



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

September 6, 2012

Pedro Gutierrez
Templo Pentecostes Monte De Sion
881 Buena Road
Buena, WA 98921

RE: Early Notice Letter Regarding the Release of Hazardous Substances

- Site Name: Monte De Sion Church
- Site Address: 820 Buena Road, Buena
- Assessor's Parcel No.: 20112222022
- Facility/Site ID No.: 20838
- Cleanup Site ID No.: 11948

Dear Mr. Gutierrez:

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 April 14, 2012, Ecology Toxics Cleanup Program staff conducted an Initial Investigation in response to a phone call from the Yakima County Fire District, which described an oil spill that had been exposed due to excavation activities. While on-site, Ecology staff observed an excavation that was approximately three foot deep. Contaminated soil remained in the location of the excavation. West of the excavation was approximately $\frac{3}{4}$ - 1 cubic yard of contaminated soil stockpiled on a plastic liner.

Sampling results from the excavation show two soil samples with diesel/heavy oil range concentrations of 8,990 mg/kg and 22,700 mg/kg, both exceeding state cleanup levels.

Under the Model Toxics Control Act (MTCA), Ecology maintains a statewide database of confirmed and/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/CSCSpage.HTM>. It is Ecology's decision that the above-referenced property will be added to this database because soil is contaminated at the site.

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).



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Page 2

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) 454-7835.

Sincerely,



Breean Zimmerman
Site Manager/Initial Investigations
Toxics Cleanup Program

Enc: Chapter 173-340 WAC
Chapter 70.105D RCW

By certified mail: 7009 2250 0004 4951 0259