STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

CERTIFIED MAIL

September 9, 1996

Ms. Judy D. Johnson
c/o Ronald S. Oline
1940 Marine View Drive
Tacoma, WA 98422-4187

Dear Ms. Johnson:

Re: Notice of Potential Liability for the Release of Hazardous Substances Under the Model Toxics Control Act.

Chapter 70.105D RCW, the Model Toxics Control Act (MTCA), requires the Department of Ecology (Ecology) to provide written notice to all persons it believes to be potentially liable for the release of hazardous substances. It is Ecology's understanding that you, Judy D. Johnson, are an owner of property located at 2120 Marine View Drive in Tacoma, Washington. This property is listed on Ecology's Site Information System database as Don Oline Autofluff.

Under the Model Toxics Control Act (Chapter 70.105D RCW) the owner or operator of a site is a liable party for the cleanup of contamination on that site. Ecology has determined that credible evidence exists indicating that a release (or threatened release) of a hazardous substance has occurred at this site. The evidence supporting these findings is as follows:

A Preliminary Site Investigation prepared by EMCON Northwest, dated January 26, 1995, found that the site contains automobile shredder residue on the uplands and in the intertidal area. The automobile shredder residue was found to contain cadmium, lead, and PCB in concentrations above the Model Toxics Control Act cleanup standards for industrial soils. Copper, cadmium, lead, mercury, zinc and PCBs were found at concentrations above the sediment quality objectives (SQO) for the Commencement Bay Nearshore/Tideflats Superfund Site.

As a result of this evidence, you have been identified as a person potentially liable for the release at this site.

Under the MTCA, you have thirty (30) calendar days from the receipt of this letter to submit written comments to Ecology on your proposed status as a potentially liable person (PLP). Following a review of those comments, Ecology will make a final written determination of your status.

In the interest of expediting this process without admitting liability, you may wish to accept your status as a Potentially Liable Person by waiving your right to the thirty (30) day notice and comment period. This may be accomplished by signing and returning the enclosed form or sending a letter containing similar information to Ecology

Ecology intends to develop a Consent Decree requiring clean up of the uplands and intertidal area.

Ecology's policy is to work cooperatively with PLPs. Please note that cooperating with Ecology in planning or conducting remedial actions at the site is not an admission of guilt or liability and could ultimately result in a more efficient, prompt, and effective cleanup.

To date, Ecology has notified the following additional persons that they are potentially liable for the release at the site: Donald Oline. Ecology will also be notifying Ronald S. Oline of his status as a potentially liable person.

Enclosed, please find a copy of Chapter 70.105D RCW and Chapter 173-340 WAC for your information.

If you have any questions or comments, please contact me at (360) 407-6260.

Sincerely,

Joyce Mercuri

Joyce Mercuri
Urban Bay Inspector/Site Manager
Toxics Cleanup Program
Southwest Regional Office

JMM:jr
Enclosures