



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

February 14, 2020

David Garwood
Garwood Oil Company
P.O. Box 96
Bingen, WA 98605

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

- **Site Name:** Unocal Bulk Plant 0046
- **Site Address:** 217 E. Steuben Street, Bingen
- **Facility/Site ID:** 61834259
- **Cleanup Site ID:** 6383

Dear David Garwood:

On December 5, 2019, the Department of Ecology (Ecology) sent written notice of our preliminary determination that David Garwood is a potentially liable person (PLP) for a release of hazardous substances at the Unocal Bulk Plant 0046 facility (Site). Ecology did not receive a written response challenging your status as a PLP within the specified 30-day comment period.

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



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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, Jennifer Lind, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact the cleanup site manager, Jennifer Lind, at (509) 454-7839 or Jennifer.Lind@ecy.wa.gov.

Sincerely,



Valerie Bound
Section Manager
Toxics Cleanup Program
Central Regional Office

By certified mail: 7019 0140 0000 9806 3752

cc: Ed Ralston, Phillips 66 Company
Eric Hetrick, Chevron Environmental Management Company
Aaron Wilcox, Wilson Oil, Inc.
Garwood Oil Company, c/o David Garwood
Kara Tebeau, Office of the Attorney General