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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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January 20, 2022

Susan Penoyar
Sound Transit
401 South Jackson Street
Seattle, WA 98104
(susan.penoyar@soundtransit.org)

Re: Environmental Covenant – Ecology Approval for Remedial Investigation Field Activities at King County parcel 2423200050

Dear Susan Penoyar:

Washington Department of Ecology (Ecology) has received Sound Transit's *Request for Ecology Approval Under Restrictive Covenants, Remedial Investigation Field Program* letter, date January 7, 2022 (*January 2022 Letter*), for the Y Pay Mor Drycleaner facility (Site). This letter requested Ecology to approve certain remedial investigation (RI) field activities at King County parcel 2423200050 (Property) currently prohibited under a restrictive covenant.

Two restrictive covenants are in place for the Property: a 1998 restrictive covenant (King County Recording No. 199808101434), and a 1995 restrictive covenant (King County Recording No. 199510121424). The 1998 restrictive covenant includes the following restrictions:

- The owner shall not alter, modify, or remove the existing structure(s) in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.
- Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
- Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Under the scope of the above restrictions, Ecology issued four letters in 2020 and 2021, which approved certain construction and cleanup activities which were otherwise prohibited under the restrictive covenant. The four Ecology letters included:

- *Approval for Supplemental Characterization at the Following Cleanup Site: Y Pay Mor Drycleaner*, dated April 8, 2020;
- *Re: Response to Additional Information at the Following cleanup Site: Y Pay Mor Drycleaner*, dated April 29, 2020;

- *Re: Environmental Covenant – Ecology Approval for Activities at King County parcel 2423200050*, dated June 26, 2020;
- *Re: Environmental Covenant – Ecology Approval for Certain Future Construction Activities at King County parcel 2423200050*, dated July 21, 2021.

The Site is currently enrolled in Ecology's Voluntary Cleanup Program (VCP). Sound Transit submitted a *Remedial Investigation Revised Work Plan* on December 22, 2021 (*December 2021 RIWP*) for Ecology's review under VCP. The *December 2021 RIWP* proposed installing ten soil borings/monitoring wells in areas of residual soil and groundwater contamination at the Site (**Enclosure A**). Ecology concurred with the proposed soil boring/monitoring well locations.

Sound Transit's *January 2022 Letter* requested Ecology's approval on the RI activities detailed in the *December 2021 RIWP*, which included: (1) drilling ten soil borings and installing monitoring wells in each soil boring (**Enclosure A**); (2) collecting soil and groundwater samples from the soil borings/monitoring wells; (3) performing slug test at select monitoring wells.

A Sampling and Analysis Plan (SAP) is included in the *December 2021 RIWP*. A Site-specific Health and Safety Plan (HASP) will be developed for use during RI field activities.


Ecology approves the aforementioned RI field activities. Please follow the SAP and HASP to mitigate potential contaminants release or exposure to human health and environment.

Ecology provides this approval as the Holder of the restrictive covenant for this Property. This approval does not address whether or not the cleanup conducted to date will meet the requirements of cleanup under the Model Toxics Control Act (MTCA). Please continue submitting data for Ecology's review under VCP, and working with Ecology to achieve the cleanup goals.

Please note that while Ecology has approved the above RI field activities, the 1998 and 1995 restrictive covenants are still in place and will remain in place until they are modified or terminated pursuant to WAC 173-340-440. Please request further Ecology approval(s) as needed for future activities on the Property.

If you have any questions about this letter, please contact me by phone at 425-649-7109 or by email at jing.song@ecy.wa.gov.

Sincerely,



Jing Song
Site Manager
NWRO Toxics Cleanup Program

Enclosures (1): A – Proposed Soil Boring/Monitoring Well Locations

ecc: Tricia DeOme, GeoEngineers, Inc. (tdeome@geoengineers.com)
 Ivy Anderson, Assistant Attorney General, (ivy.anderson@atg.wa.gov)
 Louise Bardy, Ecology, (louise.bardy@ecy.wa.gov)
 Ecology Periodic Review Site File

Enclosure A Proposed Soil Boring/Monitoring Well Locations

