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**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

June 9, 2022

Laurie Goldman
Muscatel Midway Properties, LLC
PO Box 826
Mercer Island, WA 98040
(muskygold@gmail.com)

Re: Termination of VCP Agreement for the following Site:

- **Site Name:** Southgate Oil – Muscatel Midway Property
- **Site Address:** 23418 Pacific Highway South, Kent, Washington 98032
- **Facility/Site No:** 84946863
- **VCP Project No.:** NW3309

Dear Laurie Goldman:

The Department of Ecology (Ecology) is terminating the VCP Agreement governing Project No. NW3309. The project involved the cleanup of Muscatel Midway Property (Property), which is one unit of the Southgate Oil facility (Site). The effective date of termination is the date of this letter. We are providing this notice in accordance with the terms of the Agreement.

Reason

Ecology understands that the petroleum hydrocarbon contamination on the southern portion of the Property is part of the Southgate Oil Site. The current VCP agreement NW3309, established between Ecology and the Muscatel Midway Properties, LLC, manages the cleanup conducted on the Property. Ecology has provided technical opinions on the Property cleanup in an opinion letter dated June 23, 2021.

In the June 23, 2021 opinion letter, Ecology recognized that the petroleum hydrocarbon contamination on the Property that is sourced from the Southgate Oil Site is sufficiently characterized and cleaned up. In addition, Ecology recognized that potential on-Property sources, including a former dry cleaner (Kings Cleaners), may have impacted the Property.

However, the current data did not provide definite evidences that contamination is present on Property associated with the potential on-Property sources.

A separate VCP agreement NW3327 has been established between Ecology and Sound Transit for the Southgate Oil Site. The VCP agreement NW3327 manages the cleanup of the entire Site, including the cleanup on Property that is associated with Site. Therefore, Ecology determines that the current VCP agreement NW3309 is no longer needed. Ecology is terminating the VCP Agreement NW3309.

Next Steps

Based on this decision, Ecology will take the following steps:

1. Send you an invoice for any costs remaining on your account. In accordance with the terms of the Agreement, you remain responsible for any costs incurred by us before the effective date of termination.

You may apply to reenter the VCP if new data suggests presence of contamination that is not associated with the Site (e.g. contamination associated with on-Property sources). Ecology will review any new data and may enter into a new Agreement.

Contact Information

If you have any questions about this notice, please contact me via phone at (206) 594-0113, or via email at louise.bardy@ecy.wa.gov.

Sincerely,



Louise Bardy
VCP Unit Supervisor
Toxics Cleanup Program, NWRO

cc: Javan Ruark, Farallon Consulting LLC (jruark@farallonconsulting.com)
Susan Penoyar, Sound Transit (susan.penoyar@soundtransit.org)
Sonia Fernandez, VCP Coordinator, (sonia.fernandez@ecy.wa.gov)