

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

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

April 1, 2010

Mr. Doug Hillman, LHg Aspect Consulting, LLC 401 Second Avenue S., Suite 201 Seattle, WA 98104

Re: Termination of VCP Agreement for the following Site:

• Site Name: Penny Saver Mart

• Site Address: 2140 East Sims Way, Port Townsend

Facility/Site No.: 89236919VCP Project No.: SW0917

Dear Mr. Hillman:

The Department of Ecology (Ecology) is terminating the VCP Agreement governing Project No. SW0917. The project involved the cleanup of the Penny Saver Mart facility (Site). The effective date of termination is the date of this letter. We are providing this notice in accordance with the terms of the Agreement.

Reason

Ecology is terminating the Agreement because we understand that you are not actively cleaning up the Site. On November 4, 2009, we sent you a letter requesting an update on the status of your cleanup and your plan for completing the cleanup. Mr. Ramey (an owner of the Site), responded by phone on April 1, 2010 indicating that he could not afford to continue with the cleanup at this time and requested to be withdrawn from the VCP.

Next Steps

Based on this decision, Ecology may take one or more of the following steps:

- 1. Send you an invoice for any costs remaining on your account. In accordance with the terms of the Agreement, you remain responsible for any costs incurred by us before the effective date of termination. *Presently, there are no costs pending.*
- 2. Conduct a site hazard assessment (SHA) and rank the Site for further action.

- 3. Identify those persons we find potentially liable for cleanup of the Site.
- 4. Initiate discussions for an agreed order or consent decree that will govern further action at the Site.

You may apply to reenter the VCP if you decide to conduct further action at the Site.

Contact Information

Ecology is committed to working with you to accomplish the prompt and effective cleanup of the Site. If you have any questions about this notice, please contact the Site Manager, Chuck Cline at (360) 407-6267 or via email at chuck.cline@ecy.wa.gov.

Sincerety,

Rebecca S. Lawson, P.E., LHg

Section Manager

Southwest Toxics Cleanup Program

RSL/CC/ksc:Penny Saver Mart Port Townsend TERMINATION by ECY

By certified mail: (7009 1410 0002 4420 3830)

cc: Mr. Lee Porterfield, Porterfield Investments, LLC

Mr. Jim Ramey, Ramey Investments, LLC

Ms. Marjorie Boyd, Environmental Health Specialist, Jefferson County Public Health

Mr. Scott Rose, Ecology

Chuck Cline, Ecology

Mr. Chris Matthews, Ecology

Ms. Carol Johnston, Ecology

Ms. Dolores Mitchell, Ecology