



FILE COPY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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

September 17, 2001

Mr. Chuck Parks  
LNR TCF Fund 1 GP, Inc.  
6420 SW Macadam Avenue  
Portland, OR 97201

RE: Voluntary Cleanup Review, Willamette Court, 581 and 583 Eastmont Avenue, East Wenatchee, WA, Facility Site ID 91231956 (VCP #CE0109)

Dear Mr. Parks:

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

Ecology's Toxics Cleanup Program has reviewed the following information regarding Willamette Court, 581 and 583 Eastmont Avenue, East Wenatchee, Washington:

1. Filed Restrictive Covenant dated September 10, 2001
2. Soil Management Plan, AMEC, August 17, 2001
3. Soil Remediation Report, AMEC, August 13, 2001
4. Limited Soil Sampling, AMEC, July 2, 2001
5. Phase 1 Environmental Site Assessment, Giles Engineering & Associates, March 5, 1997.

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

Based upon the above listed information Ecology has determined that, at this time, the release of lead/arsenate into the soil no longer poses a threat to human health or the environment.

Therefore, Ecology is issuing this determination that no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology.



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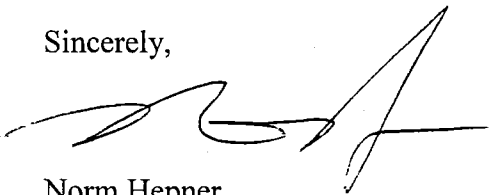
Ecology's no further action determination is made only with respect to the lead/arsenate release identified in the subject reports. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by Willamette Court.

Ecology will upgrade its database to reflect this "No Further Action" determination. The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature may arise from any act or omission in providing this determination.

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) 457-7127.

Sincerely,

A handwritten signature in black ink, appearing to be 'Norm Hepner', written over a horizontal line.

Norm Hepner  
Site Manager - Environmental Engineer  
Toxics Cleanup Program

cc: Frosti Smith, VCP Coordinator