

Landsburg Mine Site PLP Group

January 27, 2020

Jerome Cruz
Department of Ecology
Northwest Regional Office
Toxics Cleanup Program
3190 160th Avenue SE
Bellevue, WA 98008

*Re: Landsburg Mine Site Consent Decree: January 17, 2020 Letter from Ecology
Request for Extension of Deadline to Initiate Dispute Resolution*

Dear Mr. Cruz:

I am writing on behalf of Palmer Coking Coal Company, LLP; Weyerhaeuser NR Company; BNSF Railway Company; PACCAR Inc; and Browning-Ferris Industries of Illinois, Inc. (collectively, the Parties), signatories to the 2017 Consent Decree for remediation of the Landsburg Mine Site. We received your letter dated January 17, 2020 requiring the Parties to design an extraction and treatment system tailored to detections of 1, 4-dioxane in monitoring wells LMW-2, LMW-4, and LMW-12. The purpose of this letter is to request an extension of the Consent Decree's deadline for initiating a dispute of that letter.

Subsequent to our receipt of the January 17 letter, you agreed to discuss the issues raised in that letter with the Parties, and the Parties' project coordinator, Gary Zimmerman, at a meeting now scheduled for February 7, 2020. Section XIV of the Consent Decree requires the Parties to invoke dispute resolution within 14 days of an Ecology decision. With a meeting of the Parties and Ecology already on the calendar to attempt to address this situation in a mutually acceptable fashion, it seems premature to initiate dispute resolution. As such, under Section XVI of the Consent Decree, we would like to request an extension of the time period to initiate a dispute of the January 17, 2020 letter, and request that such date be extended until March 9, 2020, the first business day arising 30 days after the meeting.

Please respond to us in writing on or before Wednesday, January 29th with your decision. In the event the extension is not granted, this will give us enough time to formally initiate a dispute within the period currently proscribed by the Decree.

We hope you will carefully consider and grant this extension. Either way, we look forward to meeting with you on February 7. Thank you.



William Kombol
Project Coordinator

Cc: Caroline Cress, Washington State Attorney General's Office
Ivy Anderson, Washington State Attorney General's Office
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