



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 21, 2007

CERTIFIED MAIL

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Mr. John D. Haakenson
Director of Airports and Operations
Port of Benton
3100 George Washington Way
Richland, WA 99354

Dear Mr. Haakenson:

RE: Early Notice Letter Regarding the Release of Hazardous Substances on property located at Prosser Airport Aircraft Applicators, Nunn RD, Prosser, WA, ERTS #556827, Ecology Facility/Site ID # 7474148

On July 26, 2006, the Washington State Department of Ecology (Ecology) was notified of a release or potential release at the above-referenced property. As required under Chapter 70.105D Revised Code of Washington (RCW), Ecology conducted an initial investigation on September 12, 2006. On April 5, 2007, I met with you and Dave Polivka of White Shield Inc. on the site shortly after the excavation phase of the cleanup was begun. At that time I informed you the site would be added to Ecology's Confirmed and Suspected Contaminated Sites List (CSCSL), as was also stated in my original letter to Mr. Bonny. This letter serves as confirmation that Ecology has added the site to its listing of known or suspected contaminated sites, as per our April 5 conversation.

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) which requires a report of independent actions. To the extent known, the report shall include:

- The identification and location of the hazardous substance;
- Circumstances of the release;
- The discovery and remedial actions planned, completed, or underway.

More requirements of independent cleanup actions are discussed in WAC 173-340-120(8)(b).

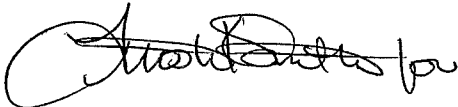


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Based on my site visit and the numerous conversations I have had with Mr. Polivka, it appears that the Port of Benton is actively moving forward with the cleanup on this site. At this time Ecology has decided not to conduct a Site Hazard Assessment, which would result in a ranking of this site on the Hazardous Sites List. Should progress on the cleanup stall at some time in the future, a Site Hazard Assessment will be conducted and the site will be ranked and added to the Hazardous Sites List in addition to its listing on the CSCSL. I commend you on your cleanup efforts thus far, and I recommend that you apply to the Voluntary Cleanup Program (VCP) in order to maintain your status as a cleanup in progress and to receive technical assistance and eventually an opinion letter from Ecology at the end of the remediation process. You will find information and the application forms for the VCP on the web at <http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>.

A copy of Chapter 70.105D RCW, the Model Toxics Control Act, and the implementing regulation Chapter 173-340 WAC, which details the requirements of the Act, is enclosed. If you have any questions regarding this letter or the requirements under the Model Toxics Control Act, please call me. My phone number is (509) 454-7836.

Sincerely,



Mark Dunbar
Site Manager
Toxics Cleanup Program

Enc: Chapter 173-340 WAC
Chapter 70.105D RCW

cc: Marvin Bonny
David Polivka