



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

November 24, 2003

Chaffey Homes
c/o Ian Slater
205 Lake Street, Suite 101
Kirkland, WA 98033

Dear Mr. Slater:

Re: Independent Remedial Action
Rural Garbage Service Landfill, Newberry Woods Development, Kitsap County,
Washington

The purpose of this letter is to confirm the current status of the Rural Garbage Service Landfill located in the Newberry Woods Development, Kitsap County, Washington. Your representatives have indicated that you need written confirmation that the site has been cleaned up in accordance with the requirements of the Model Toxics Control Act (MTCA).

To confirm the status of your site, I reviewed the following information:

1. Final Report Landfill Mitigation Rural Garbage Service Landfill Newberry Woods Development Kitsap County, Washington, August 2002.
2. Site Hazard Assessment Recommendation of No Further Action, prepared by Bremerton-Kitsap County Health District for the Rural Garbage Service site, August 2002.
3. Letter from Bremerton-Kitsap County Health District to Chaffey Homes stating that the Health District would be recommending a "No Further Action" status for the Rural Garbage Service Landfill site, August 2002.

The report and other information listed above will be kept in the Central Files of the Northwest Regional Office (NWRO) of Ecology for review by appointment only. Appointments can be made by calling Central Records at the NWRO at (425) 649-7190 or -7239.

The information reviewed indicates that the site was cleaned up in July 2002 by excavation and disposal of 10,537.50 tons of refuse and soil and removal and disposal of 1,575 gallons of water and sludge. Confirmation sampling and testing of soils following cleanup indicated that contaminant concentrations do not exceed MTCA Method A cleanup levels for unrestricted land uses. The landfill mitigation report and other information was reviewed and used by the Bremerton-Kitsap County Health District to complete a hazard assessment of the site. The Health District determined that the site should not be added to the Hazardous Sites List and

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recommended to the Washington State Department of Ecology (Ecology) that the site be given a "No Further Action" status. Ecology concurred with the Health District's recommendation.

In the August 27, 2002 issue of the Hazardous Sites List Ecology indicated that a Site Hazard Assessment had been completed on the Rural Garbage Service site and that Ecology found that no further action is required under MTCA. Ecology also updated its database to reflect this 'no further action' determination. Your site has not appeared in subsequent publications of the Confirmed & Suspected Contaminated Sites Report.

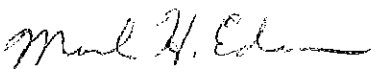
Therefore, Ecology is issuing this determination that no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology.

Ecology's 'no further action' determination was made only with respect to the release identified in the report listed above. This 'no further action' determination applies only to the area of the property affected by the release identified in the report at the Rural Garbage Service Landfill site. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by Chaffey Homes.

The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature may arise from any act or omission in providing this determination.

If you have any questions, please contact Mark Edens at 425-649-7070.

Sincerely,



Mark H. Edens
Toxics Cleanup Program

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