



COPY ORIGINAL FILED
MAY 23 2013
SUPERIOR COURT
SPOKANE COUNTY, WA

STATE OF WASHINGTON
SPOKANE COUNTY SUPERIOR COURT

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

DCO MANAGEMENT, LLC (formerly
Kaiser Aluminum & Chemical
Corporation, LLC),

Defendant.

NO.

DECLARATION OF TERESITA
BALA

I, Teresita Bala, declare as follows:

1. I am over 21 years of age and am competent to testify herein. The facts set forth in this declaration are from my personal knowledge.

2. I am employed by the Washington State, Department of Ecology as a Site Manager in the Toxics Cleanup Program. I am the designated Site Manager for, and am therefore knowledgeable about, matters relating to the Heglar Kronquist Site (Site).

3. The Site is generally located approximately 10 miles northeast of downtown Spokane, Washington.

4. Ecology has determined that releases and/or potential releases of hazardous substances including black dross which was composed of 39% sodium chloride, 19% potassium chloride, 35% aluminum oxide, 4% free aluminum, 2% cryolite, and 1% carbides and nitrides

1 have occurred at the Site above applicable standards as set forth in the MTCA Cleanup
2 Regulation, Chapter 173-340 WAC.

3 5. Ecology has determined that contamination at the Site presents a threat to
4 human health or the environment.

5 6. Ecology has given notice to DCO Management, LLC of Ecology's
6 determination that it is a potentially liable person (PLP) for the Site, as required by
7 RCW 70.105D.020(21) and WAC 173-340-500. It has voluntarily accepted status as a PLP.

8 7. The draft Cleanup Action Plan was available for public comment between
9 September 19, 2012, and October 18, 2012. The Consent Decree was available for public
10 comment between April 3 2013, and May 2, 2013. Ecology has determined that no additional
11 public comment is required.

12 8. Ecology has determined that the actions to be taken pursuant to the Consent
13 Decree are necessary to protect public health and the environment, and will lead to a more
14 expeditious cleanup of hazardous substances at the Site in compliance with cleanup standards
15 established under RCW 70.105D.030(2)(e) and Chapter 173-340 WAC.

16 I declare under penalty of perjury of the laws of the state of Washington that the
17 foregoing is true and correct.

18 DATED this 20th day of MAY 2013, in Spokane, Washington.

19
20 *Teresita Bala*
21 TERESITA BALA