



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

October 1, 2015

Mr. Eric Hetrick
Chevron Environmental Management Company
Marketing Business Unit
6101 Bollinger Canyon Road
BR1X – Room 5315
San Ramon, CA 94583

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

- Name: **Chevron USA Inc. SS 97502**
- Previous Address: 124 Ferry Street, Sedro-Woolley, WA 98284
- Current Address: 640 Metcalf Street, Sedro-Woolley, WA 98284
- County Assessor's Parcel Number(s) P77454, P77455, P77456, P112800, P112801
- Facility/Site No.: 61112475
- Cleanup Site No.: 6368
- VCP ID No.: NW1452

Dear Mr. Eric Hetrick:

Under the Model Toxics Control Act (MTCA), chapter 70.105D RCW, which governs the cleanup of hazardous waste 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 Environmental Management Company liable under RCW 70.105D.040 for the release of hazardous substances at the **Chevron USA Inc. SS 97502** facility (Site). This proposed finding is based on the following evidence:

1. Chevron Environmental Management Company identified itself as a PLP per Table 2 in the document titled "Current and Heritage Chevron LUST sites in Northwest Washington" prepared by Chevron Environmental Management Company, dated November 9, 2009.
2. Chevron Service Station 97502 was in operation until 1991. According to Skagit County Department of Emergency Management records, unleaded gasoline was spilled at the Site on



July 25, 1989. The spilled gasoline flowed east from the tank fill area to Metcalf Street, migrating south down the Metcalf Street gutter to Ferry Street and entered a catch basin at the northwest corner of Metcalf and Ferry streets.

3. The latest Ground Water Monitoring and Sampling Report, dated February 19, 2014, showed gasoline range petroleum hydrocarbons and BTEX exceeding MTCA Method A cleanup levels in ground water. Report also details ground water plume extending beyond the property boundary in a southerly direction.
4. In 1992 and 2000 Chevron USA Inc. entered into agreements with the City of Sedro-Woolley to remediate the Site, which is enclosure 4 of this letter.

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:

Dale Myers
Toxics Cleanup Program
3190 160th Avenue SE
Bellevue, WA 98008

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 may be notifying additional persons that they may be potentially liable for the release of hazardous substances at the Site.

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

Mr. Eric Hetrick
October 1, 2015
Page 3

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 the following actions under MTCA:

1. Conduct a Site Hazard Assessment;
2. Negotiate an Agreed Order to complete the Remedial Investigation, Feasibility Study and Draft Cleanup Action Plan to remediate the Site.

For a description of the process for cleaning up a hazardous waste 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 hazardous waste sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

Contact Information

If you have any questions regarding this letter or if you would like additional information regarding the cleanup of hazardous waste sites, please call me at (425) 649-4446. Thank you for your cooperation.

Sincerely,



Dale Myers
Toxics Cleanup Program

Enclosures: Focus: Model Toxics Control Act Cleanup Regulation: Process for
Cleanup of Hazardous Waste Sites (Pub. No. #94-129)
Voluntary Waiver of Right to Comment Form
Site Map
Agreement Between the City of Sedro-Woolley and Chevron Products
Company Respecting Cleanup of Real property Located in Sedro-Woolley,
Skagit County, Washington.
Current and Heritage Chevron LUST Sites in Northwest Washington

By Certified Mail 7011 0470 0003 3682 4653

cc: Mark Freiberger, City of Sedro Woolley

