



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

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

July 31, 2025

Lorne Brown
Lovitt Mining Company Inc
PO Box 2479
Wenatchee, WA 98807

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

- **Site Name:** Lovitt Mine
- **Site Address:** 2493 S Methow Street, Wenatchee
- **Facility/Site ID:** 59213493
- **Cleanup Site ID:** 2746
- **Chelan County Assessor's Parcel #s:** 222022230050 & 222022310040

Dear Lorne Brown:

Based on credible evidence, the Department of Ecology (Ecology) is proposing to find Lovitt Resources Inc liable under the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW,¹ for the release of hazardous substances at the Lovitt Mine facility (Site). Any person whom Ecology finds, based on credible evidence, to be liable is known under MTCA as a "potentially liable person" or "PLP."

This letter identifies the basis for Ecology's proposed finding and your opportunity to respond to that finding. This letter also describes the scope of your potential liability and the next steps in the cleanup process at the Site.

Proposed Finding of Liability

Ecology is proposing to find Lovitt Resources Inc liable under RCW 70A.305.040² for the release of hazardous substances at the Site.

¹ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305>

² <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.040>

This proposed finding is based on the following evidence:

1. Based on a review of the Chelan County Assessor's website conducted on July 21, 2025, Lovitt Mining Co Inc. is the current owner of two parcels (Chelan County Parcel #'s 222022230050, 222022310040) included as part of the Site. Lovitt Mining Co Inc. is a wholly owned subsidiary of Lovitt Resources Inc. Lovitt Resources Inc. is listed on the TSX Venture Exchange (suspended) as a mineral exploration and development business.
2. Ecology has reviewed analytical data collected from the site documenting the presence of hazardous substances exceeding MTCA cleanup levels. Analytical data includes soil samples collected from three mine waste rock piles and the former tailings impoundment area. This data indicates that arsenic is a confirmed contaminant in soil. Ecology has determined that arsenic in soil is due to historical releases associated with mining activities at the property.
3. Arsenic is known to pose a serious risk to human health and the environment.

Opportunity to Respond to Proposed Finding of Liability

In response to Ecology's proposed finding of liability, you may either:

1. Accept your status as a PLP without admitting liability and expedite the process through a voluntary waiver of your right to comment. This may be accomplished by signing and returning the enclosed form or by sending a letter containing similar information to Ecology; or
2. Challenge your status as a PLP by submitting written comments to Ecology within thirty (30) calendar days of the date you receive this letter; or
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Justin Rice
Toxics Cleanup Program
Central Regional Office
1250 West Alder Street
Union Gap, WA 98903

After reviewing any comments submitted or after 30 days if no response has been received, Ecology will make a final determination regarding your status as a PLP and provide you with written notice of that determination.

Identification of Other Potentially Liable Persons

If you are aware of any other persons who may be liable for the release of hazardous substances at the Site, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up the Site.

Responsibility and Scope of Potential Liability

Ecology may either conduct or require PLPs to conduct remedial actions to investigate and clean up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

Each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real property and those costs are not reimbursed, then Ecology has the authority under RCW 70A.305.060³ to file a lien against that real property to recover those costs.

Next Steps in Cleanup Process

In response to the release of hazardous substances at the Site, Ecology intends to conduct the following actions under MTCA:

1. Ecology intends to require Lovitt Resources Inc to conduct a remedial investigation and feasibility study as described in WAC 173-340-350⁴ and 173-340-351,⁵ respectively, in a manner that complies with all requirements of MTCA Regulation, Chapter 173-340 WAC.⁶
2. Ecology invites Lovitt Resources Inc to enter negotiations for an Agreed Order that will govern the conduct of the remedial investigation and feasibility study.

³ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.060>

⁴ <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-350>

⁵ <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-351>

⁶ <https://app.leg.wa.gov/wac/default.aspx?cite=173-340>

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3. Ecology invites Lovitt Resources Inc to enter discussions regarding potential cleanup actions at additional contaminated mine sites owned by Hecla in the Republic Mining District.

For a description of the process for cleaning up a contaminated site under MTCA, please refer to the enclosed fact sheet.

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of contaminated sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

Contact Information

If you have any questions regarding this letter or if you would like additional information regarding the cleanup of contaminated sites, please contact me at 509-724-8268 or Justin.Rice@ecy.wa.gov. Thank you for your cooperation.

Sincerely,



Justin Rice, PE
Contaminated Mine Sites Program Engineer
Toxics Cleanup Program
Central Regional Office

Enclosures (2): 1. Focus: MTCA Cleanup Regulation, Ecology Publication #94-129
 2. PLP Waiver Form

By certified mail: 9589 0710 5270 0589 5639 48

cc: Ivy Anderson, Office of the Attorney General