



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

August 27, 2014

John Skance  
Atlantic Richfield Company  
P.O. Box 1257  
San Ramon, CA 94583

RE: Determination of Potentially Liable Person Status

Dear Mr. Skance:

On June 23, 2014 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: Port of Port Angeles Marine Trades Area
- Address: Approximately 617 and 637 Marine Drive, Port Angeles, WA
- Facility/Site No.: 1005
- Cleanup Site No.: 1301

The 30-day comment period on this preliminary notice expired on July 24, 2014.

We received and evaluated your comments sent via email and First Class Mail, dated July 22, 2014, and provide the following responses:

- We acknowledge the correction provided showing that Richfield Oil Corporation leased the facility beginning in 1937 and became the owner in 1941.
- We reviewed the information provided related to the 1968 release. Without the actual report from Ryan and Haworth explaining what investigation was performed and the specific results, Atlantic Richfield Company's August 29, 1969, letter to the City of Port Angeles cannot be considered evidence that ARCO did not contribute to the release at that time.
- The Marine Trades Area Site represents a contiguous area of soil and groundwater contamination where petroleum-derived hazardous substances, likely from multiple sources, have commingled and come to be located. The Model Toxics Control Act expressly provides for joint and several liability at sites such as this with multiple liable parties. RCW 70.105D.010(5); RCW 70.105D.040(2). Therefore, it would not be appropriate for Ecology to include language in the Agreed Order purporting to apportion liability among the potentially liable parties, as requested by ARCO. The equitable apportionment of contribution shares may be settled separately among the site PLPs.



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Based on the information available to date, Ecology finds that credible evidence exists which supports your status as a potentially liable person for the release at Port of Port Angeles Marine Trades Area Site. On the basis of this finding, Ecology has determined that you are a Potentially Liable Person (PLP) with regard to Port of Port Angeles Marine Trades Area Site.

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, Connie Groven, 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 Connie Groven at (360) 407-6254.

Sincerely,

*Rebecca S. Lawson*

Rebecca S. Lawson, P.E., LHG  
Southwest Regional Office Section Manager  
Toxics Cleanup Program  
State of Washington  
Department of Ecology

CGG/kc MTA Arco PLP Determination ltr

By certified mail: ( 91 7199 9991 7033 1285 3288

cc: Chris Hartman, Port of Port Angeles  
Daniel Carrier, Chevron  
Connie Groven, Ecology  
Jon Thompson, Office of the Attorney General