



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 3, 2024

Nina Butler, VP, Chief
Environmental Officer and
Deputy General Counsel
WestRock CP, LLC
1000 Abernathy Road NE
Atlanta, GA 30328

Brian E. Heim, General
Counsel, EHS
International Paper Company
c/o CT Corporation System
711 Capital Way S STE 204
Olympia, WA 98501

Kathryn Navarro, Vice
President, General Counsel
Simpson Tacoma Kraft
Company, LLC
1301 5th Ave, Suite 2700
Seattle, WA 98101

Re: Your Request for Operable Units at the WestRock Tacoma Site (FSID 39; CSID 16842)

Dear Nina Butler, Brian Heim, and Kathryn Navarro:

The Department of Ecology (Ecology) received your letter, titled “Re: Request for Operable Units at the WestRock Tacoma Site FSID 39; CSID 16842” dated June 12, 2024, via email on June 13, 2024. In the letter, you request that Ecology establish operable units to separate the uplands and sediments areas of the Site. In the letter, you propose that contamination on the uplands area of the Site be addressed using the expedited Voluntary Cleanup Program (VCP), and that contamination in the sediments area of the Site be addressed under an order.

Ecology Publication “Voluntary Cleanup Program (VCP): Guidance for the Expedited VCP Process”¹ contains the guidelines that Ecology uses to determine if a Site is eligible for expedited VCP (page 8). This WestRock Tacoma Site is not eligible for the expedited VCP process due to the following, in accordance with the guidance document:

- Planned Ecology supervision: Ecology has decided to supervise the cleanup and has initiated discussions for an agreed order.
- Ecology supervision is required: Ecology has determined that the cleanup requires Ecology supervision based on the below site-specific conditions.
 - Public interest: There is, or is likely to be, significant public interest in the site cleanup.

¹ <https://apps.ecology.wa.gov/publications/documents/2009053.pdf>

- Comingled contaminants: Based on operating history of the Site, there is potential to be comingled contaminants on the site from multiple releases.
- Contaminated sediment: A release at the site is known or suspected to contaminate sediments.

Your letter also expressed concerns regarding the potential need for coordination with EPA on sediments work at the Site. Ecology is aware of the sediment capping work previous mill owners and operators performed in the 1980s, which EPA later included in their Record of Decision for the Commencement Bay CERCLA site. Ecology appreciates your concerns and has been in contact with EPA about how to approach sediments at this Site. EPA has indicated that they are amenable to Ecology initiating investigations outside of Areas A and B of the sediment cap.

As Ecology does not see a path forward for the Site via the expedited VCP, Ecology does not feel that it is necessary to meet to discuss your proposal at this time. Please contact Emily Toffol at emily.toffol@ecy.wa.gov or 360-790-8363 if you have any questions or concerns. Ecology is working on completing internal review of the draft Agreed Order and intends to provide it to you for your review within the next few weeks.

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
Industrial Section Manager
Solid Waste Management Program

cc: Facility File, Cleanup – Orders
Derek Threet, Attorney General's Office
Augustus E. Winkes, Beveridge and Diamond