



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

November 25, 2024

Matt Pietrusiewicz, P.E.
Yakima County Roads
128 North Second Street, 4th Floor
Yakima, WA 98901

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

- **Site Name:** Boise Cascade Mill
- **Site Address:** 805 N 7th Street, Yakima
- **Facility/Site ID:** 450
- **Cleanup Site ID:** 12095
- **Assessor's Parcel #'s:** 191318-11002 & 191318-41002

Dear Matt Pietrusiewicz:

On October 3, 2024, the Department of Ecology (Ecology) sent Yakima County written notice of our preliminary determination that Yakima County is a potentially liable person (PLP) for a release of hazardous substances at the Boise Cascade Mill facility (Site). On November 4, 2024, the 30-day comment period on our preliminary determination expired. On November 6, 2024, Ecology received 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 Yakima County is liable for the release of hazardous substances at the Site. Based on this finding, Ecology has determined that Yakima County is a PLP with regard to the Site.

The purpose of the Model Toxics Control Act¹ (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)).² Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations.

¹ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

² <https://app.leg.wa.gov/rcw/dispo.aspx?cite=70.105D.040>

Matt Pietrusiewicz
Yakima County Roads
November 25, 2024
Page 2

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 Yakima County 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)).³

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW,⁴ and Chapters 173-340 and 173-204 WAC.⁵ Ecology's cleanup project manager for the Site, John Zinza, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact John Zinza at 509-225-0304 or john.zinza@ecy.wa.gov.

Sincerely,



Valerie Bound
Section Manager
Toxics Cleanup Program
Central Regional Office

By certified mail: 9414 8098 9864 3567 7200 97

cc: Lisa Freund, Director, Yakima County Public Services
Derek Threet, Office of the Attorney General
Dan Lawler, Office of the Attorney General

³ <https://app.leg.wa.gov/RCW/dispo.aspx?cite=70.105D.050>

⁴ <https://app.leg.wa.gov/rcw/dispo.aspx?cite=70.105D>

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