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July 31, 2026

Andrew Zabel
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Veris Law Group
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Re: Feasibility Study for Tiki Car Wash Cleanup Site

Dear Mr. Zabel and Mr. Jackson,

The Washington Attorney General's Office (AGO) is writing this letter on behalf of the Department of Ecology (Ecology) to outline next steps for the Feasibility Study (FS) and cleanup at the Tiki Car Wash Site (Site).

In October of 2025, Ecology's consultant provided the parties with a draft FS that identified and evaluated a range of cleanup alternatives for the Site, with cleanup work scheduled to begin in June of 2026. Ecology reviewed the parties' comments on the FS and provided an updated version of the FS in December of 2025. Shortly afterward, Tiki requested that Ecology pause the FS process before initiating the public comment period so that the parties could discuss the selected remedy in the FS.

On January 15, 2026, Tiki provided Ecology with a letter outlining its objections to the selected remedy and describing alternatives that it preferred, including a request to amend the 1993 Consent Decree's provisions on contribution protection and covenant not to sue. On February 3, 2026, TRF provided Ecology with a letter objecting to Tiki's requested Consent Decree amendments and requesting that Ecology proceed with issuing the FS for public comment. On

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March 2, 2026, the attorneys for Ecology, Tiki, and TRF held a virtual meeting to discuss potential options for moving forward with the FS and the rest of the cleanup. At the end of the meeting, the parties agreed that Tiki and TRF would attempt to negotiate a joint proposal for Ecology's review. Tiki and TRF attempted to negotiate the joint proposal from March through June, but were unable to come to an agreement.

Given the delay that these negotiations added to the cleanup timeline, Ecology has determined that moving forward with the December 2025 version of the FS is necessary and in the public interest. Ecology's position is that the selected alternative in the FS complies with MTCA; that proceeding with the FS makes use of budget funds for the cleanup that were difficult to secure; and that continuing to pause the cleanup due to disagreement between Tiki and TRF is not in the public interest. Accordingly, Ecology will proceed with putting the FS out for public comment. The parties are still free to provide Ecology with proposals on later stages of the cleanup process and Ecology hopes to work collaboratively with the parties on the rest of the cleanup.

Please reach out to Ecology or myself with any questions or thoughts on the remaining stages of the cleanup process.

Sincerely,



DAN LAWLER, Assistant Attorney General
Washington State Attorney's Office, Ecology Division
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