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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Southwest Region Office
PO Box 47775 • Olympia, WA 98504-7775 • 360-407-6300

February 17, 2026

Kathryn Silva
General Counsel
Zidell Marine Corporation
2020 SW 4th Avenue, Suite 600
Portland, OR 97201

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

- **Site Name:** Tacoma Port Earley Business Center
- **Site Address:** 401 E Alexander Ave, Tacoma, Pierce County, WA 98421
- **Cleanup Site ID:** 2395
- **Facility/Site ID:** 9762715
- **County Assessor's Parcel Number(s):** Parcel 5000350013 and a portion of Parcel 5000350011

Dear Kathryn Silva:

On August 18, 2025, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Zidell Marine Corporation (Zidell) is a potentially liable person (PLP) for a release of hazardous substances at the Tacoma Port Earley Business Center facility (Site). On September 12, 2025, Ecology received your written response to our letter disputing Ecology's preliminary determination of Zidell's PLP status for the Site and requesting Ecology records supporting Ecology's preliminary determination of PLP status. Ecology responded to your records request and provided documents on October 8, 2025.

Based on available information, Ecology finds that credible evidence exists that Zidell Marine Corporation is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Zidell Marine Corporation 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 70A.305.040(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 Zidell 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 70A.305.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70A.305 RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Sandy Smith, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Sandy Smith at (360) 999-9588 or sandy.smith@ecy.wa.gov.

Sincerely,



Marian L. Abbett, PE
Section Manager
Toxics Cleanup Program
Southwest Region Office

By certified mail: 9489 0090 0027 6340 1910 53

cc: Kathryn Wyatt, Office of the Attorney General, kathryn.wyatt@atg.wa.gov
Connie Groven, PE, Ecology, connie.groven@ecy.wa.gov
Sandy Smith, PE, LHG, Ecology, sandy.smith@ecy.wa.gov
Ecology Site File