

FILE COPY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

July 20, 1995

Mr. Tony Ceja, Manager Tony's Auto Repair 1220 S. 6th Street Yakima, WA 98901

Dear Mr. Ceja:

RE: ERTS #4554 - Early Notice Letter Regarding a Release of Hazardous Substances on Property Known as the Tony's Auto Repair Site, 1220 S. 6th Street, City of Yakima

Under Chapter 70.105D RCW, within 90 days of 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 Site Investigation.

A report was made to Ecology on March 31, 1995 by the Yakima County Health Department that unreported releases of petroleum-based products had occurred at the site referenced above.

The site was visited on March 31, 1995 by a Yakima County Health investigator as part of an Ecology Initial Site Investigation. Based on information gained during that investigation, Ecology has made a determination that a release of a hazardous substance that may pose a threat to human health or the environment has occurred.

Under the Model Toxics Control Act (MTCA), Ecology maintains a listing of known or suspected contaminated sites. It is Ecology's decision the above-referenced property will be added to this information system.

It is the policy of the Department of Ecology to work cooperatively with persons to accomplish prompt and effective site cleanups. The Department prefers to achieve site cleanup cooperatively through independent cleanup action (WAC 173-340-510). Cooperating with the Department in planning or conducting remedial actions is not an admission of guilt or liability.

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8 N. C. S. S.

In proceeding with an independent cleanup, please be aware that there are requirements in state law which must be adhered to. In particular, I draw your attention to 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(s); the discovery and remedial actions planned, completed, or underway. Additional 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. In the future the Department may still need to conduct a more detailed inspection of this property, including testing for possible contamination. At that time we may assess the need for further action.

Another option available to you is the IRAP (Independent Remedial Investigation Program). An enclosure explains how this Program works. If interested, call Mark Peterschmidt at (509) 454-7840 for additional information.

You are encouraged to contact the Department for limited informal advice and assistance. For technical assistance you are advised to hire an engineering consultant with the appropriate environmental expertise. A copy of Chapter 70.105D, the Model Toxics Control Act, and the implementing regulation Chapter 173-340 WAC which details the requirements of the Act are enclosed.

If you have any questions regarding this letter or the requirements under the Model Toxics Control Act, please call. I can be reached at (509) 454-7839.

Sincerely,

Dick Bassett Site Manager Toxics Cleanup Program

DB:dk g:tony'sau.tos

Enc: Chapter 173-340 WAC Chapter 70.105D RCW IRAP Focus Sheet and Guidance document

cc: M. Peterschmidt, CRO