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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Southwest Region Office

PO Box 47775 • Olympia, Washington 98504-7775 • 360-407-6300

April 17, 2023

Brandon Smith
West Bay Development Group, LLC
P.O. Box 1376
Sumner, WA 98390
brandon@themilestoncompanies.com

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

- **Site Name:** Hardel Mutual Plywood
- **Site Address:** 1210 W Bay Dr NW, Olympia, Thurston County, WA 98502
- **Cleanup Site ID:** 3704
- **Facility/Site ID:** 75128579
- **County Assessor's Parcel Number(s):** 72600200100 and 91013100000

Dear Brandon Smith:

On March 16, 2023, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that West Bay Development Group, LLC is a potentially liable person (PLP) for a release of hazardous substances at the Hardel Mutual Plywood facility (Site). On April 12, 2023, 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 West Bay Development Group, LLC is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that West Bay Development Group, LLC 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

statue 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 West Bay Development Group, LLC 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, Steve Teel, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Steve Teel at 360-890-0059 or steve.teel@ecy.wa.gov.

Sincerely,



Rebecca S. Lawson, P.E., L.G., L.HG.
Section Manager
Toxics Cleanup Program,
Southwest Region Office

By certified mail: 9489 0090 0027 6382 0424 67

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Ecology Site File