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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000
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August 6, 2020

Rob Fix
Executive Director
Port of Bellingham
1801 Roeder Avenue
Bellingham, WA 98225
robfix@portofbellingham.com

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

- **Site Name:** Sea K Fish
- **Site Address:** 225 Sigurdson Avenue, Blaine, WA 98230
- **Cleanup Site ID:** 10583
- **Facility/Site ID:** 80387768

Dear Rob Fix:

On June 30, 2020, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Port of Bellingham (Port) is a potentially liable person (PLP) for a release of hazardous substances at the Sea K Fish facility (Site). On July 6, 2020, Ecology received your written notice accepting your status as a PLP for the Site and waiving your opportunity to comment.

Based on available information, Ecology finds that credible evidence exists that the Port is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that the Port 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 Port 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. This includes, but is not

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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, Cris Matthews, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Cris Matthews at 360-255-4379 (desk), 425-324-1451 (mobile), or cris.matthews@ecy.wa.gov.

Sincerely,



Robert W. Warren
Section Manager
Toxics Cleanup Program, NWRO

ecc: Brian Gouran, Port of Bellingham, briang@portofbellingham.com
Ben Howard, Port of Bellingham, benh@portofbellingham.com
Ivy Anderson, Office of the Attorney General, ivy.anderson@atg.wa.gov
Cris Matthews, Ecology, cris.matthews@ecy.wa.gov
Ecology Site File