



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

February 12, 2020

Chevron U.S.A. Inc.
c/o Chevron Environmental Management and Real Estate Company
Attn: Tim Bishop
6001 Bollinger Canyon Road
San Ramon, CA 94583

Re: Early Notice of Release of Hazardous Substances and Preliminary Determination of Liability for Release at the following Contaminated Site:

- **Site Name:** Chelan Chevron
- **Site Address:** 232 E. Woodin Avenue, Chelan
- **Cleanup Site ID:** 6660
- **Facility/Site ID:** 77751227

Dear Tim Bishop:

The Department of Ecology (Ecology) has confirmed that releases of hazardous substances have occurred at two locations that will be designated as units within the Chelan Chevron facility (Site). These specific areas require remediation under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. This determination is based on supplemental remedial investigations completed in 2018 and include groundwater monitoring through November 2019. Ecology had previously added this Site to its list of confirmed and suspected contaminated sites.

Based on credible evidence, Ecology is proposing to find Chevron U.S.A Inc. (CUSA) liable under MTCA for the release of hazardous substances at the additional locations identified within 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

Ecology is proposing to find CUSA liable under RCW 70.105D.040 for the release of hazardous substances at the Site.

This proposed finding is based on the following evidence:

1. The Standard Oil Company of California and Standard Stations, Inc. leased the property at 141 E. Woodin Avenue according to the chain of title. The term of the lease extended from November 1928 through, at least, August 1940.
2. The Union Oil Company of California leased the property at 221 E. Woodin Avenue according to the chain of title. The term of the lease began in February 1929 and continued until an unknown date.
3. In 2001, Standard Oil Company of California changed its name to ChevronTexaco Corporation after merger with Texaco.
4. In 2005, ChevronTexaco Corporation changed its name to Chevron Corporation after acquisition of Unocal Corporation aka the Union Oil Company of California
5. Chevron U.S.A (CUSA) is the successor-in-interest to Standard Oil Company of California.
6. Chevron Environmental Management and Real Estate Company (CEMREC) is a subsidiary of CUSA and the attorney-in-fact for CUSA.
7. Section 1.2.2 (History of the Other Petroleum-Related Locations) of the 2006 Chelan Chevron RI/FS Report describes the evidence that associate these properties to past petroleum-related activities and to the above-named entities.
8. A geophysical survey and associated investigation performed in 2018 provide evidence of previously undocumented underground storage tanks associated with both of the above-listed properties.
9. Field evidence collected during the supplemental remedial investigations as well as in the previous investigations corroborate the above-mentioned properties as likely sources of petroleum contamination in soil and groundwater.

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10. The MTCA cleanup standards for soil and groundwater are promulgated to provide protection of human health and the environment. Contaminant levels in soil and groundwater that exceed MTCA cleanup standards pose a current or future risk 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; or
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:

John Mefford
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. Frontier Communications, Inc.

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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

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.

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:

1. Oversee the completion of a Supplemental Remedial Investigation and Feasibility Study. In 2014, Chevron U.S.A. Inc. (CUSA), entered into Agreed Order DE 10629 to perform a Supplemental Remedial Investigation and prepare a Supplemental Feasibility Study to develop and evaluate cleanup action alternatives.
2. The properties at 141 and 221 E. Woodin Avenue will be added to the Chelan Chevron Site as units and the property addresses associated with the defunct underground storage tanks currently in the ground will be entered into Ecology's underground storage tank database.
3. Following the Supplemental RI/FS, a remedial alternative will be selected for design and implementation of a cleanup action. A new Agreed Order or Consent Decree will be negotiated for cleanup action.

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For a description of the process for cleaning up a contaminated site under MTCA, please refer to the enclosed focus sheet.

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.

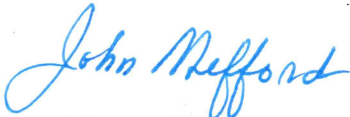
Site Listing

Ecology has added the Site to its list of confirmed and suspected contaminated sites. Information about the Site is enclosed. Please review this information for its accuracy and return your comments within thirty (30) days of receipt of this letter.

Contact Information

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) 454-7836 or John.Mefford@ecy.wa.gov. Thank you for your cooperation.

Sincerely,



John Mefford
Cleanup Project Manager
Toxics Cleanup Program
Central Regional Office

Enclosures (3) 1. Focus Sheet: MTCA #94-129
 2. PLP Waiver Form
 3. Site Listing Information

By certified mail: 7019 0140 0000 9806 3745

cc: Masood Choudhury, Frontier Communications, Inc.
Phyllis Barney, Office of the Attorney General

