



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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September 27, 2012

Mr. Rajbir Sandhu
Boeing Field Chevron
10805 East Marginal Way South
Tukwila, WA 98168

Re: Notice of Potential Liability under the Model Toxics Control Act for the Release of Hazardous Substances at the Following Hazardous Waste Site:

- Name: Boeing Field Chevron
- Address: 10805 East Marginal Way South, Tukwila, WA
- County Assessor's Parcel Number(s) 0323049064
- Facility/Site No.: 2551

Dear Mr. Sandhu:

Under the Model Toxics Control Act (MTCA), chapter 70.105D RCW, which governs the cleanup of hazardous waste sites in Washington State, the Department of Ecology (Ecology) may identify persons that it finds are liable for the release of hazardous substances at a site. Before making such a finding, Ecology must provide persons with notice and an opportunity to comment on the proposed finding. Any person whom Ecology finds, based on credible evidence, to be liable is known as a "potentially liable person" or "PLP".

Proposed Finding of Liability

Based on credible evidence, Ecology is proposing to find Mr. Rajbir Sandhu liable under RCW 70.105D.040 for the release of hazardous substances at the Boeing Field Chevron facility (Site). This proposed finding is based on the following evidence:

1. Mr. Rajbir Sandhu is the owner of the Site as identified in the King County Assessors records. Mr. Rajbir Sandhu is the operator of the Site as he handles the day-to-day operations of the business;
2. ERTS # 534262 called in on May 30, 2003, by SAIC. Caller is contractor for Chevron/Texaco, was doing monitoring at the Site that has a historic release and noticed a new release. She spoke with the privately owned Site owner who said they were going to report the release. Please call her to let her know if it has been reported and if you need additional info (3rd release LUST listed);



3. May/Nov 2003, Ground water Monitoring Report by Gettler-Ryan, Inc., December 19, 2003;
4. Soil Probe Investigation Report by Environmental Resolutions, Inc., March 12, 2004;
5. Groundwater Monitoring Well Installation Report by Environmental Resolutions, Inc., October 19, 2004;
6. Soil Probe Investigation Report by Environmental Resolutions, Inc., April 11, 2005;
7. Field Notes by Environmental Resolutions, Inc., June 29, 2005;
8. Work plan for Soil and Ground Water Assessment Report by Environmental Resolutions, Inc., July 19, 2005;
9. Field Notes by Environmental Resolutions, Inc., October 20, 2005;
10. Field Notes by Environmental Resolutions, Inc., November 14, 2005;
11. Ground Water Monitoring 4th Quarter 2005 by Environmental Resolutions, Inc., December 8, 2005;
12. LPH Bailing Results by Environmental Resolutions, Inc., December 15, 2005;
13. Well Installation November 2005 by Environmental Resolutions, Inc., December 28, 2005;
14. Work plan for Initial Product Removal, by G-Logics, January 13, 2006;
15. EFR Results, by G-Logics, March 2, 2006;
16. Subsurface Assessment & Fenton's Reagent Treatment Report, by G-Logics, March 17, 2006;
17. July 2006 Status Report, by G-Logics, July 24, 2006;
18. Nov 2006 Status Report, by G-Logics, November 30, 2006;
19. Status Report for Fenton's Reagent Treatment, by G-Logics, May 18, 2007;
20. October 7, 2007 email from G-Logics, October 15, 2007;
21. Subsurface Site Characterization Report, by G-Logics, May 19, 2008;
22. Free Product Recovery System Daily Log, by G-Logics, October 17, 2008;
23. Free Product Recovery System Daily Log, by G-Logics, December 30, 2008;
24. Status Memo for Free Product Recovery, by G-Logics, January 29, 2009;
25. Free Product Memo 2/09 thru 7/09, by G-Logics, September 15, 2009;
26. Additional reports in file; and
27. Free Product remains in the groundwater monitoring wells. This Site is located within the Lower Duwamish and in the Puget Sound Initiative. The Puget Sound Initiative's goal is to cleanup Sites that have contributed to the contamination

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:

Ms. Carrie Pederson
NWRO Toxics Cleanup Program
3190 160th Avenue SE
Bellevue, WA 98008-5452

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 WILL BE NOTIFYING the following additional person that they ARE potentially liable for the release of hazardous substances at the Site:

Mr. Thomas Bauhs
Chevron Environmental Management Company
6101 Bollinger Canyon Road
San Ramon, CA 94583

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:

1. Require the Site be fully characterized by conducting a Remedial Investigation (RI) and immediate removal of Free Product to the maximum extent practicable;
2. Conducting a Feasibility Study (FS);
3. Conducting a Draft Cleanup Action Plan (dCAP);
4. Implement the Cleanup Action Plan.
5. Give Ecology a Site schedule and cleanup timeline. This includes, but not limited to, the following phases: Site characterization (RI), feasibility study, cleanup action plan, system (s) installation, active remediation, groundwater monitoring and confirmation borings.

For a description of the process for cleaning up a hazardous waste site under MTCA, please refer to the enclosed fact sheet.

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of hazardous waste sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

Contact Information

If you have any questions regarding this letter or if you would like additional information regarding the cleanup of hazardous waste sites, please call me at (425) 649-7038. Thank you for your cooperation.

Sincerely,



Russell E. Olsen, MPA
Voluntary Cleanup Program Unit Supervisor
Toxics Cleanup Program

Enclosures: Voluntary Waiver of Right to Comment Form
Remedial Investigation Checklist
Feasibility Checklist

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MR RAJBIR SANDHU
BOEING FIELD CHEVRON
10805 EAST MARGINAL WAY SOUTH
TUKWILA WA 98168

PS Form 3800, August 2006

See Reverse for Instructions

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- Print your name and address on the reverse so that we can return the card to you.
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MR RAJBIR SANDHU
BOEING FIELD CHEVRON
10805 EAST MARGINAL WAY SOUTH
TUKWILA WA 98168

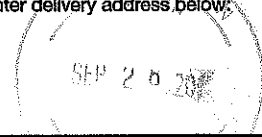
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