



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

November 2, 2022

David Black
East Mountain Investments, Inc.
DTG Enterprises, Inc.
22745 29th Dr. SE, Suite 200
Bothell, WA 98021

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

- **Site Name:** Anderson Landfill
- **Site Address:** 41 Rocky Top Road, Yakima
- **FSID No.:** 79747294
- **CSID No.:** 11537

Dear David Black:

On September 28, 2022, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that DTG Enterprises, Inc. and East Mountain Investments, Inc. is a potentially liable person (PLP) for a release of hazardous substances at the Anderson Landfill facility (Site). On October 28, 2022, the 30-day comment period on our preliminary determination expired. On October 28, 2022, Ecology received your written comments.

Ecology has reviewed your comments. Based on available information, Ecology finds that credible evidence exists that DTG Enterprises, Inc. and East Mountain Investments, Inc. are liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that DTG Enterprises, Inc. and East Mountain Investments, Inc. are PLPs 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.

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Ecology will contact you regarding the actions necessary for DTG Enterprises, Inc. and East Mountain Investments, Inc. 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 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. Ecology's cleanup project manager for the Site, Luke LeMond, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Luke LeMond at (509) 379-3961 or Luke.Lemond@ecy.wa.gov.

Sincerely,



Valerie Bound
Section Manager
Toxics Cleanup Program
Central Region Office

By certified mail: 7022 0410 0003 2629 8925

cc: Shawn Magee, Yakima Health District
James Rivard, Department of Ecology, Solid Waste Management
Jonathan Thompson, Office of the Attorney General
Tom Vaughn, DTG Recycle