



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

June 7, 2012

Mr. Rollie Bernth, Registered Agent
Ward Rugh Properties, LLC
P.O. Box 68
710 W. University Way
Ellensburg, WA 98926

RE: Early Notice Letter Regarding the Release of Hazardous Substances
Site name: NPRR Ellensburg Roundhouse & Yard
Kittitas Co Tax Parcel No.: 232833 and adjoining parcels to be determined, Ellensburg
ERTS No.: 631921
Facility/Site ID No.: 19856
Cleanup Site ID No.: 11869

Dear Mr. Bernth:

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.

In 1990 and 1994 during the removal of leaking underground storage tanks at Ward Rugh, Inc. in Ellensburg, Washington, heavy 'black' oil not associated with the tanks was noted, and the site listed as Ellensburg City W 8th Ave ROW, as no source was identified. In September through December 2011 during follow-up investigations related to the Ward Rugh tank removals, employees of Ward Rugh, Inc. reported that they believed the heavy oil contamination was associated with 'old railroad activities'. Ecology conducted an historical land use investigation and determined that from about 1889 through the mid-1930's the Northern Pacific Railroad operated a District Center on or near the tax parcel 232833 that included a roundhouse, engine house, machine shop and coal and bunker oil bunkering facilities at this location. There were reportedly at least two engine house and two roundhouse fires during the years of operation at the site. Free phase 'dark black' light, non-aqueous phase liquid (LNAPL) oil was observed flowing into a tank excavation in 1994 by John Weitfeld, and Ecology employee. It is very likely that the Ellensburg City W 8th Ave ROW (F/S ID 77737583, Cleanup Site ID 1928) site is a part of this NPRR Roundhouse & Yard Site.

Under the Model Toxics Control Act (MTCA), Ecology maintains a statewide database of confirmed or suspected contaminated sites. This database is made available to the public upon request and online at <http://www.ecy.wa.gov/programs/tcp/cscs/CSCSpaage.HTM>. It is Ecology's decision that the above-referenced property will be added to this database because soil and groundwater are contaminated at the site.



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Please note that inclusion in the database does not mean that Ecology has made a determination regarding the identification of any potentially liable person(s) under the Model Toxics Control Act (administered under Chapter 173-340 WAC).

It is the policy of the Department of Ecology to work cooperatively with persons to accomplish prompt and effective site cleanups. Ecology prefers to achieve site cleanup cooperatively through independent cleanup actions (WAC 173-340-510). Cooperating with Ecology 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) requires a report of independent actions. To the extent known, the report shall include:

1. identification and location of the hazardous substance(s)
2. circumstances of the release and discovery
3. remedial actions planned, completed, or underway

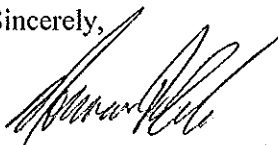
More requirements of independent cleanup actions are discussed in WAC 173-340-120(8)(b). Ecology will use the appropriate requirements contained throughout this chapter in its evaluation of the adequacy of any independent remedial actions performed.

You are encouraged to contact Ecology for limited informal advice and assistance. For technical assistance you are advised to hire an environmental consultant with the appropriate 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, is enclosed.

If you would like Ecology to review the independent cleanup actions conducted and determine if the site warrants no further action, you are encouraged to participate in the Voluntary Cleanup Program (VCP). Information about the Voluntary Cleanup Program is available online at <http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>, or you may contact Frosti Smith, CRO VCP Coordinator, at (509) 454-7841.

If you have any questions regarding this letter, please feel free to contact me at (509) 454-7837.

Sincerely,



Norman D. (Norm) Peck, Site manager
Site Manager/Initial Investigations
Toxics Cleanup Program

Enc: Chapter 173-340 WAC
Chapter 70.105D RCW

By certified mail: 7009 2250 0004 4951 0617

cc: Mr. Bruce Sheppard, Environmental Manager, Burlington Northern Santa Fe Railway