



1515 update

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 14, 2016

Mr. John Felder
Washington State Department of Natural Resources
Engineering Division - Environmental Services
1111 Washington ST SE
Olympia, WA 98504-7030

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

- **Site Name:** Washington State Department of Natural Resources (DNR) Webster Nursery.
- **Site Address:** 9805 Blomberg Street SW, Tumwater, Washington 98512-1044
- **Cleanup Site ID:** 3380
- **Facility/Site ID:** 8786341
- **Thurston County Assessor's Parcel Number(s):** 12720130000

Dear Mr. Felder:

On June 13, 2016, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that DNR is a potentially liable person (PLP) for a release of hazardous substances at the DNR Webster Nursery facility (Site). On June 14, 2016, Ecology received your written notice accepting your status as a PLP for the Site and waiving your opportunity to comment.

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

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the DNR 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, Steve Teel, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Steve Teel at (360) 407-6247 or via e-mail at steve.teel@ecy.wa.gov.

Sincerely,



Rebecca S. Lawson, P.E., L.G., L.HG.
Section Manager
Toxics Cleanup Program
Southwest Regional Office

By certified mail: (91 7108 2133 3939 7793 0719)

cc: Steve Teel - Ecology
Nick Acklam - Ecology
Caroline Cress - Office of the Attorney General
Ecology Site File