



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

January 18, 2023

Davidson, Kilpatrick & Krislock PLLC
Attn: Bryan W. Krislock on behalf of Wick Family Properties, LLC
520 Kirkland Way, Suite 400
Kirkland, WA 98083

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

- **Site Name:** Jeld Wen
- **Site Address:** 300 West Marine View Drive, Everett, Washington
- **Cleanup Site ID:** 4402
- **Facility/Site ID:** 2757
- **Snohomish County Assessor's Parcel Number:** 29050700100400, 29050700101200, 29050700400100, 29050700401900, 29050700402000, 29050700100500, and 29050700100800

Dear Bryan W. Krislock:

On November 10, 2022, the Department of Ecology (Ecology) sent representative of Wick Family Properties, LLC (Wick Family) written notice of Ecology's preliminary determination that Wick Family is a potentially liable person (PLP) for a release of hazardous substances at the Jeld Wen Site (Site). On December 27, 2022, Ecology received an email with your written comments. We also received the hardcopy of your letter on December 29, 2022. In your email, you explained your disagreement with Ecology's preliminary determination that the Wick Family is a PLP for the Site. Under the Model Toxics Control Act (MTCA), a PLP includes the current owner of a facility (any site or area) where there has been a release of hazardous substances or where hazardous substances have come to be located. From the remedial investigation/feasibility study (RI/FS) for the Site completed in December 2021, hazardous substances have come to be located at parcel 29050700100800. You acknowledged in response that Wick Family is the owner of parcel 29050700100800.

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

Bryan W. Krislock

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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 the Wick Family 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, Mahbub Alam, will contact you with information about how Ecology intends to proceed with the cleanup.

Thank you for your cooperation. If you have any questions regarding this letter or you would like additional information regarding the cleanup of contaminated sites, please contact Mahbub Alam, Cleanup Project Manager, at (360) 280-6274 or at mahbub.alam@ecy.wa.gov.

Sincerely,

Barry Rogowski
Program Manager
Toxics Cleanup Program

By certified mail:

cc: Erik Gerking, Port of Everett
Eric Rapp, JELD-WEN, Inc.
Ron Woolworth, W & W Everett Investments
John Level, ATG
Mahbub Alam, Ecology
Ryan Hardwick, Ecology
Amy Hargrove, Ecology
Josh Morman, Ecology
Denice Taylor, Ecology