



**STATE OF WASHINGTON**  
**DEPARTMENT OF ECOLOGY**

12121 NE 99<sup>th</sup> Street, Suite 2100 ▪ Vancouver, Washington 98682 ▪ (360) 690-7171

June 23, 2021

The Honorable Mayor Mike Schaub  
Town of Eatonville  
PO Box 309  
Eatonville WA 98328

**Re: Preliminary Determination of Liability for Release of Hazardous Substances  
at the following Contaminated Site:**

- **Site Name:** Eatonville Landfill
- **Site Address:** 42928 State Route 7 E, Eatonville, Pierce County, WA 98328
- **Town of Eatonville Address** PO Box 309, Eatonville, WA 98328
- **Facility/Site No.:** 85933
- **Cleanup Site ID:** 15271
- **County Assessor's Parcel Number(s):** 0416201007

Dear Mayor Schaub:

Under the [Model Toxics Control Act \(MTCA\)](#),<sup>1</sup> [chapter 70A.305](#)<sup>2</sup> Revised Code of Washington (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**

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Based on credible evidence, Ecology is proposing to find the Town of Eatonville liable under RCW 70A.305.040 for the release of hazardous substances at the former Eatonville Landfill facility (Site). This proposed finding is based on the following evidence:

1. The Weyerhaeuser Company is the current owner and operator of a "facility" as defined in RCW 70A.305.020 (8). "Facility," "Site," and "Eatonville Landfill" all refer to the same location where contamination released from the landfill may exist.

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<sup>1</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/9406.html>

<sup>2</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

This property, comprised of a 6.3-acre parcel of which 2.25 acres consists of an uncontrolled landfill, is located in the northeast quarter of Section 20, Township 16 north and Range 4 west, Willamette Meridian and is 3.5 miles west of Eatonville (Tax Lot Parcel Location and Site Location Figures are shown in **Enclosures D and E**, respectively.) The parcel where the landfill is located is surrounded by land owned by Washington State Parks. The landfill property was leased by the Town of Eatonville from Weyerhaeuser Company (Property Lease Agreement shown in **Enclosure C**).

2. Credible evidence exists indicating that a “release or threatened release” of a “hazardous substance” has occurred at the Site as defined in RCW 70A.305D.020 (13) and (32), which poses a threat to human health or the environment. The landfill property received refuse from 1950 to 1980. It is unfenced and consists of steep, highly irregular terrain and exposed refuse, including debris such as abandoned appliances, car bodies, empty drums, and tires. The lower face of the landfill terminates in a high-quality wetland. Spring water that emerges along the western boundary of the landfill and infiltrates the refuse supports the wetland. This spring water extends to the nearby Mashel River, located approximately 500 feet to the south. There are several seeps exposed along the lower landfill terminus.
3. The Department of Ecology reviewed Site reports that indicate surface water from springs contains metal and halogenated and non-halogenated organic chemicals contamination. Soil and groundwater impacts are also suspected.

### **Opportunity to Respond to Proposed Finding of Liability**

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In response to Ecology’s proposed finding of liability, you may do one of the following:

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 (**Enclosure B**) 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.
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Craig Rankine  
SWRO Toxics Cleanup Program  
Vancouver Field Office  
12121 NE 99 St, Suite 2100  
Vancouver, WA 98682

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**

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Ecology has already notified the following persons they are potentially liable for the release of hazardous substances at the Site:

1. Weyerhaeuser Company, Seattle, Washington.

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**

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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, which 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 70A.305.060 to file a lien against that real property to recover those costs.

## **Next Steps in Cleanup Process**

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In response to the release of hazardous substances at the Site, Ecology intends to conduct the following actions under MTCA:

1. Ecology and the Town of Eatonville negotiate an Agreed Order for characterization of the impacted media at the Eatonville Landfill property.
2. Ecology and the Town of Eatonville submit Agreed Order for 30-day public comment period.
3. Town of Eatonville completes a Cultural Resources Consultation.
4. Town of Eatonville submits a draft Remedial Investigation Work Plan (RIWP) (received May 28, 2021).
5. Ecology reviews and approves the RIWP.
6. Town of Eatonville conducts a remedial investigation (RI) and feasibility study (FS) and prepares a report.
7. Ecology approves the RI/FS report for public review.
8. Town of Eatonville prepares and submits a draft cleanup action plan (dCAP) to Ecology for the entire site.

9. Ecology approves the dCAP for public review.
10. Ecology and the Town of Eatonville submit the RI/FS and dCAP for 30-day public comment period.

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

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.

For information regarding MTCA provisions, please examine RCW 70A.305 and chapter 173-340 Washington Administrative Code rules and regulations at [www.ecy.wa.gov/laws-rules/index.html](http://www.ecy.wa.gov/laws-rules/index.html).

## Contact Information

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If you have any questions regarding this letter or if you would like additional information regarding the cleanup of hazardous waste sites, please contact me at (360) 690-4795 or [craig.rankine@ecy.wa.gov](mailto:craig.rankine@ecy.wa.gov). Thank you for your cooperation.

Sincerely,



Craig Rankine R.G., L. Hg.  
Toxics Cleanup Program (TCP)  
Southwest Regional Office (Vancouver Field Office)

CR/TAM

Enclosures (5): A – Focus sheet: Model Toxics Control Act Cleanup Regulation,  
Process for Cleanup of Hazardous Waste Sites (Pub. No. #94-129)  
B – Voluntary Waiver of Right to Comment Form  
C – Lease agreement between Weyerhaeuser Company and  
Town of Eatonville  
D – Tax Lot Parcel Location Figure  
E – Site Location Figure

By certified mail: 9489 0090 0027 6092 9911 54

cc by email: William F. Joyce, Joyce Ziker Partners, PLLC  
Abbie Gribi, Town of Eatonville  
Carol Wiseman, Weyerhaeuser Company  
Rebecca S. Lawson, P.E., LHG. SWRO TCP Section Manager, Ecology  
Andy Smith, P.E., Ecology  
Ecology Site File

## **Enclosure A**

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Focus sheet: Model Toxics Control Act Cleanup Regulation,  
Process for Cleanup of Hazardous Waste Sites (Pub. No. #94-129)

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# Focus

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## Model Toxics Control Act Cleanup Regulation: Process for Cleanup of Hazardous Waste Sites

In March of 1989, an innovative, citizen-mandated toxic waste cleanup law went into effect in Washington, changing the way hazardous waste sites in this state are cleaned up. Passed by voters as Initiative 97, this law is known as the Model Toxics Control Act, chapter 70.105D RCW. This fact sheet provides a brief overview of the process for the cleanup of contaminated sites under the rules Ecology adopted to implement that Act (chapter 173-340 WAC).

### How the Law Works

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The cleanup of hazardous waste sites is complex and expensive. In an effort to avoid the confusion and delays associated with the federal Superfund program, the Model Toxics Control Act is designed to be as streamlined as possible. It sets strict cleanup standards to ensure that the quality of cleanup and protection of human health and the environment are not compromised. At the same time, the rules that guide cleanup under the Act have built-in flexibility to allow cleanups to be addressed on a site-specific basis.

The Model Toxics Control Act funds hazardous waste cleanup through a tax on the wholesale value of hazardous substances. The tax is imposed on the first in-state possessor of hazardous substances at the rate of 0.7 percent, or \$7 per \$1,000. Since its passage in 1988, the Act has guided the cleanup of thousands of hazardous waste sites that dot the Washington landscape. The Washington State Department of Ecology's Toxic Cleanup Program ensures that these sites are investigated and cleaned up.

### What Constitutes a Hazardous Waste Site?

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Any owner or operator who has information that a hazardous substance has been released to the environment at the owner or operator's facility and may be a threat to human health or the environment must report this information to the Department of Ecology (Ecology). If an "initial investigation" by Ecology confirms further action (such as testing or cleanup) may be necessary, the facility is entered onto either Ecology's "Integrated Site Information System" database or "Leaking Underground Storage Tank" database. These are computerized databases used to track progress on all confirmed or suspected contaminated sites in Washington State. All confirmed sites that have not been already voluntarily cleaned up are ranked and placed on the state "Hazardous Sites List." Owners, operators, and other persons known to be potentially liable for the cleanup of the site will receive an "Early Notice Letter" from Ecology notifying them that their site is suspected of needing cleanup, and that it is Ecology's policy to work cooperatively with them to accomplish prompt and effective cleanup.

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## Who is Responsible for Cleanup?

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Any past or present relationship with a contaminated site may result in liability. Under the Model Toxics Control Act a potentially liable person can be:

- A current or past facility owner or operator.
- Anyone who arranged for disposal or treatment of hazardous substances at the site.
- Anyone who transported hazardous substances for disposal or treatment at a contaminated site, unless the facility could legally receive the hazardous materials at the time of transport.
- Anyone who sells a hazardous substance with written instructions for its use, and abiding by the instructions results in contamination.

In situations where there is more than one potentially liable person, each person is jointly and severally liable for cleanup at the site. That means each person can be held liable for the entire cost of cleanup. In cases where there is more than one potentially liable person at a site, Ecology encourages these persons to get together to negotiate how the cost of cleanup will be shared among all potentially liable persons.

Ecology must notify anyone it knows may be a “potentially liable person” and allow an opportunity for comment before making any further determination on that person’s liability. The comment period may be waived at the potentially liable person’s request or if Ecology has to conduct emergency cleanup at the site.

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## Achieving Cleanups through Cooperation

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Although Ecology has the legal authority to order a liable party to clean up, the department prefers to achieve cleanups cooperatively. Ecology believes that a non-adversarial relationship with potentially liable persons improves the prospect for prompt and efficient cleanup. The rules implementing the Model Toxics Control Act, which were developed by Ecology in consultation with the Science Advisory Board (created by the Act), and representatives from citizen, environmental and business groups, and government agencies, are designed to:

- Encourage independent cleanups initiated by potentially liable persons, thus providing for quicker cleanups with less legal complexity.
- Encourage an open process for the public, local government and liable parties to discuss cleanup options and community concerns.
- Facilitate cooperative cleanup agreements rather than Ecology-initiated orders. *Ecology can, and does, however use enforcement tools in emergencies or with recalcitrant potentially liable persons.*

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## What is the Potentially Liable Person’s Role in Cleanup?

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The Model Toxics Control Act requires potentially liable persons to assume responsibility for cleaning up contaminated sites. For this reason, Ecology does not usually conduct the actual cleanup when a potentially liable person can be identified. Rather, Ecology oversees the cleanup of sites to ensure that investigations, public involvement and actual cleanup and monitoring are done appropriately. Ecology’s costs of this oversight are required to be paid by the liable party.

When contamination is confirmed at the site, the owner or operator may decide to proceed with cleanup without Ecology assistance or approval. Such “independent cleanups” are



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allowed under the Model Toxics Control Act under most circumstances, but must be reported to Ecology, and are done at the owner's or operator's own risk. Ecology may require additional cleanup work at these sites to bring them into compliance with the state cleanup standards. Most cleanups in Washington are done independently.

Other than local governments, potentially liable persons conducting independent cleanups do not have access to financial assistance from Ecology. Those who plan to seek contributions from other persons to help pay for cleanup costs need to be sure their cleanup is "the substantial equivalent of a department-conducted or department-supervised remedial action." Ecology has provided guidance on how to meet this requirement in WAC 173-340-545. Persons interested in pursuing a private contribution action on an independent cleanup should carefully review this guidance prior to conducting site work.

## **Working with Ecology to Achieve Cleanup**

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Ecology and potentially liable persons often work cooperatively to reach cleanup solutions. Options for working with Ecology include formal agreements such as consent decrees and agreed orders, and seeking technical assistance through the Voluntary Cleanup Program. These mechanisms allow Ecology to take an active role in cleanup, providing help to potentially liable persons and minimizing costs by ensuring the job meets state standards the first time. This also minimizes the possibility that additional cleanup will be required in the future – providing significant assurances to investors and lenders.

Here is a summary of the most common mechanisms used by Ecology:

- **Voluntary Cleanup Program:** Many property owners choose to cleanup their sites independent of Ecology oversight. This allows many smaller or less complex sites to be cleaned up quickly without having to go through a formal process. A disadvantage to property owners is that Ecology does not approve the cleanup. This can present a problem to property owners who need state approval of the cleanup to satisfy a buyer or lender.  
  
One option to the property owner wanting to conduct an independent cleanup yet still receive some feedback from Ecology is to request a technical consultation through Ecology's Voluntary Cleanup Program. Under this voluntary program, the property owner submits a cleanup report with a fee to cover Ecology's review costs. Based on the review, Ecology either issues a letter stating that the site needs "No Further Action" or identifies what additional work is needed. Since Ecology is not directly involved in the site cleanup work, the level of certainty in Ecology's response is less than in a consent decree or agreed order. However, many persons have found a "No Further Action" letter to be sufficient for their needs, making the Voluntary Cleanup Program a popular option.
- **Consent Decrees:** A consent decree is a formal legal agreement filed in court. The work requirements in the decree and the terms under which it must be done are negotiated and agreed to by the potentially liable person, Ecology and the state Attorney General's office. Before consent decrees can become final, they must undergo a public review and comment period that typically includes a public hearing. Consent decrees protect the potentially liable person from being sued for "contribution" by other persons that incur cleanup expenses at the site while facilitating any contribution claims against the other persons when they are responsible for part of the cleanup costs. Sites cleaned up under a consent decree are also exempt from having to obtain certain state and local permits that could delay the cleanup.

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- **De Minimus Consent Decree:** Landowners whose contribution to site contamination is “insignificant in amount and toxicity” may be eligible for a de minimus consent decree. In these decrees, landowner typically settle their liability by paying for some of the cleanup instead of actually conducting the cleanup work. Ecology usually accepts a de minimus settlement proposal only if the landowner is affiliated with a larger site cleanup that Ecology is currently working on.
  - **Prospective Purchaser Consent Decree:** A consent decree may also be available for a “prospective purchaser” of contaminated property. In this situation, a person who is not already liable for cleanup and wishes to purchase a cleanup site for redevelopment or reuse may apply to negotiate a prospective purchaser consent decree. The applicant must show, among other things, that they will contribute substantial new resources towards the cleanup. Cleanups that also have a substantial public benefit will receive a higher priority for prospective purchaser agreements. If the application is accepted, the requirements for cleanup are negotiated and specified in a consent decree so that the purchaser can better estimate the cost of cleanup before buying the land.
  - **Agreed Orders:** Unlike a consent decree, an agreed order is not filed in court and is not a settlement. Rather, it is a legally binding administrative order issued by Ecology and agreed to by the potentially liable person. Agreed orders are available for remedial investigations, feasibility studies, and final cleanups. An agreed order describes the site activities that must occur for Ecology to agree not to take enforcement action for that phase of work. As with consent decrees, agreed orders are subject to public review and offer the advantage of facilitating contribution claims against other persons and exempting cleanup work from obtaining certain state and local permits.

## **Ecology-Initiated Cleanup Orders**

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Administrative orders requiring cleanup activities without an agreement with a potentially liable person are known as **enforcement orders**. These orders are usually issued to a potentially liable person when Ecology believes a cleanup solution cannot be achieved expeditiously through negotiation or if an emergency exists. If the responsible party fails to comply with an enforcement order, Ecology can clean up the site and later recover costs from the responsible person(s) at up to three times the amount spent. The state Attorney General’s Office may also seek a fine of up to \$25,000 a day for violating an order. Enforcement orders are subject to public notification.

## **Financial Assistance**

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Each year, Ecology provides millions of dollars in grants to local governments to help pay for the cost of site cleanup. In general, such grants are available only for sites where the cleanup work is being done under an order or decree. Ecology can also provide grants to local governments to help defray the cost of replacing a public water supply well contaminated by a hazardous waste site. Grants are also available for local citizen groups and neighborhoods affected by contaminated sites to facilitate public review of the cleanup. See Chapter 173-322 WAC for additional information on grants to local governments and Chapter 173-321 WAC for additional information on public participation grants.

## **Public Involvement**

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Public notices are required on all agreed orders, consent decrees, and enforcement orders. Public notification is also required for all Ecology-conducted remedial actions.

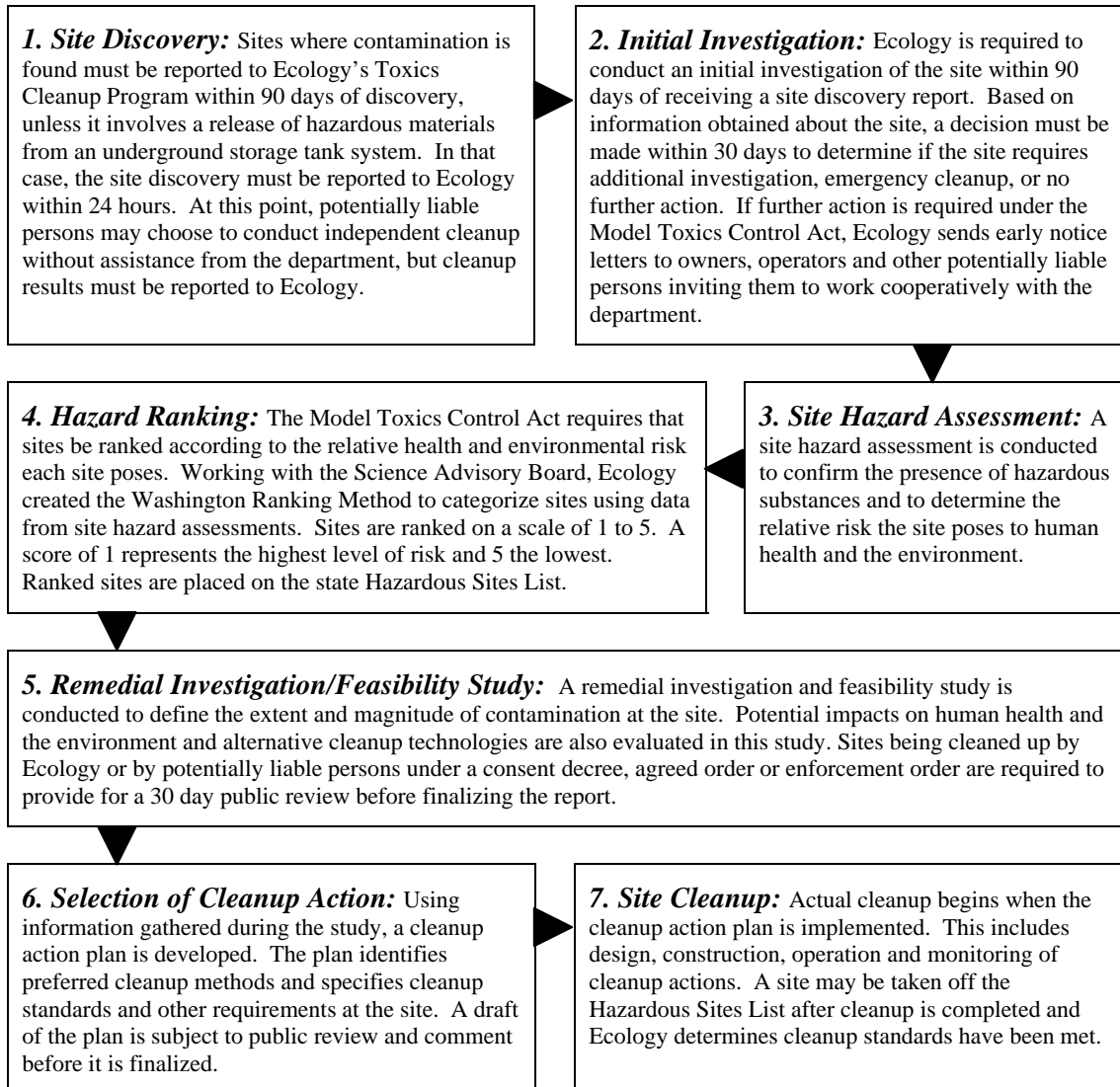
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Ecology's Site Register is a widely used means of providing information about cleanup efforts to the public and is one way of assisting community involvement. The Site Register is published every two weeks to inform citizens of public meetings and comment periods, discussions or negotiations of legal agreements, and other cleanup activities. The Site Register can be accessed on the Internet at: [www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html).

## How Sites are Cleaned Up

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The rules describing the cleanup process at a hazardous waste site are in chapter 173-340 WAC. The following is a general description of the steps taken during the cleanup of an average hazardous waste site. Consult the rules for the specific requirements for each step in the cleanup process.



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## For More Information / Special Accommodation Needs

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If you would like more information about the state Model Toxics Control Act, please call us toll-free at **1-800-826-7716**, or contact your regional Washington State Department of Ecology office listed below. Information about site cleanup, including a listing of ranked hazardous waste sites, is also accessible through our Internet address:

<http://www.ecy.wa.gov/programs/tcp/cleanup.html>

- **Northwest Regional Office**                                   **425/649-7000**  
(Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom Counties)
- **Southwest Regional Office**                                   **360/407-6300**  
(Southwestern Washington, Olympic Peninsula, Pierce, Thurston and Mason Counties)
- **Central Regional Office**                                       **509/575-2490**  
(Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima Counties)
- **Eastern Regional Office**                                       **509/329-3400**  
(Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman Counties)

*If you need this publication in an alternative format, please contact the Toxics Cleanup Program at (360) 407-7170. Persons with a hearing loss can call 711 for the Washington Relay Service. Persons with a speech disability can call 877-833-6341.*

**Disclaimer Notice:** This fact sheet is intended to help the user understand the Model Toxics Control Act Cleanup Regulation, chapter 173-340 WAC. It does not establish or modify regulatory requirements.

## **Enclosure B**

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Voluntary Waiver of Right to Comment Form

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# PLP Waiver Form Template

The Honorable Mayor Mike Schaub  
Town of Eatonville  
PO Box 309  
Eatonville, WA 98328

Pursuant to WAC 173-340-500 and WAC 173-340-520(1)(b)(i), I, Mayor Mike Schaub, a duly authorized representative of the Town of Eatonville, do hereby waive the right to the thirty (30) day notice and comment period described in WAC 173-340-500(3) and accept status of the Town of Eatonville as a Potentially Liable Person at the following contaminated site:

- **Site Name:** Eatonville Landfill
- **Site Address:** 42928 State Route 7 E, Eatonville WA 98328
- **Facility/Site ID:** 85933
- **Cleanup Site ID:** 15271
- **County Assessor's Parcel Number(s):** 0416201007

By waiving this right, the Town of Eatonville makes no admission of liability.

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Signature

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Date

Relation to the Site: Leased the property from the land owner

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## **Enclosure C**

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Lease agreement between Weyerhaeuser Company  
and Town of Eatonville

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L E A S E

THIS LEASE, made this 1st day of November, 1950, by and between WEYERHAEUSER TIMBER COMPANY, a Washington corporation of Tacoma, Washington, hereinafter designated as the "Lessor", and the TOWN OF EATONVILLE, a municipal corporation of the State of Washington, hereinafter designated as the "Lessee", WITNESSETH:

I.

The Lessor does hereby lease and demise unto the Lessee and the Lessee does hereby hire and take from the Lessor a tract of land in the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 20, Township 16 North, Range 4 East of W. M. in Pierce County, Washington, the location of which is shown outlined in red on a plat hereto attached and made a part hereof, marked "Exhibit A" and further identified by the signature of E. J. Murnen, to be used by the Lessee for a sanitary fill and garbage dump.

II.

The terms and conditions of this lease are as follows:

a. The term of this lease shall be for a period of 10 years from the date hereof.

b. The rental shall be \$10.00 per year. The first year's rental shall be due and payable upon the execution and delivery of this lease; and rental for subsequent years shall be due and payable on or before the 1st day of November of each and every year hereafter during the term of this lease.

c. The Lessee shall have and the Lessor hereby grants to the Lessee the non-exclusive right, license and permission to maintain and use the existing road upon, over and across the N $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 21 and the E $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 20 in Township 16 North, Range 4 East of W. M. as an access road to said sanitary fill and garbage dump. The location of said road is shown by a solid black line on

said Exhibit A. The Lessee shall build and maintain a substantial gate across said existing road near the point where said road joins the State Highway in the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 21. Said gate shall be kept locked at all times except when said sanitary fill and garbage dump is in use. The Lessee shall furnish the Lessor with two keys to the lock on said gate.

d. The Lessee agrees to abide by and comply with the following conditions:

(1) No garbage, rubbish or other debris shall be burned on said premises during the fire season as established by the State of Washington; and the Lessee shall comply with all laws, rules and regulations and orders relating to the prevention, control and suppression of fire. The Lessee shall keep fire fighting tools on hand and ready for use at all times during the term of this lease and any extension hereof.

(2) The Lessee shall construct and maintain a bulldozed fire trail around said sanitary fill and garbage dump area of a width and in a condition satisfactory to the Lessor's authorized representative. Said fire trail shall be kept free of rubbish and other inflammable debris.

(3) The Lessee shall not trespass upon any of the Lessor's land outside of the boundaries of the premises hereby leased to the Lessee and shall cut no forest growth of any kind outside of said boundaries.

(4) The Lessee shall comply with all applicable laws, rules and regulations relating to health and sanitation and shall maintain said sanitary fill and garbage dump area in as orderly a manner as possible.

e. (1) The Lessee shall be liable to the Lessor for and hereby covenants and agrees to pay for all loss or damage to or destruction of the property of the Lessor which results from, is caused

by or arises out of the use of said premises or road hereunder.

(2) The Lessee hereby covenants and agrees to protect, indemnify and hold the Lessor harmless from any and all damages, claims, costs and liabilities which may in anywise come against the Lessor by reason of injury to third persons (including employees or agents of the Lessor) or to their property, which results from, is caused by or arises out of the use of said premises or road hereunder.

f. In the event the Lessee commits any violation or default with respect to any term or condition of this lease, the Lessor may give to the Lessee 60 days notice in writing of such violation or default and, if such violation or default is not remedied within said 60-day period, this lease or any extension hereof shall automatically terminate at the end of said 60-day period.

g. Any notice to be given by either party hereto to the other under the provisions of or with respect to this lease may be served personally or by registered mail, addressed to the party to be served at the latter's post office address which is set forth following such party's signature hereto; and such service by registered mail shall be equivalent to personal service.

IN WITNESS WHEREOF the Lessor has caused this lease to be executed by its authorized agent and the Lessee has accepted the same as of the day and year first above written.

WEYERHAEUSER TIMBER COMPANY

By *C. Weyerhaeuser*  
Authorized Agent

P. O. Box 1645, Tacoma, Washington

TOWN OF EATONVILLE

*H. Hagen*  
Mayor

*F. Van Cator*  
Town Clerk

P. O. Address:  
Town Hall  
Eatonville, Washington

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## **Enclosure D**

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Tax Lot Parcel Location Figure

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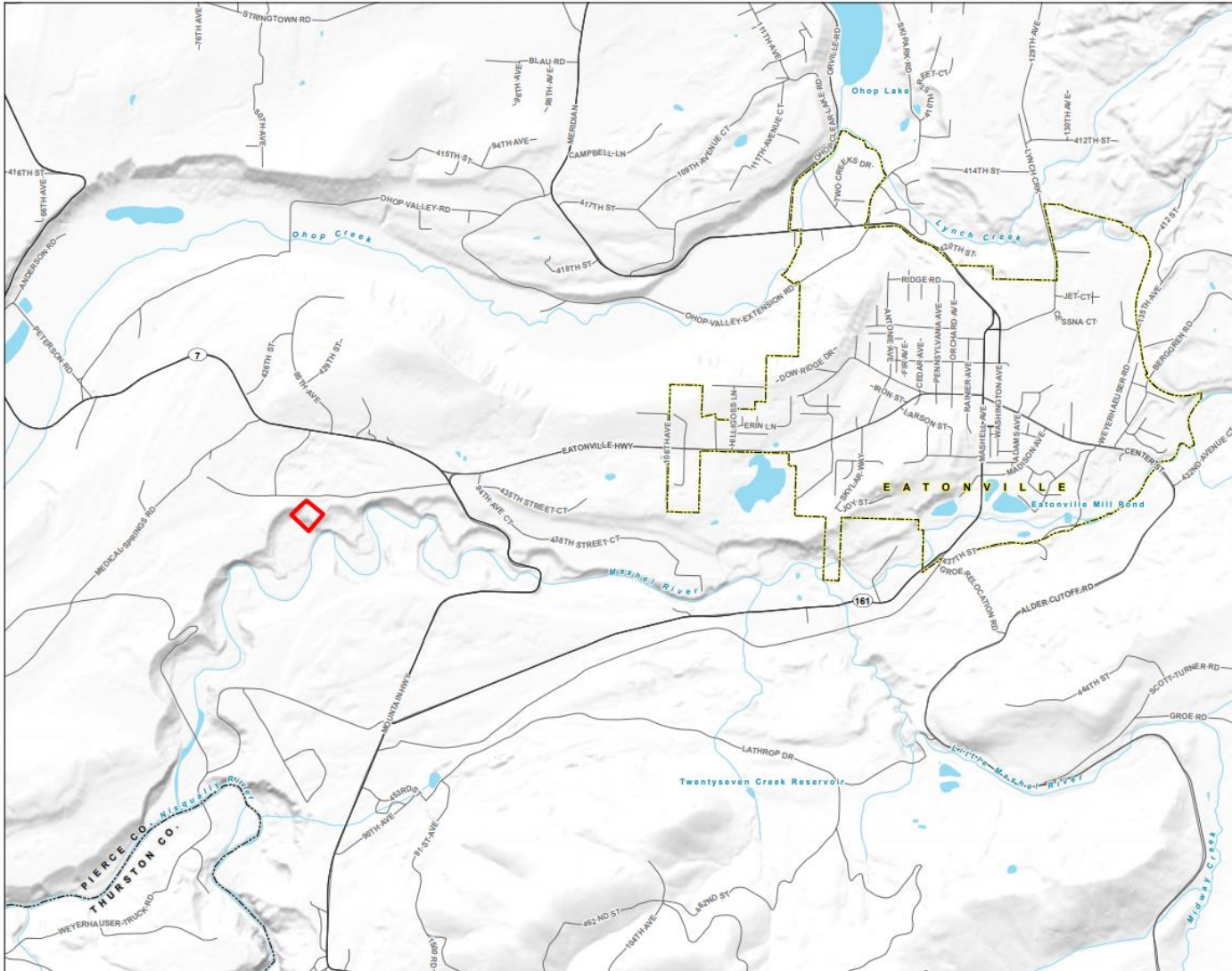
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## **Enclosure E**

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Site Location Figure

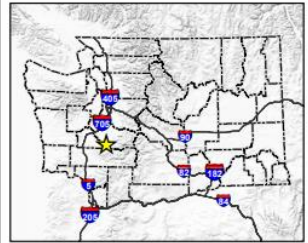
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**FIGURE 1**  
**Eatonville Landfill**  
**Vicinity Map**  
 Eatonville, Washington

- LEGEND**
- ◆ Approximate boundary of Weyerhaeuser property within the Nisqually State Park
  - Major Road
  - City Boundary
  - Watercourse
  - Waterbody



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Feet

Date: April 20, 2021  
 Data Sources: ESRI

Eatonville Landfill  
 Site Location  
 Figure

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