



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

February 25, 2010

Mr. Rob Kelly
City of Oak Harbor Public Works Dept
865 SE Barrington Drive
Oak Harbor, WA 98277-4092

Re: Termination of VCP Agreement for the following Site:

- Site Name: Oak Harbor STP
- Site Address: 1501 SE City Beach St Plant
- Facility/Site No.: 63184452
- VCP No.: NW1823

Dear Mr. Rob Kelly:

The Department of Ecology (Ecology) is terminating the VCP Agreement governing Project No. NW1823. The project involved the cleanup of the Oak Harbor STP facility (Site). The effective date of termination is the date of this letter. We are providing this notice in accordance with the terms of the Agreement.

Reason

Ecology is terminating the Agreement because we understand that you are not actively cleaning up the Site. On January 4th, 2010 we sent you a letter requesting an update on the status of your cleanup and your plan for completing the cleanup. You did not respond to that request. Since we have not heard from you, we have decided to terminate the Agreement.

Next Steps

Based on this decision, Ecology may take one or more of the following steps:

1. Send you an invoice for any costs remaining on your account. In accordance with the terms of the Agreement, you remain responsible for any costs incurred by us before the effective date of termination.
2. Conduct a site hazard assessment (SHA) and rank the Site for further action.
3. Identify those persons we find potentially liable for cleanup of the Site.



Page 2

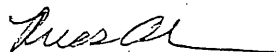
4. Initiate discussions for an agreed order or consent decree that will govern further action at the Site.

You may apply to reenter the VCP if you decide to conduct further action at the Site.

Contact Information

Ecology is committed to working with you to accomplish the prompt and effective cleanup of the Site. If you have any questions about this notice, please contact me at 425-649-7038.

Sincerely,



Russ Olsen
VCP Unit Manager
Toxics Cleanup Program, NWRO

ro/sn/kp

By certified mail 7009 2820 0001 7154 7885

cc: Sara Nied, NWRO Data Coordinator
Dolores Mitchell, VCP Fiscal Manager
Dale Myers, ECY Site Manager