



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

December 30, 2024

Brandon Baumann
Cura Emergency Services
Brandon@curaes.com

Re: No further action necessary under state cleanup law for the following contaminated site based on Initial Investigation:

Site name:	Lineage Logistics Truck Accident
Property address:	Highway 243 between Lower Crab Creek Road SW and Exit A Street, Beverly
Facility/Site ID:	100003024
Cleanup Site ID:	17124
ERTS ID:	731234

Dear Brandon Baumann:

The Washington State Department of Ecology (Ecology) received your report about a release of hazardous substances by Lineage Logistics truck along highway 243 near Beverly on November 14, 2024. We also received your report documenting your independent cleanup of the Site on November 20, 2024. We have investigated the release and reviewed your independent cleanup, as required under RCW [70A.305.030](https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.030)(2)(d)¹ and WAC [173-340-310](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-310).²

Based on the investigation, Ecology has determined that a release posing a threat to human health or the environment occurred, but no further remedial action is necessary to clean up contamination at the Site due to a completed independent remedial action.

Ecology bases this determination on an analysis of whether the remedial action meets the substantive requirements of the Model Toxics Control Act, chapter [70A.305](https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305) RCW,³ and the cleanup regulations adopted under that act, chapters [173-340](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340)⁴ and [173-204](https://app.leg.wa.gov/WAC/default.aspx?cite=173-204)⁵ WAC (collectively called the “state cleanup law”).

¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.030>

² <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-310>

³ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

⁴ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340>

⁵ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-204>

Based on this determination, Ecology has added the Site to the [No Further Action Sites List](#)⁶ and assigned it Cleanup Site ID No. 17124. You can find information and electronic records for the Site on its [webpage](#).⁷

This determination applies only to the release(s) described in the release report dated November 14, 2024 that have a completed independent remedial action.

Ecology bases this determination on the information contained in the following documents:

Cura. Diesel Fuel Release Final Report for Lineage Logistics. November 14, 2024.

You can request these and other site file documents by submitting a [records request](#).⁸ For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 40117-6040.

This determination is void if information in any of the listed documents is materially false or misleading.

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This determination does not:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW [70A.305.040](#)(4).⁹

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This determination does not provide an opinion on whether the action you performed is substantially equivalent. Courts make that determination. See RCW [70A.305.080](#)¹⁰ and WAC [173-340-545](#).¹¹

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this determination. See RCW [70A.305.170](#)(6).¹²

If you have any questions about this determination, please contact the regional Initial Investigation Coordinator, Sara Fulton, at 509-319-0047 or Sara.Fulton@ecy.wa.gov.

⁶ <https://apps.ecology.wa.gov/cleanupsearch/reports/cleanup/nfa>

⁷ [Lineage Logistics Truck Accident - \(17124\)](#)

⁸ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

⁹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

¹⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

¹¹ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

¹² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

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Sincerely,

A handwritten signature in cursive script that reads "Sara Fulton".

Initial Investigator
Toxics Cleanup Program, Eastern Regional Office

Enclosures (3):

1. SHARP Report – 17124 Lineage Logistic Truck Accident
2. Cleanup Site Details report
3. [Model Toxics Control Act Cleanup Regulation Focus Sheet](#)

cc: Anna Shafer, Lineage Logistics
Nicholas Acklam, Ecology 