



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

106 South 6th Ave. • Yakima, Washington 98902-3387 • (509) 575-2490

December 7, 1992

CERTIFIED MAIL

P 868 668 764

Mr. Jeff Loudon
Maid O'Clover
202 South 5th Avenue
Yakima, WA 98902

Dear Mr. Loudon:

RE: Notice of Potential Liability for the Release of Hazardous
Substances Under the Model Toxics Control Act

Chapter 70.105D RCW, 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 you, Mr. Jeff Loudon, are an owner of the Maid O'Clover located at South 18th Street and East Nob Hill Boulevard, and that credible evidence exists indicating that a release (or threatened release) of a hazardous substance has occurred at this site. The evidence supporting these findings is as follows:

Ecology records on the Maid O'Clover site:

Phone call from Ecology to Jeff Loudon on 1/31/91. Mr. Loudon reported a leak of approximately 2000 gallons over a period of one month due to a blown turbine gasket.

A Site Assessment Investigation was conducted by Environmental Science & Engineering, Inc. from February 11, 1991 to March 25, 1991. The site assessment was initiated by the Washington State Department of Ecology after they received reports of gasoline odors in residential basements to the south of the Maid O'Clover site. Three monitoring wells were installed and soil and groundwater samples were taken. Groundwater samples taken at monitoring well MW-3 showed concentrations of TPH and other hydrocarbons at levels above MTCA clean-up level guidelines.

The Washington State Department of Ecology performed a Site Hazard Assessment and the site was subsequently ranked.

As a result of this evidence, you have been identified as a person potentially liable for the release of petroleum products at the Maid O'Clover site located at 1802 East Nob Hill Boulevard in Yakima, WA.

Under the Act, you have 30 calendar days from the receipt of this letter to submit written comments to Ecology on your proposed status as a

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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 30 days 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:

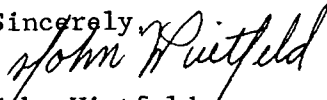
Issue an administrative order to do an Remedial Investigation/Feasibility Study(RI/FS). The purpose of the RI/FS is to determine the full extent of the contamination and provide possible alternatives for remediation.

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.

To date, Ecology has not proposed any other persons to be found potentially liable.

Enclosed, please find a copy of Chapter 70.105D RCW and Chapter 173-340 WAC for your information. If you have questions, please feel free to contact me at (509) 454-7836.

Sincerely,



John Wietfeld
Site Manager
Department of Ecology
Central Regional Office

JOW:JA:vw
g:plpmaid

Enc: Chapter 70.105D RCW
Chapter 173-340 WAC
Waiver Form