



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

November 30, 2005

Mr. Harry Vanikiotis  
Eastmont School District  
460 9th St NE  
East Wenatchee, Washington 98802

**Re: No Further Action Determination under WAC 173-340-515(5) for the following  
Hazardous Waste Site:**

- Name: Eastmont Junior High School
- Address: 905 8th Street, East Wenatchee, WA 98802
- Facility/Site No.: 83426117
- VCP No.: CE0095

Dear Mr. Vanikiotis:

Thank you for submitting your independent remedial action report for the Eastmont Junior High School facility (Site) for review by the State of Washington 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 further remedial action is necessary at the Site 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 the Site:

1. Recorded restrictive covenant, October 25, 2005
2. Independent Cleanup Action Report: Eastmont Junior High Site, Forsgren Associates, Inc., October 20, 2005
3. Site Assessment and Remedial Action Report for the Proposed Eastmont Junior High School, East Wenatchee, Washington, Forsgren Associates, Inc., June 2001



4. Proposed Eastmont Junior High, East Wenatchee: Response to Comments on Remediation Strategy, Forsgren Associates, Inc., July 26, 2001

The documents 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 Roger Johnson, the [CRO] resource contact, at (509) 454-7658.

The Site is defined by the extent of contamination caused by the following release(s):

- Lead, arsenic, and DDT in soil during operation of orchard in the 1900s

Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) conducted at the Site are 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.** Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **no further remedial action is necessary at the Site under MTCA.**

This opinion is based on the continued effectiveness of the institutional control(s) required as part of the cleanup action for the Site under WAC 173-340-440. A copy of the Restrictive Covenant(s) filed for any property as part of the cleanup action for the Site is enclosed with this letter as Enclosure B. If any portion of any Restrictive Covenant is violated, then this opinion will automatically be rendered null and void and further remedial action may be required at the Site.

Based on this no further action determination, Ecology will update the status of the Site on its site database and remove the Site from the Confirmed and Suspected Contaminated Sites List.

This no further action determination does not apply to any other release(s) or potential release(s) of contaminant(s) that may impact any other portion of any property impacted by this Site, or any other property owned or operated by the Eastmont School District.

Please 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 and further remedial action may be required at the Site.

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.

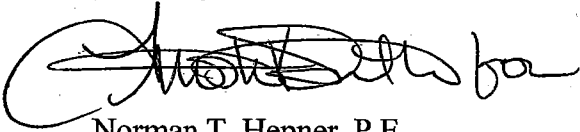
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Again, Ecology appreciates your initiative in successfully completing cleanup under the Voluntary Cleanup Program (VCP). **At this time, the Eastmont School District is allowed to request grant funding through the Washington State Department of Ecology for this voluntary cleanup action. A completed grant application should be 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**

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 "Norman T. Hepner", with a large, stylized initial "N" and "H".

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

Enclosures