



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Central Region Office

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

October 10, 2025

Sent via email

Brett Sheffield, P.E., Engineering Manager
Matt Pietrusiewicz, P.E., County Engineer
Yakima County
128 N. 2nd Street, 4th Floor
Yakima, WA 98901

Re: Meeting Summary MTCA Cleanup of Hazardous Waste for the Yakima County East-West Corridor Roadway Project and the Boise Cascade Mill Cleanup Site

- **Site Name:** Boise Cascade Mill
- **Site Address:** 805 N 7th Street, Yakima
- **Facility Site No.:** 450
- **Cleanup Site ID No.:** 12095
- **Agreed Order No.:** DE 13959

Dear Brett Sheffield and Matt Pietrusiewicz:

Thank you for attending the in-person briefing on the above-referenced cleanup at the Washington State Department of Ecology's (Ecology) Central Region Office on September 25, 2025. The purpose of the meeting was to establish communication and coordination with Yakima County (County) regarding its responsibility for addressing hazardous substances identified at the County's property on the east side of Interstate 82.

Because your work footprint for the East-West Corridor Roadway is within the operational area of the former Boise Cascade Mill and thus within the extents of the Boise Cascade Mill cleanup site, the releases of hazardous substances require cleanup under the Model Toxics Control Act (MTCA),¹ Chapter 70A.305 RCW.²

Ecology provided a presentation to facilitate a discussion with the County on key topics associated with addressing cleanup requirements under MTCA. This letter summarizes the meeting discussions and identifies actions and appropriate timelines. We are available to discuss this summary with you as needed.

¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

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Yakima County was represented in person by Brett Sheffield, Matt Pietrusiewicz, Joseph A. Rehberger of Cascadia Law Group, and Ross Widener of Widener & Associates. Maul Foster & Alongi (MFA) were not in attendance. Ecology was represented in person by Valerie Bound, Jenn Lind, and John Zinza; and Dan Lawler, Assistant Attorney General. Aurther Buchan attended the meeting by teleconference.

Independent Remedial Action

The County expressed its desire to complete an independent remedial action (WAC 173-3450-515)³ to remove the wood waste as presented in the MFA August 27, 2025, Memorandum: Response to Comments on the Draft Initial Investigation Report, and the MFA August 27, 2025, Technical Memorandum Re: Interim Action Work Plan. Ecology has no objection to the Independent Remedial Action. However, the County should ensure it complies with MTCA and its action does not preclude future cleanup requirements. Risks include appropriately addressing groundwater seepage, sampling at different locations for necessary chemicals, and the extent of wood waste removal and disposal.

De Minimis Consent Decree (DMCD) Work Plan - Preferred Approach

Ecology presented two approaches to a DMCD as follows: 1) DMCD open checkbook; and 2) DMCD Work Plan. The County identified its preference for the DMCD Work Plan approach. This would specify exactly what activities the County would need to perform. The County hoped to have a draft DMCD by the end of the year. Ecology hopes to meet that timeframe as well. Ecology is committed to working with MFA to ensure the required documents meet Ecology's expectations.

SEPA (YC-SEP25-0007)

Ecology understands that the Yakima County SEPA official is requiring formal approval from Ecology for the Yakima County plan to remove wood waste, indicating compliance with MTCA. At our meeting, Ecology requested copies of the County's response to both Ecology and Yakama Nation comments that were submitted in May 2025. (Note: Since this request, Bill Sheffield has provided links to the response documents.). Ecology will review the response (prepared by Widener Associates) and respond as appropriate regarding the status of formal approval.

NEPA

Yakima County has asked Ecology for a letter of support regarding the County's NEPA process. On March 20, 20025, Ecology met with the Federal Highway Administration (FHWA) to discuss a letter of support as part of the process.

³ <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-515>



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Per the FHWA, Ecology is not a participating agency in the NEPA process. The FHWA advised Ecology that no letter of support is necessary. Ecology will focus on the cleanup process in accordance with our authority under MTCA.

Communication

Ecology stressed that communication is critical in moving forward to meet the County's objective for removing wood waste to support their East-West Corridor project. A single point of contact was identified by the County as being Matt Pietrusiewicz. Ecology also identified the need to interact directly with MFA on the MTCA cleanup process. We talked about the importance of MFA separating their opinions on meeting MTCA requirements from their technical document, as well as developing an approach to work through Ecology comments versus going back and forth.

PATH FORWARD

Based on the meeting, Ecology has identified the following actions with associated time frames (as appropriate) to move forward with not only wood waste removal but with addressing the County's potential liability under MTCA:

- SEPA:
 - County to provide Ecology a copy of their response to Ecology and Yakama Nation May 2025 SEPA comments. (Note: Action completed by Bill Sheffield on Sept. 29, 2025).
 - Ecology to review County responses and comment as necessary, by the end of Oct.
- Independent Remedial Action:
 - Ecology to review MFA Technical Memorandum and comment as necessary, by the end of Oct.
- DMCD (draft by end of Nov.):
 - AAG Dan Lawler to prepare draft DMCD
 - Ecology to propose draft Work Plan to the County (through MFA)
 - Engage with the Yakama Nation
 - Prepare a plan for the public involvement process
- Coordination meeting:
 - County to work with Ecology to set up a meeting in late October that includes MFA.

We are available to review this summary as necessary to ensure coordination of our efforts with your goals.



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Please don't hesitate to contact me directly, or if you have any questions, please feel free to contact John Zinza at e-mail at john.zinza@ecy.wa.gov.

Sincerely,



Valerie Bound
Section Manager
Toxics Cleanup Program
Central Regional Office
Valerie.Bound@ecy.wa.gov
Central Region Toxics Cleanup Program

cc: Dan Lawler, AAG, Ecology Division, Attorney General's Office

