



Electronic Copy

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • 360-407-6300
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October 22, 2019

Evens Fife LLC
9330 Balboa Ave
San Diego, CA 92123-1516

Re: Early Notice Letter Regarding the Release of Hazardous Substances

- **Site Name:** Jack in the Box Fife
- **Location:** 3402 Pacific Hwy E, Fife, Pierce County, WA 98424
- **Facility Site ID Number:** 7907

To Whom It May Concern:

The Department of Ecology (Ecology) is required to conduct an Initial Investigation, under chapter 70.105 Revised Code of Washington (RCW), upon receiving a report of release or threatened release of hazardous substance that may pose a threat to human health or the environment.

[The Model Toxics Control Act \(MTCA\)](#),¹ chapter 70.105D RCW, mandates Ecology maintain a database of Confirmed or Suspected Contaminated Sites. As a result of the initial investigation conducted by Ecology, this property has been added to the database as a State Cleanup Site and assigned a Facility Site Identification number of 7907. Please note that inclusion in the database does not mean Ecology has determined you to be a potentially liable person.

During the investigation, Ecology found soil and groundwater suspected to be contaminated with non-halogenated organics, halogenated organics, metals and other substances above MTCA cleanup levels at the location listed above. In the future, Ecology may conduct a more detailed inspection of this property known as a site hazard assessment. At that time, Ecology will assess whether action will be needed and establish a priority for the work.

Ecology's policy is to work cooperatively with individuals to accomplish prompt and effective cleanups. However, due to limited resources we are not always able to provide requested assistance. Your cooperation with Ecology in planning or conducting a remedial action is not an admission of guilt or liability. Please be aware of state laws that must be adhered to if you decide to proceed with cleanup work on your own.

¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

Enclosed is a Model Toxics Control Act Cleanup Regulation Focus Sheet. This provides a brief overview of the process for the [cleanup of contaminated sites](#)². For additional information regarding each step in the cleanup process and Ecology's Voluntary Cleanup Program, feel free to contact me or Nick Acklam, the Southwest Regional Office Voluntary Cleanup Program Coordinator, at (360) 407-6347, or visit [Ecology's Voluntary Cleanup Program website](#).³

Chapter 70.105D RCW and the implementing regulations, chapter 173-340 Washington Administrative Code (WAC) which detail these requirements, can be found at [Ecology's Toxics Cleanup Program's statutes and regulations website](#).⁴

If you would like a hard copy of the MTCA regulations, or if you have any questions, please call me at (360) 407-6246. Thank you for your cooperation.

Sincerely,



Kirsten Wecker
Toxics Cleanup Program
Southwest Regional Office

Enclosure: Model Toxics Control Act Cleanup Regulation Focus Sheet

By certified mail: 9489 0090 0027 6086 4117 36

cc: Nick Acklam, Ecology (by email)

² <http://www.ecy.wa.gov/cleanup.html>

³ <https://ecology.wa.gov/vcp>

⁴ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work>