

CITY OF EPHRATA



April 14, 2024

Via E-Mail

Mr. Nick Acklam
VCP Unit Manager
Department of Ecology
Toxics Cleanup Program, Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775
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RE: Grant County Ephrata Landfill No. 1 (Washington)

Dear Mr. Acklam:

We are contacting you on behalf of the City of Ephrata (the “City”) in the matter regarding the Grant County Ephrata Landfill Site (“Site” or “Ephrata Landfill”) in Grant County, WA. We are pleased that Ecology recently agreed to work to bring in additional PLPs at the site. To aid Ecology’s efforts, we have continued our investigation. This letter supplements the letter sent to you on February 21 and provides additional evidence linking entities to the drum waste disposed at the Site.

Executive Summary

The City, and Ecology through the use of grant funds, have spent millions of dollars cleaning up the Site, which has been contaminated primarily by drum waste generated by entities not currently named as PLPs. Ecology has the authority to conduct further investigations into additional PLPs, issue information request letters, and subpoena the production of documents. Credible evidence links two entities—The Boeing Company (“Boeing”) and the U.S. Navy, Bremerton and Puget Sound Naval Shipyard (now known as U.S. Navy, Kitsap) (together the “Navy”)—to the drums disposed of at the Site. These entities were significant customers of Resource Recovery Corporation (“RRC”), the entity that disposed of the drums at the Site, and both produced large amounts of paint and solvent waste, the type of waste ultimately found in the drums. Multiple witnesses state the drums came from Boeing, and RRC’s president theorized the waste could have also come from the Navy. Further, both entities have been linked to multiple products and companies identified on the drum labels, bolstering their link to the disposal of drums at the Site. We hope this letter will assist Ecology’s efforts in linking Boeing and the Navy to the Site. To facilitate Ecology’s efforts, we have prepared draft information request letters on Ecology’s behalf.

Introduction

The City has spent \$5.9 million in remedial action costs for waste that it neither disposed of at the Site, permitted to be disposed of, or created in the first place. Further, millions of dollars in public funds have been spent, and will need to be spent, making it imperative that those responsible for the overwhelming costs of remediation pay their fair share in cleaning up the Site. The burden to pay for cleanup of the Site should not be borne by the City and taxpayers but should be funded in large part by the waste generators who arranged for the disposal of the drums. We ask that you review the credible evidence provided and use your statutory and regulatory authority to further investigate the waste generators at the site by sending information request letters to Boeing and the Navy.

Our request is supported by Ecology policy and statutory authority. When conducting a search for additional PLPs, Ecology has the authority to issue information request letters.¹ Moreover, Ecology “may by subpoena require...the production of documents or other information that the department deems necessary” in its investigation of PLPs.²

We have previously provided a more detailed history of the Site and the disposal of drums at the Site in a [February 7, 2024 letter to Ecology](#) and a [February 21, 2024 letter to Ecology](#). That information is omitted from this letter for brevity.

This letter is organized into the following sections:

- I. **Credible Evidence Linking Boeing to the Disposal of the Drums at the Ephrata Landfill:** This section discusses credible evidence linking Boeing to the disposal of the drums at the Ephrata Landfill. The evidence includes multiple witness interviews and physical evidence from the drums.
 - II. **Credible Evidence Linking the Navy to the Disposal of Drums at the Ephrata Landfill:** This section discusses credible evidence linking the Navy to the disposal of the drums at the Ephrata Landfill. The evidence includes a key witness interview and physical evidence from the drums.
- I. **Credible Evidence Linking Boeing to the Disposal of the Drums at the Ephrata Landfill.**
 - A. **Boeing is Linked to the Drums Disposed at the Site through Drum Labels and Witness Interviews.**

While nearly all the drums were corroded from having been buried in the ground for over 30 years, some that were recovered from the landfill had stenciled logos or names identified on their sides that remained legible.³ We have researched each of the company and product names and found clear connections with Boeing, located in Seattle area and in close proximity to the Site at the time the drums were buried. Historical witness interviews and statements have further

¹ Washington State Department of Ecology, Toxics Cleanup Program Procedure 500A: Identification of Potentially Liable Persons at 7 (May 1, 2016), <https://apps.ecology.wa.gov/publications/documents/1609052.pdf>.

² RCW § 70A.305.030.

³ Companies/Products Identified by Drum Stenciling ([4813-8574-8142](#)).

corroborated much of the information discovered. This is consistent with Ecology's initial suspicions in 1987 that the drum waste came from Boeing.⁴ We have researched the witnesses interviewed previously and identified which remain living and what we believe is their current contact information.⁵ We encourage Ecology to contact the witnesses with further questions.

B. Boeing is Linked to the Drums Disposed at the Site through Witness Interviews.

Most of the historical witness interviews conducted by the City's counsel identify Boeing as the primary source of the drums at the Site.

Mr. John R. "Bob" Kimberly, former President of RRC at the time the drums were disposed, identified ChemPro's primary business as disposing of paint waste and other liquid industrial waste. He identified Boeing as one of ChemPro's primary customers—with waste primarily derived from paint stripped off 747s and other aircraft prior to final painting. Mr. Kimberly commented that stripping a Boeing 747 would generate nine truckloads of waste.⁶

Mr. Dan Dietrich, former Solid Waste Coordinator for Grant County and the former landfill manager at the Site, said that he was told at the time the drums were disposed that RRC was in need of a new disposal location for a few truckloads of Boeing's drummed, congealed paint sludge, in light of the closure of the Pasco facility.⁷ He explained that the paint was "essentially almost a solid because it was just paint sludge that had been accumulated and that's what they wanted to get rid of, Boeing...it was Boeing's material to dispose of." Dan also claimed that he was told by Mr. Kimberly that they were taking paint sludge from Boeing, and that "it was sludge material from the paint booths coming out of Boeing and there were going to be 100, 150 barrels or thereabouts." He affirmed the paint booths were from Boeing on the "west side," referencing Boeing's location on the west side of the mountains that separate the Boeing facility from Ephrata.⁸

Mr. Phil Slaugh, former manager of the solid waste program at Ephrata stated, "I understand that the drums of waste consisted of paint sludge from the Boeing Company." According to the rumor at the time, Dan Dietrich, and the Site foreman, Earl Miller, had made a deal with Boeing to accept the drums of waste and Boeing could not dispose of the waste elsewhere.⁹

Mr. Gerald Pitts became a landfill employee at the Site in 1976 and worked as a mechanic. He recalled being told that he and other employees who operated machinery were not to go near the area where the drums were buried because Boeing paint waste was there. He referenced a time when someone ran over the drums with machinery and a liquid came out, but someone just

⁴ Ecology, Phase I Site Inspection Report – Ephrata Landfill at 4 (Feb. 1987) ([4861-8523-4862](#)).

⁵ Witness Contact Information ([4887-4264-2606](#)).

⁶ Memorandum of Bob Kimberly Interview at 2 (Mar. 4, 2009) ([4822-6196-4206](#)).

⁷ Memorandum of Dan Dietrich Interview at 2 (Apr. 17, 2008) ([4830-5396-7790](#)).

⁸ Interview of Dan Dietrich at 21-22 (Jun. 12, 2009) ([4812-1981-1246](#)).

⁹ Letter to Phil Slaugh with Witness Statement at 2 (Aug. 30, 2007) ([4842-1048-0814](#)).

covered it back up.¹⁰ He also stated that during his time working for Boeing in the 1950s, Boeing would regularly fill barrels with “all kinds of stuff” they used “around...the paint shop” and would call to “[s]ay our barrels are full, somebody come and get them.”¹¹

Mr. Ralph Hasper, Director of Environmental Health at the Grant County Health District when the drums were received, remembered paint waste was mentioned around the time when the drums were brought to the site. He heard that the paint drums came from the “other side of the hill.” He was never directly told where the paint waste was from, although the “other side of the hill” would be in the Seattle area where Boeing was located at the time.¹² He explained that he always thought the drums came from Boeing because it was “the big thing over there” and mentioned that drums were commonly reused in the aerospace industry.¹³

Randy Downing, landfill operator at the Site, recalled hearing that there was paint waste in the drums and “had the impression that it came over from warehouses over on the coast because of some truck drivers.”¹⁴ Again, this recollection references the vicinity of the Boeing facility. Similarly, Mr. Rusty Romig, a formerly employee of the Ephrata Landfill at the time, heard the drums had dried paint sludge, but remembered wet paint sludge coming out of the drums when they were driven over.¹⁵ He noted that the drums possibly came from Western Recycling or Western Recovery, to which the City’s counsel conducting the interview pointed out that Western Processing was linked to Boeing in the past.¹⁶

C. Most of the Labels on the Drums Disposed at the Site are Linked to Boeing.

In reviewing the drums disposed of at the Site that had legible logos or names, almost all were linked to Boeing in some capacity. Two drums are directly linked to Boeing and bore the stenciling “The Boeing Corp., Commercial Airplane, Building 1706, Auburn, Washington.”¹⁷

Many drums also contain logos and/or names of products used by Boeing during the same period:

- **Chevron Hyjet III & IV:**¹⁸ An advertisement from 1972 stated the “Boeing 747 is the newest aircraft for which Chevron HyJet III fire-resistant hydraulic fluid is approved.”¹⁹

¹⁰ Memorandum of Gerald Pitts Interview (Jan. 2, 2008) ([4833-9868-6382](#)).

¹¹ Interview of Gerald Pitts at 4 (Feb. 18, 2009) ([4818-8939-1790](#)).

¹² Interview of Ralph Hasper at 7-8 (Jan. 29, 2009) ([4844-8815-7358](#)).

¹³ Id. at 22-23.

¹⁴ Interview of Randy Downing at 9 (Jan. 29, 2009) ([4845-3907-8830](#)).

¹⁵ Interview of Rusty Romig at 7 (Jan. 29, 2009) ([4816-3000-0302](#)).

¹⁶ Id. at 13.

¹⁷ Drum 1398 (Boeing) ([4871-8056-7715](#)); Drum 1559a (Boeing) ([4867-2823-8243](#)).

¹⁸ Drum 676 (Chevron HyJet III) ([4892-6939-6899](#)); Drum 676a (Chevron HyJet III) ([4859-3079-6451](#)).

¹⁹ Chevron HyJet III Boeing Ad ([4894-5815-9534](#)).

- **Dow Corning (“93-072”):**²⁰ Dow Corning product 93-072 was a sealant/silicone coating used in the aerospace industry²¹ and was used by Boeing in internal research and development for the military in 1969.²²
- **Du Pont, Freon, Fluorcarbon:**²³ DuPont SSF Paint:²⁴ Dupont Freon, has direct links to Boeing and was used by Boeing in testing performed for the military between 1976 and 1980.²⁵ Polyurethane paint from DuPont is also listed as a “qualified product” by Boeing.²⁶
- **DuBois Chemicals, Division of Chemed Corporation:**²⁷ DuBois chemicals manufactured alkaline cleaners which Boeing used in a 1979 study for NASA.²⁸
- **BASF Wyandotte, metal cleaner:**²⁹ This metal cleaner is widely used in the aerospace industry and Boeing is recorded as using one of their products, “Aerowash” in the same 1979 study for NASA mentioned above.³⁰
- **Freon TE:**³¹ Linked to Boeing when NASA requested them to conduct an investigation into using Freon TF in 1969,³² and is listed as a Boeing supplier as of 2008.³³
- **Stauffer Chemicals, Aero Safe:**³⁴ Aero Safe is an aircraft hydraulic fluid produced in the mid-1970s. The product was tested in Boeing 737s and approved by Boeing.³⁵
- **Mobil:**³⁶ Mobil fuel and jet oil was utilized for Boeing 707 flights as far back as 1958 and has been a company used in the aviation industry for over 100 years.³⁷

²⁰ Drum 2008 (Dow Corning) ([4887-1056-5805](#)); Drum 2101 (Dow Corning) ([4873-0147-6269](#)).

²¹ J.D. Morrison and B. J. Lockhart, Evaluation of Heat and Blast-Protection Materials at 31 (Nov. 1971), (<https://ntrs.nasa.gov/api/citations/19720005290/downloads/19720005290.pdf>)

²² The Boeing Company, Particle Erosion Testing in the Boeing Hypersonic Wind Tunnel at 35 (Dec. 1968) (<https://apps.dtic.mil/sti/tr/pdf/AD0848524.pdf>).

²³ Drum 1472a (DuPont) ([4858-5011-5757](#)).

²⁴ Drum 2011a (DuPont) ([4881-5698-3213](#)).

²⁵ Boeing Military Airplane Company, Fire Resistant Aircraft Hydraulic System at 5, (<https://apps.dtic.mil/sti/tr/pdf/ADA118169.pdf>)

²⁶ The Boeing Company, Boeing Material Specification Qualified Product List at 25 (Oct. 31, 2008) (<https://www.boeing.com/tcmdhs/hms.pdf>)

²⁷ Drum 1168, 1168a, 2007, 2007a-d, 2267, 2267a, 2315, 2315a, 026, 027, 074, 075 (DuBois Chemical) ([4877-5698-5774](#)).

²⁸ The Boeing Company, Aircraft Surface Coatings Study at 92 (Jan. 1979) (<https://ntrs.nasa.gov/api/citations/19810003714/downloads/19810003714.pdf>)

²⁹ Drum 512, 512a-d, 908, 917, 1110, 1110a, 1112, 1112a, 1180a, 1250, 1250a (BASF Wyandotte) ([4891-3488-0430](#))

³⁰ Supra, note 28 at 92.

³¹ Drum 1472 (Freon TE) ([4887-3573-1373](#)).

³² The Boeing Company, Flaw Growth of 6Al-4V Titanium in a Freon TF Environment (Apr. 1969) (<https://ntrs.nasa.gov/api/citations/19690018662/downloads/19690018662.pdf>)

³³ Supra, note 26 at 215.

³⁴ Drum 409_1 (Stauffer Chemicals) ([4883-8099-0627](#)); Drum 76 (Stauffer Chemicals) ([4855-9400-6691](#)).

³⁵ T.R. Beck et al., Effect of Mixed Phosphate Ester Fluids on Aircraft Hydraulic Servo Valve Erosion, Vol. 89, Section 3: 800764-8001146 at 801100 (1980), <https://www.jstor.org/stable/44729925>

³⁶ Drum 1393 (Mobil) ([4872-7585-1437](#)).

³⁷ ExxonMobil, Our Heritage, <https://www.exxonmobil.com/en/aviation/about-us/innovation>.

- **Monsanto, Type: P1480, Resin Solution:**³⁸ Monsanto products, including resin, are shown in a 1957 advertisement that shows Monsanto chemicals used on the Boeing 737.³⁹
- **Owens Corning Fiberglass:**⁴⁰ An article about Boeing specifically references the use of Owens Corning fiberglass on Boeing planes in the late 1960s.⁴¹
- **Turco Products Smut-Go:**⁴² Turco Products “Smut-Go” is listed under Boeing material specifications from 2008,⁴³ and other Turco products were used in Boeing’s aircraft surface coatings study for NASA in 1979.⁴⁴

Other drums were labeled with companies in the aerospace industry known to be Boeing suppliers.

- **Amchem:**⁴⁵ Amchem supplies products to Boeing for aluminum conversion coatings.⁴⁶
- **Arco:**⁴⁷ Arco supplied products to Boeing for use in the depainting process.⁴⁸
- **Ashland Chemical:**⁴⁹ Ashland produces products sold by Boeing on its website.⁵⁰
- **Baron Blakeslee, Blaco-Tron Fluorocarbon Solvent:**⁵¹ Baron Blakeslee sells aerospace equipment cleaners and Boeing lists them as a company whom they partner with.⁵²
- **Cyanamid (American Cyanamid):**⁵³ American Cyanamid supplies Boeing with adhesives and Boeing has been affiliated with the brand since at least the early 1980s.⁵⁴
- **Ferro Colors:**⁵⁵ Ferro manufactures paints and other specialty materials for Boeing.⁵⁶

³⁸ Drum 906, 739, 712b, 522 (Monsanto) ([4876-5501-6879](#)).

³⁹ 1957 Monsanto Boeing Ad ([4855-4874-2574](#)).

⁴⁰ Drum 564 (Owens Corning Fiberglass) ([4873-9126-0333](#)).

⁴¹ The Doorway, Boeing 737, Vol. 58 No. 2 at 4 (Spring 2022), <https://www.thegillcorp.com/wp-content/uploads/2023/03/TheDoorway-Spring2022.pdf>

⁴² Drum 929, 930a, 943, 1524a, 1527 (Turco Products) ([4853-8628-8558](#)).

⁴³ Supra, note 26 at 193.

⁴⁴ Supra, note 28 at 92.

⁴⁵ Drum 720 (Amchem) ([4854-2878-4813](#)).

⁴⁶ The Boeing Company, New Touch-Up Conversion Coating (Nov. 1999), https://www.boeing.com/content/dam/boeing/boeingdotcom/government-operations/state_cards/Card_WV.pdf

⁴⁷ Drum 857 (Arco) ([4865-0278-8781](#)); Drum 2072 (Arco) ([4853-3847-6461](#)); Drum 2282 (Arco) ([4894-4915-6525](#)).

⁴⁸ NASA, Metallurgical Evaluation of Depainting Processes on Aluminum Substrate (Dec. 1999), <https://ntrs.nasa.gov/api/citations/20000064098/downloads/20000064098.pdf>.

⁴⁹ Drum 1660 (Ashland Chemical) ([4868-7365-7005](#)); Drum 2314 (Ashland Chemical) ([4882-9159-4157](#)).

⁵⁰ Boeing, Manufacturers Represented We’ve Got You Covered, <https://www.boeingdistribution.com/aero/products/suppliers/manufacturers-represented/>.

⁵¹ Drum 1116, picture 092, 1116a, 1116b (Baron Blakeslee) ([4883-7073-2718](#)).

⁵² Boeing, Improving the Quality of Life in West Virginia (2019), https://www.boeing.com/content/dam/boeing/boeingdotcom/government-operations/state_cards/Card_WV.pdf

⁵³ Drum 1282 (Cyanamid) ([4868-8977-8861](#)).

⁵⁴ Aging Study of an Adhesive and a Prepreg at 4 (Feb. 1982), <https://apps.dtic.mil/sti/tr/pdf/ADA304731.pdf>

⁵⁵ Drum 966 (Ferro Colors) ([4881-9761-5277](#)).

⁵⁶ Ferro Corporation, Composite Materials, <https://ntrs.nasa.gov/api/citations/20030001792/downloads/20030001792.pdf>

- **Fuller O'Brien, Technical Coatings (H.B. Fuller):**⁵⁷ H.B. Fuller is a military and defense manufacturer and has earned awards from Boeing as a Commercial Airplane supplier.⁵⁸
- **General Electric (GE), Silicones, Silicone Products Department, Waterford, New York:**⁵⁹ Boeing currently sells GE silicone products on their website.⁶⁰
- **Inmont Corporation:**⁶¹ Inmont was a subsidiary of United Technologies (formerly United Aircraft), which was originally founded by Boeing.⁶²
- **Allied Kelite:**⁶³ Boeing used Allied Kelite products in at least January 1988 in a contract with NASA.⁶⁴ They are also used broadly in the aerospace industry and, according to a 1965 trademark application, manufactured a “Chemical compound...used in the treatment of steel to inhibit oxidation or corrosion and to provide a bond for paint.”⁶⁵
- **PPG Industries:**⁶⁶ PPG aerospace is identified on a web page as the leading supplier of transparencies, sealants, coatings, paint removers and cleaners, chemical management, packaging, and armor.⁶⁷ PPG has a long history of working with Boeing, as depicted on the “History” page of PPG’s website.⁶⁸

Finally, other drums were labeled with company names that are known suppliers of the aerospace industry.⁶⁹ When combined with the witness interviews and historical links to RRC, the drum labels provide strong support that Boeing is responsible for the drums disposed at the Site.

II. Credible Evidence Linking the Navy to the Disposal of Drums at the Ephrata Landfill

A. The Navy is Also Linked to the Drums Disposed at the Site through Drum Labels and Witness Interviews.

The Navy is also strongly linked to the Site and the drums found there, through drum labels and interviews of a key witness. The Navy, like Boeing, operated in the Seattle area and in close

⁵⁷ Drum 624, 624a, 757, 1054, 1089, 1783, 1843, 1858, 1875, 1875a-b, 1932, 1942, 081, 037 (4895-2344-5422).

⁵⁸ H.B. Fuller, H.B. Fuller’s Royal Adhesives & Sealants Business Earns Spot in Boeing Premier Bidder Program (Jun. 30, 2020), <https://investors.hbfuller.com/news/news-details/2020/HB-Fullers-Royal-Adhesives--Sealants-Business-Earns-Spot-in-Boeing-Premier-Bidder-Program/default.aspx>

⁵⁹ Drum 650 (General Electric) (4854-9576-2605).

⁶⁰ GE Silicone Transformer Fluid SF97-50, <https://shop.boeing.com/aviation-supply/p/SF97-50=33>.

⁶¹ Drum 866 (Inmont Corporation) (4880-9662-4301).

⁶² LA Times, United Technologies to Sell Inmont to BASF America (May 15, 1985), <https://www.latimes.com/archives/la-xpm-1985-05-15-fi-8725-story.html>; Gary Hoover, United: The Little-Known History Behind Another Giant Merger (Jun. 13, 2019), <https://americanbusinesshistory.org/united-the-little-known-history-behind-another-giant-merger/>.

⁶³ Drum 1416 (Allied Kelite) (4877-1219-0125); Drum 1416a (Allied Kelite) (4891-8858-5133).

⁶⁴ NASA, Chromic Acid Anodizing of Aluminum Foil at 31 (Jan. 1988), <https://ntrs.nasa.gov/api/citations/19880005695/downloads/19880005695.pdf>.

⁶⁵ <https://trademarks.justia.com/722/10/kelite-72210133.html>.

⁶⁶ Drum 1051, 1079a, 1097, 1100, Ephrata 031, 044, 045, 063, 072 (PPG Industries) (4874-5768-8239).

⁶⁷ See e.g., PPG Aerospace, Aerospace Coatings, Pretreatments, Cleaners, <https://www.ppgaerospace.com/Products/Transparencies/Commercial-Aviation.aspx>.

⁶⁸ PPG Aerospace, History, <https://www.ppgaerospace.com/About-Us/History.aspx>.

⁶⁹ Additional Drum Citations (4880-2626-6286).

proximity to the Site at the time the drums were buried. The ties between the Navy, RRC, and the companies and products identified on the side of the drums at the Site, support investigating the Navy as a PLP.

B. RRC's President Stated the Navy's Waste was Largely Drummed Paint Waste.

As mentioned previously, Mr. John R. "Bob" Kimberly, former President of RRC at the time the drums were disposed, identified Chem Pro's primary business as disposing of paint waste and other liquid industrial waste. In a 2009 interview, he stated the Puget Sound Naval Shipyard, attached to the Navy Base, was a significant source of drummed sulfuric acid and paint waste.⁷⁰ According to a contract and purchase agreement between the Navy and RRC, RRC disposed of Navy paint wastes and chemicals on July 11, 1975.⁷¹ Mere months before drummed paint waste was disposed of at the Site by RRC. Moreover, the Puget Sound Naval Shipyard has historically encountered problems disposing of used solvent and paint waste.⁷² This paint waste "contained a variety of solvents, including chlorinated solvents."⁷³ Samples taken from the drums at the Ephrata Landfill were consistent with paint waste and chlorinated solvents.⁷⁴

C. Labels on the Drums Disposed at the Ephrata Landfill are Linked to the Navy.

Multiple companies and products identified on the drums also have direct links to the Navy:

- **Dow Derakane, vinyl ester resin:**⁷⁵ Dow Derakane was used by the Navy in helmets, transmission containers, and rudders.⁷⁶
- **Fuller O'Brien, Technical Coatings (H. B. Fuller):**⁷⁷ H.B. Fuller manufactured fire-resistant coatings that were on the qualified products list for the Navy in 1976.⁷⁸
- **Dow, Hetron:**⁷⁹ Hetron was used as a fire-resistant coating by the Navy as early as 1964.⁸⁰

⁷⁰ Supra, note 6 at 2.

⁷¹ 1974 Contract and Purchase Order Between U.S. Navy and Resource Recovery Corporation (4881-8416-2469).

⁷² U.S. Navy, Minimizing Hazardous Waste from Expired Paints and Associated Solvents from Ships' Supply, https://exwc.navfac.navy.mil/Portals/88/Documents/EXWC/Environmental_Security/NESDI/NESDIFactSheet-598.pdf.

⁷³ Declaration of John R. Kimberly, President of RRC at 1-2 (Oct. 8, 1999) (4873-9274-9477).

⁷⁴ Farallon Phase I Supplemental Investigation Report Comments at 181 (Sept. 22, 2022) (4857-7819-4229).

⁷⁵ Drum 615, 615a, 618, 618a, 904, 1378, 1378a, 2008a (Dow Derakane) (4879-4632-2095).

⁷⁶ J. La Scala, et al., Environmentally Friendly Bio-Based Vinyl Ester Resins for Military Composites at 6 (Oct. 01, 2008), <https://apps.dtic.mil/sti/tr/pdf/ADA505758.pdf>.

⁷⁷ Supra, note 57.

⁷⁸ Navy, Qualified Products List at 17 (Sept. 1976), [https://www.navsea.navy.mil/Portals/103/Documents/FOIA-PII/ReadingRoom/Asbestos/QPL-19565b-\(1-12,14\).pdf](https://www.navsea.navy.mil/Portals/103/Documents/FOIA-PII/ReadingRoom/Asbestos/QPL-19565b-(1-12,14).pdf).

⁷⁹ Drum 1536 (Hetron) (4881-6543-7101).

⁸⁰ Naval Ordnance Laboratory, Laminate Strength Changes After Ten-Years Aging at 6 (Apr. 24, 1964), <https://apps.dtic.mil/sti/tr/pdf/AD0601591.pdf>.

- **McKesson Chemical, Sulfuric Acid:**⁸¹ The Navy has used sulfuric acid for aluminum surface pretreatment on Navy aircraft and weapon systems.⁸²

The Navy's historic paint and solvent waste disposal problems, RRC's statements and contracts identifying the Navy as a significant source of drummed paint and solvent waste in 1974-5, and the Navy's links to companies identified on the drums, provide strong evidence that the Navy should be investigated as a PLP.

III. Conclusion

Ecology has the regulatory and statutory authority to assist the City in identifying the generators who sent approximately 2,500 drums of solvents, paint, and other hazardous wastes to the Landfill in 1975. Ecology can assist the City in developing direct evidence (i.e., ledgers or waste receipts) by sending information request letters to Boeing and the Navy.

To facilitate Ecology's efforts in sending information request letters to these entities, we have linked draft letters for Ecology to send.⁸³ These letters include the addresses of the appropriate individuals to send information request letters.

The City also requests a meeting with Ecology to present the new documentation and evidence provided. Please contact the City's counsel to establish whether Ecology would be available to meet in April.

Sincerely,



Ray Towry

City Administrator

CC: City Council
Grant County Commission

⁸¹ Drum 1145 (McKesson Chemical) (4888-5245-0989).

⁸² Stephen J. Spadafora, A Comparison of Sulfuric Acid/Boric Acid Anodize and Chromic Acid Anodize Processes (Mar. 1992), <https://apps.dtic.mil/sti/citations/ADA271933>.

⁸³ Draft Information Request Letter to the Boeing Company, (4883-2712-4650); Draft Information Request Letter to the Navy (4886-7531-7418).