



# FILE COPY

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

October 11, 2004

Mr. Jim Kelly, Superintendent  
Brewster School District  
PO Box 97  
Brewster, WA 98812

RE: Voluntary Cleanup Review, Brewster School District New Soccer Fields, 1010 Sunset Drive, Brewster, Washington, Facility Site #2105796 (VCP #CE0205)

Dear Mr. Kelly:

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 Brewster School District New Soccer Fields, Brewster, Washington:

- New Soccer Fields, Cleanup Action Report, Brewster School District, Brewster, WA, Brewster School District, August 10, 2004.

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 and arsenic into the soil no longer poses a threat to human health or the environment at Brewster School District New Soccer Fields. 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.

Furthermore, you must conduct the necessary monitoring and maintenance to assure that this site does not pose a threat to human health or the environment. The operation and maintenance plan shall be updated to reflect the requirements in the Cleanup Action Report. Failure to properly maintain the cover may result in the automatic withdrawal of Ecology's no further action determination.



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In addition, the Restrictive Covenant filed on your property dated August 2, 2004, is a condition to maintain Ecology's no further action determination. Ecology's no further action determination automatically terminates and will have no force and effect if any portion of the Restrictive Covenant is violated.

Ecology's no further action determination is made only with respect to the lead and arsenic describes in the subject report. 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 the Brewster School District.

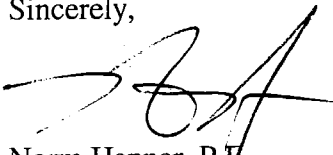
Ecology will upgrade its database to reflect this "No Further Action" determination. The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature may arise from any act or omission in providing this determination.

This completes your review through the Ecology Voluntary Cleanup Program. **At this time, the Brewster School District is allowed to request grant funding through the Washington State Department of Ecology for this voluntary cleanup action. The Grant Application attached is required to be completed within 60 days and 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**

Any overages in your deposit account for this review will be refunded through our Fiscal Office. If you have any questions, please contact me at (509) 457-7127.

Sincerely,



Norm Hepner, P.E.  
Site Manager - Environmental Engineer  
Toxics Cleanup Program

Enclosures

cc: Diane Singer, SWFAP-HQ