

December 11, 2023

Ben Lane
Eastside Fire & Rescue
175 Newport Way NW
Issaquah, WA 98027

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

Site Name	Site Address	Cleanup Site ID	Facility Site ID	King County Parcel Number
EFR HQ IVES	175 Newport Way NW and 555 NW Holly St	16581	83936264 and 87761647	2824069165 and 2824069012
Memorial Field	105 2nd Ave NE	16584	96747	5279100070

Dear Ben Lane:

On January 11, 2023, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Eastside Fire & Rescue (EFR) is a potentially liable person (PLP) for a release of hazardous substances at four facilities (Sites) in the Lower Issaquah Valley. On March 27, 2023, Ecology received your comments written jointly with the City of Issaquah (the City) agreeing to enter a joint agreed order without admitting liability and while reserving all rights, claims, and defenses. Ecology appreciates the spirit of cooperation exhibited by EFR and the City.

Investigations at two of the listed facilities, Eastside Fire & Rescue HQ and Issaquah Valley Elementary School & Dodd Fields Park, discovered that the groundwater plumes emanating from these facilities are comingled, making them one cleanup site. The combined site is EFR HQ IVES (cleanup site ID 16581, facility site IDs 83936264 and 87761647). Ecology has determined that EFR is a PLP for this combined site.

EFR contends that it never conducted firefighting training at two of the listed facilities, Memorial Field and Rainier Trail. According to a document written by EFR titled "Summary of Activities Related to Perfluorooctanesulfonic Acid (PFOS) Investigation", dated June 12, 2017, Station 71 was operated as a fire station by EFR post 1999. Class B foam was used and stored at Station 71. Credible evidence indicates such use occurred at Memorial Field, which is adjacent to Station 71 in the north and was used for training activities. Therefore, Ecology is naming EFR

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as a PLP for the Memorial Field Site. Based on the information available at this time, Ecology has determined that it will not make a final determination that EFR is a PLP for a release of hazardous substances at the Rainier Trail Site. This determination does not preclude Ecology from later establishing that EFR is a PLP. This determination is subject to change should additional information be received.

Based on available information, Ecology finds that credible evidence exists that EFR is liable for releases of hazardous substances at the two Sites listed above. On the basis of this finding, Ecology has determined that EFR is a PLP with regard to the Sites.

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 EFR 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, Brett Carp will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Brett Carp at 206-496-7007 or brec461@ecy.wa.gov.

Sincerely,

Dr. Kimberly Wooten
Section Manager
Toxics Cleanup Program, NWRO

By certified mail: [#####] [#####] [#####] [#####]

cc: Ivy Anderson, Office of the Attorney General, (ivy.anderson@atg.wa.gov)
Ecology Site File

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