



Lenora Building
SIT 1.2.1

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

January 28, 2003

Mr. David Murphy
The Lenora Building, LLC
401 – Ninth Avenue
Seattle, WA 98121

Subject: No Further Action for Voluntary Cleanup at the Lenora Building Property
Located at 2101 Ninth Avenue, Seattle, Washington

Dear Mr. David Murphy:

Thank you for submitting the results of your voluntary cleanup action for review by the State of Washington Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA) to voluntarily cleanup this property.

This letter addresses the voluntary cleanup action(s) at the Lenora Building located at 2101 Ninth Avenue, Seattle, King County, Washington. Ecology's Toxics Cleanup Program has reviewed the following information regarding the Lenora Building Property voluntary cleanup:

1. Environmental Tank Service, Inc, 2002, Phase III Remediation Activities at The Lenora Building, 2101 Ninth Avenue, Seattle, Washington, dated December 29, 2002.
2. GeoEngineers, Inc, 2002, Phase I/II Environmental Site Assessment, Lots 11 and 12 of Block 24 of Sarah A. Bell's Second Addition, Ninth Avenue and Lenora Street, Seattle, Washington, dated September 24, 2002.

The above listed reports will be kept in the Central Files of the Northwest Regional Office (NWRO) of Ecology for review by appointment only. Appointments can be made by calling Ms. Sally Alexander at the NWRO at 425-649-7239.

Based upon the above information Ecology has determined that, at this time, there is no known threat to the soil and groundwater that may pose a threat to human health and/or the environment.

Therefore, Ecology is issuing this determination of no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW at this time. Should future development plans require

disturbing the soil, then Ecology will be notified and a plan will be prepared to test and manage the underlying soils following Ecology's Model Toxics Control Act cleanup requirements and best management practices.

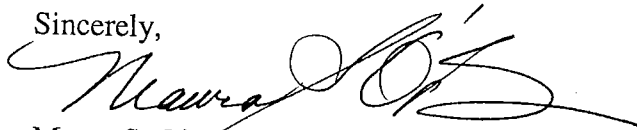
However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology.

Ecology's no further action determination is made only with respect to the release(s) identified in the voluntary cleanup action reports listed above. This no further action determination applies only to the area of the property affected by the release(s) identified in the reports. It does not apply to any other release or potential release at the property, and any other areas on the property. Ecology will update its database to reflect this "No Further Action" determination.

The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature that may arise from any act or omission in providing this determination.

If you have any questions, please contact me at (425) 649-7249.

Sincerely,



Maura S. O'Brien, P.G./HG. #869
Professional Geologist/Hydrogeologist,
Toxics Cleanup Program

cc Ms. Vicki Clayton, Cornish College of the Arts
Mr. Kurt Anderson, GeoEngineers, Inc.
Mr. Tom Vaughn, Environmental Tank Service, Inc