



FILE COPY

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 9, 2003

**CERTIFIED MAIL**

7003 1010 0005 0461 0392

Mr. Enrique Navarrete  
1107 South 11th Ave  
Yakima, WA 98902

Dear Mr. Navarrete:

RE: Early Notice Letter Regarding the Release of Hazardous Substances on property located at 3202/3204 Main Street (parcel # 19120532449), Union Gap, WA, ERTS #C533736

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.

On May 12, 2003, the Washington State Department of Ecology (Ecology) received a Phase I Environmental Site Assessment Report and a Limited Phase II Environmental Site Assessment for 3202 Main Street, Union Gap, WA. The Yakima County Assessor's office lists this property as 3204 Main Street. These Environmental Site Assessments were conducted by PBS Environmental on behalf of Touchstone Asset Management.

A gas station was located on the property from 1965 through 1975. Currently, there is a restaurant located on site. There is no record of how many, if any, underground storage tanks were located on site, or if any tanks have ever been removed from the site. Activities completed during the Limited Phase II Environmental Site Assessment included soil sampling and groundwater sampling. Samples were taken from geotechnical borings. Two groundwater samples contained contaminants present in excess of state cleanup levels. No soil contamination was detected on site; the Phase II report indicated that the source of the contamination may be from beneath the building located on site.

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 because of groundwater contamination encountered in recent site investigations. Please note if you submit a report to Ecology within 90 days indicating that contamination on your property is below the cleanup standards, your property will be automatically removed from the list of known or suspected contaminated sites.



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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) 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, the discovery and 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. In the future, Ecology 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 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.

I have enclosed a Focus sheet to assist you in familiarizing yourself with the MTCA regulations. If you have any questions regarding this letter or the requirements under the Model Toxics Control Act, please call me. My phone number is (509) 454-7835.

Sincerely,



Rachel Caron  
Site Manager  
Toxics Cleanup Program

Enclosures

cc: Dennis Lutz, Touchstone Asset Management  
Frosti Smith, TCP-CRO  
Michael Spencer, TCP-HQ