



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

October 26, 2018

Jennifer Burns
Environmental/Cultural Resource Program Manager
Chelan County PUD
327 N. Wenatchee Avenue
Wenatchee, WA 98801

Re: A Reported Release of Hazardous Substances and Potential Liability for the Release at the following site.

- **Site Name:** Chelan PUD Worthen Substation
- **Site Address:** 500 South Worthen Street, Wenatchee
- **Assessor's Parcel No:** 222010693001
- **ERTS #:** 684879
- **Facility/Site ID#:** 44830
- **Cleanup Site ID#:** 14795

Dear Jennifer Burns:

Under the Model Toxics Control Act (MTCA), chapter 70.105D RCW, which governs the cleanup of contaminated sites in Washington State, the Department of Ecology (Ecology) may identify persons that it finds liable for the release of hazardous substances at a site. Before making such a finding, Ecology must provide persons with notice and an opportunity to comment on the proposed finding. Any person whom Ecology finds, based on credible evidence, to be liable is known as a "potentially liable person" or "PLP".

As a result of an initial investigation conducted by Ecology at the above-reference site on September 26, 2018, a release of a hazardous substance has occurred and further action will be required. Based on this investigation, Ecology intends to add this property to our database of confirmed and suspected contaminated sites.

Proposed Finding of Liability

Based on credible evidence, Ecology is proposing to find Chelan County PUD liable under RCW 70.105D.040 for the release of hazardous substances at the Chelan PUD Worthen Substation facility (Site). This proposed finding is based on the following evidence:



1. Chelan County PUD is the owner of parcel 222010693001. This parcel is currently used as an electrical substation facility. Historically, this parcel was used for power generation, including use of petroleum products, as shown on historical Sanborn maps.
2. A release of petroleum to subsurface soils and groundwater was identified during the drilling of a monitoring well, designated MW-22, located on the east side of Worthen Street on April 13, 2018. The monitoring well was installed as part of a Remedial Investigation (RI) being conducted on behalf of Coleman Oil Company, the owner of parcel 222011693005, located south of the substation across Chehalis Street. A photograph was taken of subsurface soils that shows the soil was saturated with petroleum. Laboratory analysis of soil and groundwater samples resulted in concentrations of gasoline range organics (GRO), diesel range organics (DRO), heavy oil range organics (HRO), and benzene above Model Toxics Cleanup Act (MTCA) cleanup levels.
3. The presence of petroleum in soil and groundwater above cleanup levels constitutes a threat to human health and the environment and further action is therefore required. The proximity of the Columbia River also raises concerns with respect to potential impacts to surface water and sediments.

Opportunity to Respond to Proposed Finding of Liability

In response to Ecology's proposed finding of liability, you may either:

1. Accept your status as a PLP without admitting liability and expedite the process through a voluntary waiver of your right to comment. This may be accomplished by signing and returning the enclosed form or by sending a letter containing similar information to Ecology;
2. Challenge your status as a PLP by submitting written comments to Ecology within thirty (30) calendar days of the date you receive this letter; or
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Frank P. Winslow
Toxics Cleanup Program
Central Regional Office
1250 W Alder St
Union Gap, WA 98903

After reviewing any comments submitted or after 30 days if no response has been received, Ecology will make a final determination regarding your status as a PLP and provide you with written notice of that determination.

Identification of Other Potentially Liable Persons

If you are aware of any other persons who may be liable for the release of hazardous substances at the Site, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up the Site.

Responsibility and Scope of Potential Liability

Please note that Ecology may either conduct, or require PLPs to conduct, remedial actions to investigate and clean up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

Please also note that each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real property and those costs are not reimbursed, then Ecology has the authority under RCW 70.105D.055 to file a lien against that real property to recover those costs.

Next Steps in Cleanup Process

In response to the release of hazardous substances at the Site, Ecology intends to conduct the following actions under MTCA:

- Ecology intends to enter negotiation with the cooperative PLP to enter into an Agreed Order for this Site.

For a description of the process for cleaning up a site under MTCA, please refer to the enclosed fact sheet.

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of contaminated sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

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If you have any questions regarding this letter or if you would like additional information regarding the cleanup of contaminated sites, please call me at 509-454-7835. Thank you for your cooperation.

Sincerely,



Frank P. Winslow
Toxics Cleanup Program
Central Regional Office

Enclosure

By certified mail: 7018 0360 0000 1740 9206

cc: Ecology Site File