



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 18, 2017

Electronic Copy

Robert R. Frohmader
28313 Redondo Way South
APT 303
Des Moines, WA 98198-8262

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

- **Site Name:** USG Interiors Inc. Puyallup
- **Site Address:** 1005 River Road, Puyallup, Washington
- **Cleanup Site ID:** 3634
- **Facility/Site ID:** 1217
- **County Assessor's Parcel Number(s):** 4920200010

Dear Mr. Frohmader:

On April 14, 2017, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Robert R. Frohmader is a potentially liable person (PLP) for a release of hazardous substances at the USG Interiors Inc. Puyallup facility (Site).

We have received and carefully evaluated your comments in a letter prepared on your behalf by Allen T. Miller (Law Office of Allen T. Miller, PLLC) dated May 10, 2017. Based on available information, Ecology finds that credible evidence exists that Robert R. Frohmader is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Robert R. Frohmader 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 Robert R. Frohmader 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. 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)).

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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, Mohsen Kourehdar, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Mohsen Kourehdar at 360-407-6256 or Mohsen.Kourehdar@ecy.wa.gov

Sincerely,

A handwritten signature in blue ink that reads "Rebecca S. Lawson". The signature is written in a cursive style.

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

By Certified Mail: [91 7199 9991 7037 1758 8563]

cc: Greg Kinser, USG Interiors LLC (via email)
Pamela Morrill, CDM Smith, Consultant for USG Interiors LLC (via email)
Allen T. Miller, Law Office of Allen T. Miller, PLLC (via email)
Ecology Site File