultant with the appropriate expertise. For a description of the process for cleaning up a site under MTCA, please refer to the enclosed fact sheet.

If you would like Ecology to review the independent cleanup actions conducted and determine if the site warrants **no further action**, you are encouraged to participate in the Voluntary Cleanup Program (VCP). Information about the Voluntary Cleanup Program is available online at <http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>, or you may contact Frosti Smith, CRO VCP Coordinator, at (509) 454-7841.

If you have any questions regarding this letter, please feel free to contact me at (509) 454-7835.

Sincerely,



Matthew Durkee
Site Manager
Toxics Cleanup Program

Enclosure

By certified mail: 7009 2250 0004 4950 5460