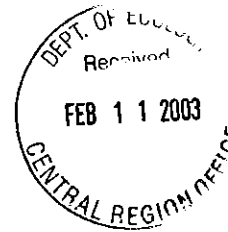




STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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



February 5, 2003

Ms. Denise Nichols
City of Yakima
Department of Public Works
Parks & Recreation Division
2301 Fruitvale Blvd
Yakima, WA 98902

RE: Voluntary Cleanup Review, Gailleon Park, N. 65th and Summitview Avenues, Yakima, Washington, Facility Site #44832462 (VCP #CE0144)

Dear Ms. Nichols:

Thank you for submitting the results of your independent remedial action(s) for review by the State of Washington Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the following information regarding Gailleon Park, N. 65th & Summitview Avenues, Yakima, Washington:

- Final Cleanup Action Report: Senior Citizens Center at Gailleon Park, Floyd Snider McCarthy, Inc., January 2003

The above listed report will be kept in the Central Files of the Central Regional Office (CRO) of Ecology for review by appointment only. Appointments can be made by calling Roger Johnson, CRO resource contact, at (509) 454-7658.

Based upon the above listed information Ecology has determined that, at this time, the release of lead/arsenate into the soil no longer poses a threat to human health or the environment at Gailleon Park. Therefore, Ecology is issuing this determination that no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology.

Ecology's no further action determination is made only with respect to the lead/arsenate release identified in the subject reports. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by City of Yakima.

Ms. Denise Nichols
February 5, 2003
Page 2

Ecology will upgrade its database to reflect this "No Further Action" determination. The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature may arise from any act or omission in providing this determination.

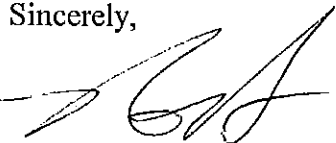
This completes your review through the Ecology Voluntary Cleanup Program. At this time, the City of Yakima is allowed to request grant funding through the Washington State Department of Ecology for this voluntary cleanup action. The Grant Application attached should be completed and submitted with this 'No Further Action' letter to:

Washington State Department of Ecology
Solid Waste & Financial Assistance Program
Attn: Diane Singer
300 Desmond Drive
Lacey, WA 98504-7600

Additionally, the City of Yakima is required to request permission to begin construction of the Senior Center at Gaillean Park in accordance with Section 3 of the restrictive covenant. The request should include detailed construction plans and measures to be taken during construction if the protective barrier is to be breached; e.g., during utility installation.

If you have any questions, please contact me at (509) 457-7127.

Sincerely,



Norm Hepner, P.E.
Site Manager - Environmental Engineer
Toxics Cleanup Program

Enclosure

cc: Tom Colligan, Floyd Snider McCarthy, Inc.