



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

February 11, 2013

Ms. Twila Flegel  
855 NE Loper Avenue  
Prineville, Oregon 97754-1224

**Re: Termination of VCP Agreement for the following Site:**

- **Site Name:** H & H Diesel Service Inc 407
- **Site Address:** 407 Porter Way, Milton, Washington 98354-9639
- **Facility/Site No.:** 89863773
- **Cleanup Site ID No.:** 4629
- **VCP Project No.:** SW0886

Dear Ms. Flegel:

The Department of Ecology (Ecology) is terminating the Voluntary Cleanup Program (VCP) Agreement governing Project No. SW0886. The project involved the cleanup of the H & H Diesel Service Inc 407 facility (Site). The effective date of termination is the date of this letter. We are providing this notice in accordance with the terms of the Agreement.

**Reason**

Ecology is terminating the Agreement because we understand that you are not actively cleaning up the Site. You entered the VCP for a second time on August 9, 2007. We last spoke with you or your representative (Mr. Mike Chun) on October 18, 2012. He said there was no activity ongoing at your Site. Your Site has been in the VCP for the past five years and Ecology has not been authorized to review any report or investigation that may have occurred on your property for our comment and opinion during that time. Ecology sent you a Status Request Letter on December 27, 2012 with a request for a response from you or your representative by February 3, 2013. You did not respond to that request. Since we have not heard from you, we have decided to terminate the Agreement.

**Next Steps**

Based on this decision, Ecology may take one or more of the following steps:

1. Send you an invoice for any costs remaining on your account. In accordance with the terms of the Agreement, you remain responsible for any costs incurred by us before the effective date of termination.



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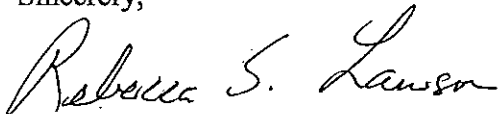
2. Conduct a site hazard assessment (SHA) and rank the Site for further action.
3. Identify those persons we find potentially liable for cleanup of the Site.
4. Initiate discussions for an agreed order or consent decree that will govern further action at the Site.

You may apply to reenter the VCP if you decide to conduct further action at the Site.

**Contact Information**

If you have any questions about this notice, please contact the Site Manager, Eugene Radcliff, at (360) 407-7404 or via email at [erad461@ecy.wa.gov](mailto:erad461@ecy.wa.gov).

Sincerely,



Rebecca S. Lawson, P.E., LHG  
Section Manager  
Toxics Cleanup Program, Southwest Regional Office

RSL/ER/ksc: SW0886 H&H Diesel Inc 407 Project Termination

By certified mail: (7012 1010 0003 0195 7728)

cc: Mr. Michael Chun, Associated Environmental Group, LLC.  
Mr. Eugene Radcliff, Ecology  
Mr. Scott Rose, Ecology  
Ms. Dolores Mitchell, Ecology