



**Heidelberg Materials**  
**Heidelberg Materials North America**  
Washington & Oregon  
7554 185th Avenue NE, Suite 100  
Redmond, WA 98052

8/29/2025

Frank P. Winslow, LHG  
Toxics Cleanup Program  
HQ Cleanup Section  
Washington Department of Ecology  
PO Box 47600  
Olympia WA, 98504-7600

**Re: Response to Preliminary Determination of Liability**

- **Site Name:** Jeld Wen
- **Site Address:** 300 W Marine View Dr, Everett, WA 98201
- **Cleanup Site ID:** 4402
- **Facility/Site ID:** 2757
- **County Assessor's Parcel Number(s):** 29050700101200

Dear Mr. Winslow:

On behalf of HM Pacific Northwest 1, LLC ("HM PNW"), I am responding to your letter of August 6, 2025, which preliminarily finds that Heidelberg Materials may be potentially responsible for remediation of contamination on the above-referenced site under the Washington Model Toxics Control Act ("MTCA"), RCW Chapter 70A.305. HM PNW denies that it is responsible for dioxin/furan ("D/F") contamination, the subject of your August 6 letter, on the above-referenced site for the reasons discussed below. Nonetheless, in the interests of developing a plan of remediation for the site expeditiously and in a manner that will minimize disruptions to HM PNW's operations, HM PNW wishes to participate in the process of developing a remedy for the site.

In particular, HM PNW is seeking to purchase a portion of Parcel No. 29050700100400 (the "Adjacent Parcel") and is actively engaged with the current owner to ensure that HM PNW is protected from any liability that might arise from its purchase of this property, including MTCA liability, and therefore is directly interested in ensuring that the agreed remedy will effectively prevent the release of any dioxins or furans so that the purchase of the Adjacent Parcel may move forward. In addition, HM PNW is engaged in contract negotiations to facilitate Jeld-Wen's remediation of the site while minimizing interference with HM PNW's use of that portion of the Adjacent Parcel it is seeking to acquire.

That being said, HM PNW wishes to make clear that the evidence adduced in your August 6 letter falls well short of establishing that HM PNW has any liability under MTCA. To start with, there is no evidence of contamination on HM PNW's property (Parcel 29050700101200) above relevant CULs so there is no basis for asserting that HM PNW is liable as an "owner" under RCW 70A.305.040(1)(a). The letter asserts no more than that D/Fs have been detected above CULs on the

adjacent site, but we are aware of no evidence of D/Fs above CULs on property that is currently owned by HM PNW.

Nor is there any basis for concluding that HM PNW is responsible for “disposal or release” of the dioxins and furans (“D/Fs”) about which your letter is concerned, or that HM PNW was ever an arranger or transporter of these substances such that it might be liable under RCW 70A.305.040(1)(b)-(e). On the contrary, your letter asserts that the D/Fs “are believed to originate from atmospheric deposition of D/Fs due to historical combustion of salt-laden wood materials in the area,” but there is no suggestion that HM PNW or any of its predecessors is or was responsible for combustion of salt-laden wood. Nor is there any reason to believe that HM PNW’s asphalt operations, or the operations of its predecessors (who were also engaged in asphalt operations), would contribute to the D/Fs detected on or around the Jeld Wen site since asphalt production is not associated with the production of D/Fs.

HM PNW reserves the right to address any additional evidence that Ecology may produce suggesting a link between its ownership of or operations on Parcel 29050700101200, or that of its predecessor companies, that might suggest some linkage between ownership of or operations on that site and D/F contamination on or in the area around that Parcel.

To reiterate, HM PNW wishes to participate in the process of developing an acceptable remediation methodology for the D/Fs that have been detected on the Jeld Wen site, including the development of an agreed order or other instrument that would govern remediation of the site. In particular, HM PNW agrees with your recommendation in the July 27, 2025, Technical Memorandum that an impermeable barrier coupled with an environmental covenant is the best solution to address D/F contamination in upland soils on the Jeld Wen site.

Please contact me at your convenience if you have any questions or concerns.

Sincerely,



Luke Pischedda  
VP/GM Materials  
HM Pacific Northwest  
CC:

Coleman Hoyt, HM Pacific Northwest  
Sophie Mullen, Heidelberg Materials  
Matt Hanna, Cairncross & Hempelmann  
Eric Christensen, Beveridge & Diamond P.C.