



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 4, 2015

Donald Copp  
Sunny Pie, LLC  
64 W Nob Hill Blvd.  
Yakima, WA 98902

RE: Early Notice Letter Regarding the Release of Hazardous Substances

|                       |   |
|-----------------------|---|
| Site Name:            | Future Papa Murphys                     |
| Site Address:         | 400 S 6 <sup>th</sup> Street, Sunnyside |
| Parcel Number(s):     | 221025-24511                            |
| Facility/Site ID No.: | 8639                                    |
| Cleanup Site ID No.:  | 12922                                   |
| ERTS ID No.:          | 656133                                  |

Dear Mr. Copp:

Under Chapter 70.105D Revised Code of Washington (RCW), upon receiving a report of a release or threatened release of a hazardous substance that may pose a threat to human health or the environment, the Department of Ecology (Ecology) is required to conduct an Initial Investigation.

Two (2) Underground Storage Tanks (USTs) were discovered during a parking lot repaving project at the Site, and removed between April and June 2015. The USTs, Tank 1 and Tank 2, were located along the eastern property boundary adjacent to an alley. The USTs are thought to be heating oil tanks associated with a hotel demolished in the late 1960s.

Tank 1 had a capacity of 3,800 gallons, and contained about 600 gallons of oil. Tank 2 had a capacity of 1,100 gallons, and contained about 200 gallons of water mixed with minimal amounts of petroleum. Corrosion, holes, and indications of a release were observed only during the decommissioning and removal of Tank 1.

Soil samples collected from the Tank 1 excavation had concentrations of diesel, heavy oil, total naphthalenes, and total carcinogenic polycyclic aromatic hydrocarbons (cPAHs) exceeding state cleanup standards.

Soil samples collected from the Tank 2 excavation were at or below cleanup levels for the compounds analyzed.



Groundwater was not encountered at a maximum depth of 12 feet below ground surface (bgs), but is anticipated to fluctuate seasonally between 10 to 15 feet bgs.

Under the Model Toxics Control Act (MTCA), Ecology maintains a statewide database of confirmed or suspected contaminated sites. This database is made available to the public upon request and online at [http://www.ecy.wa.gov/programs/tcp/sites\\_brochure/SiteLists\\_CSCSinstr.htm](http://www.ecy.wa.gov/programs/tcp/sites_brochure/SiteLists_CSCSinstr.htm). It is Ecology's decision that the above-referenced property will be added to this database because soil is contaminated at the site.

Please note that inclusion in the database does **not** mean that Ecology has made a determination regarding the identification of any potentially liable person(s) under the Model Toxics Control Act (administered under Chapter 173-340 WAC).

It is the policy of the Department of Ecology to work cooperatively with persons to accomplish prompt and effective site cleanups. Ecology prefers to achieve site cleanup cooperatively through independent cleanup actions (WAC 173-340-510). Cooperating with Ecology in planning or conducting remedial actions is not an admission of guilt or liability.

In proceeding with an independent cleanup, please be aware that there are requirements in state law which must be adhered to. In particular, WAC 173-340-300(4) requires a report of independent actions. To the extent known, the report shall include:

1. identification and location of the hazardous substance(s)
2. circumstances of the release and discovery
3. remedial actions planned, completed, or underway

More requirements of independent cleanup actions are discussed in WAC 173-340-120(8)(b). Ecology will use the appropriate requirements contained throughout this chapter in its evaluation of the adequacy of any independent remedial actions performed.

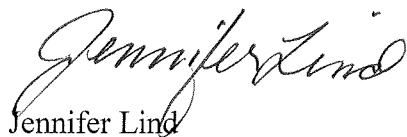
You are encouraged to contact Ecology for limited informal advice and assistance. For technical assistance you are advised to hire an environmental consultant with the appropriate expertise. For a description of the process for cleaning up a site under MTCA, please refer to the enclosed fact sheet.

Donald Copp  
Sunny Pie, LLC  
December 4, 2015  
Page 3

If you would like Ecology to review the independent cleanup actions conducted and determine if the site warrants **no further action**, you are encouraged to participate in the Voluntary Cleanup Program (VCP). Information about the Voluntary Cleanup Program is available online at <http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>, or you may contact Frosti Smith, CRO VCP Coordinator, at (509) 454-7841.

If you have any questions regarding this letter, please feel free to contact me at (509) 454-7839.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Lind".

Jennifer Lind  
Site Manager/Initial Investigations  
Toxics Cleanup Program

Enclosure

By Certified Mail [7010 0290 0000 7128 2531]

cc: Scott Garland, PLSA Engineering & Surveying