

Separate (thin) file made 2/94



"Recomp of WA, Inc"

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5453 • (425) 649-7900

January 5, 2005

Mr. Thomas J. Bubanich  
1524 Slater Road  
Ferndale, WA 98248

Dear Mr. Bubanich:

Re: Independent Remedial Action  
Recomp of Washington, 1542 Slater Road, Ferndale WA 98242

Thank you for submitting the results of your independent remedial action(s) for review by the State of Washington Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the following information regarding the facility located at: 1524 Slater Road, Ferndale, WA 98248

Independent remedial action reports submitted:

- ✓ 1. Voluntary Cleanup Program Application and Report by Environmental Health Services, Inc., April 29, 2003
2. 1999 Annual Report, by Recom of Washington, Inc., March 2000
3. Quarterly Groundwater Monitoring Reports by Vasey Engineering, from September 10, 1993, to December 18, 1996
4. Quarterly Groundwater Monitoring Reports by Environmental Health Services, Inc., From September 23, 1997, to September 16, 2001
5. Engineering Report Landfill Closure and Temporary Ash Storage Facility Construction by Harper Owes, June 28, 1989
6. Geotechnical Design Report Proposed Temporary Ash Storage Facility By Golder Associates, Inc, June 1989
7. Technical Memorandum to Thermal Reduction Company Preliminary Hydrological Investigation Bellingham Washington by Golder Associates June 1988, Includes Appendix B (Groundwater) by Berryman and Henigar

The above listed reports will be kept in the Central Files of the Northwest Regional Office (NWRO) of Ecology for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7190.

Thomas J. Bubenich

January 4, 2005

Page 2 of 2

Based upon the above listed information Ecology has determined that, at this time, the release of Lead and Cadmium into the soil no longer poses a threat to human health or the environment.

Therefore, Ecology is issuing this determination that no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW. However please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology. Furthermore, you must conduct the necessary maintenance to assure that this site does not pose a threat to human health or the environment. The necessary maintenance is described in the Restrictive Covenants attached. Failure to conduct necessary maintenance results in the automatic withdrawal of Ecology's no further action determination.

In addition, the Restrictive Covenant filed on your properties dated October 4, 2004, is a condition to maintain Ecology's no further action determination. The Restrictive Covenant is attached to this letter as Attachment A. Ecology's no further action determination automatically terminates and will have no force and effect if any portion of the Restrictive Covenant is violated.

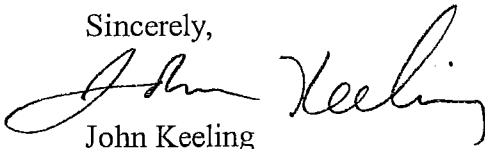
Ecology's no further action determination is made only with respect to the release identified in the independent remedial action reports dated April 29, 2003. This no further action determination applies only to the area of the property affected by the release identified in the report at 1524 Slater Road, Lot 1, Lot 2, Lot 3, and Lot 4 OF RECOMP SHORT PLAT AS RECORDED IN BOOK 21 SHORT PLATS PG 93, Ferndale Washington. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by Recomp of Washington. This no further action determination does not apply to remedial actions determined necessary as a result of conformational monitoring.

Ecology will update its database to reflect this "No Further Action" determination. Your site will not appear in future publications of the Confirmed & Suspected Contaminated Sites Report (previously known as the Affected Media and Contaminants Report.)

The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature may arise from any act or omission in providing this determination.

If you have any questions, please contact John Keeling at (425) 649-7052.

Sincerely,

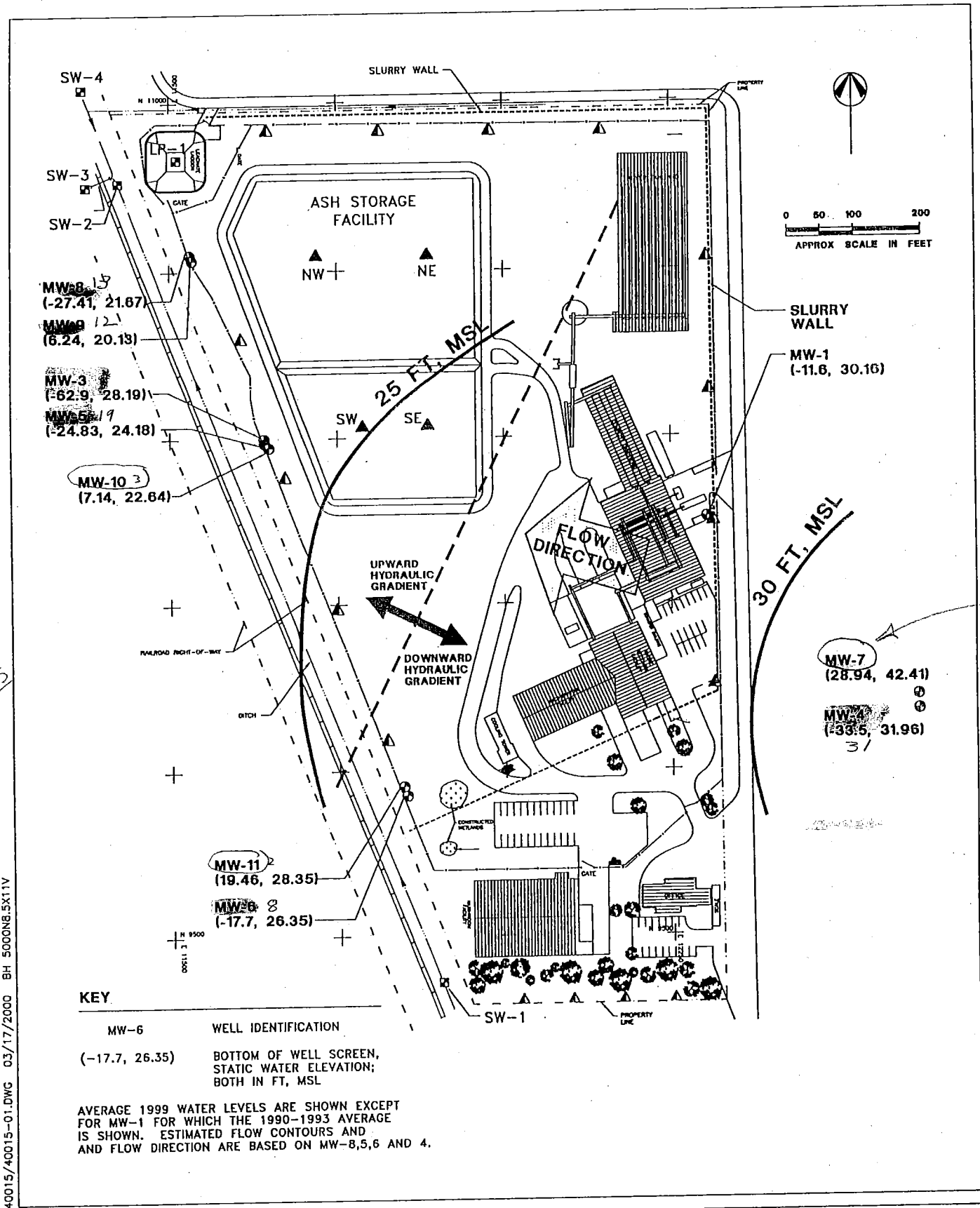


John Keeling  
Toxics Cleanup Program

JK:dh

cc: David Bader  
Environmental Health Services, Inc.

12-1-9



4565

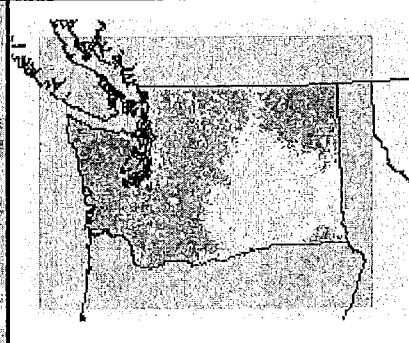
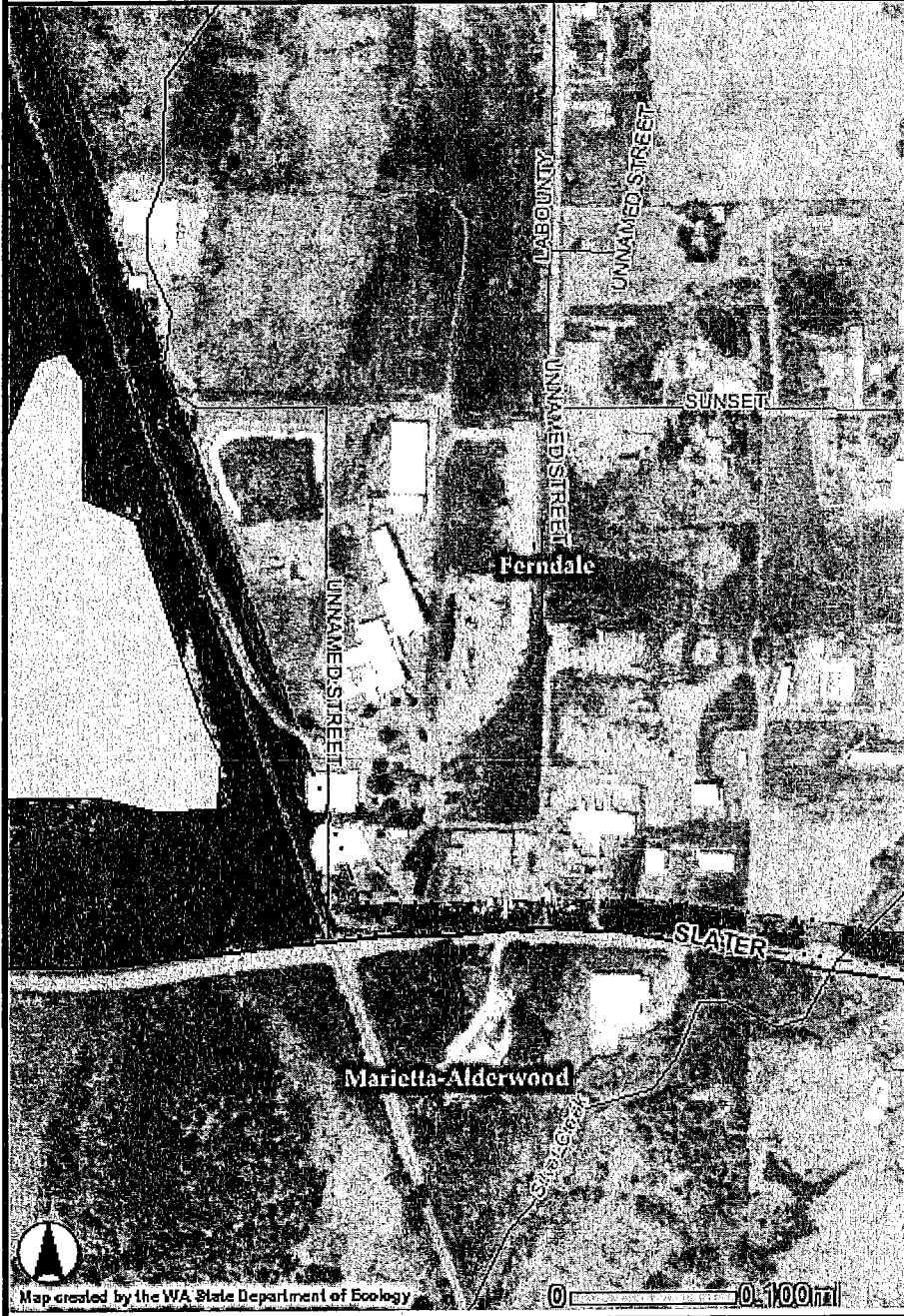
40015/40015-01.DWG 03/17/2000 BH 5000N8.5X11V



**GROUND WATER LEVEL AND FLOW DIRECTION**  
 Recomp of Washington  
 Ferndale, Washington

Figure  
**1**

### Facility/Site Atlas Map



- Legend**
- Facilities
  - ⚡ Major Roads
  - ⚡ Streets
  - Counties
  - Water Bodies
  - Reservoir
  - Glacier
  - Marsh
  - Rock
  - Island
  - Water
  - Streams
  - ⋯ Cities
  - Orthophotos
  - Background
  - Water
  - Non-Washington Land

Map created by the WA State Department of Ecology

0 0.100 miles

# CONVERSATION RECORD

TIME 11:15 | DATE 10/21/92

TYPE  VISIT  CONFERENCE  TELEPHONE

INCOMING  
 OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

Matt Cohen

389-6024

SUBJECT

Recomp (Thermal Reduction)

ROUTING

NAME/SYMBOL	INT

SUMMARY

I called to let him know I would had met with Mike Gallagher, Section Head for Toxics Cleanup and Julie Setlick, Section Head for Solid and Hazardous Waste, to discuss the Recomp site in Ferndale. I said it didn't appear as though Recomp would be a site pursued by Toxics Cleanup, as Solid and Hazardous Waste had conducted fairly extensive investigations at Recomp and had no real concern for hazardous substances. We (Toxics) will, however, review the ranking for Wilder LF to determine whether the site should actually be ranked a '1', if additional data is necessary, or what the story is at the site. He said the news about Recomp is good news. I said I'm sorry it took so long to get back to him.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Elaine Athens-

10/21/92

ACTION TAKEN

SIGNATURE

TITLE

DATE

10/21/92

Thermal Reduction Mtg.

M. Gallagher J. Sellick S. Sato E. Atkinson B. Smith

Get back to Matt Cohen → no liability as far as disposal at Recomp from a MTEA standpoint.

Will re-visit the Wilder LF issue to determine if we need to re-score, get more data, or call it a no-further-action.