



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
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October 30, 2017

Mr. Rob Aigner  
Harsch Investment Properties LLC  
13228 NE 20th St. Suite 300  
Bellevue, WA 98005

**Re: Final Determination of Liability for Release of Hazardous Substances at the following Contaminated Site:**

- **Site Name:** South Park Landfill
- **Site Address:** 121 S Kenyon St Seattle 98108, 7901 2nd Ave S, Seattle 98108, 8100 & 8200 2nd Avenue South, Seattle
- **Cleanup Site ID:** 1324
- **Facility/Site ID:** 2180
- **County Assessor's Parcel Number(s):** 3224049077, 3224049007, 3224049005, 7328400005

Dear Mr. Aigner:

On July 5, 2016, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Harsch Investment Properties LLC is a potentially liable person (PLP) for a release of hazardous substances at the South Park Landfill facility (Site). On August 4, 2016, the 30-day comment period on our preliminary determination expired. On August 17, 2016, Ecology received your written comments.

Based on available information, Ecology finds that credible evidence exists that Harsch Investment Properties LLC is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Harsch Investment Properties LLC is a PLP with regard to the Site.

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and cleanup facilities where hazardous substances have been released. Liability for environmental contamination under MTCA is strict, joint and several (RCW 70.105D.040(2)). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations. Ecology has determined that it is in the public interest for remedial actions to take place at this Site. Ecology will contact you regarding the actions necessary for Harsch Investment Properties LLC to bring about the prompt and thorough cleanup of hazardous



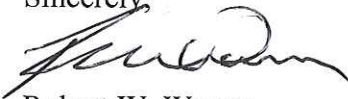
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substances at this Site. Failure to cooperate with Ecology or comply with MTCA in this matter will result in Ecology employing enforcement tools as it deems necessary and appropriate. This includes, but is not limited to, the issuance of an administrative order. Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70.105D.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Jerome Cruz, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Jerome Cruz at 425-649-7094 or [jerome.cruz@ecy.wa.gov](mailto:jerome.cruz@ecy.wa.gov).

Sincerely,



Robert W. Warren  
Section Manager  
Toxics Cleanup Program, NWRO

By certified mail: [9171 9690 0935 0163 8405 26 ]

cc: Andy F. Rigel, HCMP  
Jeff Nudelman, Harsch Investment Properties, LLC  
Ivy Anderson, Office of the Attorney General  
Jerome Cruz, TCP-NWRO  
Ecology Site File