



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

January 22, 2003

**CERTIFIED MAIL**

**7000 0520 0023 2099 1790**

Burlington Northern-Sante Fe Railroad  
c/o Mr. Bruce Sheppard  
Environmental Remediation  
2454 Occidental Avenue South, Suite 1A  
Seattle, WA 98134

*This document is part of the official  
Administrative Record for the  
Yakima Railroad Area,  
Washington State  
Department of Ecology*

Dear Mr. Sheppard:

RE: Determination of Potentially Liable Person Status for the Yakima Valley Spray property,  
located at 1108 South 1st Street, Yakima, Washington

On October 22, 2002, the Department of Ecology (Ecology) sent Burlington Northern-Sante Fe (BNSF) Railroad written notice regarding BNSF's proposed status as a potentially liable person for a release of hazardous substances at the Yakima Valley Spray (YVS) facility. After Ecology granted three 15-day time extensions to BNSF, Ecology received your January 11, 2003, response to our proposed potentially liable person notice.

Based on the information available to date, Ecology finds that credible evidence exists which supports Burlington Northern-Sante Fe Railroad's status as a potentially liable person for a release at the YVS facility. On the basis of this finding, the Department of Ecology has determined that Burlington Northern-Sante Fe is a Potentially Liable Person (PLP) with regard to this facility.

With regard to PLP status of other potential liable parties at this site, the following have been named PLPs for this facility: Chevron Chemical Company, Occidental Chemical Corporation, Puregro Company, Shell Chemical Company, Shell Oil Company, TH Agriculture & Nutrition, L.L.C., Vopak USA Inc., Wilbur-Ellis Company, and U-Haul of Inland Northwest.

A Final Cleanup Action Plan (CAP) for the facility was completed by Ecology in the fall of 2001. Copies were distributed to U-Haul of Inland Northwest counsel (Mr. Doug Little), the Formulator group (Mr. Thomas Kilbane), the Shell Oil counsel (Mr. Richard Elliott), and their consultant (ThermoRetch). BNSF received a copy when it copied 4,000 pages from our files.

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW and WAC 173-340. Ecology suggests you contact the other persons named PLPs to discuss how you can jointly

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work together to most efficiently cleanup this site. If you have any questions regarding this notice, please contact Mr. Richard Bassett at (509) 454-7839.

Sincerely,



Donald W. Abbott  
Section Manager  
Toxics Cleanup Program  
Central Regional Office  
Washington State Department of Ecology

cc: Robert Bakemeier  
Richard Elliott  
Frank Fossati  
Troy Froderman  
Elliott Furst  
Thomas Kilbane  
Thomas Koegel  
Richard Roeder  
Leslie Schenck  
Bruce Sheppard  
James Thacher  
Jill Tracy

FOR RECORD - 1/23/03  
Administrative Services  
1/23/03

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