



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

May 11, 2022

Betty Buhler
RJ & BA LLC
PO Box 270
Kelso, WA 98626

Re: Final Determination of Potential Liability for Release of Hazardous Substances at the following Contaminated Site:

- **Site Name:** Independent Metals Plant 2 (a.k.a. Silver Bay Logging)
- **Site Address:** 816 S. Kenyon St and 7814 8th Ave S., Seattle, WA 98108 (This letter covers one parcel of the five total parcels of the Site)
- **Cleanup Site ID:** 12300
- **Facility/Site ID:** 16139
- **King County Assessor's Parcel Number:** 7327902480; 7327902490; **7327902500**; 7327902520; and 7327903645 (This letter covers the one parcel that is bolded)

Dear Betty Buhler:

On April 12, 2022, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that RJ & BA LL is a potentially liable person (PLP) for a release of hazardous substances at the Independent Metals Plant 2 (a.k.a. Silver Bay Logging) facility (Site). On May 2, 2022, Ecology received your written notice accepting your status as a PLP for the Site and waiving your opportunity to comment.

Based on available information, Ecology finds that credible evidence exists that RJ & BA LL is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that RJ & BA LL is a PLP with regard to the Site.

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and cleanup facilities where hazardous substances have been released. Liability for environmental contamination under MTCA is strict, joint and several (RCW 70A.305.040(2)). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations. Ecology has determined that it is in the public interest for remedial actions to take place at this Site. Ecology will contact you regarding the actions necessary for the RJ & BA LL to bring about the prompt and thorough cleanup of hazardous substances at this Site. Failure to cooperate with Ecology or comply with MTCA in this matter will result in Ecology employing enforcement tools as it deems necessary

Betty Buhler
May 11, 2022
Page 2

and appropriate. This includes, but is not limited to, the issuance of an administrative order. Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70A.305.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70A.305 RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Sam Wang, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Sam Wang at (206) 594-0127 or by email at sam.wang@ecy.wa.gov.

Sincerely,



Robert W. Warren
Section Manager
Toxics Cleanup Program, NWRO

By Certified Mail: 9171 9690 0935 0192 9821 12

cc: Laura Maffei, Cable Huston LLP
John Level, AAG, Office of the Attorney General
Ecology Site File