



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

October 12, 2020

Lynda Coffelt  
Jamada Enterprises, LLC  
161 Craigmere Drive  
Rockingham, VA 22801

**RE: Early Notice of Release of Hazardous Substances and Preliminary Determination of Liability for Release at the following Contaminated Site:**

- **Site Name:** Agri-Tech Yakima Steel Fabricators
- **Site Address:** 6 & 10 ½ East Washington, Yakima
- **Cleanup Site ID:** 3639
- **Facility/Site ID:** 479
- **Parcel Number(s):** 19133141409, 19133141009

Dear Lynda Coffelt:

The Department of Ecology (Ecology) has determined the release of hazardous substances at the Agri-Tech Yakima Steel Fabricators facility (Site) still requires cleanup under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. Additional information about the contamination can be found in the Remedial Investigation report from June 10, 2004. This Site is part of Ecology's list of confirmed and suspected contaminated sites.

Based on credible evidence, Ecology is proposing to find Jamada Enterprises, LLC liable under MTCA for the release of hazardous substances at the Site. Any person whom Ecology finds, based on credible evidence, to be liable is known under MTCA as a "potentially liable person" or "PLP." This letter identifies the basis for Ecology's proposed finding and your opportunity to respond to that finding. This letter also describes the scope of your potential liability and next steps in the cleanup process at the Site.

**Proposed Finding of Liability**

Ecology is proposing to find Jamada Enterprises, LLC liable under RCW 70.105D.040 for the release of hazardous substances at the Site.



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This proposed finding is based on the following evidence:

1. Jamada Enterprises, LLC is listed by the Yakima County Assessor as an owner of real property parcel number 19133141409.
2. Remedial Investigation Report from June 10, 2004 includes soil and groundwater samples containing contamination above MTCA cleanup levels.
3. Feasibility Study Report from February 10, 2020 confirmed contamination remains in soil and groundwater, which poses a threat to human health and the environment.

### **Opportunity to Respond to Proposed Finding of Liability**

In response to Ecology's proposed finding of liability, you may either:

1. Accept your status as a PLP without admitting liability and expedite the process through a voluntary waiver of your right to comment. This may be accomplished by signing and returning the enclosed form or by sending a letter containing similar information to Ecology; or
2. Challenge your status as a PLP by submitting written comments to Ecology within thirty (30) calendar days of the date you receive this letter; or
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Kyle Parker  
Toxics Cleanup Program  
Central Regional Office  
1250 West Alder Street  
Union Gap, WA 98903

After reviewing any comments submitted, or after 30 days if no response has been received, Ecology will make a final determination regarding your status as a PLP and provide you with written notice of that determination.

### **Identification of Other Potentially Liable Persons**

Ecology has notified the following additional persons that they are potentially liable for the release of hazardous substances at the Site:

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1. Mervin Wark
2. Yakima Steel Fabricators
3. Sharon Strong
4. Robert Coffelt

Ecology will be notifying the following additional person that they may be potentially liable for the release of hazardous substances at the Site:

1. Lynda Coffelt

If you are aware of any other persons who may be liable for the release of hazardous substances at the Site, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up the Site.

### **Responsibility and Scope of Potential Liability**

Ecology may either conduct, or require PLPs to conduct, remedial actions to investigate and clean up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

Each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real property and those costs are not reimbursed, then Ecology has the authority under RCW 70.105D.055 to file a lien against that real property to recover those costs.

### **Next Steps in Cleanup Process**

In response to the release of hazardous substances at the Site, Ecology intends to conduct the following actions under MTCA:

1. Invite all PLPs to negotiate a Consent Decree requiring the implementation of the Cleanup Action Plan.
2. Oversight of the Cleanup Action Plan.

For a description of the process for cleaning up a contaminated site under MTCA, please refer to the enclosed focus sheet.

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Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of contaminated sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

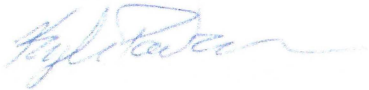
### **Site Listing**

This Site is part of Ecology's list of confirmed and suspected contaminated sites. Information about the Site is enclosed. Please review this information for its accuracy and return your comments within thirty (30) days of receipt of this letter.

### **Contact Information**

If you have any questions regarding this letter or if you would like additional information regarding the cleanup of contaminated sites, please call me at 509-454-7833 or email me at [Kyle.Parker@ecy.wa.gov](mailto:Kyle.Parker@ecy.wa.gov). Thank you for your cooperation.

Sincerely,



Kyle Parker  
Cleanup Project Manager  
Toxics Cleanup Program  
Central Regional Office

Enclosures (3): 1 – Focus Sheet: MTCA Cleanup Regulation #94-129  
2 – PLP Waiver Form  
3 – Site Listing Information

By certified mail: 7017 0660 0000 6008 1846

cc: Jeffers, Danielson, Sonn & Aylward, P.S.  
Mervin Wark  
Sharon Strong  
Emily Edison  
Jeff Kasper  
Clark Davis  
Mark Davis  
Gabrielle Gurian, Office of the Attorney General