



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

October 20, 2017

John Schultz
Counsel for Wondrack Distributing, Inc.
Leavy Schultz Davis, P.S.
2415 West Falls Avenue
Kennewick, WA 99336

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

Site Name: Coleman Oil Yakima Bulk Plant
Site Address: 1 East I Street, Yakima
Facility/Site ID: 4233
Cleanup Site ID: 13200

Dear Mr. Schultz:

This correspondence is the official notice by the Department of Ecology (Ecology) of our determination of your client's status as a potentially liable person (PLP) for the Coleman Oil Yakima Bulk Plant site (Site).

On March 30, 2017, Ecology sent you a written notice of our preliminary determination that Wondrack Distributing, Inc. is a potentially liable person (PLP) for a release of hazardous substances at the Site. We received and evaluated your comments (via letter dated October 12, 2017).

Based on the information available to date, Ecology finds that credible evidence exists which supports the status of Wondrack Distributing, Inc. as a potentially liable person for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Wondrack Distributing, Inc. 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.



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Ecology will contact you regarding the actions necessary for Wondrack Distributing, Inc. to bring about the prompt and thorough cleanup of hazardous substances at the 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)).

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, Frank Winslow will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Frank Winslow at (509) 454-7835 or frank.winslow@ecy.wa.gov.

Sincerely,



Valerie Bound
Section Manager
Toxics Cleanup Program, Central Region Office

By Certified Mail [91 7199 9991 7037 1451 1625]

cc: Jim Cach, Coleman Oil Company
Cheryl Cameron, Chevron Environmental Management Company
Shane DeGross, BNSF Railway Company
Koalani Kaulukukui-Barbee, Office of the Attorney General