

Vancil Law Offices, PLLC

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June 17, 2011

Kitsap Rifle and Revolver Club
4900 Seabeck Hwy NW
Bremerton, WA 98312

Re: **NOTICE OF INTENT TO FILE SUIT UNDER THE CLEAN WATER
ACT AND RESOURCE CONSERVATION AND RECOVERY ACT**

Dear Kitsap Rifle and Revolver Club:

1) CLEAN WATER ACT

Section 505(b) of the Clean Water Act, 33 U.S.C. § 1365(b), requires that 60 days prior to the institution of a civil action under the authority of Section 505(a) of the Clean Water Act, 33 U.S.C. § 1365(a), a citizen must give notice of its intent to sue. YOU ARE HEREBY GIVEN NOTICE that after the expiration of sixty (60) days from the date of this Notice of Intent to Sue, CK Safe and Quiet, LLC (“CKSQ”) intends to file a civil action in federal district court under the citizen suit provision of the Clean Water Act, 33 U.S.C. § 1365, against the Kitsap Rifle and Revolver Club.

The Kitsap Rifle and Revolver Club’s operation of the Club’s facility at 4900 Seabeck Hwy. NW; Bremerton, WA 98312 and identified by Kitsap County property tax parcel: 362501-4-002-1006, has violated and continues to violate the Clean Water Act by discharging pollutants, including, but not limited to, lead, copper, suspended solids, turbid waters, and other chemical and/or biological substances into unnamed wetlands which are located immediately adjacent to the Kitsap Rifle and Revolver Club’s facilities and are connected to Chico Creek. Both Chico Creek and its adjacent wetland are navigable waters as defined by the Clean Water Act. This discharge results from the operation of the Kitsap Rifle and Revolver Club’s facilities, including, but not limited to, discharge of bullets into wetland. This discharge has been ongoing for decades and continues at the present time. The Kitsap Rifle and Revolver Club has violated and continues to violate Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a), because the Kitsap Rifle and Revolver Club has failed to obtain a permit under Clean Water Act Section 402, 33 U.S.C. § 1342, required for such discharges. CKSQ intends at the close of the 60 day notice period or soon thereafter, to file a citizen’s suit under Section 505 of the Clean Water Act against the Kitsap Rifle and Revolver Club for the statutory maximum civil penalty of \$25,000 per violation per day, as well as for litigation

expenses, including costs and attorneys and expert witness fees, and for such other and further relief as may be appropriate, including injunctive relief.

2) RESOURCE CONSERVATION RECOVERY ACT

Section 7002(b) of the Resource Conservation Recovery Act ("RCRA"), 42 U.S.C. § 6972(b), requires that 60 days prior to the institution of a civil action under the authority of Section 7002(a) of RCRA, 42 U.S.C. § 6972(a), a citizen must give notice of its intent to sue. YOU ARE HEREBY GIVEN NOTICE that after the expiration of sixty (60) days from the date of this Notice of Intent to Sue, CKSQ intends to file a civil action in federal district court under the citizen suit provision of RCRA, 42 U.S.C. § 6972, against the Kitsap Rifle and Revolver Club.

The Kitsap Rifle and Revolver Club's operation of its facilities at facility at 4900 Seabeck Hwy. NW; Bremerton, WA 98312 and identified by Kitsap County property tax parcel: 362501-4-002-1006, have violated and continue to violate RCRA by contributing to the present handling, storage, treatment, transportation, and disposal of solid or hazardous wastes which present an imminent and substantial present or potential endangerment to health or the environment. The Kitsap Rifle and Revolver Club is the present owner and operator of the Club's site. The Kitsap Rifle and Revolver Club exclusively contributes to the present handling, storage, treatment, and transportation of spent bullets on the Club's property. This condition has continued for decades and continues to the present time. While the Club periodically reports that they collect spent brass casings and lead projectiles, it shown no recorded evidence of adequately recovering spent bullets embedded in backstop berms, and other portions of the property. Please note that pursuant to RCRA there is no requirement to prove that harms have already occurred but only that there is a risk of harm. CKSQ intends at the close of the 60 day notice period or soon thereafter, to file a citizen's suit under Section 7003 of RCRA against the Kitsap Rifle and Revolver Club for the statutory maximum civil penalty of \$27,500 per violation per day as well as for litigation expenses, including costs and attorneys and expert witness fees and for such other and further relief as may be appropriate, including injunctive relief.

The party giving this Notice of Intent to Sue is:

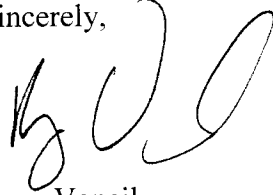
CK Safe & Quiet, LLC
PO Box 1181
Silverdale WA 98383

Counsel for CKSQ is:

Ryan Vancil
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266 Ericksen Ave. NE
Bainbridge Island, WA 98110

The above-described violations reflect only what information is currently available to CKSQ indicates. CKSQ intends to sue for all violations, including those yet to be uncovered during discovery and those committed subsequent to the date of this notice of intent to sue.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Vancil', written in a cursive style.

Ryan Vancil
Attorney for
Central Kitsap Safe and Quiet

cc: Lisa P. Jackson, Administrator, U.S. EPA
Dennis J. McLerran, Regional Administrator, Region 10 U.S. EPA
Ted Sturdevant, Director, Washington Department of Ecology