

Mar. 27, 2008

Dear HDC Board,

I am writing this letter with the hope your office may have some influence with the Puget Sound Clean Air Agency (PSCAA) in a situation that has been ongoing between myself and the PSCAA since Dec. 2004.

I opened Commencement Bay Coffee Co. in Jan. 2001 at 2354 S. Jefferson Ave. as a coffee Roaster hoping to develop a brand of coffee for the city of Tacoma to bond with. I went to the Building Department for the proper permits, the fire department, the health department, and the Washington State Department of Agriculture. I felt I had done all that was required to install my roaster and begin my operation.

Nearly 4 years later a representative from the PSCAA appeared at our door demanding we cease operations until we receive a Notice of Construction and Approval from their agency. I told them I had never heard of their agency. I received my permits from the City of Tacoma.

Besides having installed my equipment illegally, he said my roaster required an afterburner to incinerate any particulates in the exhaust. When I purchased my roaster, the manufacturer suggested afterburners were rarely required unless one's neighbors complained. I had also read the same information in a magazine article, which the PSCAA representatives were familiar with.

The cost of an afterburner and new exhaust stack would come to approximately \$30,000. Having spent my life's savings to open Commencement Bay Coffee, I explained to them I couldn't afford it and the Coffee business I have wouldn't support such an expense. Their solution was simple – stop roasting coffee.

I contacted Bill Evans, Tacoma's PSCAA board member at the time. He said he would look into the situation. The result was a relaxation of the requirements for operating 10 lb. batch roasters but no change of restrictions on my 30 lb. batch roaster. They again demanded I cease operations.

In May 2006, I requested a 1 year time period to increase business enough to justify the purchase of the required equipment. They responded by giving me 10 weeks to submit a Notice of Construction Application with the appropriate fees - \$500. equipment fee (due annually), + \$750. filling fee, + \$500. State Environmental Policy Act fee. I couldn't afford the \$1750. in fees. They gave me 14 weeks to order the afterburner and 1 year to have it in place and operational. An impossible expense for a 1 man operation.

On Jan. 16, 2007, a representative from the PSCAA came to Commencement Bag Coffee and issued another General Notice of Violation and called for immediately ceasing operation as a coffee roaster. On Jan. 29, 2007 I sent them a letter of surrender and quit roasting. I contracted with a Puyallup roaster and have them do all my roasting until I

can afford to install the required equipment. It has now been 14 months since Commencement Bay Coffee has roasted any coffee in its' facility. At best it is a breakeven venture to buy roasted coffee but it has allowed me to keep my customers.

Thinking the issue was resolved we continued to operate our coffee shop at 2354 S. Jefferson Avenue, outsourcing our coffee requirements. Then on June 30, 2007 I received a registered letter from the PSCAA issuing a fine of \$13878. for past infractions. I appealed to them that I had abided by the last Notice of Violation and was unable to pay a \$13878. fine. I also let Bill Evans know of this latest development. He said he would look into it.

On approximately Sep. 24, 2007 I received a letter from the PSCAA saying they reduced the fine to \$8730. This is still way beyond my means and I wrote them asking to drop the fine. I had to abandon a \$50,000. roasting operation and that should be penalty enough.

On Jan. 18, 2008 the PSCAA replied that the \$8730. fine stands as is.

On Mar. 19, 2008 the PSCAA sent a letter to me giving me 10 days to pay the \$8730 or action may commence in Superior Court.

From the first day this agency entered my life, I have told them money is my biggest issue. This latest move will push Commencement Bay Coffee into bankruptcy. My goal, since starting the company, was to bring a little civilization to a part of town left to decompose for 30 years. I feel I have resurrected my corner. A coffee company may look like a glamorous business but the financial reality can be discouraging. To be treated by a government agency with such heavy-handed tactics and high fees is not justified. I wasn't trying to hide from the PSCAA. I sought out the proper permits. Can't Tacoma have it's own agency that works closely with the building department and drop from the PSCAA? Are we not large enough to have an office in Pierce County that is more user friendly? One that doesn't prey on the public as a source of revenue?

The PSCAA letterhead proclaims "Working Together for Clean Air" but I haven't experienced any "Working Together".

Sincerely,

Keith Prichard
Commencement Bay Coffee Co., Inc.