



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

November 28, 2007

CERTIFIED MAIL

7006 0100 0002 8191 0694

Mr. Leland Davis
8925 West Falls Avenue
Kennewick, Washington 99336

Dear Mr. Davis:

RE: Early Notice Letter Regarding the Release of Hazardous Substances on property located at Leo's Lineup & Tires Auto Express, 1315 Lee Boulevard, Richland, Washington, Ecology Facility/Site ID # 78835792

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.

Our records indicate that five underground storage tanks (UST) were removed from the above-reference property in 1999. Analytical results from soil samples collected during the removal identified gasoline-range hydrocarbons and benzene present above Model Toxics Control Act (MTCA) Method A soil cleanup levels. Additionally, the UST Site Assessment report and comments from a site visit made by Ecology personnel indicated that groundwater has been impacted by the release from the UST.

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/cscs/CSCSpagel.htm>. It is Ecology's decision that the above-referenced property will be added to this database because of existing soil contamination located at the site based on the UST Site Assessment report submitted in 1999. Groundwater also may have been impacted during UST removal, and needs to be addressed.

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).



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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. 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 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 Mark Dunbar, CRO VCP Coordinator, at (509) 454-7836.

If you have any questions regarding this letter, please feel free to contact me at (509) 454-7835.

Sincerely,



Brianne D. Harcourt
Site Manager
Toxics Cleanup Program

Enc: Chapter 173-340 WAC
Chapter 70.105D RCW