



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

November 26, 2019

A.J. Still and Elizabeth Still
101 W. Wine Country Road
Grandview, WA 98930

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

- **Site Name:** DeBock's Main Street Texaco (aka Debock's Auto Repair)
- **Site Address:** 100 W., 101 E., and 101 W. Wine Country Road, Grandview
- **Facility Site No.:** 94369212
- **Cleanup Site ID No:** 6910
- **Parcel No:** 23092312463

Dear A.J. Still and Elizabeth Still:

The Department of Ecology (Ecology) has confirmed that a release of hazardous substances has occurred at the DeBock's Main Street Texaco facility (Site) requiring cleanup under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. This determination was based on an Initial Investigation conducted on May 4, 1995. Ecology has received additional information in a report titled "*Technical Memorandum, Supplemental Investigation Tasks (August 2019)*" prepared by EES Environmental Consulting Inc., and dated October 23, 2019. Data presented in this report indicates that in addition to the known gasoline release at 100 W. Wine Country Road, gasoline releases also occurred at 101 E. Wine Country Road and 101 W. Wine Country Road. The releases at these three properties appear to be comingled, hence Ecology considers them to be one "site" under MTCA.

Based on credible evidence, Ecology is proposing to find A.J. Still and Elizabeth Still liable under MTCA for the release of hazardous substances at the Site. Any person whom Ecology finds, based on credible evidence, to be liable is known under MTCA as a "potentially liable person" or "PLP."

This letter identifies the basis for Ecology's proposed finding and your opportunity to respond to that finding. This letter also describes the scope of your potential liability and next steps in the cleanup process at the Site.



Proposed Finding of Liability

Based on credible evidence, Ecology is proposing to find A.J. Still and Elizabeth Still liable under RCW 70.105D.040 for the release of hazardous substances at the DeBock's Main Street Texaco facility (Site). This proposed finding is based on the following evidence:

1. Gasoline range organics (GRO) were detected above MTCA cleanup levels in two groundwater samples collected in the right-of-way adjacent to 101 W. Wine Country Road (at the northwest corner of Wine Country Road and Division Street) in August 2019. Groundwater flows to the southwest in the vicinity of the DeBock's Main Street Texaco Site.
2. According to chain of title records, A.J. Still and Elizabeth Still, have owned the property located at 101 W. Wine Country Road (parcel 23092312555) since October of 1978.
3. The release above MTCA cleanup levels constitutes a threat to human health and the environment.

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 Winslow
Toxics Cleanup Program
Central Regional Office
1250 W. Alder Street
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

Ecology has notified the following additional persons that they are potentially liable for the release of hazardous substances at the Site:

1. Gary Christensen and Powell Distributing, LLC, DBA R.E. Powell & Seaport

In addition, Ecology will be notifying the following additional persons that they are potentially liable for the release of hazardous substances at the Site:

1. Gorgeous Property LLC
2. Chevron Corporation
3. ExxonMobil Corporation

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 PLPs 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 focus sheet.

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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.

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

Enclosures: 2 MTCA Publication #94-129
 Voluntary Waiver of Right to Comment Form

By certified mail: 7019 0140 0000 9806 3608

cc: Gary B. Christensen, Powell Distributing, LLC, DBA R.E. Powell & SeaPort
 Paul Ecker, EES Environmental Consulting, Inc.
 Mark M. Myers, Independent Counsel for ExxonMobil Corporation
 Holly Castle, Registered Agent
 Cheryl Cameron, Property Specialist, Chevron Environmental Management Company