



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

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

December 12, 2022

Gregory Bertch
Bertch Timberlands, LLC
218 Main St., Suite 954
Kirkland, WA 98033-6108

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

- **Site Name:** Plantation Rifle Range
- **Site Address:** 5102 Samish Way, Bellingham, Washington 98226
- **Cleanup Site ID:** 15182
- **Facility/Site ID:** 21444552
- **Whatcom County Assessor's Parcel Number:** 370314993300000

Dear Gregory Bertch:

On October 7, 2022, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Bertch Timberlands, LLC (Bertch Timberlands) is a potentially liable person (PLP) for a release of hazardous substances at the Plantation Rifle Range facility (Site or facility). On November 21, 2022, Ecology received an email with your written comments. In your email, you stated that you disagree with any suggestion that Bertch Timberlands should be a PLP for the Site. Under the Model Toxics Control Act (MTCA), a PLP includes the current owner of a facility where there has been a release of hazardous substances (RCW 70A.305.040 (1)(a)). Bertch Timberlands is the owner of the property where the Plantation Rifle Range is located.

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

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The purpose of 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 Bertch Timberlands 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 and 173-204 WAC.

Ecology's cleanup project manager for the Site is Valerie Cramer. She will contact you with information about how Ecology intends to proceed with the cleanup. If you have any questions regarding this letter or if you would like additional information regarding the cleanup of contaminated sites, please contact Valerie Cramer at 425-698-5539 or vcra461@ECY.WA.GOV.

Thank you for your cooperation.

Sincerely,



Raman Iyer
Section Manager
Hazardous Waste and Toxics Reduction Program

Sent by Certified Mail: 9171 9690 0935 0233 2189 41

ecc: Satpal Singh Sidhu, Whatcom County Executive
Gregory Bertch, Bertch Timberlands LLC
John Level AAG, Office of the Attorney General
Ecology Site File