

DEPARTMENT OF ECOLOGY

August 12, 1999

**TO:** Debbie Iness, Fiscal  
**FROM:** Jan Swanberg, Toxics Cleanup Program  
**SUBJECT:** Cost Recovery projects numbered 8504, 8278/8R13 and 8387

The Ecology project manager, Rick Roeder, has requested adjustments to billings as follows:

**Cameron-Yakima, Inc. – Project 8287/8R13**

Do not send invoices to Cameron-Yakima. They no longer exist in this manner and have no physical address (your invoices came back in the mail last quarter). However, they are still responsible for clean-up expenditures. They are also part of the Yakima Railroad project 8387. This will all be resolved at a later date (in legal settlement).

Meanwhile, costs will continue to be tracked and interest should continue to accrue on this project – but no invoices sent out.

**Westco Martinizing – Project 8504**

This project was settled through a revised consent decree signed very recently – May or June 1999. I will forward a copy to you when I receive one in the mail. I have attached a copy of a fax of the specific pages from the consent decree that discusses The \$18,210.61 agreed on settlement.

This June billing should not be sent to Westco. Although Rick Roeder wants to continue to track expenditures, if any, that occur after the agreed settlement for this project. The project number and SIC should remain, but the project should become inactive – no invoices.

**Yakima Railroad Area – Project 8387**

The June invoice (and future invoices) should not include Cameron-Yakima Inc., Westco Martinizing, and Investment Management and Trust Services. Please do not send copies of the bills to these three.

Let me know if you have any questions. My number is 407-7213

Cc: Cergio Castillo, Fiscal

1 beginning on December 1, 1998. At the end of these initial two monitoring periods, Westco ma  
2 provide sample results twice yearly until the results demonstrate that groundwater cleanup level  
3 have been achieved.

4 B. Within *thirty (30) days* of the effective date of this decree, Westco agrees to pay  
5 \$130,407.17 to the Trust Fund established in Exhibit D. Payment shall be made to the order of  
6 Yakima Railroad Area Qualified Settlement Trust Account [No. 20-20-509-4021000] and  
7 delivered by certified or cashier's check to ATTN: Inv. Mgmt. and Trust Svcs., Seafirst Bank,  
8 P.O. Box 232, Yakima, Washington 98907. In addition, Westco shall reimburse Ecology for its  
9 oversight costs, which are \$18,210.61. Payment shall be made within *thirty (30) days* of the  
10 effective date of the decree by certified or cashier's check payable to Department of Ecology,  
11 Cashier's Section, P.O. Box 5128, Lacey, Washington, 98509-5128; with reference to: Westco  
12 Mart. Site (No. J1C52).

13 C. The Trust Fund shall be used by Ecology for the exclusive purposes of financing  
14 past and future remedial actions at the YRRA Site. Defendant's financial contribution expressly  
15 and specifically includes, but is not limited to, the Defendant's share of the following past and  
16 future costs: (1) costs of grants provided to the cities of Yakima and Union Gap, Washington for  
17 the purposes of municipal water system installation and upgrades; and (2) costs of work  
18 performed by Ecology or its contractors for, or on, the YRRA Site under Ch. 70.1050 RCW, both  
19 prior to and subsequent to the issuance of this Decree, for investigations, remedial actions, and  
20 Decree preparation, negotiations, oversight and administration of this Decree. Ecology costs  
21 include costs of direct activities and support costs of direct activities as defined in WAC 173-  
22 340-550(2). Defendant's financial contribution shall be held in the Trust Fund pursuant to the  
23 terms of Exhibit D. Ecology shall be designated as having the power of appointment under the  
24 Trust.

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This document is part of the official  
Administrative Record for the  
Yakima Railroad Area.  
Washington State  
Department of Ecology

CONSENT DECREE

ATTORNEY GENERAL OF WASHINGTON  
Ecology Division  
PO Box 40117  
Olympia, WA 98512-0117

*Decree  
was filed  
5/7/99*

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF YAKIMA**

STATE OF WASHINGTON,  
DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

WESTCO, INC., a Washington Corporation,

Defendant.

NO. 19 2 01235 5

CONSENT DECREE

**TABLE OF CONTENTS**

	Page
I. INTRODUCTION .....	2
II. JURISDICTION AND VENUE .....	3
III. PARTIES BOUND .....	4
IV. DEFINITIONS .....	4
V. STATEMENT OF FACTS .....	4
VI. WORK TO BE PERFORMED .....	4
VII. ACCESS .....	6
VIII. RETENTION OF RECORDS .....	6
IX. TRANSFER OF INTEREST IN THE PROPERTY .....	7
X. RESOLUTION OF DISPUTES .....	7
XI. AMENDMENT TO CONSENT DECREE .....	8
XII. OTHER ACTIONS .....	8
XIII. CONTRIBUTION PROTECTION .....	9
XIV. COVENANT NOT TO SUE .....	9
XV. CLAIMS AGAINST THE STATE .....	10
XVI. RESERVATION OF RIGHTS .....	11
XVII. EFFECTIVE DATE .....	11
XVIII. DURATION OF DECREE AND RETENTION OF JURISDICTION .....	11
XIX. PUBLIC NOTICE AND WITHDRAWAL OF CONSENT .....	11

- Exhibit A: Map of Yakima Railroad Area
- Exhibit B: Legal Description of Property
- Exhibit C: Westco Martinizing Site History
- Exhibit D: Trust Agreement
- Exhibit E: Compliance Monitoring Plan