



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 5, 2023

Aaron Bishop, SVP & COO, Midstream
Altagas Ltd.
1700, 355 4th Ave SW
Calgary AB T2P 0J1

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

- **Site Name:** Intalco Aluminum LLC
- **Site Address:** 4050 Mountain View Rd, Ferndale, WA 98248
- **Cleanup Site ID:** 2280
- **Facility/Site ID:** 16

Dear Aaron Bishop:

On November 9, 2023, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Petrogas Pacific LLC is a potentially liable person (PLP) for a release of hazardous substances at the Intalco Aluminum LLC facility (Site). On November 16, 2023, Ecology received your written notice by email accepting your status as a PLP for the Site and waiving your opportunity to comment. Petrogas Inc. is the U.S. parent company of all Petrogas entities and Altagas Ltd. is the parent company of Petrogas Inc.

Based on available information, Ecology finds that credible evidence exists that Petrogas Pacific LLC is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Petrogas Pacific 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 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 Petrogas Pacific 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.

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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, Greg Gould, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Greg Gould at 360-819-6426 or greg.gould@ecy.wa.gov.

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, contact Ecology at 360-280-4325 or ecyadacoordinator@ecy.wa.gov. Persons with impaired hearing may call Washington Relay Service at 711. Persons with a speech disability may call TTY at 800-833-6384.

Sincerely,



James DeMay, P.E.
Industrial Section Manager
Solid Waste Management Program

By certified mail: [RE 042 765 968 US]

Electronic cc: Lucas Donnelly, Altagas
Nicole Finnamore, Altagas
Victoria Banks, Office of the Attorney General