

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

In the Matter of Remedial Action by:) FIRST AMENDMENT OF
Mr. Lyle Harp, Mr. Randall Johnson,) ENFORCEMENT ORDER No.
Mr. Kurt Osborne, and Mr. Mark Morin) DE 94TC-C161
& Mrs. Sherry Morin)

To: Mr. Mark Morin &
Mrs. Sherry Morin
180 Snowden Road
White Salmon WA 98672

Mr. Lyle Harp
2675 D Highway
Hood River, Oregon 97031

Mr. Kurt Osborne
Post Office Box 1174
Hood River, Oregon 97031

Mr. Randall Johnson
1396 Methodist Road
Hood River, Oregon 97031

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I.

Enforcement Order No. DE 94TC-C161 is amended to add the following potentially liable persons as Respondents to this Order:

1.1 Mark and Sherry Morin

II.

Section II shall be amended to read as follows, and to add the following subsections to read as follows:

"Ecology makes the following Findings of Fact, without admission of such facts by Lyle Harp, Kurt Osborne, Randall Johnson, and Mark and Sherry Morin.

2.15 On June 23, 1992, Ecology mailed a proposed Potentially Liable Person (PLP) status letter to Mark and Sherry Morin, and provided opportunity for comment. Mark and Sherry Morin are current owners of the north portion of the Town Pump facility, and are former operators/lessees of the south portion of the facility.

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2.16 On August 14, 1992, Ecology mailed a final determination of PLP status letter to Mark and Sherry Morin, stating they are PLPs for the Town Pump facility. Hereinafter, Mark and Sherry Morin are known as "the Respondents", along with the previously named Respondents listed in subsection 2.7 of this section."

III.

Section III. shall be amended to read as follows, and to add the following subsections which shall read as follows:

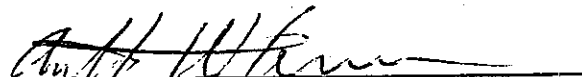
"3.1 The Respondents are "owners or operators" as defined in RCW 70.105D.020(6) of a "facility" as defined in RCW 70.105D.020(3).

3.5a By letter dated August 14, 1992, Ecology notified Mark and Sherry Morin of their status as "potentially liable persons" under RCW 70.105D.040, after notice and opportunity for comment."

VII.

All other provisions of this Enforcement Order shall remain the same.

Effective date of this Order: AUG 16 1994


Anthony W. Grover
Section Manager
Toxics Cleanup Program
Central Regional Office

AWG:SB:dk