

February 28, 2020

23901.101

VIA FIRST CLASS US MAIL & EMAIL (mmon461@ecy.wa.gov)

Frank Winslow
Site Manager
Toxics Cleanup Program
Department of Ecology Central Regional Office
1250 W. Alder Street
Union Gap, WA 98903

Re: Exxon Mobil/Grandview
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 ID No.: 94369212
Cleanup Site ID No. 6910
Parcel No.: 23092312463

Dear Mr. Winslow:

I am counsel for ExxonMobil Corporation and am responding on behalf of ExxonMobil to your November 26, 2019 letter regarding this site in Grandview, Washington. The Washington Department of Ecology claims to have "credible evidence" that ExxonMobil is a Potentially Liable Person under the Model Toxics Control Act (MTCA) for releases of petroleum hydrocarbons from an old gas station located across Wine Country Road from the DeBock's Main Street Texaco site. In particular, your letter states:

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 County [sic] 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, Exxon Corporation, owned the property located at 101 W. Wine Country Road (parcel 23902312555) prior to October 10, 1978. Humble Oil and Refining Company, a predecessor of Exxon, acquired the property on March 28, 1967.

Williams, Kastner & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, Washington 98101
main 206.628.6600 fax 206.628.6611
www.williamskastner.com
WASHINGTON . OREGON . ALASKA

3. The release above MTCA cleanup levels constitutes a threat to human health and the environment.

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Your letter does not indicate how or when hazardous substances were released at the Site. It appears that gas station operations likely occurred at the 101 W. Wine Country Road property before and after Humble Oil or ExxonMobil's alleged term.

ExxonMobil therefore has the following responses regarding Ecology's claim that it may be a PLP for this Site:

1. There is no evidence discussed in your letter, nor has ExxonMobil seen any, indicating that petroleum hydrocarbons (specifically GRO) were released to the environment during any period in which Humble Oil or ExxonMobil allegedly owned the 101 W. Wine Country Road property. Under MTCA 70.105D.040(1)(b), a former owner or operator is only liable if hazardous substances were released during its period of ownership or operation. ExxonMobil is aware of no such evidence, and Ecology has provided no such evidence.
2. Reports in Ecology's file produced to counsel for Chevron indicate that Ecology knows (a) the DeBock's Texaco site at 100 W. Wine Country Road, (b) the current Time gas station at 100 E. Wine Country Road, and (c) a former gas station site at 101 E. Wine Country Road are all sources of GRO contamination. There is no data ExxonMobil is currently aware of showing that the 101 W. Wine Country Road property is a source of the current GRO contamination. While ExxonMobil has not yet seen all documents related to the Site, it appears that there are more likely sources of the GRO contamination reported in this area.

For these reasons, ExxonMobil is currently unaware of any credible evidence showing that either Humble Oil or ExxonMobil released hazardous substances (GRO) during its period of ownership of the 101 W. Wine Country Road property. In addition, alternate sources of contamination (i.e. the former DeBock's Texaco, Time gas station, and former gas station at 101 E. Wine Country Road) may reasonably explain the presence of the contaminants found in this area. Therefore, absent additional information, the Department of Ecology should not name ExxonMobil as a PLP for this site.

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Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark Myers', with a large, stylized flourish at the end.

Mark Myers

cc: Annette Moore
Joel Glaze