



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3401 • (509) 575-2800

April 5, 1996

CERTIFIED MAIL
Z 350 869 678

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

Dear Mr. Ceja:

RE: Early Notice Letter Regarding a Release of a Hazardous Substance on property known as Tony's Auto Repair located at 1220 S. Sixth Street in Yakima, Washington

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.

As the result of a complaint about oil spills and oil-saturated ground, an Initial Investigation (II) was conducted on this property March 31, 1995 by the Yakima County Health Department. The results of this II called for further investigation in the form of an SHA (Site Hazard Assessment). During the course of the SHA on March 19, 1996, it was discovered that a large amount of oil and possibly other contaminants had been dumped in the septic tank or drain on the northern side of your building. Based on information gained during this investigation, Ecology 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 that the above-referenced property will be added to this information system. Furthermore, Ecology has determined that an Interim Cleanup Action described in WAC 173-340-430 will be required at this site. This determination is based on visible free hydrocarbon liquid in the previously identified septic tank or drain and laboratory analyses which corroborate the existence of hazardous wastes; and also large visible stains which surround the building and which are especially evident in the alley area.

The Interim Actions required at this site include:

1. Determine what kind of drain or holding devise is on the northern part of the building.
2. Determine by sampling the extent (area and depth) of soil and ground water contamination in and surrounding this drain or holding devise.
3. On the basis of the above determinations, properly dispose of free liquid hazardous wastes and also surface and subsurface contaminated soils which are above MTCA cleanup standards surrounding and under the drain or holding devise.



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4. Remediate and/or properly dispose of surface contaminated soils from stained areas surrounding the building.

You will be given 30 calendar day from receipt of this letter in which to comply with the above interim actions and to send a report to Ecology on the actions taken.

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.

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) which requires a report of independent actions. To the extent known, the report shall include: The identification and location of the hazardous substance(s); circumstances of the release; the discovery and remedial actions planned, completed, or underway. More requirements of independent cleanup actions are discussed in WAC 173-340-120(8)(b). The Department 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.

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 RCW, 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

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Enc: Chapter 173-340 WAC
Chapter 70.105D RCW
Guidance for Remediation of Petroleum Contaminated Soils
Recycler contractor list

cc: Art McEwen/Ted Silvestri, Yakima County Health