



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 5, 2023

Warren Snyder, Senior Manager, Environmental Projects
Rayonier Advanced Materials, Inc.
Rayonier A.M. Properties LLC
1301 Riverplace Blvd., Suite 2300
Jacksonville, FL 32207

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

- **Site Name:** Former Grays Harbor Pulp and Paper Mill
- **Site Address:** 801 23rd Street, Hoquiam, WA
- **Cleanup Site ID:** 2498, 577, 2676, 2614, 1172, 2262, 10440, 1255, 2282
- **Facility/Site ID:** 36, 86233618, 34, 34737386, 68393196, 44124741, 76276679
37438132, 33
- **County Assessor's Parcel Number(s):** 056400200300, 056400200100,
051202800000, 056400100400, 055206200000, 055206100002, 055205600400,
055206000002, 055206400002, 056400200202, 056400200201, 056411300000,
056409000000, 517101311000

Dear Warren Snyder:

On March 24, 2023, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Rayonier Advanced Materials, Inc. and Rayonier A.M. Properties LLC are potentially liable persons (PLPs) for a release of hazardous substances at the former Gray's Harbor Pulp and Paper Mill (Site). On May 3, 2023, the 30-day comment period on our preliminary determination expired. On May 10, 2023, Ecology received your written comments, which were dated and postmarked May 2, 2023.

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

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In your written comments, you suggested that it is not necessary for Ecology to name Rayonier Advanced Materials, Inc. as a PLP. Ecology is not issuing a final determination that Rayonier Advanced Materials, Inc. is a PLP at this time. Ecology is currently evaluating whether or not to make a final determination that Rayonier Advanced Materials, Inc. is a PLP.

In your written comments, you suggested that it is not appropriate for Ecology to include Rennie Island in the Site. Ecology intends to include Rennie Island in the Site. The impoundment on Rennie Island was connected to the pulp mill by a submerged pipeline and was used to support operations at the pulp and paper mill and therefore it is appropriate to include Rennie Island in the Site.

Your written comments argue that Rennie Island is not contiguous with the rest of the Site and that adding it to the Site would likely complicate the cleanup process. Ecology notes that while there is no requirement for sites to be contiguous, see, e.g., *New York v. Westwood-Squibb Pharmaceuticals*, 138 F.Supp.2d 372 (W.D. New York 2000); *Cytec Indus. Inc. v. BF Goodrich Co.* 232 F.Supp.2d 821, 835-36 (S.D. Ohio 2002), investigations of sediments between Rennie Island and the pulp and paper mill area would result in a contiguous site. Ecology agrees that expanding any site has the potential to add complications, but that it is the public interest to promptly investigate contamination at Rennie Island that may pose a threat to human health or the environment.

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 70.105D.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 Rayonier A.M. Properties 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 70.105D.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Emily Toffol, will contact you with information about how Ecology intends to proceed with the cleanup.

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If you have any questions regarding this notice, please contact Emily Toffol at 360-790-8363 or emily.toffol@ecy.wa.gov.

Sincerely,



James DeMay, P.E.

Industrial Section Manager

Solid Waste Management Program

By certified mail: 9489-0090-0027-6383-8990-91

cc: Jonathan Thompson, Office of the Attorney General
Ecology Site File