



FILE COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

January 30, 2007

CERTIFIED MAIL

7005 1820 0006 5951 6874

Mr. Ken Volland
Ken's Texaco
101 East University Way
Ellensburg, Washington 98926

Dear Mr. Volland:

RE: Early Notice Letter Regarding the Release of Hazardous Substances on property located at Ken's Texaco, 101 East University Way, Ellensburg, Washington, ERTS # 556364 Facility Site ID # 66863128, UST ID # 4338

On July 11, 2006, the Department of Ecology received a report titled *Limited Underground Storage Tank (UST) Assessment at the Texaco Service Station, 101 East University Way, Ellensburg, Washington*. The report details geoprobe drilling activities adjacent to the onsite USTs. Laboratory results from the soil samples identify gasoline, benzene, ethylbenzene, and xylenes above the Model Toxics Control Act (MTCA) Method A soil cleanup levels.

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 (Chapter 70.105D RCW). Ecology officials visited the site on July 18, 2006. You stated that you were working with your consultant to determine an appropriate cleanup action.

Ken's Texaco is already listed on the Confirmed and Suspected Contaminated Sites (CSCS) list, as well as the Leaking Underground Storage Tank (LUST) list. These listings are due to a 1993 waste oil UST removal report that documented petroleum hydrocarbon contamination in soil. No documents are located in the file to suggest that this release has been cleaned up.

Based on the information in the most recent report, Ecology will continue to include Ken's Texaco on both the CSCS and LUST lists.

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.



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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.

If you would like Ecology to review any independent cleanup actions conducted and determine if the site (or portions of the site) warrants **no further action**, you are encouraged to participate in the Voluntary Cleanup Program (VCP). For further information on this program, you can visit the VCP website at <http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>.

If you have any questions regarding this letter, please feel free to contact me at (509) 454-7835.

Sincerely,



Brianne Harcourt
Site Manager
Toxics Cleanup Program