

APRIL 9, 2020 EMAIL FROM STEPH BARNEY (WQ)

Below is a summary of today's phone conversations with two people associated with Richard Lawson Const Ready Mix (Construction yard/office) and Richard Lawson Const (Quarry), SGGP No. WAG503292 and WAG503289. These conversations relate to ERTS 695659 and 697540.

Phone conversation with Rami Amaro, (208) 661-8248, 4/8/20 10:57 AM-11:56 AM:

Rami initially disclosed she is a neighbor of Tom and Leah Lawson, an attorney, and actively involved in a legal dispute with the Lawson's over an interrupted water right. I informed Rami I was aware of the lawsuit, having been informed about the interrupted water right in 2019 from ECY Dam Safety. Rami also offered she is the legal representation for unemployment hearings for two former Lawson Construction employees.

In late February, Rami gathered at her home law office with 3(?) former Lawson employees preparing for unemployment hearings. At that time the employees discussed a massive cleanup on-going at Lawson Construction, as told to them from a current employee of the Lawson's. Rami recalls hearing activity on-site (trucks operating, jackhammers) but didn't see trucks entering and leaving the site. The current Lawson employee says Tom Lawson was tipped off to a visit by EPA and started the massive cleanup. It's my understanding the area where cleanup occurred is above the quarry and construction site where we found the concrete river.

Rami's complaint to EPA came within 3 days of being awoken a night by truck traffic coming from Lawson's construction yard, where the main office is located. She says she heard about a dozen trucks, saw at least four, leaving the yard after dark with what appeared to be full loads (single trailer). She couldn't see the material, only presence of material. EPA's ERTS entered 4/3/20 says "I received a voicemail several weeks ago ..." putting the occurrence of the nighttime trucking early to mid-March.

On March 12th, Rami was on Lawson Road for purposes relating to the Land Bank when she observed a Lawson truck bringing a load of material to the location where Shawn Wynne's yurt used to be. The material was described as soil, concrete chunks, plastic, building waste material, and natural waste material. This location is on Lawson property, visible from Lawson Road (public). Rami says the driver saw her and opted not to empty the load, rather turned around and went back to the construction yard. She believes the driver reported seeing her to Tom Lawson because on March 13th Lawson's lawyer asked her why she was following Lawson's drivers. (The reason for seeing Lawson's lawyer on 3/13 was related to a separate legal dispute.) Rami says the dump site is visible from Lawson Rd. The material dumped has now been covered with gravel, presumably from the quarry.

On April 3rd, Rami learned that material taken from the Lawson site is being dumped at a farm on-island. Rami recalls the property owners name is Peterson. She took notice of the trucks coming and going for a few days prior to the 4/3.

Before the end of our call, I offered to Rami she could share my contact information with any current or former Lawson employees if they wanted to speak with me about environmental concerns. A few minutes after my call ended with Rami, Shawn Wynne called. He introduced himself as a former Lawson employee. I was on the other line with Krystal at the time and asked to call Shawn back later.

Phone conversation with Shawn Wynne, (360) 318-5274, 4/8/20 12:39 PM-1:12 PM:

Shawn identified himself as a former Lawson employee, quit at the start of the year. I provided Shawn with background on who I am, what I do for Ecology, and my recent inspection at Lawson Construction. Shawn said he can confirm discharges of diesel directly to ground at the quarry and went on to explain the process of removing gummed up asphalt on the slat(?) conveyor. The asphalt must be heated to remove so they pour diesel fuel down the conveyor, then set it on fire, and break up the asphalt. The diesel flows off the conveyor directly on the

ground. I asked if the ground ever becomes stained from the diesel. Shawn says yes. When it does they cover it with gravel from the quarry. He says in general waste oil is either used for burn piles or buried on-site.

Shawn then identified two pieces of notoriously leaky equipment: the primary breaker jaw (only one that runs off diesel) and first shaker screen. The leaks are left unaddressed, allowing diesel and hydraulic fuel to leak onto the sides of the equipment and onto the ground. It's my understanding staining on the ground is covered up with gravel from the quarry.

Shawn had heard from other Lawson employees (not entirely certain if they are current or former) that Tom had them removing the 'concrete river' with jackhammers and other handheld equipment. I asked Shawn if he knew how long the concrete river had been there. He said probably under a year, identified Al as operator who dumped the concrete under Tom Lawson's direction. (I shared with Shawn that upon discovery of the concrete river Tom Lawson told us, on several occasions, that he was unaware of the existence of the dumping.) Shawn says after concrete was dumped, often occurring when the ecology blocks molds were full and they had nowhere else to put it, Tom Lawson directed them to cover with soil and even instructed Shawn on one occasion to hydroseed it.

Shawn says the yurt site is located on Lawson property. He was in negotiations to buy the property from the Lawson's but the deal fell through. He says the site is full of buried concrete, asphalt, and gravel. He said the concrete pad where the yurt once sat was smashed up after the yurt was removed and tossed over the hillside then buried with gravel from the quarry.

Shawn offered he is personally aware of illegal waste burning on the site above the batch plant and quarry (site of concrete river) having burned travel trailers there himself, while Tom Lawson was away on vacation so he can claim plausible deniability. Shawn listed tires and batteries as materials burned there. He suggests a good place to sample is by the parked concrete trucks at the crest of the road nearby the well. Says this is a common place for dumping waste.

While I had Shawn on the phone I asked him about a few other items included on the original complaint:

Shawn said direct withdraws from Lawson Lake are used to batch hydroseed and clean out the trucks. He said the trucks are backed up to the edge of the lake and the backsides rinsed, then the solids settle and they pull the plug and let the water run directly into the lake.

Before ending the call I asked Shawn if there was anything else I should know. He offered that at the last job he worked for Lawson was at Cattle Point early December 2019, about 30 feet from the shoreline. It was residential construction. A piece of Lawson equipment was leaking 15-20 gallons of hydraulic fluid a day from the quick coupler. When Shawn informed Tom Lawson of the leak, he told Shawn to wrap the leak with diapers (absorbent pads) and when they were full, bury them with the sewage tanks (septic tanks for residential property?). My guess is the pads were buried. Shawn said this is something he has also seen at the quarry.

Shawn says Tom Lawson likely knew we (ECY) were coming to inspect the site on March 2 and probably removed evidence of burned material up top above the quarry/batch plant (site of concrete river). I asked him how, he says Tom (and named Myron Williams of Egg Lake Quarry) have contacts that work on the ferries and they will notify Tom when marked agencies vehicles are heading on-island.

I mentioned Tom Lawson said the area above the quarry/batch plant (site of concrete river) is where concrete and asphalt recycling occurs. Shawn says he never saw recycling of the material. Said sidewalks and asphalt would be stockpiled until the pile grew large enough then they would use the D10 (big Cat) to break up the material and push over the hillside. You may recall seeing chunks of asphalt and concrete along the slope above the concrete river.

We need a strategy for where to go from here. The information from Rami and Shawn alleges solid waste and air quality violations, in addition to on-going water quality, TCP, dam safety, and water right concerns.

APRIL 10, 2020 EMAIL FROM STEPH BARNEY (WQ)

This is a summary of yesterday's phone conversations with two more people associated with Richard Lawson Const Ready Mix (Construction yard/office) and Richard Lawson Const (Quarry), SGGP No. WAG503292 and WAG503289. These conversations also relate to ERTS 695659 and 697540.

Phone conversation with Sam Marquez, (360) 375-5835, 4/9/20 11:46 AM-11:58 AM:

Sam identified himself as a former Lawson employee. He worked as a heavy equipment operator on job sites and at the quarry from March to November 2019. He states the purpose for his call is to confirm what Shawn Wynne told me on Wednesday.

Sam says the reason he quit working for Lawson is because their practices are not consistent with what's allowed on the "main land". Sam went on to explain practices, like "diesel down" of asphalt trucks which were once common place long ago but have been replaced with more environmentally friendly materials. Dieseling down appears to be pouring diesel on to the bed of the asphalt trucks then igniting it to heat up the bed before placement of asphalt. What Sam describes is also described in the deposition attached to Amaro/Wynne call summary email (see attached). Sam tells me operators now use soybean oil or soap to prep the beds of asphalt trucks.

It's my understanding Sam has told Tom Lawson that his practices would not be allowed on the mainland, but Tom's response has been that this is the way on the islands.

Sam is familiar with the practice of discharging recycled asphalt and comeback asphalt up top above the quarry/batch plant (concrete river site). Says they burn diesel fuel up there.

He also confirms the waste wash water from cleaning out hydroseed trucks is dumped directly into Lawson Lake under Tom Lawson's direction.

Sam's description of the Cattle Point site mirrors Shawn Wynne's telling on 4/8. Sam says the diapers (absorbent pads) soaked in hydraulic fuel were buried on-site.

Phone conversation with Matthew Davison, (360) 298-8026, 4/9/20 1:26 PM-1:45 PM:

Matthew introduced himself as a former Lawson employee, worked for Lawson for about a year, six years ago. He said he left once he started his own company. I did not ask what his company does.

I explained to Matthew that I've heard a lot about burying and burning waste up top above the quarry/batch plant (concrete river site) and poor chemical and petroleum practices at the quarry, but didn't know much about management of concrete wastes and washout water at the batch plant. Matthew acknowledges he hasn't been to the facility in a number of years, but when he worked there it was standard practice to pump concrete washout water directly to Lake Lawson, and bury the solids in a excavated area behind the lined impoundment. He also claims dead cattle were dumped into Lawson Lake. And that Tom Lawson uses the lake to fill his water truck that he uses for dust control on people's dirt roads. The above ground storage tank Tom Lawson said he uses for collection of washout water for recycling to batch concrete was not present when Matthew worked there. You may recall we observed film on the grass in the depression behind the impoundment and thought it looked like concrete fines.

Matthew says the area up top grew about 12 feet wide during the year he worked for Lawson, due to the burning and burying of old concrete and asphalt. He mentioned this site was also used to burn boats, cars, car pieces, diesel and gas tanks. Charred remains were buried after burning. I asked if Tom Lawson accepted payment for

dumping waste. Matthew recalled Tom charged \$150/load. A truck bed is a load. Says all sorts of things were brought on-site for dumping, including someone's deceased pet.

Matthew said he's testified against Tom Lawson, I'm assuming for Rami Amaro's water right lawsuit, because he has knowledge of the background and events that lead to the legal dispute. According to Matthew, the Amaro's purchased agricultural land from the Lawson's. Withdrawals from Lake Lawson is the water used to irrigate the field, and the subject of the legal dispute. Matthew believes the intent for disrupting the water right stems from a disagreement relating to cattle Tom Lawson had on the ag field at the time the Amaros purchased the land. It's Matthew's belief Tom Lawson purposely cut off the water supply. Matthew says he "worked" on it, but I'm not entirely sure what his role was. Says they dug a hole and pumped the waterline full of concrete then covered it back up.

On Wednesday, in my Amaro/Wynne summary email, I said we need a strategy for moving forward but never heard back. I'm still writing my inspection report, but the information I've received this week is showing the environmental concerns at this facility are beyond noncompliance with the SGGP. Some of these allegations sound like criminal offenses. Rami Amaro continued to email me yesterday, saying gravel trucks were departing from the site all day (see attached).

Krystal provided me with some aerials of the area above the quarry and batch plant (see attached). The aerials show changes in the landscape over time. Changes in topography are more evident if you look at the site on Google Earth. I have not been in touch with Tom Lawson and do not know the extent of his cleanup in response to ECY's inspection on 3/2/20. I believe this is the next step. **However, I would like to get weigh-in from management because we need a plan so everyone is on the same page.** I don't mind being the point-person, but want to know what to expect.