



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

September 3, 2015

Chevron Products Company  
C/O Eric Roehl  
Chevron Environmental Management Company  
6101 Bollinger Canyon Road  
San Ramon, CA 94583

Re: Notice of Potential Liability under the Model Toxics Control Act for the Release of Hazardous Substances at the following Site:

- Site name: Unocal Bulk Plant 0082
- Site address: 1329 West Woodin Avenue, Chelan
- Assessor's Parcel No.: 272214816055
- Facility/Site ID No.: 345
- Cleanup Site ID No.: 4415

Dear Mr. Roehl:

Thank you for your email communication in early June 2015. I have not heard back from you or your consultant, Don Wyll of Leidos, on the timeline you anticipated. This site has been evaluated under Ecology's Washington Ranking Method (WARM) and assigned a ranking of 1 (highest relative level on concern). Because this site has been determined to be of high concern and priority, we expect real and timely progress to be made towards cleanup. This letter serves as a notification of potential liability and provides options for next steps on how to work together cooperatively towards final cleanup.

Under the Model Toxics Control Act (MTCA), chapter 70.105D RCW, which governs the cleanup of contaminated sites in Washington State, the Department of Ecology (Ecology) may identify persons that it finds are liable for the release of hazardous substances at a site. Before making such a finding, Ecology must provide persons with notice and an opportunity to comment on the proposed finding. Any person whom Ecology finds, based on credible evidence, to be liable is known as a "potentially liable person" or "PLP".

**Proposed Finding of Liability**

Based on credible evidence, Ecology is proposing to find Chevron Products Company liable under RCW 70.105D.040 for the release of hazardous substances at the Unocal Bulk Plant 0082 facility (Site). This proposed finding is based on the following evidence:



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1. Unocal (a predecessor to Chevron Products Company) formerly operated the Unocal Bulk Plant 0082 from 1927 through 1989 for the storage and distribution of petroleum fuel.
2. According to site files, a petroleum release to soil and groundwater has occurred.

### **Opportunity to Respond to Proposed Finding of Liability**

In response to Ecology's proposed finding of liability, you may either:

1. Accept your status as a PLP without admitting liability and expedite the process through a voluntary waiver of your right to comment. This may be accomplished by signing and returning the enclosed form or by sending a letter containing similar information to Ecology;
2. Challenge your status as a PLP by submitting written comments to Ecology within thirty (30) calendar days of the date you receive this letter; or
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Laura Klasner  
CRO-Toxics Cleanup Program  
1250 West Alder Street  
Yakima, WA 98903

After reviewing any comments submitted or after 30 days if no response has been received, Ecology will make a final determination regarding your status as a PLP and provide you with written notice of that determination.

### **Identification of Other Potentially Liable Persons**

Ecology has notified the following additional persons that they are potentially liable for the release of hazardous substances at the Site:

1. Unocal AMG by letter dated September 23, 2002.

If you are aware of any other persons who may be liable for the release of hazardous substances at the Site, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up the Site.

### **Responsibility and Scope of Potential Liability**

Please note that Ecology may either conduct or require PLPs to conduct remedial actions to investigate and clean up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

Please also note that each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real property and those costs are not reimbursed, then Ecology has the authority under RCW 70.105D.055 to file a lien against that real property to recover those costs.

### **Next Steps in Cleanup Process**

In response to the release of hazardous substances at the Site, Ecology intends to conduct one of the following actions under MTCA:

1. Provided timely information submittals and adequate communication is made about plans and timelines for additional site work, Chevron may proceed with environmental actions under the Voluntary Cleanup Program.
2. Alternatively, Ecology may select to negotiate an Agreed Order (AO). An AO is a legally binding administrative order issued by Ecology and agreed to by the potentially liable persons (PLPs). An AO describes the site activities and timeline that must occur.

For a description of the process for cleaning up a site under MTCA, please refer to the enclosed fact sheet.

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of contaminated sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

### **Request for Additional Information**

Ecology requests the following information to update site files:

1. Change in project manager letter, by September 22, 2015.
2. Submittal of a reference list of key communications and reports pertinent to this site, by September 22, 2015.
3. Hard copy submittal of any outstanding reports missing from Ecology files, by September 22, 2015.

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If you have any questions regarding this letter or if you would like additional information regarding the cleanup of contaminated sites, please call me at 509-454-7833. Thank you for your cooperation.

Sincerely,



Laura Klasner  
Site Manager  
CRO Toxics Cleanup Program

Enclosures:

- (1) FOCUS: MODEL TOXICS CONTROL ACT CLEANUP REGULATION: PROCESS FOR CLEANUP OF HAZARDOUS WASTE SITES (Pub. No. #94-129)
- (2) VOLUNTARY WAIVER OF RIGHT TO COMMENT FORM

Certified Mail: 7010 0290 0000 7127 7650