



FILE COPY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

15 West Yakima, Suite 200 • Yakima, Washington 98902-3401 • (509) 575-2490

May 15, 1997

Mr. Peter Gallina
Store Development Coordinator
Eagle Hardware and Garden, Inc.
981 Powell Avenue SW
Renton, WA 98055

Dear Mr. Gallina:

RE: ~~Eagle Hardware and Garden, Store No. 453, 1200 Walla Walla Avenue, Wenatchee, WA~~

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

The Washington State Department of Ecology's Toxics Cleanup Program has reviewed the following information regarding Store No. 453 located at 1200 Walla Walla Ave., Wenatchee, Washington.

1. Independent remedial action report submitted to Ecology February 1997, including:
 - a. Draft Restrictive Covenant as Appendix E
 - b. Institutional Controls implemented as outlined in Section 1.5 of the same report.

Based upon the above listed information Ecology has determined that, at this time, the site does not pose a threat to human health or the environment as a result of the release addressed in the independent remedial action report.

Therefore, Ecology is issuing this determination that no further action is necessary at this site under the Model Toxics Control Act (MTCA), Ch. 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is not a settlement by the state under RCW 70.105D.040(4).

This determination is made only with respect to the release identified in the independent remedial action report dated February 1997, received by Ecology February 20, 1997 and with the exception of your compliance with the following actions:

- Attachment of the Restrictive Covenant to the deed documents.
- Execution of the institutional controls as outlined in section 1.5 of the IRAP report and development of a plan referencing steps that will be taken to mitigate adverse impacts to

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public health and the environment during operations which may render it necessary to break the asphalt and expose contaminated soil.

Please send written confirmation to Ecology's Yakima office when the restrictive covenant has been attached to the property deed as well as a courtesy copy of the other document.

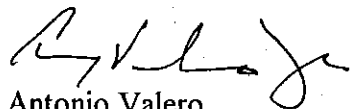
This no further action determination applies only to the area of the property affected by the release identified in the report at 1200 Walla Walla Avenue, Wenatchee, Washington. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by Eagle Hardware and Garden, Inc.

Ecology does not assume any liability for any release, threatened release or other conditions at the site, or for any actions taken or omitted by any person or his/her agents or employees with regard to the release, threatened release, or other conditions at the site.

This site will be added to the Site Information System database as a No Further Action site. This site will not appear on the lists of contaminated sites generated from the Site Information System, but will remain in the system for tracking purposes.

If you have any questions, please feel free to contact me at (509) 454-7833.

Sincerely,



Antonio Valero
Toxics Cleanup Program

cc: Mark Peterschmidt