



FILE COPY

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

June 7, 2005

**CERTIFIED MAIL**

7002 2410 0007 8527 2986

Mr. Gregory Pezoldt  
Chelan County  
316 Washington Street, Suite 402  
Wenatchee, WA98801

RE: Notice of Potential Liability for the Release of Hazardous Substances Under the Model Toxics Control Act – **Dryden Landfill**  
9073 Highway 2, Dryden, Washington  
**Facility Site ID # 336**

Dear Mr. Pezoldt:

Chapter 70.105D Revised Code of Washington, the Model Toxics Control Act (Act), requires the Department of Ecology (Ecology) to provide written notice to all persons it believes to be potentially liable for the release of hazardous substances.

It is Ecology's understanding that Chelan County is an owner of the property located at 9073 Highway 2, Dryden, Washington, and that credible evidence exists indicating that a release of a hazardous substance has occurred at this site. The evidence supporting these findings is as follows:

1. The property located at 9073 Highway 2, Dryden, Washington, is commonly known as the Dryden Landfill (hereinafter known as the "Site"), and has been owned and operated as a landfill by Chelan County since 1960.
2. The site is owned by Chelan County.
3. From 1960 to 1987, a landfill operated at the site and accepted municipal and agricultural solid waste. From 1960 to 1980, domestic sludge was also accepted.
4. Past samples of seeping leachate indicated amounts of chromium, nickel, lead, iron, and manganese in excess of MTCA Cleanup levels.
5. Limited closure activities took place in 1986, including the placement of a substandard cover over the landfill and the installation of four monitoring wells.
6. An amended closure plan was submitted to Ecology on June 22, 2004. Post-closure and maintenance to be conducted include, but are not limited to, groundwater monitoring, surface water



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monitoring, gas monitoring, ground settling monitoring, maintenance of the facility and its structures, maintenance of the vegetative layer, and maintenance of the monitoring systems.

As a result of this evidence, Chelan County has been identified as a person potentially liable for the release of the above contaminants that originates from the property located at 9073 Highway 2, Dryden, Washington.

Under the Act, you have thirty (30) calendar days from the receipt of this letter to submit written comments to Ecology on your proposed status as a potentially liable person (PLP). Following a review of those comments, Ecology will make a final written determination of your status. In the interest of expediting this process without admitting liability, you may wish to accept your status as a Potentially Liable Person by waiving your right to the 30 days notice and comment period. I have enclosed a waiver form for your convenience.

If you are aware of any other persons who may be potentially liable for the release at this site, Ecology encourages you to provide us with their identity and the reason you believe they are potentially liable.

Ecology intends to request that the PLP(s) identified for this site enter in to an agreed order with the Department of Ecology to implement a closure plan in accordance with WAC 173-340-380.

Ecology's policy is to work cooperatively with PLPs. Please note that cooperating with Ecology in planning or conducting remedial actions at the site is not an admission of guilt or liability and could ultimately result in a more efficient, prompt, and effective cleanup.

Enclosed, please find a copy of Chapter 70.105D RCW and Chapter 173-380 WAC (in the same book) for your information. If you have questions, please feel free to contact me at 509-454-7886.

Sincerely,



Valerie Drew

Unit Supervisor, Site Manager  
Toxics Cleanup Program  
Central Regional Office

Enc: Chapter 173-380 WAC  
Chapter 70.105D RCW  
Waiver Form

cc: Brenda Harn, Chelan County