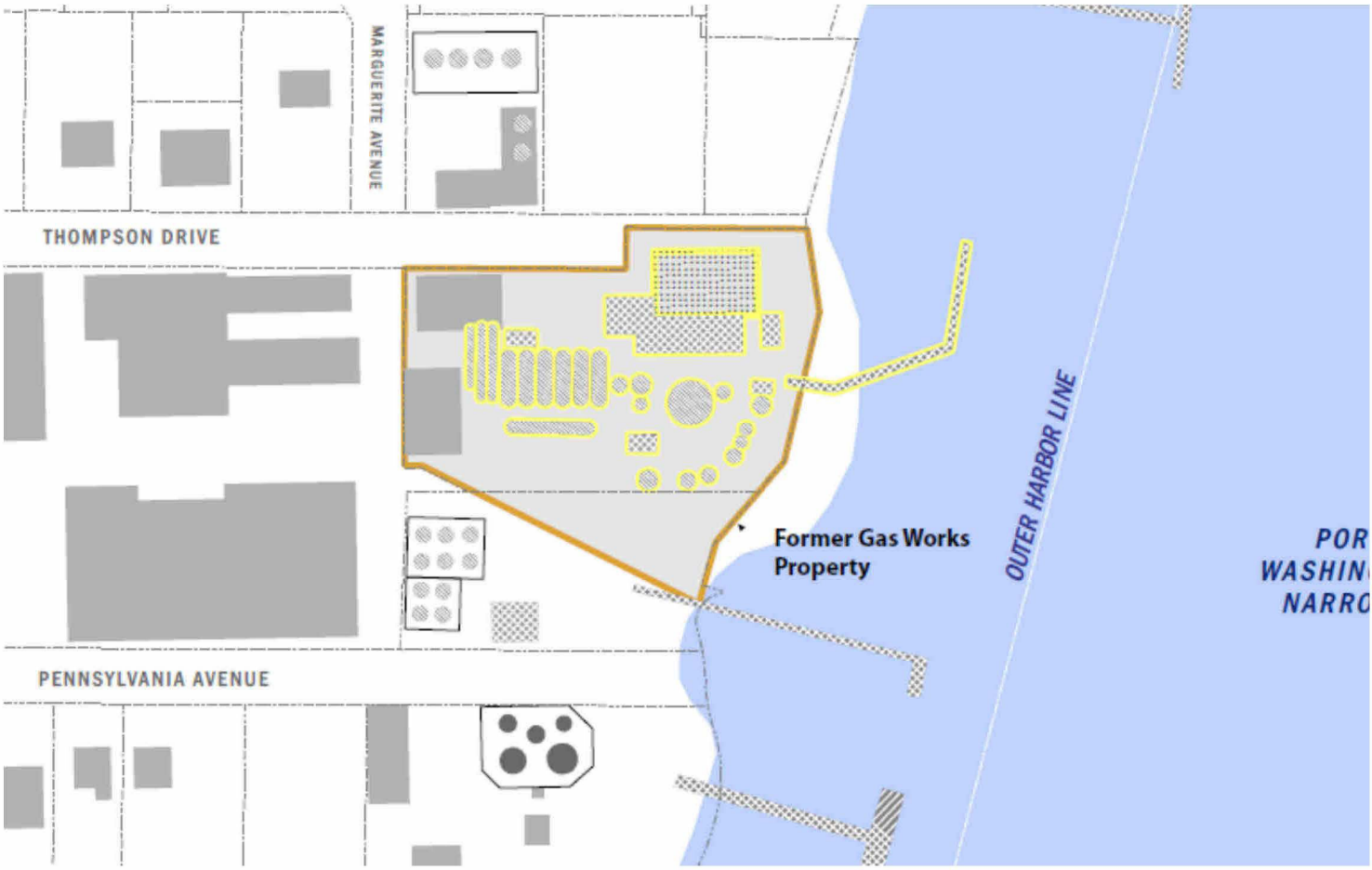
To: SCHMIDT, LINDIE (DNR)[LINDIE.SCHMIDT@dnr.wa.gov]
Cc: COX, NEAL (DNR)[NEAL.COX@dnr.wa.gov]; TOBA, DERRICK (DNR)[DERRICK.TOBA@dnr.wa.gov]; Shaffer, Erika (DNR)[Erika.Shaffer@dnr.wa.gov]
From: WAGNER, ANDREA (DNR)
Sent: Wed 4/13/2016 8:56:03 PM
Subject: RE: Bremerton Gas Works Tolling Agreement
041316_Cascade Tolling Agreement.pdf

Megan Duffy just signed the agreement and I attached the electronic copy. Lindie, am I mailing it to them or is your staff? It says your staff will handle transmittal of the documents so I am not sure if that means I should send back to you or send it out directly?

From: SCHMIDT, LINDIE (DNR)
Sent: Tuesday, April 12, 2016 10:50 AM
To: SWENDDAL, KRISTIN (DNR) <KRISTIN.SWENDDAL@dnr.wa.gov>; WAGNER, ANDREA (DNR) <ANDREA.WAGNER@dnr.wa.gov>
Cc: COX, NEAL (DNR) <NEAL.COX@dnr.wa.gov>; TOBA, DERRICK (DNR) <DERRICK.TOBA@dnr.wa.gov>; Shaffer, Erika (DNR) <Erika.Shaffer@dnr.wa.gov>
Subject: Bremerton Gas Works Tolling Agreement

Background:
The Bremerton Gas Works site is a superfund cleanup located on and adjacent to the Port Washington Narrows, Bremerton, Kitsap County, WA. The terrestrial portion of the site includes portions of Kitsap County parcels 3711-000-001-0409 and 3741-000-022-0101. Historic activities associated with these parcels has resulted in contamination of the parcels and the adjacent state owned aquatic lands.

The adjacent harbor area was leased by Western Gas and Utilities Corporation under lease 935 on 11-25-1930 for 15 years. The harbor area was subsequently leased to Western Gas Co. of Washington under lease 1352 on 11-25-1945 for a period of 15 years. Lease 1352 was canceled on 2-10-1959. Cascade Natural Gas is the successor in interest of Western Gas Co. of Washington.



In the fall of 2010 Cascade Natural Gas was ordered to take an interim action at the site to address the immediate risks to health, safety and the environment. Additional remedial investigation and feasibility studies have been conducted to address long-term remediation of the site. More information regarding the current status of the site can be found at: https://yosemite.epa.gov/r10/cleanup.nsf/sites/bremerton-gasworks. Erika Shaffer, DNR Sed. Quality Unit Lead, is currently the DNR representative on the stakeholder committee for this site. A final remedial design has not been selected for this site.

On March 30, 2016 Cascade Natural Gas Corporation forwarded a tolling agreement to DNR for signature. The tolling agreement will pause the running of the period of time set forth by a statute of limitations in CERCLA and avoid the need to litigate claims as of May 1, 2016. The tolling agreement is not an admission of fact, responsibility, fault or liability. It does not waive or limit any of our legal claims or defenses regarding the site. The agreement can be terminated by either party on 30-days notice.

The document has been reviewed by:

Lindie Schmidt; Shoreline District NRSII
Erika Shaffer; Sed Quality Unit Lead – Env. Specialist 5
Ted Callow: Assistant Attorney General
Neal Cox; Shoreline District DM
Derrick Toba: Shorline District FADM
Kristin Swenddal; Aquatics Division Manager

Staff Recommendations: Cascade Natural Gas has incorporated all of the changes recommended by DNR. Staff recommends signing the tolling agreement prior to April 15, 2016, rather than initiating litigation on

May 1, 2016.

DNR Signature Authority: Megan Duffy; Department Supervisor for Aquatics and Geology

Attached is the Tolling Agreement for the Bremerton Gas Works site. Please print two originals of the Tolling Agreement for Megan Duffy to review and sign.

Return Address for Signed Documents: The signed documents are to be mailed to:

Anchor QEA, LLC
Attn: Nathan Soccorsy
720 Olive Way, Suite 1900
Seattle, Washington 98101

Cascade Natural Gas has also requested a pdf of the signed document. Shoreline District will address transmittal of the signed documents.

Lindie Schmidt
Natural Resource Specialist II
Shoreline District; Aquatics Program
Washington State Department of Natural Resources (DNR)
(b) (6) (cell)
Lindie.Schmidt@dnr.wa.gov
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