



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600

October 22, 1999 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

Mr. Alan Reese, President
Ace Tank & Equipment Company
P.O. Box 9039
Seattle, WA 98109

Dear Mr. Reese:

Re: Certification of Cleanup

I am writing pursuant to Section XXIX, Part 89 of Consent Decree No. 98 2 07617 3 ("the decree") of June 8, 1998, to certify that Ace Tank & Equipment Company ("AceTank") has completed all cleanup activities required by the Cleanup Action Plan ("CAP") and the decree, with the exception of the need for Ace Tank to maintain compliance with the Restrictive Covenant (Exhibit D) of the decree. Ecology has determined this certification to be appropriate now that Ace Tank has completed removal of sandblast grit from the section of Hylebos Waterway bank located shoreward from, and adjacent to the site pier, as identified during the joint Ecology, U.S. EPA and Washington State Department of Fish and Wildlife site inspection of June 17, 1999.

Per Section VII, Paragraph 42 of the decree, Ace Tank shall record the Restrictive Covenant with the Pierce County Auditors Office within 30 days of completion of the cleanup required by the decree, and to provide Ecology with proof of such recording within 30 days of recording. For the purposes of Section VII, Paragraph 42 of the decree the issuance date of this letter shall serve as the date of completion of site cleanup pursuant to the decree.

Thank you very much for the completion of the cleanup work per the decree. Please call me at (360) 407-6266 if you wish to discuss these matters further.

Sincerely,

A handwritten signature in cursive script that reads "Dom Reale".

Dom Reale, P.E.
Site Manager
Toxics Cleanup Program
Southwest Regional Office

cc: Kathy Ivy, U.S. EPA Region 10
Dave Mollenar, WA Dept. of Fish & Wildlife
Dave Smith, Ecology