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February 8, 2022

Alex Truchot
Director, WPS/EH&S/Emergency Management
Kaiser Permanente – Renton Campus Baker
1300 SW 27th Street
P.O. Box 9813 RCB-C3W-10 Cube: 3W056
Renton, WA 98057-9813
(Alex.T.Truchot@kp.org)

Re: No Further Action at the following Site:

- **Site Name:** Group Health Cooperative of Puget Sound
- **Site Address:** 801 SW 16th Street, Renton, WA 98055
- **Facility/Site No.:** 16471336
- **VCP Project No.:** NW 1770
- **Cleanup Site ID No.:** 5599

Dear Alex Truchot:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Group Health Cooperative of Puget Sound facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

Description of the Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following releases:

- Total petroleum hydrocarbons in the gasoline range (TPH-G), benzene, toluene, ethylbenzene, and xylenes (BTEX) into the Soil and Groundwater.

Enclosure A includes a detailed description and diagrams of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel associated with this Site is affected by other sites.

Basis for the Opinion

This opinion is based on the information contained in the documents listed in **Enclosure B**.

A number of these documents are accessible in electronic format from the Site webpage[1]. The complete records are stored in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Visit our Public Records Request page[2], to submit a public records request or get more information about the process. If you require assistance with this process, you may contact the Public Records Officer at publicrecordsofficer@ecy.wa.gov or (360) 407-6040.

This opinion is void if any of the information contained in those documents is materially false or misleading.

Analysis of the Cleanup

Ecology has concluded that no further remedial action is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A.**

[1] https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=5599
[2] https://ecology.wa.gov/publicrecords

2. Establishment of cleanup standards.

a. Cleanup Levels

Soil

Ecology has determined the cleanup levels and points of compliance you established for the Site **meet** the substantive requirements of MTCA.

The Site does not qualify for an exclusion from conducting a terrestrial ecological evaluation (TEE). A simplified TEE was ended because no hazardous substances listed in Table 749-2 are present on the Site (WAC 173-340-7492(2)(c)(i)). Cleanup levels protective of terrestrial species are not needed at this Site.

Because the Site is not an industrial property, soil cleanup levels for unrestricted land uses are appropriate. Groundwater at this Site has been impacted by the identified releases. Soil cleanup levels based on the leaching pathway (protection of groundwater) and protection of direct contact are therefore appropriate. MTCA A cleanup levels were selected for soil at the Site. Ecology concurs for these two exposure pathways.

Groundwater

The highest beneficial use for groundwater under MTCA is considered to be as a drinking water source, unless it can be demonstrated that the groundwater is not potable. Cleanup levels protective of potable use are therefore the default. Either Method A or Method B cleanup levels can be used for this purpose. Method A cleanup levels for groundwater were proposed. Ecology concurs with the use of Method A for this exposure pathway.

Air

Air cleanup levels would normally need to be established for TPH-G and the associated volatile compounds, especially benzene, given the potential for vapor intrusion. However, detectable hydrocarbon concentrations above cleanup levels in soil were removed as part of the remedial action at this Site or degraded. Benzene concentrations in Site groundwater are below the Method B vapor intrusion cancer screening level. Therefore, threat of vapor intrusion was effectively eliminated. Ecology does not consider it necessary to establish air cleanup levels or a point of compliance for this Site.

b. Points of Compliance

Soil

The standard point of compliance for soil is throughout the Site. This point of compliance is protective of both direct contact and leaching to groundwater.

Groundwater

The point of compliance for groundwater is throughout the Site, from the uppermost level of the saturated zone extending vertically to the lowest depth that could potentially be affected.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site **meets** the substantive requirements of MTCA.

The cleanup actions selected for the Site included soil excavation and removal, a vapor extraction system, groundwater extraction/treatment, and enhanced bioremediation.

4. Cleanup.

Ecology has determined the cleanup you performed **meets** the cleanup standards established for the Site.

In 1991, approximately 10 cubic yards of petroleum-contaminated soil were excavated to the extent practicable during removal of two original leaded gasoline underground storage tanks (USTs).

A soil vapor extraction system and groundwater pump and treat system were installed and began operation in 1994. A groundwater extraction well, GWE-1, was installed at that time.

In August 2004, enhanced bioremediation was effective at reducing petroleum hydrocarbon concentrations in groundwater using an oxygen releasing compound (ORC) in six Site monitoring wells. A second application of ORC was conducted in the same monitoring wells from March through September 2005.

In 2010, seven soil borings (B1 through B7; see **Enclosure A**, **Figure 2**) were advanced around the perimeter of the area that had been excavated in 1991 to remove the USTs. The soil borings were advanced in response to 2008 benzene concentrations above Method A in Site groundwater samples collected from monitoring well MW-13. The exceedances indicated that residual petroleum contamination may remain in native soil and be leaching to groundwater.

Two soil samples per boring (from just above and just below the water table) were selected and submitted for laboratory analysis for TPH-G and BTEX. None of the 14 soil boring samples contained TPH-G or BTEX at concentrations exceeding Method A cleanup levels.

Quarterly groundwater monitoring was again initiated in August 2015 using only monitoring wells MW-10, MW-13, MW-27 and extraction well GWE-1. Groundwater samples were analyzed for TPH-G and BTEX compounds. Monitoring wells MW-10 and MW-13 contained benzene at concentrations below Method A, except for the May 2016 event when benzene was detected in MW-13 at a concentration of 5.27 µg/L, just above the Method A cleanup level of 5 µg/L. MW-13 was the only well that contained detectable TPH-G, which occurred in two of the four events at concentrations below the Method A cleanup level.

From August 2020 through May 2021, four consecutive quarterly groundwater monitoring events were conducted with analysis for TPH-G and BTEX. In August 2020, only benzene was detected at a concentration of 2.3 µg/L, below the Method A cleanup level. For the remaining three quarters, TPH-G and BTEX were at non-detectable concentrations.

Site sampling data have been uploaded to the Ecology Environmental Information Management (EIM) database.

The Site cleanup meets the requirement for Groundwater Model Remedy 1, in accordance with *Model Remedies for Sites with Petroleum Impacts to Groundwater Ecology Publication No. 1-09-057, Revised December 2017*[3]. Therefore, a Feasibility Study and Disproportionate Cost Analysis are not required to document the remedy selection. The requirements of Groundwater Model Remedy 1 are:

- Petroleum hydrocarbons consisting of gasoline, middle distillates/oils, or heavy fuels/oils and their constituents are the only contaminants present in soil and groundwater.

[3] https://apps.ecology.wa.gov/publications/SummaryPages/1609057.html

- Emergency or interim actions are not required due to the lower risk nature of the Site.
- The Site meets the criteria for a simplified Terrestrial Ecological Evaluation (TEE).
- The primary remedy consists of source removal, including free product and contaminated soil, to the greatest extent practicable.
- The Site has not caused impacts above the practical quantitation limit (PQL) to any water supply well used for drinking water purposes.
- Soil meets Method A cleanup levels throughout the Site.
- The 1,500 mg/kg generic TPH soil cleanup level is not appropriate.
- Groundwater meets Method A cleanup levels throughout the Site.
- A conditional point of compliance for groundwater has not been applied at the Site.
- An empirical demonstration has not been applied at the Site.
- Institutional controls are not required on any of the Properties that comprise the Site.

Status of Restrictive Covenant

A Restrictive Covenant (RC) was recorded on tax parcel 334040-5300, which includes the Site, on June 17, 1996 in King County, Washington (recording number 9606171159). Ecology was not a signatory to the RC. The RC is attached as **Enclosure C** to this opinion letter.

Ecology has determined that the Site environmental conditions described in the RC no longer exist. Therefore, the RC can be removed by following the procedures specified in Releasing Environmental Covenants under the Model Toxics Control Act[4].

The RC was signed by Group Health Cooperative of Puget Sound, the owner of the tax parcel when the RC was recorded. If the present owner of the tax parcel (TGA Renton Park 405 LLC, per King County Assessor records) desires to remove the RC, they need to contact Ecology to

[4] https://apps.ecology.wa.gov/publications/SummaryPages/1509057.html

initiate that process, which requires public notice and a public comment period. Ecology attempted to contact the present tax parcel owner, but did not receive a response.

Decommissioning of Site Resource Protection Wells

When resource protection wells associated with the Site are no longer to be used for their intended purposes, these wells must be decommissioned in accordance with Chapter 173-160 WAC, Minimum Standards for Construction and Maintenance of Wells[5]. Per WAC 173-160-410, resource protection wells include monitoring wells, observation wells, piezometers, spill response wells, remediation wells, environmental investigation wells, vapor extraction wells, ground source heat pump borings, grounding wells, and instrumentation wells.

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List and Leaking Underground Storage Tank List.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion **does not**:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70A.305.040(4).

2. Opinion does not constitute a determination of substantial equivalence.

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you performed is substantially equivalent. Courts make that determination (RCW 70A.305.080 and WAC 173-340-545).

[5] http://apps.leg.wa.gov/wac/default.aspx?cite=173-160-460

3. State is immune from liability.

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion (RCW 70A.305.170(6)).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (#NW1770).

For more information about the VCP and the cleanup process, please visit our VCP webpage[6]. If you have any questions about this opinion or the termination of the Agreement, please contact me at (206) 594-0121 or michael.warfel@ecy.wa.gov.

Sincerely,

Michael R. Warfel, VCP Site Manager
Toxics Cleanup Program, NWRO

Enclosures (2): A – Site Description and Diagrams
B – Basis for the Opinion: List of Documents
C – Restrictive Covenant on King County Parcel

cc: Matt Wheaton, Terracon Consultants, Inc., (Matt.Wheaton@terracon.com)
Daniel A. Matthews, Kidder Matthews, (dan.mathews@kidder.com)
Sonia Fernandez, VCP Coordinator, Ecology, (sonia.fernandez@ecy.wa.gov)
Tra Thai, VCP Financial Manager, Ecology, (tra.thai@ecy.wa.gov)

[6] http://www.ecy.wa.gov/vcp

Enclosure A
Site Description and Diagrams

Site Description

This section provides Ecology's understanding and interpretation of Site conditions, and is the basis for the opinions expressed in the body of the letter.

Site: The Site is defined as petroleum hydrocarbons in the gasoline range (TPH-G), benzene, toluene, ethylbenzene, and xylenes (BTEX) in soil and groundwater at 801 SW 16th Street in Renton, Washington (the Property; **Figure 1**). The Property corresponds to King County tax parcel number 3340405300 which is 19.95 acres in size.

Area and Property Description: The Property is located in the southwest corner of the intersection of SW 16th Street and Raymond Avenue SW. The area surrounding the Property consists of primarily commercial, industrial, and undeveloped land uses. The Property is currently occupied by a 311,885-square foot masonry warehouse (Main Building) complex constructed beginning in 1977.

Property History and Current Use: A 1936 aerial photograph on King County iMAP shows the Property used as rural residential and pasture land. The Property was used for agricultural purposes until 1977, when it was first developed and the Main Building was constructed. The main building is now part of Building B. The Annex and the Maintenance Buildings were constructed later, between 1977 and 1990.

The Property was previously the location of Group Health Cooperative's Distribution and Support Services Facility (DSSF). The DSSF complex was comprised of the three building areas (Main, Annex and Maintenance Buildings), as shown on **Figure 2**. The Main Building contained distribution and support services. The Annex Building was used for general storage. The Maintenance Building was used by maintenance personnel as a workshop and for the storage of equipment. Smaller buildings included a storage building and a warehouse.

The Property is currently occupied by four commercial tenants that include the Odom Corporation, Anesis Spine and Pain Care Inc., and Summit Surgical Corp.

Sources of Contamination: Two underground storage tanks (USTs) formerly present on the Property (adjacent to the southwest corner of the Main Building) were both removed in 1991. The UST capacities were 6,000 gallons and 250 gallons, and both stored leaded gasoline. At the time of removal, the 250-gallon UST was found to have several holes in the ends and bottom. Five confirmation samples of surrounding soil collected during the decommissioning indicated that a prior release had occurred. The 6,000-gallon UST was found to be in good condition

during removal; five soil confirmation samples verified that no release had occurred associated with the 6,000-gallon tank

Physiographic Setting: The Site is located within the Puget Sound Lowland physiographic province, a north-south trending structural and topographic depression is bordered on its west side by the Olympic Mountains, and to the east by the Cascade Mountain foothills. The Site is situated in the Green River Trough physiographic subdivision and is situated at an elevation of approximately 20 feet above mean sea level. Ground surface at the Site is flat except in the southwest area of the parcel, where the land slopes to the west towards Springbrook Creek.

Surface/Storm Water System: Springbrook Creek runs along the southwestern edge of the Property and flows to the northwest. Storm water runoff on and in the vicinity of the Property disperses via sheet flow to catch basins connected to the City of Renton storm water system.

Ecological Setting: The Site is located in a commercial area and land surfaces are primarily paved or covered by buildings. A potential terrestrial habitat occurs just west of the Property across Springbrook Creek in an area of undeveloped land that may attract wildlife.

Geology: Geologic materials underlying the Site consist of interbedded silty sand, clayey sand, silt, and clay. Sandy silt and silty sand directly underlie the Site; a sandy clay layer occurs at a depth of approximately 12 feet below the ground surface (bgs) and may be several feet thick. A medium dense silty sand with some gravel underlies the clay to a depth of 40 feet bgs, the maximum depth explored at the Site.

Groundwater: Groundwater occurs under water table conditions as a shallow aquifer in unconsolidated silty sand and sandy silt. Groundwater is encountered on the Site at depths of 9 to 13 feet bgs and flows to the southwest towards Springbrook Creek (**Figure 3**). The hydraulic conductivity of the shallow aquifer has been estimated to be approximately 0.7 feet/day. Groundwater mounding was observed in the vicinity of extraction well GWE-1, which was installed within or near backfill in the area of the former remedial excavation.

Water Supply: Drinking water is provided to the Site by the City of Renton. Renton's drinking water is obtained from two wellfields and a small spring. As Renton's primary water source, the Cedar Valley Aquifer has been designated a "sole source" by the U.S. Environmental Protection Agency. The Site is located outside of the City's Wellhead Protection Area.

Release and Extent of Soil and Groundwater Contamination:

Soil: During removal of the USTs in 1991, petroleum-contaminated soil was discovered adjacent to the former tanks. Approximately 10 cubic yards of petroleum-contaminated soil were removed during removal of the USTs. A Site Assessment was conducted following the UST removal in which 13 soil borings were drilled and monitoring wells were installed in 11 of the borings. Soil impacted with TPH-G and BTEX were encountered adjacent to the former USTs from depths of approximately 4.5 to 14.5 feet below the ground surface (bgs). Groundwater beneath the Property was also found to be contaminated with TPH-G and BTEX.

A vapor extraction system (VES) and groundwater pump and treat system were installed and began operation in 1994, after the UST and petroleum-contaminated soil were removed to the extent practicable. A groundwater extraction well, GWE-1, was installed at that time. The remediation system was evaluated in 1995 after petroleum hydrocarbon concentrations in some monitoring wells increased. The system was found to not be performing optimally.

Site characterization activities performed in 1996 indicated that petroleum-contaminated soil and groundwater exceeding Method A cleanup levels remained in the area between the Main Building and the Annex. As a result, an additional 3,000 cubic yards of contaminated soil were excavated. Confirmation soil samples indicated that contamination was in the bottom and sidewalls of the excavation.

The floor of the excavation intercepted groundwater and was not dug deeper. Also, the removal of contaminated soil from the north side of the excavation may have affected the structural integrity of the Main Building. However, a field report for May 7, 1996, indicated that contaminated soil was left in place rather than further compromise the structural integrity of the building.

In 2010, seven soil borings (B2 through B7; see **Figure 2**) were advanced around the perimeter of the area that had been excavated in 1991 to remove the UST. One soil boring, B1, was advanced within the former excavation area. The soil borings were advanced in response to 2008 benzene exceedances Method A in Site groundwater samples collected from monitoring well MW-13. The exceedances indicated that residual petroleum contamination may have remained in native soil and was leaching to groundwater.

Soil borings B1 through B3 were drilled along the western edge of the former UST excavation. Borings B-4 through B7 were drilled within the warehouse along the northern perimeter of the

former UST excavation, where contaminated soil was reportedly left in place. Borings B-6 and B-7 were drilled adjacent to MW-13, which had benzene exceedances in consecutive quarters sampled in July and October 2008. The borings were drilled using direct-push drilling methods; soil samples were collected continuously and field screened.

Two soil samples per boring (from just above and just below the water table) were selected and submitted for laboratory analysis for TPH-G and BTEX. None of the 14 soil boring samples contained TPH-G or BTEX at concentrations exceeding Method A cleanup levels. Nearly all of the results were non-detectable concentrations; the sample at 7 feet from B-4 contained low levels of ethylbenzene and xylenes. These results confirmed that soil with contaminant concentrations above Method A cleanup levels was no longer present at those locations.

Groundwater: After the USTs and related petroleum-contaminated soil were removed in 1991, 13 soil borings and 11 monitoring wells were installed. The results of environmental sampling indicated petroleum-contaminated soil and groundwater remained in the subsurface after the UST removal.

In 1997, six existing monitoring wells (MW-9, MW-14, MW-15, MW-18, MW-19 and MW-21) previously damaged due to construction on the Property were replaced with five new monitoring wells (MW-23 through MW-27); see **Figure 2**.

In August 2004, enhanced bioremediation was effective at reducing petroleum hydrocarbon concentrations in groundwater using an oxygen releasing compound (ORC). The ORC was introduced in filter socks in six existing monitoring wells (MW-10, MW-11, MW-13, MW-23, MW-26 and MW-27) that had been redeveloped prior to placement of the socks using a vacuum truck.

A groundwater extraction well, GWE-1, was in operation from 1994 to 2004, when it was shut down to allow extended residence time for the oxygen-enriched groundwater and to increase the diffusion and distribution of the increased oxygen in the groundwater. The ORC socks, which have an approximate 6-month long use duration, were removed in February 2005.

A second application of ORC in socks was conducted in the same six monitoring wells from March through September 2005.

Groundwater monitoring was conducted at the Site from 1997 to October 2007, when concentrations of TPH-G and BTEX decreased to below Method A cleanup levels in four of the

monitoring wells, including MW-10, MW-25, MW-26, and GWE-1. Monitoring well MW-13 was not sampled in October 2007 because it had been paved over; however, it was uncovered in time for the three subsequent consecutive quarters (January, April, and July 2008).

In the July 2008 event, MW-13 yielded a benzene concentration of 7.27 micrograms per liter (µg/L) which exceeded the Method A cleanup level of 5 µg/L; TPH-G was also detected at 66.6 µg/L, below Method A. Benzene also occurred in monitoring well MW-10 and extraction well GWE-1 during the four quarters, but at concentrations below the Method A cleanup level. In October 2008, a sample was collected from MW-13 to represent the fall quarter that had been missed in 2007, but benzene was again at 5.75 µg/L, just above the Method A cleanup level.

Quarterly groundwater monitoring was again initiated in August 2015 using only monitoring wells MW-10, MW-13, MW-27, and extraction well GWE-1. Groundwater samples were analyzed for TPH-G and BTEX compounds. Monitoring wells MW-10 and MW-13 contained benzene at concentrations below Method A, except for the May 2016 event, when benzene was detected in MW-13 at a concentration of 5.27 µg/L, just above the Method A cleanup level. MW-13 was the only well that contained detectable TPH-G, which occurred in two of the four events at concentrations below the Method A cleanup level.

The following table summarizes historical groundwater monitoring results for all Site monitoring wells that were sampled up to 2016. All other Site monitoring wells have reportedly been destroyed.

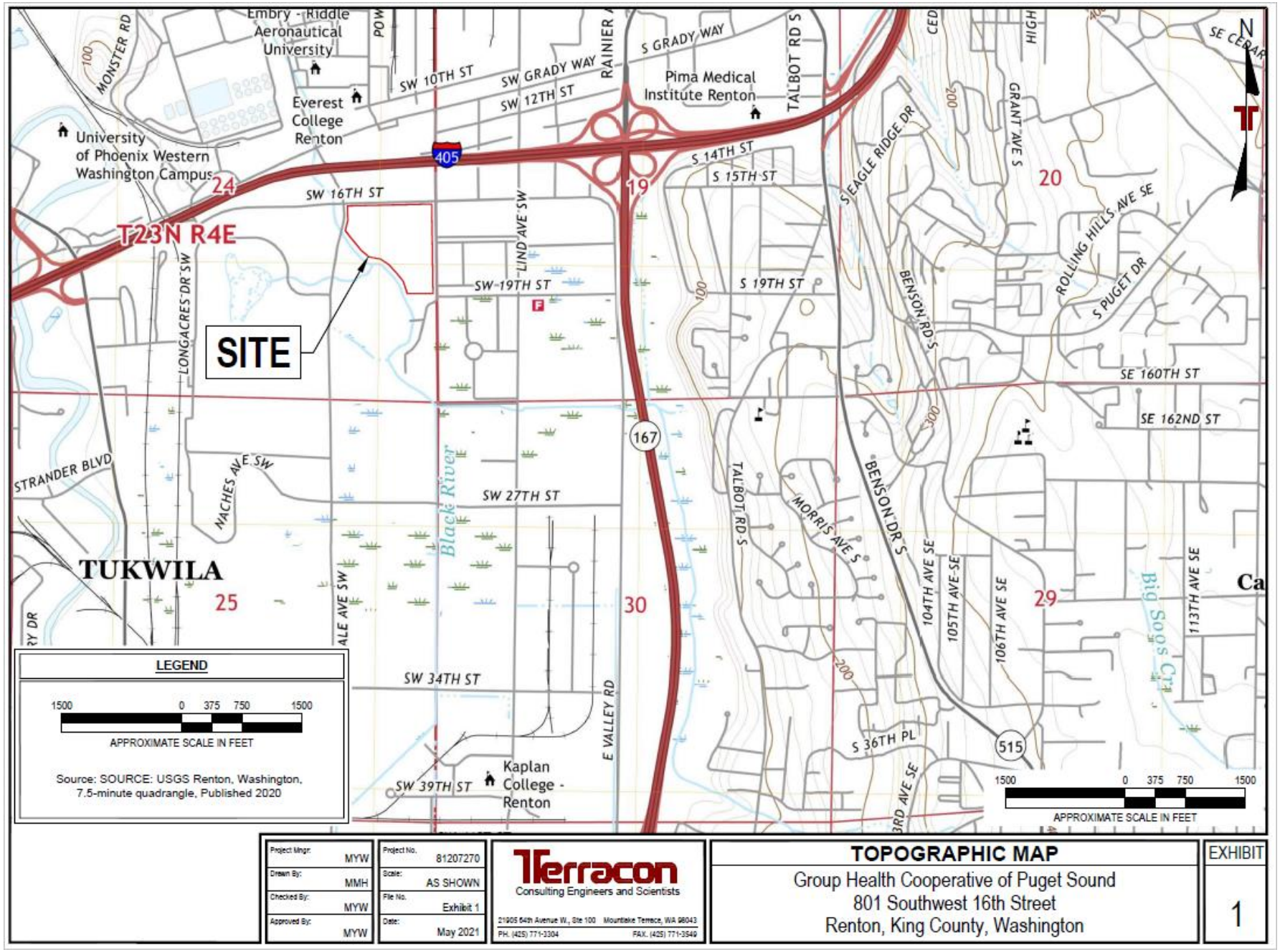
Well Name	Summary of Groundwater Monitoring Results
MW-10	Last benzene exceedance of Method A (16.9 µg/L) was in 2000. In 2007 and 2008, samples in all four consecutive quarters contained only benzene below Method A. Only benzene was detected below Method A in three of four consecutive events in 2015 and 2016; the other event was non-detectable.
MW-11	Five sampling events in 1996 through 1999 with detected TPH-G, benzene and toluene all below Method A. No samples collected after 1999.
MW-13	TPH-G detected below Method A to non-detectable in all sampling events. Benzene concentrations decreased from 759 µg/L in 1996 to 36.3 µg/L in 2000. In 2008, benzene was detected at concentrations ranging from 5.75 to 7.27 µg/L, above Method A. In four consecutive events in 2015 and 2016, benzene ranged from non-detectable to 5.27 µg/L, exceeding Method A, in the May 2016 event.

Well Name	Summary of Groundwater Monitoring Results
MW-17	Six sampling events in 1996 to 1999; only benzene detected in the initial event in 1996 at a concentration below Method A. No samples collected after 1999.
MW-20	Six sampling events in 1996 to 1999; all non-detectable, except one event with xylenes below Method A. No samples collected after 1999.
MW-23	Six sampling events in 1996 to 1999; only benzene and xylenes detected in one event each, both below Method A. No samples collected after 1999.
MW-24	Five sampling events all below Method A in 1996 through 1999. No samples collected after 1999.
MW-25	Following benzene exceedances of Method A up to 423 µg/L from 1997 through 2000, four consecutive quarters of non-detectable analytes were obtained in 2007 and 2008. No samples collected after 2008.
MW-26	Following benzene exceedances of Method A up to 3,100 µg/L from 1997 through 2000, four consecutive quarters of non-detectable analytes in 2007 and 2008. No samples collected after 2008.
MW-27	Five sampling events in 1996 through 1999 with only benzene detected below Method A. Four consecutive quarters of non-detectable analytes in 2015 and 2016.
GWE-1	Following benzene exceedances up to 1,100 µg/L from 1997 through 2000, four consecutive quarters of benzene below Method A (one event) and non-detectable (3 events) were obtained in 2007 and 2008. Four consecutive quarters of non-detectable results in 2015 and 2016.

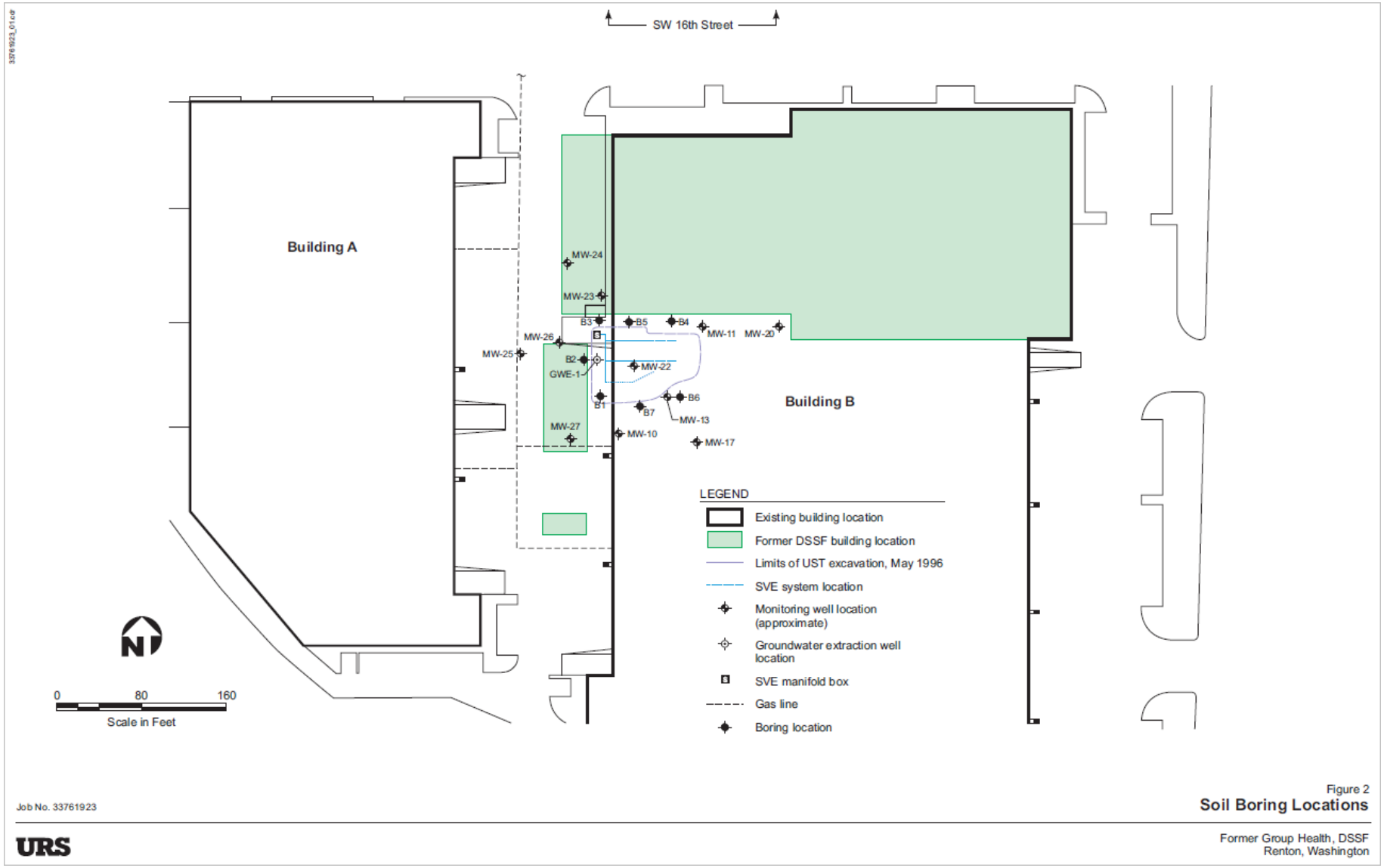
Based on the above results, Ecology issued an opinion letter dated October 24, 2019 stating that four consecutive quarters of groundwater monitoring below Method A cleanup levels were needed in monitoring well MW-13 only.

From August 2020 through May 2021, four consecutive quarterly groundwater monitoring events were conducted in MW-13. The groundwater samples were analyzed for TPH-G and BTEX. In August 2020, only benzene was detected, at a concentration of 2.3 µg/L, below the Method A cleanup level of 5 µg/L. For the remaining three quarters, TPH-G and BTEX were at non-detectable concentrations.

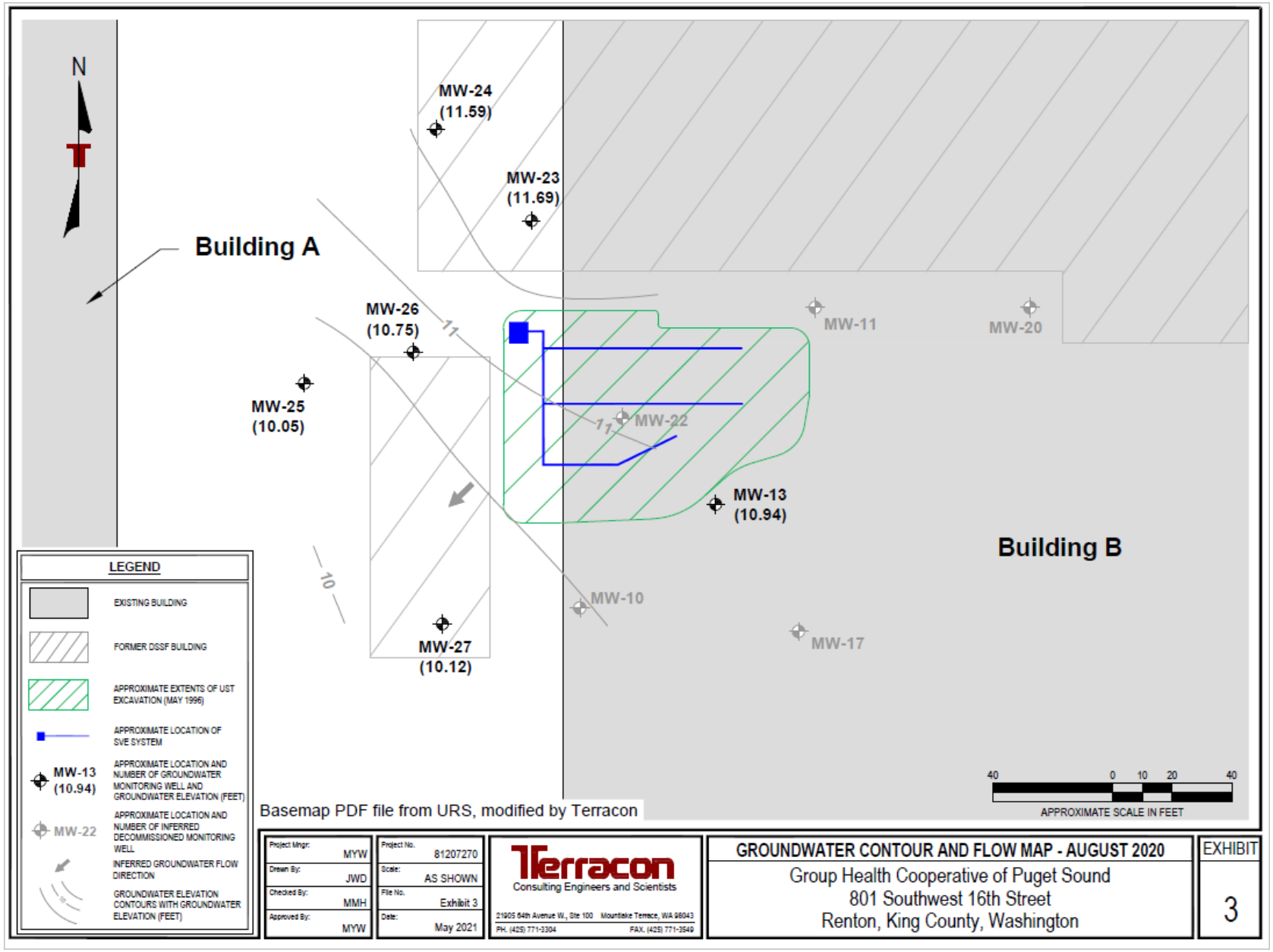
Site Diagrams



Enclosure A, Figure 1



Enclosure A, Figure 2



Enclosure A, Figure 3

Enclosure B

Basis for the Opinion – List of Documents

1. Terracon Consultants, Inc., 2021. *Groundwater Monitoring Report, Former Group Health DSSF, 801 SW 16th Street, Renton, Washington*. May 28.

2. Department of Ecology (Ecology), 2019. *Opinion on Remedial Action, Group Health Cooperative of Puget Sound, 801 SW 16th Street, Renton, Washington, VCP NW1770*. October 24.

3. Ecology, 2016. *Opinion on Proposed Remedial Action, Group Health Cooperative of Puget Sound, 801 SW 16th Street, Renton, Washington, VCP NW1770*. December 7.

4. AECOM, 2016. *Letter Report*, *Groundwater Monitoring Results, Former Group Health DSSF, 801 SW 16th Street, Renton, Washington*. October 25.

5. AECOM, 2015. *Groundwater Sampling and Analysis Plan, Former Group Health DSSF, 801 SW 16th Street, Renton, Washington*. March 10.

6. Ecology, 2013. *Opinion on Proposed Remedial Action, Group Health Cooperative of Puget Sound, 801 SW 16th Street, Renton, Washington, VCP NW1770*. October 7.

7. URS, 2010. *Limited Soil Investigation Report, Former Group Health DSSF, TCP ID# NW1770, 801 SW 16th Street, Renton, Washington.* June 22.

8. URS, 2009. *Letter Report Groundwater Monitoring Results, Former Group Health DSSF, TCP #1770, 801 SW 16th Street, Renton, Washington.* January 27.

9. URS, 2006. *Request for Modification to Restrictive Covenant, Former Group Health Cooperative DSSF, Renton, Washington.* July 5.

10. ATC Environmental, 1998. *Water Quality Results for Groundwater Sampling Events – December 1996 and July and October, 1977, Distribution and Support Services Facility, Renton, Washington.* March 2.

11. ATC Environmental, 1996. *Independent Remedial Action Report, Distribution and Support Services Facility, 801 S.W. 16th Street, Renton, Washington.* June 4.

12. Pickering Environmental Consultants, Inc., 1992. *Corrective Action Plan for Group Health Cooperative DSSF, 801 S.W. 16th Street, Renton, Washington 98055.* September.

13. Pickering Environmental Consultants, Inc., 1992. *Phase Two Environmental Site Assessment of Group Health Cooperative DSSF, 801 S.W. 16th Street, Renton, Washington 98055.* April.

14. Pickering Environmental Consultants, Inc., 1992. *Site Assessment UST Decommissioning, Group Health Cooperative Distribution and Support Services Facility, 801 S.W. 16th Street, Renton, Washington 98055.* January 3.

Enclosure C

Restrictive Covenant on King County Tax Parcel 334040-5300

When recorded return to:
Jim Douma
GROUP HEALTH COOPERATIVE
OF PUGET SOUND
521 Wall Street
Seattle, Washington 98121

Restrictive Covenant

The undersigned, Group Health Cooperative of Puget Sound, is the fee owner of real property in the County of King, State of Washington (legal description attached as Exhibit A), hereafter referred to as the site. The Site contains the following subsurface areas which have been confirmed with residual concentrations of petroleum hydrocarbons at levels which exceed the Method A Cleanup Guidelines as published in the Model Toxics Control Act, (MTCA, Chapter 173340 WAC).

(1) Soil at a depth of ten to eighteen feet at the location of excavation site illustrated in the ATC Environmental, Inc. report dated June 4, 1996 contained elevated levels (up to 11,000 parts per million - ppm) of total petroleum hydrocarbons (TPH) in the gasoline range. The area lies at the southwest corner of the Group Health Distribution Center building.

(2) Benzene concentrations (0.5 - 120 ppm) exceeding the MTCA cleanup standards have been identified in soils at a depth of six to eighteen feet at the location of borings 18 - 24, etc. Groundwater has been impacted in the area surrounding the excavation location, however, impact to groundwater has been isolated by the removal of all accessible source materials and substantiated by post - excavation groundwater sampling data. Off-source groundwater compliance monitoring wells have produced nondetectable results surrounding the Site.

Group Health Cooperative makes the following declaration as to limitations, restrictions, and uses to which the Site may be put, and specifies that such declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under it, including all current and future owners of any portion of or interest in the site.

Section 1. Any activity on the site that may materially interfere with the ongoing monitoring of groundwater wells is prohibited. In addition, no groundwater may be taken for domestic purposes at the site. The owner shall conduct or cause to be conducted semi-annual sampling of ATC Environmental Inc. monitoring wells MW-17, MW-18, MW-19 and MW-20 (shown on Exhibit "B"), commencing on the date of this document and continuing while the terms of this Restrictive Covenant are in effect. The owner shall

also analyze or cause to be analyzed the collected samples for TPH using Method WTPH-D extended.

Section 2. No conveyance of title, easement, lease or other interest in the Site shall be consummated by the owner without adequate and complete provision for the continued operations, maintenance and monitoring of the groundwater wells while the terms of this Restrictive Covenant are in effect.

Section 3. The owner of the Site must notify and obtain approval from the department of Ecology, or from a successor agency, prior to any use of the Site that is inconsistent with the terms of this Restrictive Covenant. Public notice and comment may be sought by the Department of Ecology or a successor agency prior to approval of the proposed change.

Section 4. The owner of the Site shall allow authorized representatives of the Department of Ecology, or from a successor agency, the right to enter the Site at reasonable times with 24 hour notice to owner to coordinate entry for the purpose of evaluating compliance with the monitoring of groundwater wells and the remedial action, to take samples and to inspect records.

Section 5. The owner of the Site and owner's assigns and successors in interest, reserve the right under WAC 173-340-720 and WAC 173-340-440 (1991 ed.) to record an instrument which provides that this Restrictive Covenant shall no longer limit use of the Site or be of any further force or effect. However, such an instrument may be recorded only with the consent of the Department of Ecology, or of a successor agency. Public notice and comment may be sought by the Department of Ecology or a successor agency prior to the recording of such an instrument.

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EXHIBIT A - LEGAL DESCRIPTION

ALL OF VACATED BLOCKS 32,33 AND 34 OF C.D. HILLMAN'S EARLINGTON GARDENS ADDITION TO THE CITY OF SEATTLE, DIV.1,AS PER PLAT RECORDED IN VOLUME 17 OF PLATS, PAGE 74, RECORDS OF KING COUNTY;

TOGETHER WITH VACATED KENNY (82nd) STREET AND VACATED EVANS (83rd) STREETS ADJOINING;

EXCEPTING FROM ALL OF THE FOREGOING ANY PORTION THEREOF LYING EASTERLY OF A LINE 40 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SECTION 24, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M.;

EXCEPT THAT PORTION CONVEYED TO THE CITY OF RENTON FOR STREET BY DEED RECORDED UNDER RECORDING No.7812040683;

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

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KING COUNTY ASSESSOR ACCOUNT NO.: 334040-5300-0

TAX I.D. NUMBER: 578-011-461

GROUP HEALTH COOPERATIVE OF PUGET SOUND
801 SW 16TH STREET
RENTON, WASHINGTON 98005

Signatures:

Group Health Cooperative
of Puget Sound

Group Health Cooperative
of Puget Sound

David R. O'Brien, Vice President
Printed Name and Title

GRANT E. McLAUGHLIN
Printed Name and Title

6/14/96
Date

6/17/96
Date

STATE OF WASHINGTON)
) ss.
County of King)

I, Joan Fagan, Notary public in and for the State of Washington, residing at Seattle, WA, do hereby certify that on this 14 day of June, 1996, personally appeared before me David R. O'Brien, Grant McLaughlin to me known to be the individual described in and who executed the within instrument and acknowledged that he/she signed the same.

Given Under My Hand and Official Seal this 14 day of June 1996.

Notary Public in and for the State of Washington

Joan Fagan
Name Printed

My Appointment Expires: April 21, 1999

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