



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

November 14, 2016

Ms. Karin L. Newman  
P.O. Box 3018  
Belfair, WA 98528

RE: Determination of Potentially Liable Person Status

Dear Ms. Newman:

On September 20, 2016 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: **Newman's Chevron**
- Address: 2021 6<sup>th</sup> ST Bremerton WA 98310
- Kitsap County Assessor's Parcel Number: 3717-002-015-0106
- Facility/Site No.: 1436359
- Cleanup Site No.: 5252
- VCP ID No: NW0620

We have received your signed voluntary Notice of Waiver with your comments, dated October 26, 2016. Pursuant to RCW 70.105D.040(1)(a), the owner or operator of a facility (site) where hazardous substances have come to be located is liable.

Washington's Model Toxics Control Act (MTCA) imposes joint and several liability for hazardous waste cleanup on PLPs. A site may have more than one liable party, including prior owners or operators. Ecology understands there may be an indemnification agreement with Wilkinson Distributing, according to your assertions in your letter and in the Phase I ESA Report by Associated Environmental Group. While we appreciate the information, the contractual agreement does not absolve you from being a PLP, based on your ownership when release(s) occurred. Parties may contractually allocate liability for environmental response costs, but Ecology is not obligated or bound by such an agreement and thus your PLP status and associated liability remains.

It is Ecology's policy to name all PLPs at a site regardless of contractual agreements based on Washington's cleanup laws. Based on the information that Karin Newman was the property owner of the above parcel from September 1990 until 2004, Ecology finds that credible evidence



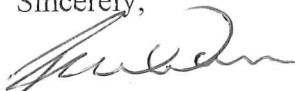
Ms. Newman  
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exists which supports your status as a PLP for the release at **Newman's Chevron**. On the basis of this finding, Ecology has determined that you are a PLP with regard to **Newman's Chevron**. If you need additional information regarding your liability at the site, we recommend that you consult an attorney to discuss your legal options for regarding the contract with Wilkinson Distributing.

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, Dale Myers, will contact you with information about how Ecology intends to proceed with the cleanup at this site.

If you have any questions regarding this notice, please contact Dale Myers at (425) 649-4446.

Sincerely,



Robert W. Warren  
Section Manager  
Toxics Cleanup Program

By Certified Mail [9171 9690 0935 0132 1874 30]

cc: Allyson Bazan, Assistant Attorney General  
Dale Myers, Department of Ecology  
Louise Bardy, Department of Ecology  
Eric Hetrick, Chevron Environmental Management Company  
Ian Sutton, Joyce Ziker Parkinson, PLLC  
Robert Goodman, Rogers Joseph O'Donnell  
Jim Reed, Victory Business Park LLC