



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

November 6, 2017

Charlie Konen
Konen Properties, LLC
81890 Couse Creek Road
Milton-Freewater, OR 97862

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

- **Site Name:** Stubblefield Salvage Yard
- **Site Address:** 595 Offner Road, Walla Walla, Washington
- **Cleanup Site ID:** 4121
- **Facility/Site ID:** 1367331
- **County Assessor's Parcel Number(s):** 35-07-24-44-0024

Dear Mr. Charlie Konen:

On June 8, 2017, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Konen Properties, LLC is a potentially liable person (PLP) for a release of hazardous substances at the Stubblefield Salvage Yard facility (Site). On July 8, 2017, the 30-day comment period on our preliminary determination expired. As of July 8, 2017 Ecology had not received any written comments from you.

Based on available information, Ecology finds that credible evidence exists that Konen Properties, LLC is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Konen Properties, LLC 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 Konen Properties, LLC 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)).

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, Katie Larimer, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Katie Larimer at (509) 329-3419 or khal461@ecy.wa.gov.

Sincerely,



Kathleen Falconer
Section Manager
Toxics Cleanup Program, ERO

By certified mail: [7016 1970 0000 9925 1823]

cc: Koalani Kaulukukui-Barbee, Office of the Attorney General
Ecology Site File