



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

June 22, 2011

Mr. Larry Bradley
Chem-Safe Environmental, Inc.
400 S. Main St.
Kittitas, WA 98934

RE: Early Notice Letter Regarding the Release of Hazardous Substances
Address: 400 S. Main Street, Kittitas
Tax Parcel No.: 322233
Facility/Site ID No.: 58926155
ERTS No.: 626393

Dear Mr. Bradley:

Under Chapter 70.105D Revised Code of Washington (RCW), upon receiving a report of a release or threatened release of a hazardous substance that may pose a threat to human health or the environment, the Department of Ecology (Ecology) is required to conduct an initial investigation.

An investigation was conducted by Mr. James Rivard, Kittitas County Health Department, Mr. Gary Bleeker and Ms. Wendy Neet, inspectors from Ecology's Waste 2 Resources program and Norm Peck, an Ecology inspector with the Toxics cleanup Program. Investigations between January 11 and June 7, 2011 found that an unpermitted Moderate Risk and Dangerous Waste facility has operated at the site since at least January 2010, and possibly since 1993. Documented conditions that pose a threatened release of hazardous substances include:

- storage of multiple waste types in a building with a leaky roof
- improper segregation of incompatible wastes without adequate secondary containment
- improper documentation of waste container contents
- storage beyond allowable time limits for a transporter
- storage on a deteriorated floor surface

These conditions have been observed at multiple inspections conducted over several months.

Under the Model Toxics Control Act (MTCA), Ecology maintains a statewide database of confirmed or suspected contaminated sites. This database is made available to the public upon request and online at <http://www.ecy.wa.gov/programs/tcp/cscs/CSCSpaage.HTM>. It is Ecology's decision that the above-referenced property will be added to this database because soil and groundwater contamination is suspected at the site.

Please note that inclusion in the database does not mean that Ecology has made a determination regarding the identification of any potentially liable person(s) under the Model Toxics Control Act (administered under Chapter 173-340 WAC).

It is the policy of the Department of Ecology to work cooperatively with persons to accomplish prompt and effective site cleanups. Ecology prefers to achieve site cleanup cooperatively through independent cleanup actions (WAC 173-340-510). Cooperating with Ecology in planning or conducting remedial actions is not an admission of guilt or liability.



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In proceeding with an independent cleanup, please be aware that there are requirements in state law which must be adhered to. In particular, WAC 173-340-300(4) requires a report of independent actions. To the extent known, the report shall include:

1. identification and location of the hazardous substance(s)
2. circumstances of the release and discovery
3. remedial actions planned, completed, or underway

More requirements of independent cleanup actions are discussed in WAC 173-340-120(8)(b). Ecology will use the appropriate requirements contained throughout this chapter in its evaluation of the adequacy of any independent remedial actions performed.

You are encouraged to contact Ecology for limited informal advice and assistance. For technical assistance you are advised to hire an environmental consultant with the appropriate expertise. A copy of Chapter 70.105D RCW, the Model Toxics Control Act, and the implementing regulation Chapter 173-340 WAC, which details the requirements of the Act, is enclosed.

If you would like Ecology to review the independent cleanup actions conducted and determine if the site warrants no further action, you are encouraged to participate in the Voluntary Cleanup Program (VCP). Information about the Voluntary Cleanup Program is available online at <http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>, or you may contact Frosti Smith, CRO VCP Coordinator, at (509) 454-7841.

Information contained in this letter does not supersede, conflict with or in any way affect any actions taken by other agencies or Ecology under other legal authorities, including but not limited to any solid or dangerous waste laws, regulations or ordinances, and/or any applicable county ordinances or direction or orders of any court of competent jurisdiction.

If you have any questions regarding this letter, please feel free to contact me at (509) 454-7837.

Sincerely,



Norman D. (Norm) Peck
Site Manager/Initial Investigations
Toxics Cleanup Program

Enc: Chapter 173-340 WAC
Chapter 70.105D RCW

By certified mail: 7009 2250 0004 4951 6619

cc: Mr. James Rivard, Kittitas County Health Department
Mr. Gary Blecker, Dept. of Ecology, W2R, CRO
Ms. Wendy Neet, Dept. of Ecology, W2R, CRO
Ms. Faren T. Cooper, Reg. Agent, ABC Holdings, LLC