



FILE COPY

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

February 10, 2003

Mr. Tom Barros  
Town Toyota  
812 N. Wenatchee Avenue  
Wenatchee, WA 98801

RE: Independent Cleanup Review, Town Toyota, 500 3rd Street SE, East Wenatchee, WA  
Facility Site #16758654 (VCP #CE0096)

Dear Mr. Barros:

Thank you for submitting your Remedial Action Report for the Proposed Town Toyota Dealership dated May 2002 for Department of Ecology (Ecology) review. Ecology appreciates your initiative in pursuing an independent remedial action under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the file for this site, which includes the following information to determine if this site meets the Model Toxics Control Act (MTCA) cleanup standards:

1. Phase I Environmental Site Assessment for Town Toyota, 447 Highline Drive, East Wenatchee, WA, by Hammond Collier Wade Livingstone, dated December 2000.
2. Supplemental Soil Sampling Data for Town Toyota, 447 Highline Drive, East Wenatchee, WA, by Forsgren Associates, Inc., dated May 17, 2001.
3. Remedial Action Report for the Proposed Town Toyota Dealership, 447 Highline Drive, East Wenatchee, WA, by Forsgren Associates, Inc., dated May 2002.
4. Restrictive Covenant, 447 Highline Drive, East Wenatchee, WA, by Jeffers, Danielson, Sonn & Aylward, P.S., dated December 04, 2002.

Based upon the file information, which includes the above listed documents, Ecology has determined that 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 reports.

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



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because your actions were not, or will not be conducted under a consent decree with Ecology, this letter is not a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology.

In addition, the Restrictive Covenant dated December 04, 2002, that was filed on your property, is a condition to maintain Ecology's no further action determination. The Restrictive Covenant is attached to this letter as Attachment A. Ecology's no further action determination automatically terminates and will have no force and effect if any portion of the Restrictive Covenant is violated.

This no further action determination applies only to the area of the property affected by the contamination identified in the Phase I Environmental Site Assessment for Town Toyota, by Hammond Collier Wade Livingstone, dated December 2000, and the Supplemental Soil Sampling Data for Town Toyota, by Forsgren Associates, Inc., dated May 17, 2001. 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 by Tom Barros or operated by Town Toyota.

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 agents or employees with regard to the release, threatened release, or other conditions at the site.

Ecology will upgrade its database to reflect this "No Further Action" determination. Town Toyota will not appear in future publications of the Confirmed & Suspected Contaminated Sites Report previously known as the Affected Media and Contaminants Report. Your site will be identified as having met the compliance standards of the Model Toxics Control Act in future publications from Ecology's databases used to track contaminated sites in Washington.

This completes your review through the Ecology Voluntary Cleanup Program. Any overages in your deposit account will be forwarded to you for this site from our Fiscal Office.

If you have any questions please contact me at (509) 454-7836.

Sincerely,



Brian T. Deeken  
Toxics Cleanup Program

Enclosure

cc: Thom Kutrich, Forsgren Associates, Inc.