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Mr. Stan Carson  
SJC Holdings LLC  
1520 N Anne  
East Wenatchee, WA 98802

- **Name:** Home Depot Wenatchee Site
- **Address:** Intersection of Maiden Lane and Wenatchee Avenue, Wenatchee
- **Facility/Site Id No.:** 3768681
- **VCP No.:** CE0169

Thank you for submitting documents regarding your proposed cleanup action for the Home Depot facility (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether your proposed cleanup action is likely to be sufficient to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding your proposed cleanup action and, as applicable, any remedial actions previously conducted at the Site:

1. Email correspondence dated 31 MAR 2003 between Norman Hepner, Ecology, and Tim Syverson, Landau Associates.
2. Independent Remedial Action Report: Home Depot Property, Wenatchee, Washington, 12 SEP 2005, Landau Associates.



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

The Site is defined by the extent of contamination caused by the application of pesticides to orchards during the 1900s, including lead arsenate and DDT remaining in the soil. Typical cleanup methods for areawide contaminated soils are to construct and maintain an adequate cover and placement of a restrictive covenant on the property to inform and minimize inadvertent access. The placement and care of a 3' clean soil cover with restrictive covenant is adequate for your property.

Based on a review of your proposed cleanup action and supporting documentation listed above, Ecology has determined that the proposed cleanup action is likely to be sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the contamination at the Site.

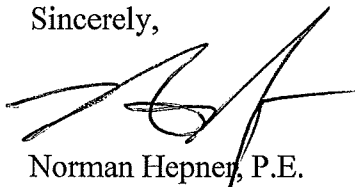
Please also note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'NH', is written over the word 'Sincerely,'.

Norman Hepner, P.E.  
Site Manager  
CRO Toxics Cleanup Program