



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

November 16, 2017

Greg Grover
Circle K Stores, Inc.
255 East Rincon, Suite 100
Corona, CA 92879

Re: Final Determination of Liability for Release of Hazardous Substances at the following Contaminated Site:

Site Name: Sun Mart 30
Address: 6006 W. Clearwater Avenue, Kennewick
Facility/Site No.: 36343669
Cleanup Site ID No: 12145

Dear Mr. Grover:

Please accept this correspondence as the official notice by the Department of Ecology (Ecology) of our determination of your status as a potentially liable person (PLP) for the Sun Mart 30 site (Site).

On October 13, 2017, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Circle K Stores, Inc. is a potentially liable person for a release of hazardous substances at the Site. The 30-day comment period on our preliminary determination expired on November 12, 2017. As of November 14, 2017, Ecology had not received any written comments from you.

Based on available information, Ecology finds that credible evidence exists which supports the status of Circle K Stores, Inc. as a potentially liable person for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Circle K Stores, Inc. is a PLP with regard to the Site.

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and cleanup facilities where hazardous substances have been released. Liability for environmental contamination under MTCA is strict, joint and several (RCW 70.105D.040(2)). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations. Ecology has determined that it is in the public interest for remedial actions to take place at this Site.



Greg Grover
Circle K Stores, Inc.
November 16, 2017
Page 2

Ecology will contact you regarding the actions necessary for Circle K Stores, Inc. to bring about the prompt and thorough cleanup of hazardous substances at this Site. Failure to cooperate with Ecology or comply with MTCA in this matter will result in Ecology employing enforcement tools as it deems necessary and appropriate. This includes, but is not limited to, the issuance of an administrative order. Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70.105D.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Frank Winslow, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Frank Winslow at (509) 454-7835 or frank.winslow@ecy.wa.gov.

Sincerely,



Valerie Bound
Section Manager
Toxics Cleanup Program, Central Region Office

By Certified Mail [91 7199 9991 7037 1451 1724]