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**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Southwest Region Office
PO Box 47775 • Olympia, WA 98504-7775 • 360-407-6300

January 24, 2025

Lon Pluckhahn
City of Vancouver
415 W. 6th Street
Vancouver, WA 98660
Lon.Pluckhahn@cityofvancouver.us

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

- **Site Name:** Lechner Brothers Landfill
- **Site Address:** 9411 NE 94th Ave, Vancouver, Clark County, WA 98662
- **Cleanup Site ID:** 3019
- **Facility/Site ID:** 1017
- **County Assessor's Parcel Number(s):** 105740-000, 199845-000, and 199863-000

Dear Lon Pluckhahn:

On November 26, 2024, the Department of Ecology (Ecology) sent Steve Worley in your office written notice of our preliminary determination that the City of Vancouver is a potentially liable person (PLP) for a release of hazardous substances at the Lechner Brothers Landfill facility (Site). On January 2, 2025, Ecology received your written notice accepting your status as a PLP for the Site and waiving your opportunity to comment.

Based on available information, Ecology finds that credible evidence exists that the City of Vancouver is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that the City of Vancouver 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\(2\)](https://leg.wa.gov/rcw/default.aspx?cite=70A.305.040)¹). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA

¹ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.040>

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 the City of Vancouver 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 70A.305.050\(1\)](#)²).

Your rights and responsibilities as a PLP are outlined in [Chapter 70A.305 RCW](#)³, and Chapters [173-340](#)⁴ and [173-204](#)⁵ WAC. Ecology's cleanup project manager for the Site, Danielle Gibson, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Danielle Gibson at 360-409-6164 or danielle.gibson@ecy.wa.gov.

Sincerely,



Marian L. Abbett, PE
Section Manager
Toxics Cleanup Program, Southwest Regional Office

By certified mail: 4989 0090 0027 6340 6165 18

cc: Steve Worley, City of Vancouver, steve.worley@cityofvancouver.us
Cary Driskell, Assistant City Attorney, cary.driskell@cityofvancouver.us
Amanda Migchelbrink, Clark County, amanda.migchelbrink@clark.wa.gov
Victoria Banks, Office of the Attorney General, victoria.banks@atg.wa.gov
Danielle Gibson, Ecology, danielle.gibson@ecy.wa.gov
Connie Groven, Ecology, connie.groven@ecy.wa.gov
Ecology Site File

² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.050>

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>