

WPAHG

Western Port Angeles Harbor Group

May 30, 2014

Rebecca S. Lawson, P.E., LHG
Washington State Department of Ecology
PO Box 47775
Olympia, WA 98504-7775

Re: Western Port Angeles Harbor Site -- Damage Assessment

Dear Rebecca:

Thank you for your May 1 cover letter and attached damage assessment for Port Angeles Harbor. The Western Port Angeles Harbor Group (WPAHG) appreciates the Trustees' efforts to provide these materials by the previously mentioned target of May 1st, as well as your offer to meet in May to discuss the assessment. As we explained in our previous letters, the May 1st target was predicated on a concurrent NRDA-RI/FS in which the WPAHG, under the direction of Ecology, performs a damage assessment in a manner that allows restoration opportunities to be integrated into the remedy evaluation process. At the time of our previous correspondence we were operating under the original RI/FS schedule in the Agreed Order, which called for submission of the RI/FS by May 21st. However, as you know, by mutual agreement with Ecology the schedule for the RI/FS has recently been extended to allow further dialogue relative to several key Feasibility Study components. With that in mind, and given the current status of (and focus on) the RI/FS, we believe it would be more productive and efficient to discuss NRD and potential remedies at a later date. In addition, just to be clear, we continue to believe that we have a valid statute of limitation defense to a CERCLA NRD claim.



For the City of Port Angeles



For the Port of Port Angeles



For Nippon Paper Industries USA Co., LTD



For Merrill & Ring



For Georgia-Pacific LLC