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DEPT. OF ECOLOGY
TCP-NWRO

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

CERTIFIED MAIL

September 2, 2008

Mr. Dennis Rattie
Terragon-Kent Station Phase LLC
1000 2nd Ave Suite 3200
Seattle WA 98104-1074

Re: Termination of VCP Agreement for the following Site:

- **Site Name:** Borden Chemical Co
- **Site Address:** 421 1st Ave N, Kent WA
- **Facility/Site No.:** 2102
- **VCP Project No.:** NW1279

Dear Mr. Rattie:

The Department of Ecology (Ecology) is terminating the VCP Agreement governing Project No. NW1279. The project involved the cleanup of the above-named site (Site). The effective date of termination is the date of this letter. We are providing this notice in accordance with the terms of the Agreement.

Reason: Ecology is terminating the Agreement because of dormancy: lack of active cleanup for the past 12 months. We sent you a letter dated July 17, 2008 (Notification of Pending Inactive Determination) and inquired of your cleanup activities for the past 12 months and stated that if we do not hear from you by August 18, 2008 that the site will be removed from the VCP due to inactivity. Since we did not hear from you, we have decided to terminate the Agreement.

Next Steps: Based on this decision, Ecology may take one or more of the following steps:

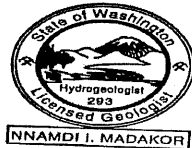
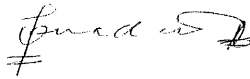
1. Send you an invoice for any costs remaining on your account. In accordance with the terms of the Agreement, you remain responsible for any costs incurred by us before the effective date of termination.
2. Conduct a site hazard assessment (SHA) and rank the Site for further action.
3. Identify those persons we find potentially liable for cleanup of the Site.
4. Initiate discussions for an agreed order or consent decree that will govern further action at the Site.

Mr. Dennis Rattie
Terminate Dormant Inactive Sites
VCP ID# NW1279
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You may apply to reenter the VCP if you decide to conduct further action at the Site.

Contact Information: Ecology is committed to working with you to accomplish the prompt and effective cleanup of the Site. If you have any questions about this notice, please contact me at (360) 407-7244.

Sincerely,



Nnamdi Madakor, P.G., P.Hg.
Statewide VCP Coordinator
Toxics Cleanup Program, HQ

NM:nm

Enclosures Pending Inactive Determination Letter (07/17/08)

cc: Russ Olsen, NWRO VCP Unit Manager
Sara Maser, NWRO VCP Data Coordinator
Dolores Mitchell, VCP Fiscal Manager (NW1279)