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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 27, 2002

CERTIFIED MAIL

7000 0520 0023 2104 1258

Mr. Brett Hunter
Chevron U.S.A Products
PO Box 6004
San Ramon, CA 94583-0904

Dear Mr. Hunter:

RE: Notice of Potential Liability for the Release of Hazardous Substances Under the Model Toxics Control Act – Chelan Chevron 9-6590

Chapter 70.105D RCW, the Model Toxics Control Act (MTCA or the Act), requires the Department of Ecology (Ecology) to provide written notice to all persons it believes to be potentially liable for the release of hazardous substances.

It is Ecology's understanding that you are the current owner of the Chelan Chevron 9-6590, located at 232 Woodin Avenue in Chelan, Washington, and that credible evidence exists indicating that a release of a hazardous substance has occurred at this site. The evidence supporting these findings is as follows:

In January 2002, Ecology received a report from Gettler-Ryan Inc. pertaining to groundwater samples analyzed for TPH-D, TPH-O, TPH-G, MTBE, and BTEX. The data collected was presented in the report titled *Groundwater Monitoring and Sampling Report: Event of May 25, 2001, Event of August 17, 2001, Event of November 9, 2001*. The following summarizes the samples, from the November 2001 monitoring event, that had contaminant concentrations above MTCA cleanup levels.

- Diesel-range petroleum hydrocarbon levels range from 589 to 3,500 ppb. The cleanup level under MTCA is 500 ppb*.
- Gasoline-range petroleum hydrocarbon levels were found at 8,890 and 112,000 ppb. The cleanup level is 800 ppb.
- Benzene levels were found at 1,280 and 17,300 ppb. The MTCA cleanup level is 5 ppb.
- Toluene was found in MW-9 at 11,900 ppb. The cleanup level is 1,000 ppb.
- The level of ethylbenzene in MW-9 was 1,610 ppb. The cleanup level is 700 ppb.



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- The concentration of total xylenes present in MW-9 was 10,800 ppb. The cleanup level is 1,000 ppb.
- Three wells contained separate phase hydrocarbons (or free product) ranging from 0.04 to 3.59 feet thick.

* The cleanup levels listed above are based on amended Model Toxics Control Act Cleanup Regulations. The regulations state that if cleanup began before August 15, 2001, then either old or new MTCA cleanup levels may be used. This is the case for this site.

In March 2002, Ecology received results from the January 2002 monitoring event. At this time, six wells contained free product ranging from 0.03 to 6.89 feet thick. Additionally, MW-6 had gasoline-range hydrocarbons and benzene concentrations at 8,860 ppb and 1,520 ppb, respectively. These concentrations are above MTCA cleanup levels.

Elevated levels of the above stated contaminants pose a threat to human health and the environment. The thickness of free product found in MW-16, located on/near South Emerson Street, indicates contamination has migrated a great distance from the site. Because of this, there is a potential for the contaminated groundwater to continue migrating to the southwest and possibly reach the waters of the Lake Chelan.

As a result of this evidence, you have been identified as a person potentially liable for the release of the above contaminants at the property located at 232 Woodin Avenue, Chelan, Washington.

Under the Act, you have thirty (30) calendar days from the receipt of this letter to submit written comments to Ecology on your proposed status as a potentially liable person (PLP). Following a review of those comments, Ecology will make a final written determination of your status. In the interest of expediting this process without admitting liability, you may wish to accept your status as a Potentially Liable Person by waiving your right to the 30 days notice and comment period.

If you are aware of any other persons who may be potentially liable for the release at this site, Ecology encourages you to provide us with their identity and the reason you believe they are potentially liable.

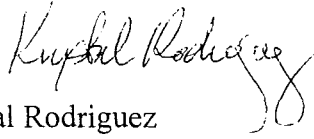
Ecology intends to have a remedial investigation/feasibility study conducted at this site to better characterize the contamination on and off the site. This will be used to develop and evaluate cleanup actions that are necessary to ensure protection of human health and the environment.

Ecology's policy is to work cooperatively with PLPs. Please note that cooperating with Ecology in planning or conducting remedial actions at the site is not an admission of guilt or liability and could ultimately result in a more efficient, prompt, and effective cleanup.

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Enclosed, please find a copy of Chapter 70.105D RCW and Chapter 173-340 WAC (in the same book) for your information. If you have questions, please feel free to contact me at (509) 454-7842.

Sincerely,



Krystal Rodriguez
Site Manager
Toxics Cleanup Program

Enc: Chapter 70.105D RCW
Chapter 173-340 WAC