



FILE COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

May 13, 2002

Ms. Jacqueline M. King
Shook, Hardy, & Bacon LLP
84 Corporate Woods
10801 Mastin, Suite 1000
Overland Park, Kansas 66210-1671

RE: Voluntary Cleanup Program Submittal, Keyes Fibre Company Lagoon Closure, 3715 Chelan Highway, Wenatchee, Washington, Facility Site #85479678 (VCP #CE0137)

Dear Ms. King:

Thank you for submitting the results of your independent remedial action(s) for review by the State of Washington Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the following information regarding the lagoon closure, Keyes Fibre Corporation, located at 3715 Chelan Highway, Wenatchee, Washington:

1. Voluntary Cleanup Program Request for Assistance/Review Form and attachments including VCP Site Summary [ECY 020-073], submitted on behalf of Huhtamaki Foodservice, Inc. by Jacqueline King, dated 4/22/02.
2. Ecology Water Quality Program Correspondence File, Keyes Fibre/Chinet Company.

The above listed reports will be kept in the Central Files of the Central Regional Office (CRO) of Ecology for review by appointment only. Appointments can be made by calling Roger Johnson, CRO resource contact, at (509) 454-7658.

Based upon the above listed information Ecology has determined that, at this time, the release at the NPDES permitted lagoons no longer pose a threat to human health or the environment.

Therefore, Ecology is issuing this determination that no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW



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70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology.

Ecology's no further action determination is made only with respect to the release at the NPDES permitted lagoons and identified in reference 1 above. This no further action determination applies only to the previously permitted NPDES lagoons at the Keyes Fibre property located at 3715 Chelan Highway, Wenatchee, Washington. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by Keyes Fibre.

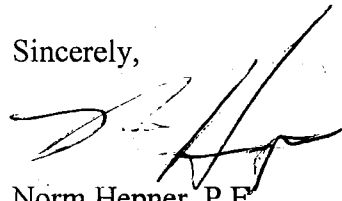
Ecology will update its database to reflect this "No Further Action" determination. Your site will not appear in future publications of the Confirmed & Suspected Contaminated Sites Report (previously known as the Affected Media and Contaminants Report.)

The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature may arise from any act or omission in providing this determination.

This completes your review through the Ecology Voluntary Cleanup Program. Any overages in your deposit account will be forwarded to you for this site from our Fiscal Office.

Please contact me at (509) 457-7127 if you have any questions or require additional clarification.

Sincerely,



Norm Hepner, P.E.
Environmental Engineer
Toxics Cleanup Program