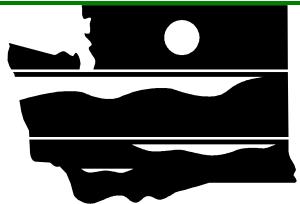


Queen Anne Texaco Arnold's Mini-Mart



FACT SHEET & NOTICE OF PUBLIC COMMENT PERIOD

Draft Past Costs Consent Decree

The Washington State Department of Ecology (Ecology) is proposing to enter into a Consent Decree with Texaco, Inc. (soon to become Texaco Downstream Inc.) and the estate of William and Erma Arnold to settle past cost liabilities associated with the ongoing investigation and cleanup at the Manhattan Express located at 631 Queen Anne Avenue North in Seattle, Washington.

Ecology invites the public to review and comment on the proposed Consent Decree.

Ecology will accept public comments, in writing or via e-mail, from October 8 to November 7, 2001. Please include your name and address on your comment. The box at the right indicates where to find information and send comments.

SITE BACKGROUND

In 1986, an investigation was initiated by Ecology in response to complaints of strong gasoline odors at the Monterey Apartments (622 First Avenue West). The investigation confirmed that shallow groundwater beneath the building was contaminated with gasoline. Gasoline contamination was also identified beneath what is now the Manhattan Express, a former gas station/mini-mart located at 631 Queen Anne Avenue

North. The former gas station/mini-mart has been identified as the likely source of contamination.

Emergency measures were mandated by Ecology at that time to reduce the threat to human health. Ecology installed product recovery wells in an effort to remove the gasoline from the water table. Groundwater monitoring wells were also installed to track the contamination.

In 1990, continued monitoring of the site groundwater and new reports of gasoline odors at the Monterey Apartments prompted Ecology to initiate additional work at the site. A State Remedial Investigation was performed in order to better characterize the nature and extent of contamination at the site.

In 1993, Ecology removed eight (8) underground fuel storage tanks from the Manhattan Express property. The soil encountered in the tank excavation was significantly contaminated. Ecology installed a soil and groundwater remediation system powered by a spray aeration vapor extraction (SAVE) unit.

In 1996, Ecology replaced the SAVE unit with a more efficient catalytic-oxidizer and treated

October 2001

PUBLIC COMMENT PERIOD

October 8 to November 7, 2001

REPOSITORIES

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contaminated groundwater and soil vapors. This system was successful in controlling gasoline vapors from entering the Monterey Apartments as was shut down in December 1997. Contaminated soil and groundwater still exists at the site but does not pose an immediate threat to human health.

Summary to address those comments received.

After Texaco, Inc. and the estate of William and Erma Arnold reimburse Ecology for past costs, the parties will continue efforts to investigate and remediate the site.

ECOLOGY WANTS YOUR COMMENTS!

This public comment period is an opportunity to have Ecology hear your ideas and comments. You may review and comment on the Consent Decree from **October 8 through November 7, 2001**.

Please submit written comments by November 7, 2001 to Brian Sato, Site Manager, at the Ecology address listed in the shaded box on page one.

DRAFT CONSENT DECREE

A **Consent Decree** is a legal document that formalizes an agreement between Ecology and the potentially liable persons (PLP) for the site and is entered and approved by a court. To date, Texaco, Inc. and the estate of William and Erma Arnold are named PLPs for this site. The proposed Consent Decree is being issued under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. The decree is intended to settle Ecology's claims against Texaco, Inc. and the estate of William and Erma Arnold for past public costs associated with the investigative and remedial work Ecology has performed at this site (as described above). The decree does not settle and does not address liability for future cleanup activity at the site.

WHAT HAPPENS NEXT?

The MTCA requires public concerns regarding the Draft Consent Decree be addressed.

Comments will be evaluated as part of developing the final Consent Decree. After the public comment period, Ecology will prepare a Responsiveness