



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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October 21, 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 97451**
- Address: 2626 Bellevue Way NE Bellevue WA 98004
- King County Assessor's Parcel Number 2025059143
- Facility/Site No.: 53482918
- Cleanup Site No.: 2116
- VCP ID No.: NW2224

Dear Mr. 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 97451** 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. In June 2010, Chevron submitted to Ecology the report titled *Site Investigation Work Plan Submission Chevron Service Station No. 9-7451*. However, Ecology does not have any follow-up reports detailing investigations performed under this work plan, nor has Chevron submitted a completed Remedial Investigation Report.



3. In June 2010, Chevron submitted to Ecology the report titled *Surfactant-Enhanced Recovery Work Plan Chevron Service Station No. 9-7451*. However, Ecology does not have any follow-up reports detailing work performed under this work plan
4. Last Report submitted to Ecology titled: Fourth Quarter 2014 Ground Water Monitoring and Sampling Report Chevron Service Station No. 97451. Report detailed separate phase hydrocarbons found in monitoring well MW-2.

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
Department of Ecology
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 negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

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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.

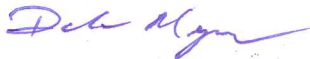
For a description of the process for cleaning up a hazardous waste site under MTCA, please refer to the enclosed fact sheet.

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
Current and Heritage Chevron Lust Sites in Northwest Washington

By Certified Mail [7011 0470 0003 3682 3885]

