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STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

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

September 21, 2022

Jean Lee  
City of Seattle  
Department of Parks and Recreation  
100 Dexter Ave N  
Seattle, WA 98109  
([JeanH.Lee@seattle.gov](mailto:JeanH.Lee@seattle.gov))

**Re: Termination of VCP Agreement for the following Site:**

- **Site Name: Duwamish Waterway Park**
- **Site Address: 7900 10th Ave S Seattle, 98106**
- **Cleanup Site ID: 15139**
- **Facility/Site ID: 49919**
- **VCP Project No.: NW3279**

Dear Jean Lee:

The Department of Ecology (Ecology) is terminating the VCP Agreement governing Project No. NW3279. The project involved the cleanup of the Duwamish Waterway Park (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 is terminating the Agreement because since enrollment into VCP, Ecology identified complex and challenging issues, which exist at the Site. Ecology's VCP was created to allow for less-complex Sites to be remediated and receive No Further Action Determinations from Ecology. Ecology has determined the Site no longer fits the criteria to stay enrolled in VCP, and Ecology is taking measures to move the Site into a formal process.

Specifically the following criteria exist or may exist at the Site, which precludes continued acceptance into the VCP process:

- the Site is within the bounds or is potentially impacting the Lower Duwamish Waterway Superfund site (erodible banks, exceedances in surface sediment),
- the Site has known or suspected impacts to surface water or sediment, and
- the Site is known or suspected to include comingling of contamination.

### Next Steps

Based on this decision, Ecology may take one or more of 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.
2. Conduct a site hazard assessment (SHA) and rank the Site for further action.
3. Identify those persons we find potentially liable for cleanup of the Site.
4. Initiate discussions for an agreed order or consent decree that will govern further action at the Site.

### Contact Information

Ecology is committed to working with you to accomplish the prompt and effective cleanup of the Site. If you have any questions about this notice, please feel free to contact Bob Warren by phone at (206) 594-0093 or by email [bob.warren@ecy.wa.gov](mailto:bob.warren@ecy.wa.gov). He will be the Ecology contact for this site.

Sincerely,



Kim Wooten  
Acting Unit Supervisor, VCP Unit  
Toxics Cleanup Program, NWRO

cc: Kelli Barker, Ecology ([kelli.barker@ecy.wa.gov](mailto:kelli.barker@ecy.wa.gov))  
Bob Warren, Section Manger, ([bob.warren@ecy.wa.gov](mailto:bob.warren@ecy.wa.gov))