



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 8, 2012

Mr. Howard Sharfstein, Senior Counsel
Kimberly-Clark Corporation
Environment Energy Safety & Sustainability
1400 Holcomb Bridge Road
Roswell, Georgia 30076-2190

RE: **Determination of Potentially Liable Person Status**

Dear Mr. Sharfstein:

On April 5, 2012, the Department of Ecology (Ecology) sent the Kimberly-Clark Corporation (K-C) written notice regarding its proposed status as a potentially liable person (PLP) for a release of hazardous substances at the following site:

- **Site Names:** Kimberly-Clark Worldwide and East Waterway
- **Address:** Kimberly-Clark Worldwide – 2600 Federal Avenue, Everett, WA 98201
- **Snohomish County Assessor's Tax Parcels:** *Main Facility and East Waterway/Tidelands* – 29051900201300, 29051900201100, 29051900201500, 29051900201000, 29051900200900, 29051900300200, 29051900300100, 00597761801000, 00597761803000, 00597761800600, 00437461700200 and 00597761803901; *Parking Areas* – 00516048600000, 00516055600000, 00437455601300, 00437455701302, 00437455701301, 00437455701600; *Chevron USA Inc.* – 00597761800102
- **Facility/Site Numbers:** Kimberly-Clark Worldwide (FS ID 9); East Waterway (FS ID 2733)

On April 30, 2012, Ecology received a letter from you indicating that K-C has chosen to accept its status as a PLP for the Kimberly-Clark Worldwide Site, which includes both upland and adjacent in-water (associated with the East Waterway) areas where hazardous substances have been deposited, stored, disposed of, placed, or otherwise come to be located. Ecology finds that credible evidence exists that supports K-C's status as a PLP for release at the Kimberly-Clark Worldwide Site. On the basis of this finding, Ecology has determined that K-C is a PLP with regard to the Kimberly-Clark Worldwide Site.



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Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW and WAC 173-340. Ecology's site manager for the facility, Andy Kallus, will contact you with information about how Ecology intends to proceed with the cleanup at this site.

I would also like to thank you and your team for cooperating with us over the last couple of months. I believe our respective technical and legal representatives have formed strong working relationships that will be beneficial as we move forward to expedite the cleanup of the site.

If you have any questions regarding this notice, please contact me at (360) 407-7226, or Andy Kallus at (360) 407-7259.

Sincerely,



Tim L. Nord, Manager
Land and Aquatic Lands Cleanup Section
Toxics Cleanup Program

By certified mail: 7006 3450 0001 6754 8211

cc: William H. Chapman, KL Gates
John Level, Office of the Attorney General
Barry Rogowski, Ecology
Andy Kallus, Ecology