



FILE COPY

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

November 13, 2003

**CERTIFIED MAIL**

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Mr. Brian Flones, Superintendent  
Wenatchee School District  
235 Sunset Avenue  
Wenatchee, WA 98801

Dear Mr. Flones:

RE: Early Notice Letter Regarding the Release of Hazardous Substances on property located at the John Newberry Elementary School, 850 North Western Avenue, Wenatchee, Washington

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.

Since 2002, Ecology has been in communication with the Wenatchee School District about having the soils at their schools sampled and analyzed. Twenty-one (21) soil samples on the John Newberry Elementary School property were taken in diverse areas (see enclosed map) and analyzed for arsenic and lead. Of the 21 analyses, none exceeded the Model Toxic Cleanup Act (MTCA) standard of 250 mg/kg for lead and two (2) analyses exceeded the MTCA standard of 20 mg/kg for arsenic. The highest lead concentration was 220 mg/kg while the highest arsenic concentration was 66 mg/kg (see enclosed results table).

Under the MTCA, Ecology maintains a listing of known or suspected contaminated sites. It is Ecology's decision that the above-referenced property will be added to this information system because of the presence of arsenic concentrations in the soil in excess of state cleanup standards.

Ecology has also determined that a Site Hazard Assessment, described in Washington Administrative Code (WAC) 173-340-320, will be required at this site. 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.



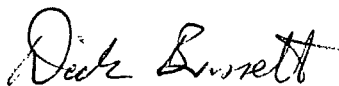
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In proceeding with an independent cleanup, please be aware that there are requirements in state law which must be adhered to. In particular, WAC 173-340-300(4) which requires a report of independent actions. To the extent known, the report shall include: The identification and location of the hazardous substance; circumstances of the release; the discovery and 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. In the future, Ecology may still need to conduct a more detailed inspection of this property, including testing for possible contamination. At that time we may assess the need for further action.

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. A copy of Chapter 70.105D RCW, the Model Toxics Control Act, and the implementing regulation Chapter 173-340 WAC, which details the requirements of the Act, is enclosed.

If you have any questions regarding this letter or the requirements under the MTCA, please call me. My phone number is (509) 454-7839.

Sincerely,



Dick Bassett  
Site Manager/Initial Investigations  
Toxics Cleanup Program

Enc: Chapter 173-340 WAC  
Chapter 70.105D RCW  
Map  
Results Table

cc: Allen Hunter, Chelan-Douglas Health  
Frosti Smith, TCP-CRO  
Michael Spencer, TCP-HQ