



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 12, 2018

Electronic Copy

Mr. Robert Graham
18811 16th Ave S
SeaTac, WA 98188-5102

Re: Termination of VCP Agreement for the following Site:

- **Site Name:** H&H Diesel Service Inc.
- **Site Address:** 407 Porter Way, Milton, Pierce Co., Washington 98534
- **Facility/Site No.:** 89863773
- **Cleanup Site No.:** 4629
- **VCP Project No.:** SW1526

Dear Mr. Graham:

The Department of Ecology (Ecology) is terminating the Voluntary Cleanup Program (VCP) Agreement governing project number SW1526. The project involved the cleanup of the H&H Diesel facility (Site). The effective date of termination is the date of this letter. We are providing this notice in accordance with the terms of the Agreement.

Reason

Ecology is terminating the Agreement because you informed us by email on March 2, 2018, that you wanted to withdraw from the VCP. A copy of that correspondence is included as Enclosure A.

Next Steps

Based on this decision, Ecology may take one or more of the following steps:

1. Send you an invoice for any costs remaining on your account. In accordance with the terms of the Agreement, you remain responsible for any costs incurred by us before the effective date of termination.
2. Conduct a site hazard assessment (SHA) and rank the Site for further action.
3. Identify those persons we find potentially liable for cleanup of the Site.

4. Initiate discussions for an agreed order or consent decree that will govern further action at the Site.

You may apply to reenter the VCP if you decide to conduct further action at the Site. Per WAC 173-340-515, you may also decide to conduct an independent remedial action at the Site.

Contact Information

If you have any questions about this notice, please contact me at (360) 407-6241.

Sincerely,



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

Enclosure

By Certified Mail: 9489 0090 0027 6019 1348 86

cc: Mike Chun, AEG
Scott Rose, AEG
Rob Olsen, TPCHD
Nicholas M. Acklam, Ecology
Stephanie Bussell, Ecology
Tim Mullin, Ecology
Ecology Site File

Enclosure A

Email Correspondence

From: [Rob Graham](#) on behalf of rob@grahamrealventures.com
To: [Michael Chun](#); [Scott Rose](#); [Mullin, Tim \(ECY\)](#); [Acklam, Nicholas \(ECY\)](#)
Cc: [Lawson, Rebecca \(ECY\)](#)
Subject: SW1526 - H&H Diesel - FA letter
Date: Friday, March 02, 2018 12:47:38 PM

Good morning all,

I spent a great deal of money and eighteen months' time waiting for an NFA letter that I was assured many times would be forthcoming. This was of course after cleaning up a mess that began in 1968 and resulted in constant visits from ecology and others prior to my purchase. I waited patiently while my file was passed down from one Ecology staff member to another until reaching Tim's desk. Oddly enough Tim is the only one among you that I feel has done his job and without causing harm to me. I feel it is perfectly natural for a new person to be overzealous in what he or she requires. If managers are not guiding the people in their charge and letting them know when requirements may be redundant or unnecessary, are they really managing? During our meeting Nick apologized for the delays and the issues those delays caused. I would like to know what good an apology is without corrective action? I'm told that Rebecca agreed to meet with Nick and review what Tim has required, did that occur? I understand that part of what caused the passing of my file from one person to the next was Scott Rose leaving ecology to take a position with AEG. While I am sympathetic to this, I had no say or even knowledge of it until he was assigned to my file. I also note that Michael missed some things in his original research and that it's possible some additional wash area existed that no one seems to know anything about but was in the file.

Scott mentioned to me that there was another agency issuing NFA's now and was kind enough to meet with them on my behalf. I can't help but feel the very existence of PLIA should be an embarrassment to Ecology and that should be enough motivation to improve its processes.

I own and manage six separate companies, three trucking companies, one equipment leasing company, an unlimited Hydroplane racing team and a Real Estate investment company. All of my trucks are clean air compliant and have been for some time. My Real Estate company owns over fifty properties and every one of them are far better than before I purchased them. We have one bank loan on one property and all others are owned outright. I do not spend money to improve properties because some bank requires it of me. This particular property will likely be in my family for many generations and the only motivation I had for taking your collective abuse is so my heirs would not have to. I do plan to leave this earth knowing I did more good to it than harm and will expect my children and Grand children to do the same.

I grew up relatively poor and started my company with what I saved while serving in the United States Marine Corps. I have worked hard my entire life and have extremely low tolerance for complacency and Bureaucracy.

If you will not make time to reevaluate the requirements you made to grant an NFA letter on my property then please feel free to remove me from your program.

Rob Graham

Date: July 16, 2018

Dept of Ecology:

The following is in response to your July 16, 2018 request for delivery information on your Certified Mail™ item number 9489009000276019134886. The delivery record shows that this item was delivered on June 18, 2018 at 10:15 am in SEATTLE, WA 98188. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	<input checked="checked" type="checkbox"/>	<i>Michelle Mayes</i>
Printed Name		

Address of Recipient :

Delivery Address	<i>19811-16th</i>
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Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service