



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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September 4, 2019

James Tangaro, Refinery Manager
Tesoro Refining & Marketing Company LLC
Anacortes Refinery
P.O. Box 700
Anacortes, WA 98221

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

- **Site Name:** Tesoro Refining & Marketing Company LLC, Anacortes Refinery
- **Site Address:** 10200 March's Point Road, Anacortes, WA 98221
- **Cleanup Site ID:** 2212
- **Facility/Site ID:** 6
- **County Assessor's Parcel Number:** P32990

Dear James Tangaro:

On April 19, 2019, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Tesoro Refining & Marketing Company LLC (Tesoro) is a potentially liable person (PLP) for a release of hazardous substances at the Anacortes Refinery (Site). On May 19, 2019, the 30-day comment period on our preliminary determination expired. On May 20, 2019, Ecology received a copy of Tesoro's response letter by email.

Based on available information, Ecology finds that credible evidence exists that Tesoro is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Tesoro 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 70.105D.040(2)]. Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA 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 Tesoro to bring about the prompt and thorough cleanup of hazardous substances at this Site.

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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)].

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

If you have any questions regarding this notice, please contact Kim Wigfield at (360) 407-6931 or kim.wigfield@ecy.wa.gov.

Sincerely,



James DeMay, P.E.
Industrial Section Manager
Solid Waste Management Program, Headquarters

By certified mail: 9489-0090-0027-6066-9323-50

cc: Gregg Stiglic, Tesoro
Neil Norcross, Tesoro