



FILE COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 21, 2005

CERTIFIED MAIL

7002 2410 0007 8527 3075

Mr. Chuck Conley
Tiger Oil Corporation
2850 Fletcher
Boise, Idaho 83702

RE: Notice of Potential Liability for the Release of Hazardous Substances Under the Model
Toxics Control Act – **Tiger Oil 56th and Summitview (Tiger Mart), Yakima,
Washington Facility/Site ID # 58425191**

Dear Mr. Conley:

Chapter 70.105D Revised Code of Washington, the Model Toxics Control Act (Act), 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 Tiger Oil Corporation is an owner of the Tiger Oil facility located at 5511 Summitview Road Yakima, 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. Petroleum products have been released from an underground storage tank system at the Tiger Mart gas station located at 5511 Summitview Road in Yakima, Washington (hereinafter known as the "Site" or "Facility").
2. The site is owned by the Tiger Oil Corporation.
3. Three underground storage tanks (USTs) were decommissioned at the facility in January 2005.
4. The UST removal and decommissioning activities were observed and documented by a licensed Washington State UST Decommissioner and Site Assessor from Tetra Tech Foster Wheeler, Inc.



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5. The UST removal and decommissioning activities were observed by representatives of the Department of Ecology's Toxics Cleanup Program.
6. The soil, excavated during the UST decommissioning activities, appeared to be impacted by petroleum hydrocarbons.¹
7. Laboratory results indicate that samples from the UST excavation contain gasoline range hydrocarbon concentrations ranging from non-detect (<3) to 2,000 mg/kg.
8. Laboratory results indicate that samples from the UST excavation contain total lead concentrations from 5.0 to 380 mg/kg.
9. Laboratory results indicate that samples from the UST excavation contain benzene concentrations ranging from non-detect (<0.03) to 4.4 mg/kg.
10. Laboratory results indicate that samples from the UST excavation contain toluene concentrations ranging from non-detect (<0.05) to 97 mg/kg.
11. Laboratory results indicate that samples from the UST excavation contain ethylbenzene concentrations ranging from non-detect (<0.02) to 40 mg/kg.
12. Laboratory results indicate that samples from the UST excavation contain xylene concentrations ranging from non-detect (<0.02) to 260 mg/kg.
13. These petroleum constituents have contaminated the soil at the site.
14. Petroleum contamination in soil exceeds MTCA method A cleanup levels.
15. The horizontal and vertical extent of petroleum contamination in soil at the site is not known.
16. The groundwater depth and whether or not groundwater has been impacted by petroleum hydrocarbons at the property is unknown.

As a result of this evidence, you have been identified as a person potentially liable for the release of the above contaminants that originates from the property located at 5511 Summitview Road, Yakima, Washington.

Under the Act, 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

¹ Tetra Tech Foster Wheeler, Inc., March 29, 2005. "UST Decommissioning and Site Assessment at Tiger Oil Facility, 5511 Summitview Road, Yakima, Washington".

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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 30 days notice and comment period.

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'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.

If you have questions, please feel free to contact me at (509) 454-7834.

Sincerely,

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

Thomas L. Mackie, LHG
Hydrogeologist, Site Manager
Toxics Cleanup Program

cc: Alex Smith, AAG