



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 27, 2010

Mike Baldwin & Milne Candace
PO Box 233
Humptulips, WA 98552

Re: Notice of Potential Liability under the Model Toxics Control Act for the Release of Hazardous Substances at the following Hazardous Waste Site:

- Name: Most Western Laundry
- Address: 16th & B Streets, Hoquiam, WA
- County Assessor's Parcel Number(s) 051407800200
- Facility/Site No.: 1117

Dear Mike Baldwin & Milne Candace:

Under the Model Toxics Control Act (MTCA), chapter 70.105D RCW, which governs the cleanup of hazardous waste sites in Washington State, the Department of Ecology (Ecology) may identify persons that it finds are liable for the release of hazardous substances at a site. Before making such a finding, Ecology must provide persons with notice and an opportunity to comment on the proposed finding. Any person whom Ecology finds, based on credible evidence, to be liable is known as a "potentially liable person" or "PLP".

Proposed Finding of Liability

Based on credible evidence, Ecology is proposing to find Mike Baldwin & Milne Candace liable under RCW 70.105D.040 for the release of hazardous substances at the Most Western Laundry facility (Site). This proposed finding is based on the following evidence:

1. Mike Baldwin & Milne Candace are the owners of the Site as shown on the enclosed Grays Harbor County Property Information.
2. A 1980's investigation by Ecology's Hazardous Waste and Toxics Reduction Program found that extremely high levels of tetrachloroethylene (perchloroethylene; perc) were present in dry cleaning sludges that had been placed on the soil and disposed of in municipal garbage and that site soils had been contaminated by perc and several daughter product chemicals by these practices.
3. Under order from Ecology in 1988, Most Western excavated contaminated soils from an area associated with test borings BH10 and BH11. Excavation continued until structural components of the building prevented further lateral excavation and encountering groundwater prevented further vertical excavation. Confirmation samples taken at that time indicated the continued presence of perc at the following levels: 3,600,000 ug/kg (micrograms per kilogram) in the pit's west wall, 820,000 ug/kg in the bottom, 200,000 ug/kg in the south wall, 33,000 ug/kg in the north wall, and 19,000 ug/kg in the east wall.



Responsibility and Scope of Potential Liability

Please note that Ecology may either conduct or require PLPs to conduct remedial actions to investigate and clean up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

Please also note that each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real property and those costs are not reimbursed, then Ecology has the authority under RCW 70.105D.055 to file a lien against that real property to recover those costs.

Next Steps in Cleanup Process

In response to the release of hazardous substances at the Site, Ecology intends to conduct the following actions under MTCA:

1. ECOLOGY INTENDS TO COMPLETE THE REMEDIAL INVESTIGATION AND FEASIBILITY STUDY.


For a description of the process for cleaning up a hazardous waste site under MTCA, please refer to the enclosed fact sheet.

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of hazardous waste sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

Contact Information

If you have any questions regarding this letter or if you would like additional information regarding the cleanup of hazardous waste sites, please call me at 360-407-7115. Thank you for your cooperation.

Sincerely,



Guy Bartlett
SWRO Toxics Cleanup Program

GB/ksc:MWL PLP Notice

Enclosures: 3

- (1) FOCUS: MODEL TOXICS CONTROL ACT CLEANUP REGULATION: PROCESS FOR CLEANUP OF HAZARDOUS WASTE SITES (Pub. No. #94-129)
- (2) VOLUNTARY WAIVER OF RIGHT TO COMMENT FORM
- (3) GRAYS HARBOR COUNTY ASSESSOR'S RECORD

By certified mail: (7009 1410 0002 4421 7868)

Notice of Waiver

Revised January 2008

Mike Baldwin & Milne Candace
PO Box 233
Humptulips, WA 98552

Pursuant to WAC 173-340-500 and WAC 173-340-520(1)(b)(i), I _____, a duly authorized representative of Mike Baldwin & Milne Candace, do hereby waive the right to the thirty- (30) day notice and comment period described in WAC 173-340-500(3) and accept status of Mike Baldwin & Milne Candace as a Potentially Liable Person at the following site:

- Name: Most Western Laundry
- Address: 16th & B Streets, Hoquiam, WA
- County Assessor's Parcel Number(s) 051407800200
- Facility/Site No.: 1117

By waiving this right, Mike Baldwin & Milne Candace make no admission of liability.

Signature

Date

Relation To The Site (that is, owner or operator)