

J.C. Penney Company (Banks Property) Yakima County



Consent Decree for Resolution of Liability

The Washington Department of Ecology is proposing to issue a Model Toxics Control Act (MTCA, Chapter 70.105D RCW) Consent Decree resolving the liability issues related to the release of hazardous substances, including perchloroethylene (PCE), at the former J.C. Penney Automotive Parts and Service Center site (Banks Property). PCE is found throughout the area known as the Yakima Railroad Area (YRRA). The Banks Property is located near the edge of the YRRA.

Site Background

The Banks Property site is located at 102 North Naches Avenue, Yakima, Washington. Until 1983, the property was known as the J.C. Penney Automotive Parts and Service Center and was owned by Mr. Robert Banks. The current owner of the property is JEM Naches LLC. Contaminants found at the property from a sample taken from stockpiled soil during August 1992, include PCE, methylene chloride and petroleum. This excavated soil came from a tank excavation.

What Has Been Done?

J.C. Penney conducted a Remedial Investigation (RI) at the site under an Agreed Order. These efforts included soil sampling as well as groundwater sampling. The RI results indicate that site specific hazardous substances of concern are NOT present at the site at levels which

may be a threat to human health or the environment. Also, Ecology and J.C. Penney agree that the Banks Property is not a source of PCE in the groundwater within the site. Based on these facts, Ecology has determined that the release or potential release of hazardous substances at the Banks Property has been resolved and that a settlement with J.C. Penney is appropriate.

Ecology Wants Your Comments!

You are invited to review and comment on the proposed Consent Decree between **June 8, 2003 and July 8, 2003.**

Information repositories, which include the Consent Decree, have been set up at the locations listed in the box to the right. To review more detailed site documents than those in the information repositories, contact Ecology's Central Regional Office records center at (509) 454-7658 to schedule an appointment.

Please submit your written comments to Rick Roeder, Site Manager, at the Ecology address listed in the box to the right. Ecology will review and respond to all comments received. Updates, as necessary, of site activities will be provided to those who submit comments or request to be placed on the site mailing list (if you received this fact sheet from Ecology, you are already on the site mailing list).

FACT SHEET June 2003

**For technical questions,
please contact:**

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**For other questions or to be
placed on the site mailing list,
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Public Comment Period:

June 8, 2003 to July 8, 2003

**Documents are available for
public review at:**

Ecology Central Regional Office
address listed above

Yakima Valley Regional Library
102 N. 3rd Street
Yakima, WA.

**Para asistencia bilingüe, favor
de hablar a:**

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If you have special accommodation needs or require this document in an alternative format please call Antonio Valero at (509) 454-7840 (voice) or 711 or 1-800-833-6388 (TTY). Para asistencia bilingüe, favor llamar al Antonio Valero, tel: (509) 454-7840.