



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 13, 2020

Wes Heyden
Heyden Properties, LLC
1215 Aaron Drive
Richland, WA 99352

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

- **Site Name:** Tiger Oil 24th and West Nob Hill
- **Site Address:** 2312 West Nob Hill Boulevard
- **Cleanup Site ID:** 4919
- **Facility/Site ID:** 469
- **County Assessor's Parcel Number(s):** 181326-42051

Dear Wes Heyden,

On March 25, 2020, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Heyden Properties, LLC is a potentially liable person (PLP) for a release of hazardous substances at the Tiger Oil 24th and West Nob Hill facility (Site). On April 25, 2020, the 30-day comment period on our preliminary determination expired. As of August 10, 2020, Ecology has not received any written comments from you.

Based on available information, Ecology finds that credible evidence exists that Heyden Properties, LLC is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Heyden Properties, LLC 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 the Heyden Properties, LLC 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, Mary Monahan, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Mary Monahan at 509-571-6661 (cell) or Mary.Monahan@ecy.wa.gov.

Sincerely,



Valerie Bound
Section Manager
Toxics Cleanup Program
Central Regional Office

By certified mail: 7020 0090 0001 4938 9444

cc: Joan Davenport, Project Manager for City of Yakima
John Level, Office of the Attorney General