



## Response to Comments

- **Prospective Purchaser Consent Decree**
- **Public Participation Plan**
- **Remedial Investigation**
- **Feasibility Study**
- **Draft Cleanup Action Plan**
- **State Environmental Policy Act Checklist and Determination of Non-Significance**

**Seattle DOT Dexter Parcel Cleanup Site  
Seattle, WA**

### **Toxics Cleanup Program**

Washington State Department of Ecology

Northwest Regional Office

Shoreline, Washington

February 2022



## Publication Information

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- Washington State Department of Ecology, 2019

### Related Information

- Clean-up site ID: 14785
- Facility site ID: 81735

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<sup>1</sup> [www.ecology.wa.gov/contact](http://www.ecology.wa.gov/contact)

# Department of Ecology's Regional Offices

## Map of Counties Served



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 206-594-0000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
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Region	Counties served	Mailing Address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

# Response to Comments

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- **Prospective Purchaser Consent Decree**
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## **Seattle DOT Dexter Parcel Cleanup Site Seattle, WA**

Toxics Cleanup Program  
Washington State Department of Ecology  
Northwest Regional Office  
Shoreline, WA

**February 2022**



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

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# Public Outreach Summary

The Seattle DOT Dexter Parcel cleanup site (Site) located at 615 Dexter Ave N, Seattle, WA 98109, is continuing Washington State’s [formal cleanup process](#)<sup>2</sup> as directed under the Model Toxics Control Act ([MTCA](#)<sup>3</sup>). 615 Dexter, LLC (previously SLP 615 Dexter LLC) is addressing contamination at the Site under a legal agreement with Ecology.

The Department of Ecology’s public involvement activities related to this Site’s 45-day comment period (Dec. 6 – Jan. 19, 2022) included:

- **Postcard and Fact Sheet:**
  - US mail distribution of a postcard providing information about the cleanup documents, the public comment period, and public meeting to approximately 5,500 addresses including neighboring businesses and other interested parties.
  - The fact sheet was available digitally through [Ecology’s cleanup site webpage](#)<sup>4</sup>.
- **Legal Notices:**
  - Publication of one paid display ad in *the Seattle Times*, dated Dec. 13, 2022
- **Site Register:**
  - Publication of 5 notices in Ecology’s Toxics Cleanup Site Register:
    - Comment Period Notice:
      - [Site Register notice](#) #1 Dec. 2, 2021
      - [Site Register notice](#) #2 Dec. 16, 2021
      - [Site Register notice](#) #3 Dec. 30, 2021
      - [Site Register notice](#) #4 Jan. 13, 2022
    - Response Summary Notice:
      - Estimated date of publication Mar. 10, 2022
    - Visit [Ecology’s Site Register website](#)<sup>5</sup> to download PDFs.
- **Media Notification:**
  - Ecology sent a media notice on Dec. 6, 2022 to various media outlets in the Seattle area.
- **Social Media:**
  - **Twitter:** Ecology – Northwest Region @ecyseattle posted a tweet<sup>6</sup> on Dec. 6, 2022 connecting readers to the comment period including the cleanup site webpage and how to submit comments.
  - **Blog:** On Dec. 6, 2022, Ecology’s Northwest Regional Office posted a story on [Ecology’s blog](#)<sup>7</sup>, which has approximately 1,200 email subscribers.
- **Online Public Meeting**

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<sup>2</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

<sup>3</sup> <https://ecology.wa.gov/mtca>

<sup>4</sup> <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=14785>

<sup>5</sup> <https://apps.ecology.wa.gov/publications/UIPages/PublicationList.aspx?IndexTypeName=Program&NameValue=Toxics+Cleanup&DocumentTypeName=Newsletter>

<sup>6</sup> <https://twitter.com/ecyseattle/status/1467962689058050048?cxt=HHwWgMCojbiSoN8oAAAA>

<sup>7</sup> <https://ecology.wa.gov/Blog/Posts/December-2021/Cleaning-up-Two-South-Lake-Union-cleanups-will-make>

- Ecology hosted an online meeting Thursday, January 6, 2022 at 6:30 p.m. Ecology and Hart Crowser staff presented details on the site investigations and draft Cleanup Action Plan and answered questions about the Site.
- **Websites:**
  - Ecology announced the public comment period, posted the fact sheet, and made the review documents available on [Ecology’s Seattle DOT Dexter Parcel webpage](#)<sup>8</sup> and Ecology’s [Public Inputs & Events webpage](#)<sup>9</sup>.
- **Document Repositories:**
  - The Northwest Regional Office offered in-person review of documents by appointment. Outreach materials were available on the Seattle DOT Dexter Parcel website as well.

## Comment Summary

From Dec. 6, 2021 – Jan. 19, 2022, Ecology solicited public comments on a Prospective Purchaser Consent Decree, Public Participation Plan, Remedial Investigation, Feasibility Study, draft Cleanup Action Plan, and State Environmental Policy Action checklist and Determination of Non-Significance for the Seattle DOT Dexter Parcel cleanup site.

Ecology received 1 comment during the 45-day comment period.

Table 1: List of Commenters

	First Name	Last Name	Agency/Organization/Business	Submitted By
1	Brian William Daniel	O’Neal Haldeman Balbiani	PES Environmental, Inc., on behalf of BMR-Dexter LLC	Business

## Next Steps

Ecology has reviewed and considered the public comments received on the Remedial Investigation, Feasibility Study, and draft Cleanup Action Plan. Based on Ecology’s evaluation of the comments, no substantive changes were necessary in the documents, and they are being finalized.

Work will begin on the engineering design for implementing the cleanup action after the Prospective Purchaser Consent Decree becomes effective. See graphic below and visit Ecology’s [cleanup process webpage](#)<sup>10</sup> to learn more about Washington’s formal cleanup process.

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<sup>8</sup> <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=14785>

<sup>9</sup> <https://10ecology.wa.gov/Events/Search/Listing>

<sup>10</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

<sup>15</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>



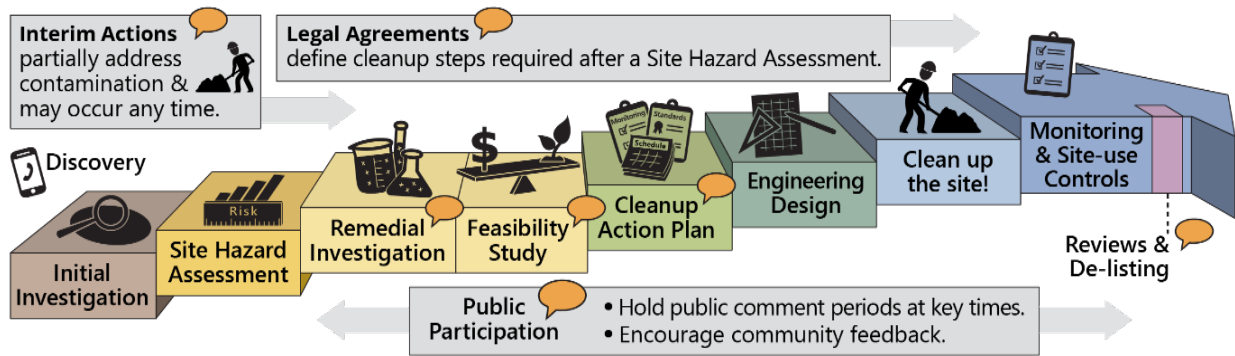


Figure 1: Washington's formal cleanup process ([download a text explanation](#)<sup>15</sup>)

<sup>15</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

## Comments and Responses

The public comments are presented below, along with Ecology's responses. Appendix A, page 12 contains the comments in their original format.

### Comment from: **BMR-Dexter LLC (PES Environmental, Inc.), received via letter dated January 19, 2022, submitted by electronic mail**

January 19 2022

BY EMAIL ONLY

COMMENTS ON THE PUBLIC REVIEW DRAFT REMEDIAL INVESTIGATION REPORT, FEASIBILITY STUDY REPORT, AND DRAFT CLEANUP ACTION PLAN  
SEATTLE DOT DEXTER PARCEL 615 DEXTER AVENUE NORTH, SEATTLE, WASHINGTON

Dear Ms. Seeds:

*On behalf of BMR-Dexter LLC ("BMRD"), PES Environmental, Inc. ("PES") submits the below comments on the Public Review Draft Remedial Investigation Report ("RI Report"), Feasibility Study Report ("FS Report"), and Draft Cleanup Action Plan ("dCAP") for the Seattle Department of Transportation Dexter Parcel Site ("Site" or "Seattle DOT Dexter Parcel Site"), located at 615 Dexter Avenue North, Seattle, Washington. BMRD has retained PES to implement an interim action and conduct a remedial investigation ("RI") at the former American Linen Dexter Avenue North Site (the "American Linen Site") located at 700 Dexter Avenue North, Seattle, Washington, pursuant to Agreed Order No. DE 14302. The comments below are intended to clarify several technical issues based on our understanding of the complicated geologic and hydrogeologic conditions in the vicinity of the Site. We hope that our experience from the American Linen Site proves useful in finalizing these documents.*

*We address each document in turn, first identifying the portion of the document for comment in bold, followed by our comments. [...]*

### **Response:**

Thank you for providing comments. We appreciate your participation in the cleanup process at this Site.

[...] **RI REPORT COMMENTS**

- 1. Section 4.2.2 Groundwater Level Measurements, Page 12, Second Paragraph.** *This section of the RI Report discusses the groundwater flow direction and gradient. The section refers to two groundwater elevation contour maps. The two groundwater*

*contour maps represent groundwater levels measured on March 19 and May 11, 2020, in wells on or immediately adjacent to the Seattle DOT Dexter Parcel Site. PES did not measure water levels during the event on March 19, 2020 but did measure water levels in the entire American Linen Site remedial investigation monitoring network during the event on May 11, 2020. The RI Report does not include other groundwater elevations (including those measured on the Seattle DOT Mercer Parcel site) in preparing the groundwater elevation contour maps, which has produced incorrect groundwater contours and inaccurately represents the groundwater flow directions and gradients on those dates. The construction projects at both the 700 Dexter and Block 38 West properties were operating dewatering systems on the dates these groundwater level measurements were taken. The RI Report does not account for the fact that those dewatering systems significantly influenced groundwater flow in the Shallow and Intermediate A Zones. The RI Report also does not discuss the Intermediate B Zone groundwater mound on the Seattle DOT Mercer Parcel Site and its potential influence on groundwater in this zone beneath the Site. While the easterly groundwater flow direction shown in the RI report figures may be present in the Shallow and Intermediate A Zones in the absence of construction dewatering in the area, that was not the case in March and May 2020. The contour maps presented in the RI Report, therefore, misrepresent groundwater flow and potentially the fate and transport of contaminants in the South Lake Union area, particularly in the Intermediate B Zone.*

## **Response:**

Thank you for your comment regarding groundwater flows, local dewatering effects, and the deeper Intermediate B Zone associated with this Site. Your comment has been considered and is noted for the record. The information that is provided in the Remedial Investigation Report, including the referenced groundwater elevation contour maps for this Site, is sufficient and no changes are needed. We anticipate that additional groundwater level monitoring data will be collected during the Pre-Remedial Design Investigation for further evaluation.

[...] 2. **Table 5-1 Chronological List of Environmental Investigations, Footnotes f and h.** Both bullets use the term “regional” to describe the American Linen Site Chlorinated Volatile Organic Compound (“CVOC”) plume. The word “regional” generally refers to large geographic units, such as spanning large portions of a state or even multiple states. It is an imprecise and inaccurate term to use when describing the multi-block American Linen Site CVOC plume. The terms “multi-block” or “local” would more appropriate. [...]

## **Response:**

Thank you for your comment regarding the language in the footnotes for Table 5-1. The term “regional” has been changed to “multi-block” in the footnotes that mention the American Linen CVOC plume.

[...] **FS AND DCAP COMMENTS**

3. **Protection of Environmental Infrastructure Related to American Linen Interim Action.**  
*The selected cleanup action for the Site (Alternative 1) includes excavation of the entire property, including excavation approximately 25 feet below ground surface in the northeastern portion of the property. This excavation work will require shoring, which has the potential to impact several existing monitoring wells (MW-305, MW-306, and MW-307) associated with the American Linen Site. Neither the FS Report nor the dCAP identify the potential impact that the cleanup action may have on these monitoring wells. They also fail to address measures required to protect these wells. BMRD has begun discussions with SLP 615 Dexter LLC's development and engineering team to potentially address this matter, but both the FS Report and the dCAP should, nonetheless, address protections for this environmental monitoring infrastructure. [...]*

**Response:**

Thank you for expressing your concerns regarding protection of the nearby American Linen monitoring wells that may be impacted by the cleanup action planned for this Site. Your comment has been noted for the record. Ecology expects that both 615 Dexter, LLC and BMR-Dexter LLC will continue to coordinate with each other on this matter as the cleanup action engineering design plans move forward for this Site.

[...] *Thank you for your consideration of these comments. Please call if you have any questions.*

*Sincerely,  
PES ENVIRONMENTAL, INC.  
Brian O'Neal, P.E. Principal Engineer  
William R. Haldeman, LHG, R.G. Associate Hydrogeologist  
Daniel A. Balbiani, P.E Principal Engineer*

**Response:**

Thank you again for taking the time to comment.

# Appendices

Appendix A. Public comments in original format

January 19, 2022

1413.001.06

Washington Department of Ecology  
Northwest Regional Office Toxics Control Program  
15700 Dayton Avenue North  
Shoreline, Washington 98133  
Attn: Ms. Tena Seeds

**BY EMAIL ONLY**

**COMMENTS ON THE PUBLIC REVIEW DRAFT REMEDIAL INVESTIGATION REPORT,  
FEASIBILITY STUDY REPORT, AND DRAFT CLEANUP ACTION PLAN  
SEATTLE DOT DEXTER PARCEL  
615 DEXTER AVENUE NORTH, SEATTLE, WASHINGTON**

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<sup>1</sup> Hart Crowser. 2021. *Public Review Draft Remedial Investigation, Seattle DOT Dexter Parcel, 615 Dexter Avenue North, Seattle, Washington*. Prepared for SLP 615 Dexter LLC. July 9.

<sup>2</sup> Hart Crowser. 2021. *Public Review Draft Feasibility Study, Seattle DOT Dexter Parcels, 615 Dexter Avenue, Seattle, Washington*. Prepared for SLP 615 Dexter LLC. November 2.

<sup>3</sup> Ecology. 2021. *Public Review Draft Cleanup Action Plan, Seattle DOT Dexter Parcels, Seattle, Washington*. November.

immediately adjacent to the Seattle DOT Dexter Parcel Site. PES did not measure water levels during the event on March 19, 2020, but did measure water levels in the entire American Linen Site remedial investigation monitoring network during the event on May 11, 2020. The RI Report does not include other groundwater elevations (including those measured on the Seattle DOT Mercer Parcel site) in preparing the groundwater elevation contour maps, which has produced incorrect groundwater contours and inaccurately represents the groundwater flow directions and gradients on those dates. The construction projects at both the 700 Dexter and Block 38 West properties were operating dewatering systems on the dates these groundwater level measurements were taken. The RI Report does not account for the fact that those dewatering systems significantly influenced groundwater flow in the Shallow and Intermediate A Zones. The RI Report also does not discuss the Intermediate B Zone groundwater mound on the Seattle DOT Mercer Parcel Site and its potential influence on groundwater in this zone beneath the Site. While the easterly groundwater flow direction shown in the RI report figures may be present in the Shallow and Intermediate A Zones in the absence of construction dewatering in the area, that was not the case in March and May 2020. The contour maps presented in the RI Report, therefore, misrepresent groundwater flow and potentially the fate and transport of contaminants in the South Lake Union area, particularly in the Intermediate B Zone.

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Thank you for your consideration of these comments. Please call if you have any questions.

Sincerely,

PES ENVIRONMENTAL, INC.



Brian O'Neal, P.E.  
Principal Engineer



William R. Haldeman, LHG, R.G.  
Associate Hydrogeologist



Daniel A. Balbiani, P.E.  
Principal Engineer

cc: John Moshy, BMRD