



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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RECEIVED
MAR 31 2015
WA State Department
of Ecology (SWRO)

March 27, 2015

Ms. Linda Plein
Batrob, LLC
1600 SW 156th St
Burien, WA 98166

Re: Determination of Potentially Liable Person Status

Dear Ms. Plein:

On December 23, 2014, the Department of Ecology (Ecology) sent you written notice regarding your proposed status as a potentially liable person (PLP) for a release of hazardous substances at the following site:

- Name: USG Interiors Inc Hwy 99
- Project Address: 7110 Pacific Hwy E, Milton, WA 98354
- County Assessor's Parcel Number(s): 0420057003, 0420057004, 0420057005, 0420057006, 0420057007, 0420057008, 0420053075, 0420053076
- Cleanup Site ID.: 3618
- Facility/Site No.: 84531356

The 30-day comment period, including a 30-day extension, on this preliminary notice expired on February 28, 2015.

We have received and carefully evaluated your comments in a letter dated February 16, 2015. In your letter, you claim you may be excluded from Potentially Liable Person (PLP) status per RCW 70.105D.040(b)(i) and that you had no knowledge of a release or threatened release of a hazardous substance on your property at time of purchase. However, you also state that you were informed of the USG cleanup work occurring south of your property when you purchased the land and that there were two parts of the Site. Your property was identified as being part of the northern portion of the Site. The fact that past cleanup activities did not focus of your property at the time does not eliminate the possibility that future cleanups would be required.

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March 26, 2015
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Ecology has confirmed that arsenic contamination resides on your property in excess of the Model Toxics Control Act (MTCA) cleanup levels (WAC 173-340-900, Table 720-1). MTCA is clear that your property is considered a "facility" where a hazardous substance has been disposed of or otherwise came to be located. Cleanup of the contamination, or an administrative action (i.e. environmental covenant), must occur in order to protect human health and the environment.

Based on the information available to date, Ecology finds that credible evidence exists which supports your status as a potentially liable person for the release at the USG Interiors Inc Hwy 99 Site. On the basis of this finding, Ecology has determined that you are a Potentially Liable Person (PLP) with regard to the Site.

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW, and WAC 173-340. Ecology's site manager for the facility, Jason Landskron, will contact you with information about how Ecology intends to proceed with cleanup at this site.

If you have any questions regarding this notice, please contact Jason Landskron, Toxics Cleanup Program Southwest Region at (360) 407-6388.

Sincerely,



Rebecca S. Lawson, P.E., LHG
Section Manager
Toxics Cleanup Program
Southwest Region

By certified mail: 7009 0820 0001 9056 1790

cc: Phyllis Barney (ATG)
Jason Landskron, Ecology

Tracking Number: 70090820000190561790



Updated Delivery Day: Thursday, April 2, 2015

Product & Tracking Information

Postal Product:

Extra Svc:
Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

April 2, 2015 , 2:09 pm

Delivered

SEATTLE, WA 98166

Your item was delivered at 2:09 pm on April 2, 2015 in SEATTLE, WA 98166.

April 2, 2015 , 8:25 am

Out for Delivery

SEATTLE, WA 98166

April 2, 2015 , 8:15 am

Sorting Complete

SEATTLE, WA 98166

April 2, 2015 , 7:14 am

Arrived at Unit

SEATTLE, WA 98166

April 1, 2015 , 9:13 pm

Arrived at USPS Facility

SEATTLE, WA 98168

March 31, 2015 , 11:53 pm

Departed USPS Facility

TACOMA, WA 98413

March 31, 2015 , 9:50 pm

Arrived at USPS Facility

TACOMA, WA 98413