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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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April 1, 2019

Steve Stuart
Ridgefield City Manager
PO Box 608
Ridgefield, WA 98642

Re: Park Laundry Site Prospective purchaser Consent Decree (PPCD)

- **Site Name:** Park Laundry Site
- **Site Address:** 122 N Main Ave, Ridgefield, Clark County, WA 98642
- **Facility/Site ID:** 8100630
- **Cleanup Site ID:** 4099

Dear Steve Stuart:

Thank you for your memorandum dated February 28, 2019, requesting a prospective purchaser consent decree (PPCD) for the Park Laundry property (the Site). The Department of Ecology (Ecology) looks forward to working with the City of Ridgefield to accomplish our mutual goals of cleaning up and reusing contaminated property to make land available for future use.

We thank you for taking the time to come to Olympia to share Ridgefield's goals for the property. Revitalizing the property and improving Ridgefield's downtown are laudable goals. The open question is: What tool is appropriate for memorializing a negotiated agreement between Ecology and the City: a PPCD or a Consent Decree (CD)?

In order to determine whether Ecology can enter into a PPCD with the City, Ecology needs further information. As you know, a PPCD is available to a party that is not currently liable for contamination at the Site. Ecology's policy on PPCDs requires that the decree contain language indicating a decree is void if the prospective purchaser is a potential liable person (PLP). Ecology may be willing to use a PPCD if the City can demonstrate it is not a PLP. Here, it appears that the Site extends beneath City property adjacent to the Park Laundry property, and may come along with contamination at the Lake River Industrial Site.

If the City would like to pursue a PPCD, the City would need to provide information about the City-owned properties surrounding the Park Laundry property. For example: How long has the City owned these properties? What were the historical uses of the properties? How did the soil contamination come to be located there? In addition, the City would need to demonstrate that

the Lake River Industrial Site solvent contamination is physically separated from the Park Laundry solvent plume, if that is the case.

Further, to qualify for a PPCD, the proponent of the decree must demonstrate how they bring substantial new resources to the cleanup. The City should further explain why it believes the current owner, Union Ridge, lacks the resources to complete the cleanup.

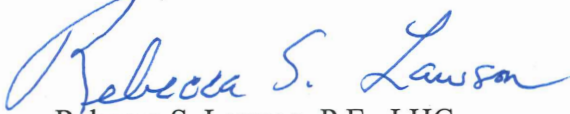
In the alternative, Ecology is willing to begin discussions toward a CD that would become effective on the date of the City's purchase of the property. The CD could include a clause that would void the CD if the City does not purchase the property. Ecology believes this is a more expeditious path forward and would not obligate the City to perform under the decree if the property purchase fell through.

In such a case, Ecology does not waive its authority to proceed under other bases upon which the City may be a PLP. Either CD would include a covenant by Ecology not to sue (commensurate with the scope of the decree), and protection from claims for contribution by third parties as provided by Revised Code of Washington (RCW) 70.105D.040(4)(d).

Please let me know if you still wish to pursue a PPCD and will be providing the requested information, or if you want to begin negotiations for a CD.

We thank you for your proposal and look forward to working with the City on this Site. Please contact me at (360) 407-6241 or rebecca.lawson@ecy.wa.gov if you have any questions or concerns.

Sincerely,



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

By certified mail: 9489 0090 0027 6066 6647 87

cc: Holly Stafford, Counsel for City of Ridgefield
James Maul, Maul Foster Alongi
Michael Stringer, Maul Foster Alongi
Andy Fitz, AGO (by email)
Kara Tebeau, AGO (by email)
Craig Rankine, Ecology Site Manager (by email)
Andrew Smith, Ecology Unit Supervisor (by email)
Heather May, Ecology Section Environmental Planner (by email)
Ecology Site File



May 10, 2019

Dear s I:

The following is in response to your request for proof of delivery on your item with the tracking number:
9489 0090 0027 6066 6647 87.



Item Details

Status: Delivered
Status Date / Time: April 4, 2019, 11:14 am
Location: RIDGEFIELD, WA 98642
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 0.4oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

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