



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 7, 2011

Mr. Bruce Sheppard
Burlington Northern Santa Fe Railway
2454 Occidental Ave. S.
Seattle, WA 98134-1451

RE: Early Notice Letter Regarding the Release of Hazardous Substances on property located at
Big B Mini Mart site, 1611 Canyon Road, Ellensburg
Facility/Site ID # 386

Dear Mr. Sheppard:

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.

A report of release was received by Ecology, and an initial investigation conducted in 1990-1991, resulting in a 'Further Action' recommendation (Site Hazard Assessment). A field investigation by Department of Ecology tank inspectors on April 6, 2011 detected free-phase gasoline-range hydrocarbons on groundwater in multiple monitoring or observation wells at the site with an estimated thickness of at least .04 ft.

Under the Model Toxics Control Act (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/cscs/CSCSpagEpage.HTM>. It was Ecology's decision that the above-referenced property was to be added to this database because soil and 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).

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) 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

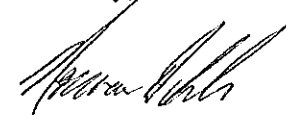
More requirements of independent cleanup actions are discussed in WAC 173-340-120(8)(b). Ecology will use the appropriate requirements contained throughout this chapter in its evaluation of the adequacy of any independent remedial actions performed.

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. 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 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) 454-7837.

Sincerely,



Norman D. (Norm) Peck
Site Manager
Toxics Cleanup Program

Enc: Chapter 173-340 WAC
Chapter 70.105D RCW

By certified mail: 7009 2250 0004 4951 4325

cc: Mr. Nabin Joshi, Short Stop, LLC
Mr. Gurmit Singh Kaila