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**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**Southwest Region Office**

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February 6, 2023

Doug Pennington  
Environmental Manager, Pape Group  
PO Box 407  
Eugene, OR 97440  
[dpennington@pape.com](mailto:dpennington@pape.com)

**Re: Early Notice Letter Regarding the Release of Hazardous Substances**

- **Site Name:** Pape Group Petroleum
- **Site Address:** 7305 48th St E, Fife, Pierce County, WA 98424
- **Facility/Site ID:** 36429
- **Cleanup Site ID:** 15534
- **County Assessor's Parcel Number(s):** 0420173024

Dear Doug Pennington:

The Department of Ecology (Ecology) received a report, dated March 9, 2021, about potential contamination from hazardous substances. We have investigated the release, or threatened release, of hazardous substances to identify impacts to human health and the environment, as required under [chapter 70A.305 RCW](#).<sup>1</sup>

Ecology maintains a database of known or suspected contaminated sites that will need remedial actions to meet requirements established under the [Model Toxics Control Act](#) (MTCA),<sup>2</sup> chapter 70A.305 RCW, and [173-340 WAC](#).<sup>3</sup> This state law sets the requirements necessary to clean up contaminated sites that can threaten human health and the environment.

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<sup>1</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

<sup>2</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

<sup>3</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

During the investigation, Ecology determined that contamination exists or may exist at your site. As a result, we added this property to our database as a state cleanup site that will need to be cleaned up pursuant to MTCA requirements.

Ecology assigned CSID No. 15534. You can find site information and electronic records for this site at Ecology's [Cleanup and Tank Search webpage](#).<sup>4</sup>

This letter or inclusion in our database of state cleanup sites does not mean that Ecology has made a determination about potential liability for cleanup under MTCA. Ecology's policy is to work cooperatively with individuals to accomplish prompt and effective cleanups.

#### PLIA Heating Oil Technical Assistance Program

The release of contaminants to this property came from an underground heating oil tank(s). The [Pollution Liability Insurance Agency \(PLIA\)](#)<sup>5</sup> [Heating Oil Technical Assistance Program \(HOTAP\)](#)<sup>6</sup> provides an option for a property owner to receive technical assistance or an opinion evaluating whether an independent cleanup meets the substantive requirements of MTCA. Contact PLIA directly at (800) 822-3905, or [pliamail@plia.wa.gov](mailto:pliamail@plia.wa.gov), for more information on the HOTAP, including guidance documents to help conduct an independent cleanup. Ecology's [Voluntary Cleanup Program \(VCP\)](#)<sup>7</sup> does not currently provide technical assistance or opinions on cleanups for releases from heating oil tanks.

Your cooperation in planning or conducting independent remedial action is not an admission of guilt or liability. All independent remedial actions must follow the requirements of state laws. Completing an independent remedial action without meeting MTCA requirements may lead to additional cleanup work or formal oversight by Ecology.

Ecology likely will require a more detailed investigation in the future, if an independent remedial action does not occur on this property. Investigation typically consists of additional testing for contamination, including soil and groundwater sampling.

Enclosed is the [Model Toxics Control Act Cleanup Regulation Focus Sheet](#).<sup>8</sup> For questions regarding this letter or copies of the MTCA regulations and statute, please contact the Initial Investigation Coordinator, Jack Brown at 564-669-1533 or [jack.brown@ecy.wa.gov](mailto:jack.brown@ecy.wa.gov).

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<sup>4</sup> <https://apps.ecology.wa.gov/gsp/SiteSearchPage.aspx>

<sup>5</sup> [plia.wa.gov](http://plia.wa.gov)

<sup>6</sup> [plia.wa.gov/heating-oil-technical-assistance-program/](http://plia.wa.gov/heating-oil-technical-assistance-program/)

<sup>7</sup> [ecy.wa.gov/vcp](http://ecy.wa.gov/vcp)

<sup>8</sup> <https://apps.ecology.wa.gov/publications/summarypages/FTC94129.html>

Sincerely,

A handwritten signature in blue ink that reads "Rebecca S. Lawson".

Rebecca S. Lawson, P.E., LHG  
Section Manager  
Toxics Cleanup Program  
Southwest Region Office

Enclosure: [Model Toxics Control Act Cleanup Regulation Focus Sheet](#)

By certified mail: 9489 0090 0027 6382 0423 44

cc by email: Jack Brown, II-SHA Coordinator, [jack.brown@ecy.wa.gov](mailto:jack.brown@ecy.wa.gov)  
Jerome Lambiotte, VCP Unit Supervisor, [jerome.lambiotte@ecy.wa.gov](mailto:jerome.lambiotte@ecy.wa.gov)  
Ecology Site File