



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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June 26, 2017

**Electronic Copy**

Mr. Patrick Ortiz, Director of Engineering, Environmental and Safety  
KapStone Paper and Packaging, Corp.  
300 Fibre Way  
Longview, WA 98632

**Re: Final Determination of Liability for Release of Hazardous Substances at the following Contaminated Site:**

- **Site Name:** Port of Longview
- **Site Address:** 10 Port Way, Longview, WA 98632
- **Cleanup Site ID:** 9152
- **Facility/Site ID:** 42978181

Dear Mr. Ortiz:

On January 9, 2017, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that KapStone Paper and Packaging, Corp. is a potentially liable person (PLP) for a release of hazardous substances at the Port of Longview facility (Site). On April 25, 2017, the comment period on our preliminary determination expired. On April 12, 2017, Ecology received your written comments.

Based on available information, Ecology finds that credible evidence exists that Longview Fibre Paper and Packaging, Inc., a subsidiary of Kapstone Paper and Packaging Corporation, dba Kapstone Kraft Paper Corporation is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Kapstone Paper and Packaging, Corp. is a PLP with regard to the Site.

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and cleanup facilities where hazardous substances have been released. Liability for environmental contamination under MTCA is strict, joint and several (RCW 70.105D.040(2)). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations. Ecology has determined that it is in the public interest for remedial actions to take place at this Site. Ecology will contact you regarding the actions necessary for the Kapstone Paper and Packaging, Corp. to bring about the prompt and thorough cleanup of hazardous substances at this Site. Failure to cooperate with Ecology or comply with MTCA in this matter will result in Ecology employing enforcement tools as it deems necessary and appropriate. This includes, but is not limited to, the issuance of an administrative order.

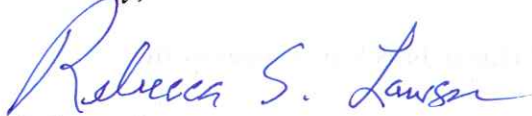
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Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70.105D.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Matthew Morris, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Matthew Morris at (360) 407-7529 or [Matthew.Morris@ecy.wa.gov](mailto:Matthew.Morris@ecy.wa.gov).

Sincerely,



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

Enclosure (2): Expectation Letter with General Standards of Work

By certified mail: [91 7199 9991 7037 0291 6074]

cc: Meline MacCurdy, Marten Law  
Lisa Hendriksen, Port of Longview  
Andy Fitz, Office of the Attorney General  
Koalani Kaulukukui-Barbee, Office of the Attorney General  
Matthew Morris, P.E., Ecology  
Ecology Site File