Periodic Review

Garden Plaza

Facility Site ID: 2475

Cleanup Site ID: 3049

500 and 535 Park Avenue North

Renton, Washington 98055

Northwest Region Office

Toxics Cleanup Program

February 2023

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1.0 Introduction

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup Site conditions and monitoring data to ensure that human health and the environment are being protected at the Garden Plaza Site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). This is the third periodic review conducted for this Site.

Cleanup activities at this Site were completed under the Voluntary Cleanup Program (VCP) and Independent Remedial Action Program (IRAP). Residual concentrations of total petroleum hydrocarbons (TPH), vinyl chloride, arsenic, naphthalene, carcinogenic polycyclic aromatic hydrocarbons (cPAH), and polychlorinated biphenyls (PCBs) that exceed MTCA Method A soil and/or groundwater cleanup levels remain on the property. The MTCA cleanup levels for soil and groundwater are established under WAC 173-340-740(2) and WAC 173-340-720(3), respectively.

Ecology determined institutional controls in the form of a Restrictive Covenant would be required as part of the cleanup action for the Site. WAC 173-340-420(2) requires that Ecology conduct a periodic review every 5 years under the following conditions:

"The department shall conduct periodic reviews of a site whenever the department conducts a cleanup action; whenever the department approves a cleanup action under an order, agreed order or consent decree; or, as resources permit, whenever the department issues a no further action opinion; and one of the following conditions exists, at the site:

> (a) Where an institutional control and/or financial assurance is required as part of the cleanup action;
>
> (b) Where the cleanup level is based on a practical quantitation limit as provided for under WAC 173-340-707; and
>
> (c) Where, in the department's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment."

When evaluating whether human health and the environment are being protected, the factors Ecology must consider under WAC 173-340-420(4) Review criteria are:

> "(a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site;
>
> (b) New scientific information for individual hazardous substances or mixtures present at the Site;
>
> (c) New applicable state and federal laws for hazardous substances present at the Site;

(d) Current and projected Site and resource uses;

(e) The availability and practicability of more permanent remedies; and

(f) The availability of improved analytical techniques to evaluate compliance with cleanup levels."

Ecology provides an opportunity for public comment for all periodic reviews.

2.0 Summary of Site Conditions

2.1 Site Description and History

The Garden Plaza facility is located in the City of Renton in King County, Washington (Vicinity Map - Appendix 6.1). Following remedial activities, a Restrictive Covenant was recorded for the property in 1994 and was replaced with an updated Restrictive Covenant in 2001. The Site received a conditional Site 'No Further Action' (NFA) determination in 1994, which was updated in 2001 to a Site NFA determination following the completion of groundwater monitoring at the Site.

The Site is now occupied by two vacant office buildings and a multi-level parking garage. The southern office building is currently referred to as Building 10-13 and the northern office building is referred to as Building 10-16. The usage in the area includes commercial, industrial, and residential.

Industrial and commercial use of the Site reportedly began in 1943 with the construction of a Shell heating oil distributor on the northwestern corner of the Site. Sunset Coal and Oil operated the distribution facility between 1950 and 1967. The Renton Boilerworks occupied the east-central portion of the property from 1960 to 1970. The southern office building / Building 10-13 (historically referred to as the Fifth and Park building) was constructed in 1979. The northern office building / Building 10-16 (historically referred to as the Garden Plaza building) and parking garage were constructed in 1988. Site plans are available as Appendices 6.2 and 6.3.

2.2 Site Investigations

Earth Consultants, Inc. (ECI) in 1988 conducted a geotechnical study of the proposed Garden Plaza Building (Building 10-16) and discovered that soil from under the center of the building contained 1,200 parts per million (ppm) of TPH. Groundwater containing up to 3.3 ppm (3,300 parts per billion [ppb]) of TPH was also identified beneath the building.

Rittenhouse-Zeman and Associates, Inc. in 1989 advanced nine soil borings and one groundwater monitoring well around the perimeter of the Fifth and Park Building (Building 10-13). A groundwater sample indicated the presence of TPH at 13 ppm and two soil borings indicated additional TPH soil contamination at 4,700 and 1,300 ppm.

Landau Associates, Inc. (LAI) installed three additional monitoring wells in 1989. Sample results from a monitoring well (LMW-2D) near the northeastern corner of the Site indicated the presence of vinyl chloride at a concentration of 45 parts per billion (ppb). A second well (LMW-6) located in the northwest corner of the property was found to have TPH concentrations of 56 ppm. Wells were sampled again in 1991 where the results showed the vinyl chloride in LMW-2D had increased to 89 ppb. TPH was not analyzed in 1991.

The vinyl chloride contamination was located across the street from the Pacific Car and Foundry (PACCAR) cleanup site (Cleanup Site ID 788), a Superfund site known to contain vinyl chloride and arsenic contaminated groundwater. The PACCAR site is located east and hydrologically upgradient from the contaminated well (LMW-2D), and this well is located upgradient from the rest of the Garden Plaza Site. However, limited information and data is available regarding the characterization and source of the contaminated groundwater.

Geotech Consultants, Inc. (GCI) installed eleven additional monitoring wells in 1993. Soil samples collected during the monitoring well installation confirmed the presence of low levels of TPH in soil across the Site. TPH contamination in groundwater was confirmed at low levels in several wells. Groundwater sampled from LMW-2D contained 7.5 ppb of vinyl chloride.

2.3 Cleanup Standards

Cleanup standards include cleanup levels, the location where these cleanup levels must be met (point of compliance), and any other regulatory requirements that apply to the Site. WAC 173-340-704[1] states MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used. Method B may be used at any site and is the most common method for setting cleanup levels when sites are contaminated with substances not listed under Method A. Method C cleanup levels may be used to set soil and air cleanup levels at industrial sites.

MTCA Method A cleanup levels for unrestricted land use were determined to be appropriate for contaminants at this Site. The cleanup actions conducted at the Site were determined to be routine, few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance.

The point of compliance is the area where the cleanup levels must be attained. The point of compliance is generally defined as throughout the site (standard point of compliance). Unless a site qualifies for a conditional point of compliance, cleanup levels must be met at the standard point of compliance for each media. A standard point of compliance was established for soil and groundwater at this Site.

[1] https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-704

2.4 Regulatory History and Groundwater Monitoring

An Independent Remedial Action Program Report was prepared in 1994 by GCI and submitted to Ecology. No active remediation was conducted, only sampling and monitoring.

Ecology issued a conditional Site NFA opinion on September 6, 1994. The 1994 NFA was contingent on 1) recording a restrictive covenant regarding the residual contaminated soil and groundwater beneath the property and 2) semi-annual groundwater monitoring for five years in three monitoring wells (MW-4, MW-13, and MW-14). Monitoring well MW-13 was damaged during road construction activities and groundwater monitoring of MW-12 was used as a replacement well starting in August 1995. The Restrictive Covenant was filed with King County on September 2, 1994 by the Boeing Company.

Semi-annual groundwater monitoring was started in February 1995. During the first three sampling events, diesel-range petroleum hydrocarbons (TPH-D) were detected in MW-4 above the MTCA Method A cleanup level at the time. TPH-D was also detected in MW-12 (MW-13 replacement well); however, the concentration was below the cleanup level. TPH-D was not detected in any of the wells during the last four sampling events, ending in November 1998.

However, it should be noted that the monitoring wells only met the current MTCA Method A cleanup level for TPH-D for the last two sampling events (due to modification to MTCA in 2001). This groundwater monitoring data is available in in the 2014 Periodic Review Report. A Voluntary Cleanup Program Report was prepared in 1999 by GCI and submitted to Ecology.

Ecology issued a Site NFA opinion letter on April 12, 2001 to address the actions and restrictions required by the conditional 1994 NFA letter regarding TPH. The 2001 opinion letter stated that the required groundwater monitoring for TPH had been satisfactorily completed and was no longer required. It also stated that no further restrictions needed to apply to TPH in soil at the Site. Since TPH were the only contaminants of concern identified for soil, the letter implied that no soil restrictions were necessary at the Site.

Ecology's 2001 Site NFA letter stated that the 1994 Restrictive Covenant could be modified to reflect the changes in required actions and restrictions. The Boeing Company was authorized by Ecology to remove the restrictions regarding TPH. However, the Restrictive Covenant was still required in order to restrict the use of groundwater due to the presence of vinyl chloride and arsenic exceeding MTCA Method A cleanup levels. The 2001 letter indicated that vinyl chloride and arsenic in groundwater may have a source that is not related to past or present operations at the Site, and that these chemicals were being monitored as part of remediation activities being conducted at the east-adjacent PACCAR facility. The letter also stated that further action may be required to remediate groundwater contamination, apparently referring to the potential impacts from the PACCAR Site on the Garden Plaza property.

A new Restrictive Covenant was filed in King County on June 1, 2001, signed by the Boeing Company as the Grantor and the Department of Ecology as the Grantee. This covenant acknowledged that the petroleum contamination in soil and groundwater (described in the 1994 covenant) had been remediated to comply with MTCA.

2.5 Site Investigations Since Last Periodic Review

New information about the Site has been made available to Ecology. Ecology has reviewed the following reports and documents:

- *Phase II Environmental Site Assessment Report, Boeing Buildings 10-13 and 10-16, Renton, Washington*, by Landau Associates (LAI), dated August 7, 2018.
- Data tables, lab reports, and boring logs provided by ZipperGeo for a subsurface investigation conducted on the property on November 18, 2021. A report has not been completed.
- *Technical Memorandum, Tier II Vapor Intrusion Investigation, Former Boeing Building 10-16, Garden Avenue Property*, by ZipperGeo, dated October 4, 2022.

Sampling locations are on figures in Appendices 6.3 and 6.4. The soil, groundwater, soil gas, and indoor air sample results are summarized in tables provided in Appendices 6.5, 6.6, and 6.7. The results for each investigation are also summarized below.

Landau Associates, Inc. (LAI) 2017-2018 Phase II Environmental Site Assessment

LAI collected soil, groundwater, and/or soil gas samples from six locations (LAI-B1 through LAI-B6) on the Site in September 2017. In addition, LAI collected groundwater samples from three of the five existing monitoring wells (LMW-2D, MW-2, and MW-3). LAI also collected soil and/or groundwater samples from four locations (LAI-B7 through LAI-B10), indoor air samples from two locations in each building, and one ambient air sample from upwind of the Site in December 2017.

Results of the soil data showed TPH as gasoline (TPH-G) and naphthalene were detected above the MTCA Method A cleanup levels in a soil sample collected at approximately 11 to 13 feet below the ground surface (bgs) from one boring (LAI-B1) located just south of Building 10-16. PCBs exceeding the MTCA Method A cleanup level were detected in one sample collected from 1 to 3 feet bgs in one boring (LAI-B6) located near the northeast corner of the parking garage. The sample collected at 7 to 9 feet bgs in the same boring did not contain PCBs above the cleanup level. PCBs below the cleanup level were also detected in shallow soil (1 to 2 feet bgs) from boring LAI-B9, but not in deeper soil (5 to 7 feet bgs) in the same boring. Boring LAI-B9 was located just east of boring LAI-B1. No other contaminants were detected in soil samples above the cleanup levels.

Groundwater samples from the borings and monitoring wells showed arsenic at concentrations up to 9.32 micrograms per liter (µg/L), which exceeds the MTCA Method A cleanup level of 5 µg/L. Vinyl chloride was detected in one monitoring well (LMW-2D) at a concentration of 0.34 µg/L, which exceeds the MTCA Method A cleanup level of 0.2 µg/L. This concentration is significantly lower than what was previously detected in this well.

Soil gas samples were collected from borings LAI-B1 through LAI-B6, located around both buildings. The results showed benzene at concentrations exceeding the MTCA Method B sub-

slab soil gas screening level in three borings. Chloroform and 1,3-butadiene were also detected at concentrations above the soil gas screening levels in one or more borings. Indoor air samples collected from both buildings showed benzene and 1,3-butadiene below the MTCA Method B indoor air cleanup levels. These results represent values that were corrected using the results of the ambient air sample.

ZipperGeo 2021 Soil and Groundwater Sampling

ZipperGeo collected soil and groundwater samples from five locations around both buildings in November 2021.

Soil samples were analyzed for TPH-D and TPH as heavy oil (TPH-O), mercury, and PCBs. TPH-D and TPH-O were not detected above the method reporting limits (MRLs) in any sample. PCBs were detected in one soil sample collected at 2 feet bgs in boring PB-204; however, the concentration was below the cleanup level. The sample collected at 8 feet bgs in the same boring did not contain PCBs above the MRLs. Boring PB-204 was located in the area of LAI-B1 and LAI-B9 where PCBs were detected in shallow soil in 2017. cPAHs were detected above the cleanup level in one soil sample collected at 2 feet bgs from PB-205. The sample collected 8 feet bgs in the same boring was not analyzed for cPAHs.

TPH-D + TPH-O was detected in the groundwater sample collected from boring PB-201 (located just east of Building 10-13) at a concentration of 850 µg/L, which is above the MTCA Method A cleanup level of 500 µg/L. Dissolved arsenic was detected in groundwater in boring PB-204 at a concentration of 32.4 µg/L, which is above the cleanup level. Vinyl chloride and PCBs were not detected above the MRLs in any groundwater sample.

It should be noted that the 2021 ZipperGeo submittal also included analytical laboratory reports for samples collected on an adjacent property, named the Boeing Renton Parking Lot cleanup site (Cleanup Site ID 15481). This data was excluded from this periodic review since it was collected from a different cleanup site.

ZipperGeo 2022 Building 10-15 Vapor Intrusion Assessment

Building 10-16 is proposed to be renovated from office use to retail and residential use. Retail will be on the ground floor and residential on the upper floors (Floors 2 through 7). Due to the planned change in use, ZipperGeo conducted a vapor intrusion assessment by sampling six sub-slab vapor probes installed in the ground floor slab of Building 10-16. The vapor probes were located in areas where there may be sub-slab penetrations, such as near the elevators and floor drains. The sub-slab soil gas samples were analyzed for volatile organic compounds (VOCs). The highest concentrations were from TPH, which was detected in every sample; however, all the results were below the MTCA Method B sub-slab soil gas screening levels. Other VOCs were also detected; however, none were above the screening levels.

2.6 Restrictive Covenants

Ecology previously determined that institutional controls were required as part of the cleanup action to document the remaining contamination, protect the cleanup action, and protect human health and the environment. Two Restrictive Covenants have been recorded for the Site. These covenants are available as Appendix 6.8.

The first Restrictive Covenant was recorded on September 2, 1994 and required groundwater monitoring at the Site due to the presence of TPH in soil and groundwater. The 1994 covenant described multiple areas at the Site that contained residual TPH contamination that necessitated restrictions.

The second Restrictive Covenant was recorded on June 1, 2001 and supersedes the 1994 covenant. The 2001 covenant states that petroleum contamination in soil and groundwater was remediated to comply with MTCA, and eliminated the groundwater monitoring requirement. The 2001 covenant stated that groundwater at the property may contain vinyl chloride and arsenic concentrations that exceed MTCA Method A cleanup levels, and therefore continued the limitations on the use of groundwater at the Site.

The following limitations are found in the current 2001 Restrictive Covenant:

1. No groundwater may be taken for any use from the Property.
2. 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.
3. 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 approval from Ecology.
4. The Owner of the Property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision of continued monitoring, operation, and maintenance of the Remedial Action.
5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.
6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.
7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action, to take samples, to inspect Remedial Actions conducted at the Property, and to inspect records that are related to the Remedial Action.

8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

3.0 Periodic Review

3.1 Effectiveness of completed cleanup actions

Site Visit

A Site visit was conducted by Ecology on October 27, 2022. A photo log is available as Appendix 6.9. Present during Ecology's Site visit were a representative of the property owner (AAA Management) and their consultant (ZipperGeo). The two existing buildings (Building 10-16 along the north property boundary and Building 10-13 along the west property boundary) are currently vacant and, according to the property owner, have been unoccupied for over a year.

Building 10-16 is slab-on-grade and the recent sub-slab vapor points (ZipperGeo 2022 vapor intrusion assessment; Section 3.2) were noted inside the building on the ground floor. Interior access was not available to Building 10-13 due to safety concerns.

The parking garage did not show any signs of degradation or damage. The ground floor slab appeared to be in good condition, as was the surrounding asphalt. There was no evidence of stressed vegetation on the property. No active monitoring wells were noted on the property. Monitoring wells appear to have been decommissioned; however, no decommissioning well reports were on file with Ecology. Vehicle traffic to the property and access to the parking garage is restricted by concrete barricades.

New Data Regarding Contaminants of Concern

Site investigations conducted in 2017 and 2021 identified concentrations of cPAHs, naphthalene, and PCBs in soil above MTCA Method A cleanup levels. These contaminants were not previously analyzed and therefore are not discussed in prior Ecology opinions or periodic reviews. TPH-G was also identified above the soil cleanup level. cPAHs and PCBs in soil appear to be limited to shallow soil and are in areas that are currently covered with asphalt. Soil contaminated with naphthalene and TPH-G was approximately 11 to 13 feet bgs in one location also covered with asphalt.

The recent Site investigations indicate that TPH-D + TPH-O remains at the Site above the groundwater cleanup level. Vinyl chloride that was originally detected above the groundwater cleanup level in monitoring well LMW-2D was still present above the cleanup level in 2017; however, the concentration had decreased significantly. Groundwater samples collected from new locations in 2021 did not show vinyl chloride detected in any sample. Groundwater samples identified dissolved arsenic at concentrations above the cleanup level, which is

consistent with previous results. All previously installed and sampled groundwater monitoring wells including LMW-2D have been decommissioned.

Sub-slab soil gas data from beneath Building 10-16 and beneath the asphalt parking area, and indoor air data for both Buildings 10-13 and 10-16 are also new for the Site. Sub-slab soil gas samples collected from beneath the asphalt parking area exceeded the sub-slab soil gas screening levels; however, none of the sub-slab soil gas or indoor air sample results exceeded the sub-slab soil gas screening levels or indoor air cleanup levels for samples collected inside the buildings. While additional indoor air data would be ideal (since there was only one sampling event and only two samples from each building), there does not appear to be a completed vapor intrusion exposure pathway based on the available data.

Potential Direct Contact with Contaminated Soils

Soils with TPH concentrations higher than MTCA cleanup levels are still present at the Site and soils with PCBs, cPAHs, and naphthalene above MTCA cleanup levels have been discovered in some areas of the Site. Based upon the Site visit conducted on October 27, 2022, the existing buildings and surrounding asphalt cover at the Site continue to prevent exposure to contaminated soils by ingestion and direct contact. The asphalt appeared in satisfactory condition and no repair, maintenance, or contingency actions were apparent at the time of the Site visit.

Institutional Controls

The Restrictive Covenant for the Site was recorded and is discoverable through the King County Recorder's Office. Ecology found no evidence a new instrument has been recorded that limits the effectiveness or applicability of the Covenant. The Boeing Company recorded a document (as the Grantor and Grantee) titled *Declaration of Covenants, Conditions, Easements, and Restrictions* on December 13, 2021 (King County Recording Number 20211213000116) with their own conditions and restrictions for future owners of the subject property. However, the Boeing Company's document does not appear to impact the effectiveness or applicability of Ecology's 2001 Covenant.

The 2001 Restrictive Covenant prohibits the use of groundwater at the property due to vinyl chloride and arsenic impacts, as well as prohibiting activities that may result in the release or exposure of contaminants that remain on the property (unless approved by Ecology in advance). This covenant serves to ensure the long-term integrity of the remedy with regards to the vinyl chloride and arsenic contaminated groundwater.

The Restrictive Covenant indicates that TPH contamination in soil and groundwater was remediated, and identifies the remaining contaminants and media of concern at the Site as vinyl chloride and arsenic in groundwater only. Ecology's 2001 Site NFA opinion letter indicated that activity and use restrictions were no longer necessary for soil and TPH impacts based on the data available at the time, which resulted in the 2001 covenant (that supersedes the 1994

covenant). However, recent Site investigations identified additional contaminants of concern (cPAHs, PCBs, and naphthalene above soil cleanup levels) that were not previously analyzed, and additional areas of TPH-contaminated soil and groundwater above cleanup levels that were not remediated. Therefore, Ecology's 2001 Site NFA opinion letter and the subsequent 2001 Restrictive Covenant do not accurately represent current Site conditions.

Since the Restrictive Covenant prohibits the use of groundwater at the property due to vinyl chloride and arsenic impacts, the remedy is likely to be effective in protecting human health and the environment from the TPH-contaminated groundwater that was discovered in recent investigations.

The additional areas of contaminated soil that were discovered in recent investigations are currently capped by buildings and pavement, so are not considered an imminent threat to human health or the environment. However, the remedy and Restrictive Covenant may not be effective long-term in protecting human health and the environment from the remaining contaminated soil.

3.2 New scientific information for individual hazardous substances or mixtures present at the Site

There is no new relevant scientific information for the hazardous substances remaining at the Site.

3.3 New applicable state and federal laws for hazardous substances present at the Site

There are no new applicable or relevant state or federal laws for hazardous substances remaining at the Site.

3.4 Current and projected Site and resource use

The Site is currently used for commercial purposes; however, the property owner is planning to change the use of the property from commercial to mixed residential and retail. Building 10-16 is planned to be renovated from an office building to mixed use, with retail on the ground floor and affordable housing on the upper floors. This would include interior remodeling only, with no disturbance of the ground or foundation.

The property owner requested approval from Ecology to change the use of Building 10-16. However, the Restrictive Covenant for this property does not restrict land use (for example, specifically requiring commercial or industrial uses). Therefore, approval from Ecology is not required to change the use of the property to retail, residential, or any other use.

The property owner also indicated that they intend to demolish Building 10-13 and redevelop a portion of the property in approximately one year. This will require advanced approval from Ecology, based on the terms of the covenant.

The existing multi-level parking garage will continue to be used as a parking garage.

3.5 Availability and practicability of more permanent remedies

The proposed demolition of Building 10-13 will result in removal of the building foundation and surrounding asphalt driveways, which have been acting as a cap for subsurface soil contamination. Contaminated soil should be remediated at the time of demolition, which would be a more permanent remedy. The proposed redevelopment will require advanced approval from Ecology, based on the terms of the covenant.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection below selected Site cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 Conclusions

The following conclusions have been made during this periodic review:

- Ecology's 2001 Site NFA opinion letter and the 2001 Restrictive Covenant indicate that TPH was remediated in soil and groundwater, and identified the remaining contaminants and media of concern as vinyl chloride and arsenic in groundwater only. No active remediation was conducted, but limited groundwater monitoring occurred between 1995 and 1998. Ecology's 2001 NFA indicated that activity and use restrictions were no longer necessary for soil and TPH impacts, which resulted in the 2001 covenant. However, Site investigations conducted in 2017 and 2021 identified additional contaminants of concern (cPAHs, PCBs, and naphthalene above soil cleanup levels) that were not previously analyzed, and additional areas of TPH contamination above soil and groundwater cleanup levels.
- The additional areas of contaminated soil that were discovered in the recent Site investigations are currently capped by buildings and pavement, so are not considered an imminent threat to human health and the environment. However, the remedy and Restrictive Covenant may not be effective long-term in protecting human health and the environment from the remaining contaminated soil since soil restrictions were removed by the 2001 covenant.
- Ecology's 2001 Site NFA opinion letter and the 2001 Restrictive Covenant do not accurately represent current Site conditions. The NFA will be rescinded. Ecology recommends that the property owner enroll in the Voluntary Cleanup Program regarding additional characterization and/or cleanup actions that may be required to comply with MTCA.

- Groundwater with arsenic and vinyl chloride concentrations above the cleanup levels are still present on the property based on recent investigations. The source has been speculated to be from the east-adjacent PACCAR cleanup site, but limited information and data is available. Additional characterization, source investigation, and/or cleanup actions may be needed in the future.
- The 2017 and 2022 vapor intrusion assessments indicate that soil gas samples collected from beneath the asphalt parking area exceeded the soil gas screening levels; however, none of the soil gas or indoor air samples collected inside the buildings exceeded the soil gas screening levels or indoor air cleanup levels. Based on the limited available data, there does not appear to be a completed vapor intrusion exposure pathway that would impact future occupants of the existing buildings.
- The property owner indicated that they intend to demolish one of the buildings and redevelop a portion of the property in approximately 1 year. This will require advanced approval from Ecology, based on the terms of the Restrictive Covenant. The property owner should enroll in the Voluntary Cleanup Program as soon as possible with their redevelopment request and work plans in order to avoid delays with their project.
- The Restrictive Covenant for this property does not restrict land use. Therefore, approval from Ecology is not required for the proposed change of use of one of the existing office buildings to retail and residential.

It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the remedy is maintained.

5.0 References

Ecology. Completion of Monitoring and Change in Use Restrictions Opinion Letter. April 12, 2001.

Ecology. Conditional No Further Action Opinion Letter. September 6, 1994.

Ecology. Periodic Review, Garden Plaza, FSID 2475. April 2014.

Ecology. Site Visit. October 27, 2022.

Landau Associates. Phase II Environmental Site Assessment, Boeing Buildings 10-13 and 10-16, Renton, Washington. August 7, 2018.

Restrictive Covenant. September 2, 1994.

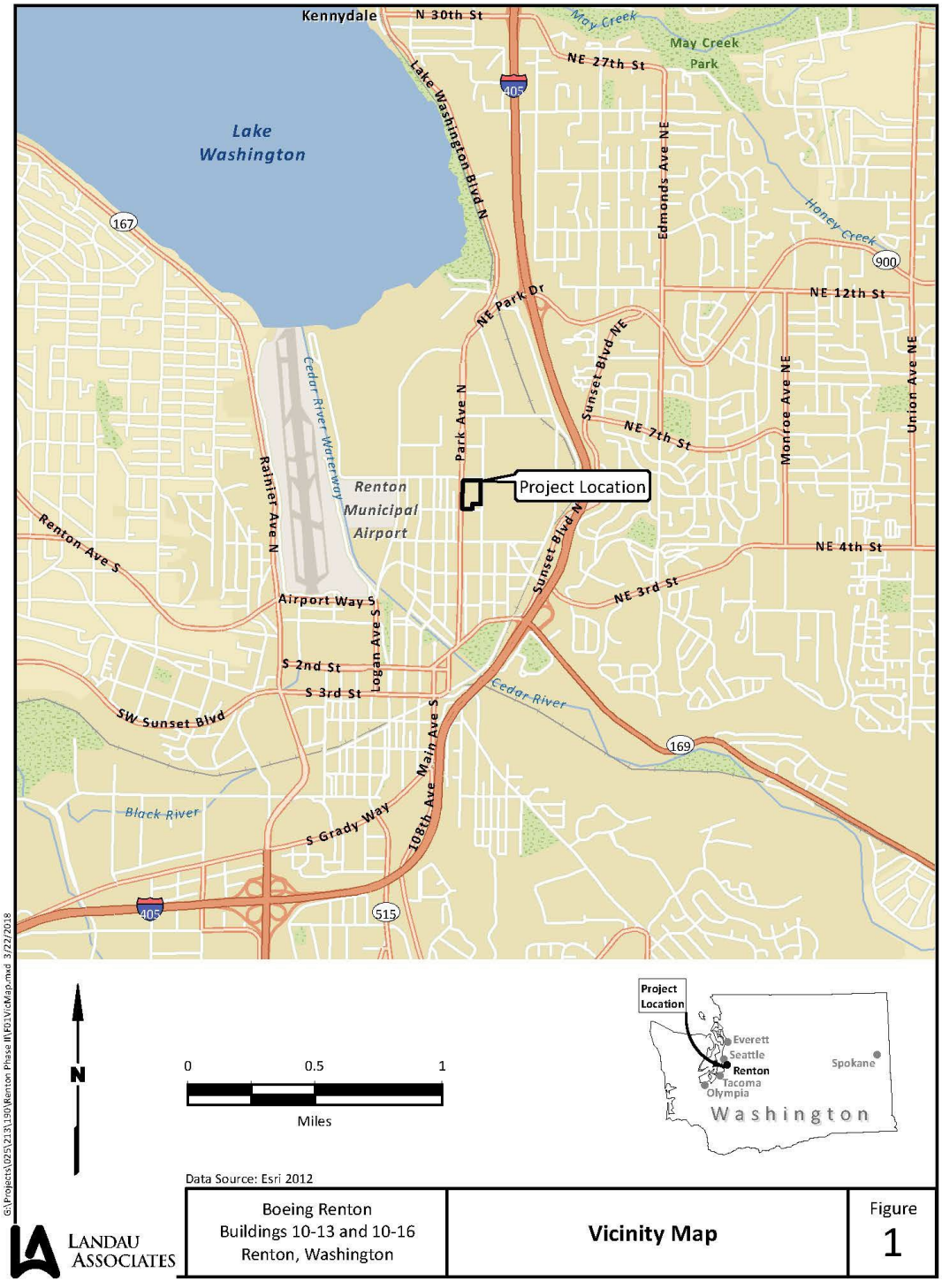
Restrictive Covenant. June 1, 2001.

ZipperGeo. Figure, tables, lab data and boring logs from the November 2021 soil and groundwater investigation (no report available). November 18, 2021.

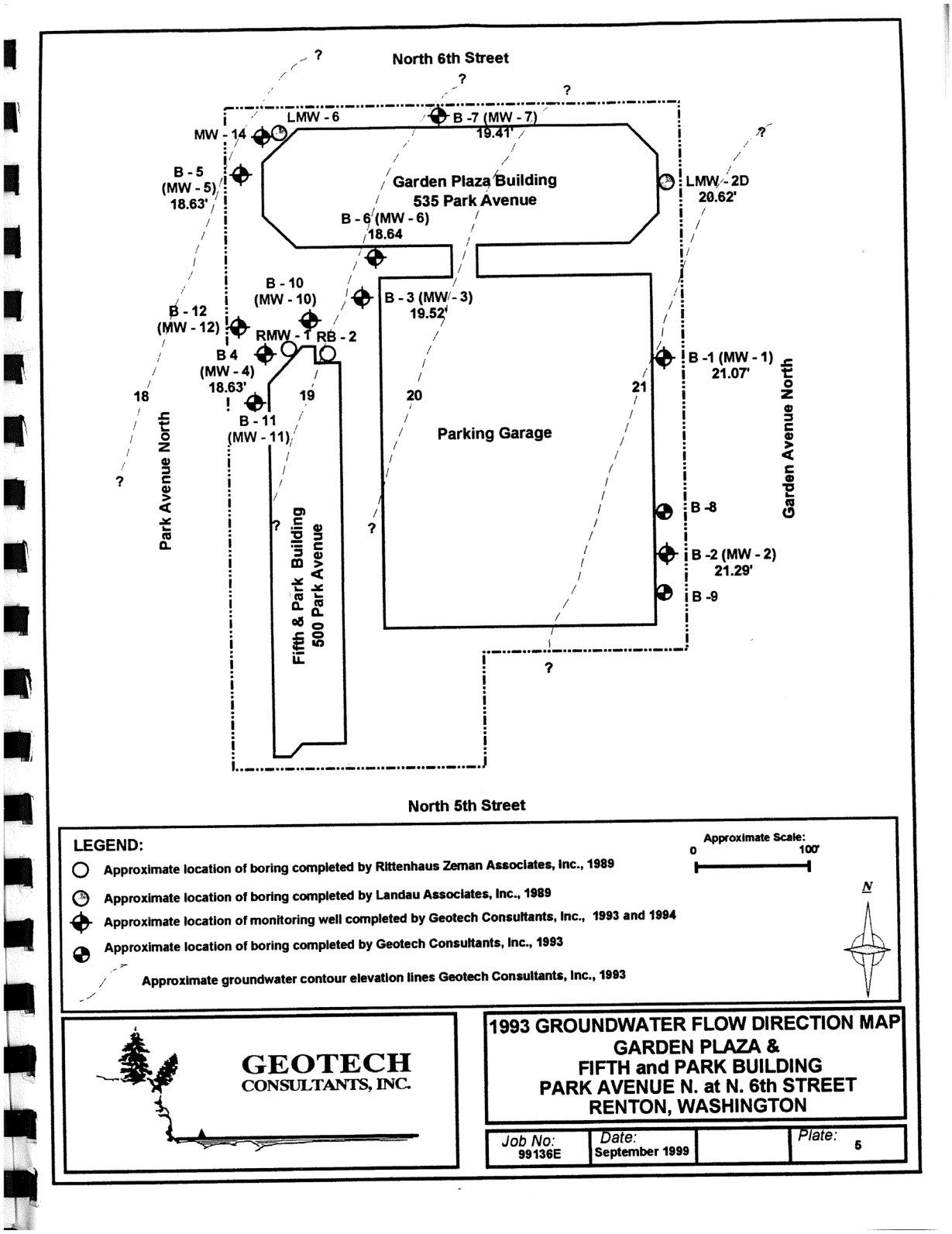
ZipperGeo. Technical Memorandum, Tier II Vapor Intrusion Investigation, Former Boeing Building 10-16 – Garden Avenue Property, 535 Garden Avenue, Renton, King County, Washington 98502. October 4, 2022.

6.0 Appendices

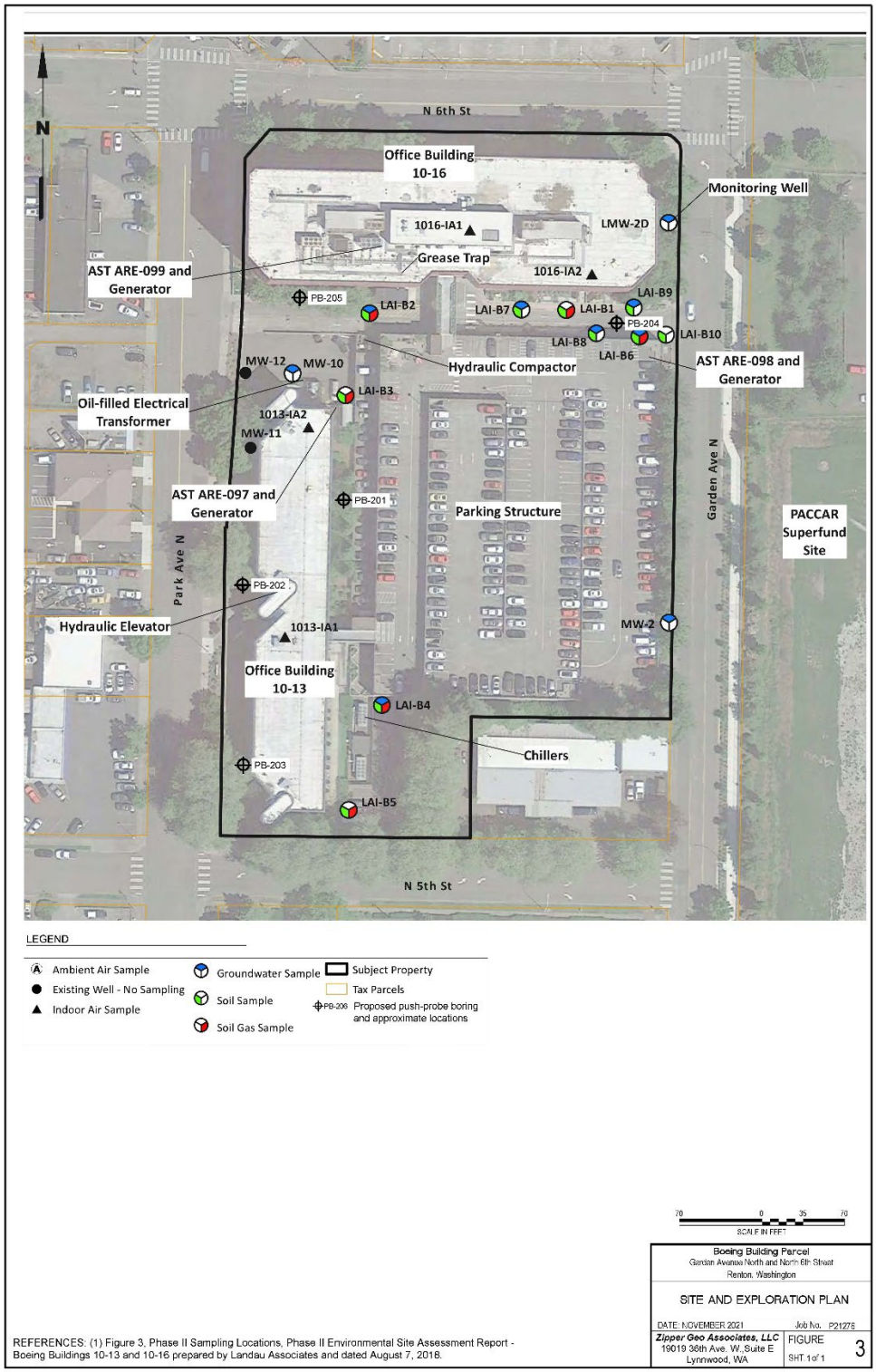
6.1 Vicinity Map



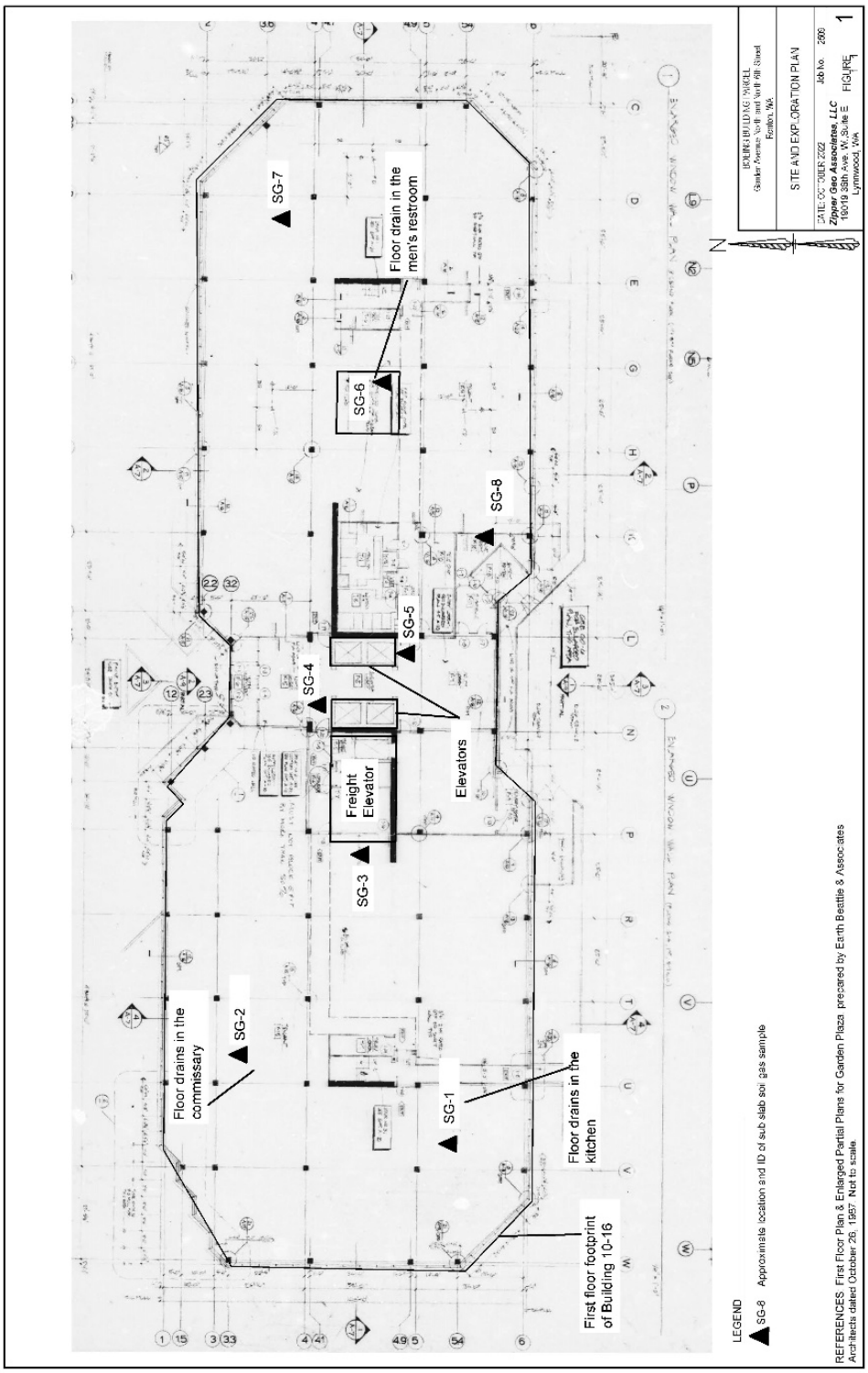
6.2 Site Plan and Groundwater Flow Direction Map (1993)



6.3 Site and Exploration Plan (2021)



6.4 Site and Exploration Plan for North Building 10-16 (2021)



6.5 Recent Soil Data

Landau Associates 2017 Soil Data Tables

Table 2
Summary of Detected Compounds – Soil
Boeing Buildings 10-13 and 10-16 – Renton, Washington

Analyte	Screening Levels Method A	Screening Levels Method B*	Sample Location, Sample ID, Sample Date and Laboratory Sample ID: LAI-B1 LAI-B1-S(1-3)-20170911 9/11/2017 17I0116-04	LAI-B1 LAI-B1-S(11-13)-20170911 9/11/2017 17I0116-06	LAI-B2 LAI-B2-S(1-3)-20170911 9/11/2017 17I0116-08	LAI-B2 LAI-B2-S(10-12)-20170911 9/11/2017 17I0116-09	LAI-B3 LAI-B3-S(3.75-5) 9/11/2017 17I0116-10	LAI-B4 LAI-B4-S(3.5-5)-20170913 9/13/2017 17I0139-01	LAI-B5 LAI-B5-S(1-3)-20170913 9/13/2017 17I0139-03	LAI-B5 LAI-B5-S(7-9)-20170913 9/13/2017 17I0139-04	LAI-B6 LAI-B6-S(1-3)-20170911 9/11/2017 17I0116-01
Metals (mg/kg; EPA 200.8/SW-846 7471B)											
Arsenic	20	0.67	**6.79**	**3.71**	**5.24**	**3.88**	4.82 J	**2.70**	**4.86**	**2.31**	**3.77**
Cadmium	2	0.69	0.13 U	0.13 U	**0.19**	**0.14**	**0.52**	0.12 U	0.12 U	0.12 U	**0.13**
Chromium, Total	2,000	120,000	**30.1**	**34.7**	**30.3**	**39.4**	42.3 J	**29.2**	**39.1**	**33.7**	**30.4**
Lead	250	3,000	**11.1**	**5.36**	**19.7**	**5.57**	**20.3**	**2.56**	**5.77**	**2.59**	**15.2**
Mercury	2	2.1	0.0240 U	**0.0469**	**0.0261**	**0.0568**	**0.0564**	0.02650 U	**0.09653**	**0.02770**	**0.0708**
Petroleum Hydrocarbons (mg/kg; NWTPH-HCID)											
Gasoline Range Organics	100/30[b]	N/A	11 U	19	11 U	14 U	12 U	12 U	12 U	12 U	11 U
Petroleum Hydrocarbons (mg/kg; NWTPH-Gx)											
Petroleum Hydrocarbons as Gasoline	100/30[b]	N/A	--	**1,010**	--	--	--	--	--	--	--
PCBs (mg/kg; SW-846 8082A)											
Aroclor 1254	N/A	0.5	--	--	--	--	--	--	--	--	**6.25**
Aroclor 1260	N/A	0.5	--	--	--	--	--	--	--	--	0.0180 U
Total PCBs	1	0.5	--	--	--	--	--	--	--	--	**6.25**
Volatile Organic Compounds (mg/kg; SW-846 8260C)											
1,2,4-Trimethylbenzene	N/A	N/A	0.00118 U	**58.7**	0.00119 U	0.00157 U	**0.00124**	0.00063 U	0.00059 U	0.00067 U	0.00110 U
1,3,5-Trimethylbenzene	N/A	800	0.00118 U	**5.57**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
2-Butanone/MEK	N/A	48,000	0.00592 U	0.00618 U	0.00597 U	0.00786 U	0.00537 U	0.00315 U	0.00294 U	0.00337 U	0.00550 U
4-Isopropyltoluene	NL	NL	0.00118 U	**5.37**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
Acetone	N/A	29	**0.0168**	0.00618 U	**0.0705**	**0.0631**	**0.0465**	**0.0102**	**0.0324**	**0.00964**	**0.0253**
Benzene	0.03	0.028	0.00118 U	**0.00351**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
Carbon Disulfide	N/A	5.7	0.00118 U	**0.00168 J**	**0.00160 J**	0.00157 U	0.00107 U	**0.00069 J**	0.00059 U	0.00067 U	0.00110 U
Ethylbenzene	6	6.0	0.00118 U	**0.122**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
Isopropylbenzene (cumene)	N/A	8,000	0.00118 U	**7.06**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
Methylene Chloride	0.02	0.022	0.00237 U	**0.00372**	0.00239 U	0.00314 U	0.00215 U	0.00126 U	0.00118 U	0.00135 U	0.00220 U
Naphthalene	5	4.5	0.00592 U	**13.5**	0.00597 U	0.00786 U	0.00537 UJ	0.00315 U	0.00294 U	0.00337 U	0.00550 U
n-Butylbenzene	N/A	4,000	0.00118 U	**55.6**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
n-Propylbenzene	N/A	8,000	0.00118 U	**34.2 J**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
sec-Butylbenzene	N/A	8,000	0.00118 U	**9.47**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
Toluene	7	4.7	0.00118 U	**0.00206**	0.00119 U	0.00157 U	0.00107 U	0.00063 U	0.00059 U	0.00067 U	0.00110 U
Xylenes, Total	9	15	0.00237 U	**0.0263**	0.00239 U	0.00314 U	0.00215 U	0.00126 U	0.00118 U	0.00135 U	0.00220 U
Semivolatile Organic Compounds (mg/kg; SW-846 8270D)											
1-Methylnaphthalene	N/A	34	0.061 U	0.062 U	**1.37**	0.066 U	0.062 U	0.066 U	0.061 U	0.062 U	0.061 U
2-Methylnaphthalene	N/A	320	0.061 U	0.062 U	**2.24**	0.066 U	0.062 U	0.066 U	0.061 U	0.062 U	0.061 U
Butyl Benzyl Phthalate	N/A	13	0.061 U	0.062 U	0.062 U	**0.235**	0.062 U	0.066 U	0.061 U	0.062 U	0.061 U
Fluoranthene	N/A	630	0.061 U	0.062 U	0.062 U	0.066 U	0.062 U	0.066 U	0.061 U	0.062 U	**0.069**
Naphthalene	5	4.5	0.061 U	0.062 U	**0.879**	0.066 U	0.062 U	0.066 U	0.061 U	0.062 U	0.061 U
Pyrene	N/A	650	0.061 U	0.062 U	0.062 U	0.066 U	0.062 U	0.066 U	0.061 U	0.062 U	**0.064**
Total Benzofluoranthenes	NL	1.4	0.061 U	0.062 U	0.062 U	0.066 U	0.062 U	0.066 U	0.061 U	0.062 U	**0.107**

08/15/18 P:\125\217\356 - Buildings 10-13 & 10-16 (Tertiary) Phase I GW\Data\Report\Data Table_Soil.xlsx

Landau Associates

Table 2
Summary of Detected Compounds – Soil
Boeing Buildings 10-13 and 10-16 – Renton, Washington

Analyte	Screening Levels Method A	Screening Levels Method B*	Sample Location, Sample ID, Sample Date and Laboratory Sample ID: LAI-B6 LAI-B6-S(7-9)-20170911 9/11/2017 17I0116-02	LAI-B7 LAI-B7-S(9-11)-201712 12/22/2017 17L0423-10	LAI-B7 LAI-B7-S(13-15)-201712 12/22/2017 17L0423-12	LAI-B8 LAI-B8-S(1-3)-201712 12/22/2017 17L0423-03	LAI-B8 LAI-B8-S(5-7)-201712 12/22/2017 17L0423-04	LAI-B9 LAI-B9-S(1-2)-201712 12/22/2017 17L0423-06	LAI-B9 LAI-B9-S(5-7)-201712 12/22/2017 17L0423-07	LAI-B9 LAI-B9-S(10-12)-201712 12/22/2017 17L0423-08
Metals (mg/kg; EPA 200.8/SW-846 7471B)										
Arsenic	20	0.67	**8.87**	--	--	--	--	--	--	--
Cadmium	2	0.69	**0.14**	--	--	--	--	--	--	--
Chromium, Total	2,000	120,000	**31.4**	--	--	--	--	--	--	--
Lead	250	3,000	**11.8**	--	--	--	--	--	--	--
Mercury	2	2.1	0.0224 U	--	--	--	--	--	--	--
Petroleum Hydrocarbons (mg/kg; NWTPH-HCID)										
Gasoline Range Organics	100/30[b]	N/A	11 U	--	--	--	--	--	--	--
Petroleum Hydrocarbons (mg/kg; NWTPH-Gx)										
Petroleum Hydrocarbons as Gasoline	100/30[b]	N/A	--	7.4 U	9.06 U	--	--	--	--	8.12 U
PCBs (mg/kg; SW-846 8082A)										
Aroclor 1254	N/A	0.5	**0.122**	--	--	0.0188 U	0.0182 U	**0.0632**	0.0196 U	--
Aroclor 1260	N/A	0.5	**0.0323**	--	--	0.0188 U	0.0182 U	**0.0208**	0.0196 U	--
Total PCBs	1	0.5	**0.1543**	--	--	ND	ND	**0.0840**	ND	ND
Volatile Organic Compounds (mg/kg; SW-846 8260C)										
1,2,4-Trimethylbenzene	N/A	N/A	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
1,3,5-Trimethylbenzene	N/A	800	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
2-Butanone/MEK	N/A	48,000	0.00741 U	0.00567 U	0.00787 U	--	--	--	--	0.00581 U
4-Isopropyltoluene	NL	NL	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
Acetone	N/A	29	**0.0192**	**0.0377**	**0.0399**	--	--	--	--	**0.0239**
Benzene	0.03	0.028	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
Carbon Disulfide	N/A	5.7	0.00148 U	0.00113 U	**0.0171**	--	--	--	--	0.00116 U
Ethylbenzene	6	6.0	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
Isopropylbenzene (cumene)	N/A	8,000	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
Methylene Chloride	0.02	0.022	0.00296 U	0.00227 U	0.00315 U	--	--	--	--	0.00232 U
Naphthalene	5	4.5	0.00741 U	0.00567 U	0.00787 U	--	--	--	--	0.00581 U
n-Butylbenzene	N/A	4,000	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
n-Propylbenzene	N/A	8,000	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
sec-Butylbenzene	N/A	8,000	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
Toluene	7	4.7	0.00148 U	0.00113 U	0.00157 U	--	--	--	--	0.00116 U
Xylenes, Total	9	15	0.00296 U	0.00227 U	0.00315 U	--	--	--	--	0.00232 U
Semivolatile Organic Compounds (mg/kg; SW-846 8270D)										
1-Methylnaphthalene	N/A	34	0.062 U	--	--	--	--	--	--	--
2-Methylnaphthalene	N/A	320	0.062 U	--	--	--	--	--	--	--
Butyl Benzyl Phthalate	N/A	13	0.062 U	--	--	--	--	--	--	--
Fluoranthene	N/A	630	0.062 U	--	--	--	--	--	--	--
Naphthalene	5	4.5	0.062 U	--	--	--	--	--	--	--
Pyrene	N/A	650	0.062 U	--	--	--	--	--	--	--
Total Benzofluoranthenes	NL	1.4	0.062 U	--	--	--	--	--	--	--

08/15/18 P:\125\217\356 - Buildings 10-13 & 10-16 (Tertiary) Phase I GW\Data\Report\Data Table_Soil.xlsx

Table 2
Summary of Detected Compounds – Soil
Boeing Buildings 10-13 and 10-16 – Renton, Washington

Analyte	Screening Levels		Sample Location, Sample ID, Sample Date and Laboratory Sample ID		
			LAI-B8 LAI-B8-S(13-15)-201712 12/22/2017 17L0423-11	LAI-B10 LAI-B10-S(1-3)-201712 12/22/2017 17L0423-01	LAI-B10 LAI-B10-S(5-7)-201712 12/22/2017 17L0423-02
	Method A	Method B*			
Metals (mg/kg; EPA 200.8/SW-846 7471B)					
Arsenic	20	0.67	--	--	--
Cadmium	2	0.69	--	--	--
Chromium, Total	2,000	120,000	--	--	--
Lead	250	3,000	--	--	--
Mercury	2	2.1	--	--	--
Petroleum Hydrocarbons (mg/kg; NWTPH-HCID)					
Gasoline Range Organics	100/30[c]	N/A	--	--	--
Petroleum Hydrocarbons (mg/kg; NWTPH-Gx)					
Petroleum Hydrocarbons as Gasoline	100/30[c]	N/A	7.1 U	--	--
PCBs (mg/kg; SW-846 8082A)					
Aroclor 1254	N/A	0.5	--	**0.0523**	0.0192 U
Aroclor 1260	N/A	0.5	--	**0.0248**	0.0192 U
Total PCBs	1	0.5	ND	**0.0771**	ND
Volatile Organic Compounds (mg/kg; SW-846 8260C)					
1,2,4-Trimethylbenzene	N/A	N/A	0.00136 U	--	--
1,3,5-Trimethylbenzene	N/A	800	0.00136 U	--	--
2-Butanone/MEK	N/A	48,000	**0.0171**	--	--
4-Isopropyltoluene	NL	NL	0.00136 U	--	--
Acetone	N/A	29	**0.106**	--	--
Benzene	0.03	0.028	0.00136 U	--	--
Carbon Disulfide	N/A	5.7	**0.00273**	--	--
Ethylbenzene	6	6.0	0.00136 U	--	--
Isopropylbenzene (cumene)	N/A	8,000	0.00136 U	--	--
Methylene Chloride	0.02	0.022	0.00271 U	--	--
Naphthalene	5	4.5	0.00679 U	--	--
n-Butylbenzene	N/A	4,000	0.00136 U	--	--
n-Propylbenzene	N/A	8,000	0.00136 U	--	--
sec-Butylbenzene	N/A	8,000	0.00136 U	--	--
Toluene	7	4.7	0.00136 U	--	--
Xylenes, Total	9	15	0.00271 U	--	--
Semivolatile Organic Compounds (mg/kg; SW-846 8270D)					
1-Methylnaphthalene	N/A	34	--	--	--
2-Methylnaphthalene	N/A	320	--	--	--
Butyl Benzyl Phthalate	N/A	13	--	--	--
Fluoranthene	N/A	630	--	--	--
Naphthalene	5	4.5	--	--	--
Pyrene	N/A	630	--	--	--
Total Benzofluoranthenes	NL	1.4	--	--	--

Abbreviations and Acronyms:
EPA = US Environmental Protection Agency
ft = feet
ID = identification
mg/kg = milligrams per kilogram
MTCA = Washington State Model Toxics Control Act
-- = not analyzed
N/A = not applicable
NL = not listed

Notes:
U = The analyte was analyzed for but was not detected above the level of the reported sample quantitation limit.
J = The result is an estimated quantity. The associated numerical value is the approximate concentration of the analyte in the sample.
UJ = The analyte was analyzed for but was not detected. The reported quantitation limit is approximate and may be inaccurate or imprecise.
Bold = detected compound
Blue Box = detected concentration is greater than MTCA Method B screening level.
Green Box = detected concentration is greater than MTCA Method A and MTCA Method B screening levels.

[b] For MTCA Method B screening levels, the most conservative value of either direct contact cancer, direct contact non-cancer, or protective of groundwater was used.
Screening levels for metals would be adjusted up to natural background concentrations.
[c] MTCA Method A screening level is 100 mg/kg if benzene is not present and the total of ethylbenzene, toluene, and xylenes is less than 1% of the gasoline mixture; otherwise the screening level is 30 mg/kg.

ZipperGeo 2021 Soil Data Tables

Table 1. Soil Analytical Results - TPH, Metals, PCBs
Boeing Renton - Building Parcel
ZGA Project No. 2509.22

Date	Boring ID	Sample ID	Depth (ft. bgs)	Analytical Results (mg/kg)					
				TPH			Metals[3]	PCBs[4]	
				GRPH[1]	DRPH[2]	ORPH[2]	Mercury	Aroclor 1254	Total PCBs
11/18/2021	PB-201	PB-201-03.0'	3.0	-	<50	<250	-	-	-
		PB-201-05.5'	5.5	-	-	-	-	-	-
	PB-202	PB-202-01.0'	1.0	-	-	-	-	-	-
		PB-202-06.0'	6.0	-	<50	<250	-	-	-
	PB-203	PB-203-01.0'	1.0	-	-	-	-	-	-
		PB-203-06.0'	6.0	-	<50	<250	-	-	-
11/17/2021	PB-204	PB-204-02.0'	2.0	-	<50	<250	-	**0.049**	**0.049**
		PB-204-08.0'	8.0	-	<50	<250	-	<0.02	<0.02
	PB-205	PB-205-02.0'	2.0	-	<50	<250	-	-	-
		PB-205-08.0'	8.0	-	<50	<250	-	-	-
MTCA Method A CUL =				**30**	**2,000 Total**		**2**	-	**1**
MTCA Method B CUL =				-	-	-	-	-	**0.5**
Puget-Sound 90th Percentile Value =				-	-	-	**0.07**	-	NA

LEGEND

<1	= Not detected above laboratory RDL.
75.1	= Detected above laboratory RDL, but below applicable MTCA CUL.
2,120	= Detected above applicable MTCA CUL.
-	= Not analyzed, sampled, or applicable.

NOTES
[1] Analyzed by Method NWPTH-Gx.
[2] Analyzed by Method NWPTH-Dx.
[3] Analyzed by EPA Method 6020B.
[4] Analyzed by EPA Method 8082A.
[5] Analyzed by EPA Method 8270E.

ACRONYMS

cPAHs	Carcinogenic Polycyclic Aromatic Hydrocarbons
CUL	Cleanup Level
mg/kg	milligrams per kilogram
MTCA	RCW 70A.305 and its implementing regulations, the Model Toxics Control Act, WAC 173-340 (collectively MTCA)
NA	Not Applicable
PCBs	Polychlorinated Biphenyls
RDL	Laboratory Reported Detection Limit
TPH	Total Petroleum Hydrocarbons
VOCs	Volatile Organic Compounds

Table 2. Soil Analytical Results - cPAHs
Boeing Renton - Building Parcel
ZGA Project No. 2509.22

Date	Boring ID	Sample ID	Depth (ft. bgs)	cPAHs Toxicity Equivalency[1] (mg/kg)							TEQ[2] (mg/kg)
				Benzo(a)-pyrene TEF:1	Benzo(a)-anthracene TEF:0.1	Benzo(b)-fluoroanthene TEF:0.1	Benzo(k)-fluoroanthene TEF:0.1	Chrysene TEF:0.01	Dibenzo(a,h)-anthracene TEF:0.1	Indeno(1,2,3,cd)-pyrene TEF:0.1	
11/18/2021	PB-201	PB-201-03.0'	3.0	-	-	-	-	-	-	-	-
		PB-201-05.5'	5.5	-	-	-	-	-	-	-	-
	PB-202	PB-202-01.0'	1.0	-	-	-	-	-	-	-	-
		PB-202-06.0'	6.0	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01
	PB-203	PB-203-01.0'	1.0	-	-	-	-	-	-	-	-
		PB-203-06.0'	6.0	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01
11/17/2021	PB-204	PB-204-02.0'	2.0	-	-	-	-	-	-	-	-
		PB-204-08.0'	8.0	-	-	-	-	-	-	-	-
	PB-205	PB-205-02.0'	2.0	**0.091**	**0.064**	**0.12**	<0.05	**0.081**	<0.05	**0.069**	**0.122**
		PB-205-08.0'	8.0	-	-	-	-	-	-	-	-
MTCA Method A Cleanup Level (mg/kg)				***0.1***	***NE***	***NE***	***NE***	***NE***	***NE***	***NE***	***0.1***
MTCA Method B Cleanup Level, Direct Contact (mg/kg)				***0.19***	***NE***	***NE***	***NE***	***NE***	***NE***	***NE***	***0.19***

LEGEND

<RDL	= Specified analyte not detected above RDL.
0.0217	= Specified analyte detected above the RDL, but below the specified MTCA Cleanup Level.
0.162	= Specified analyte detected above the MTCA Cleanup Level.
-	= Not analyzed, sampled, or applicable.

ACRONYMS

EPA	United States Environmental Protection Agency
ft. bgs	Feet below ground surface
mg/kg	Milligrams per kilogram, aka parts-per-million or ppm
MTCA	Chapter 70.105D of the Revised Code of Washington and its implementing regulations, the Model Toxics Control Act, Chapter 173-340 of the Washington Administrative Code (Collectively MTCA).
NE	Not Established
RDL	Laboratory reported detection limit
TEF	Toxicity Equivalency Factor
TEQ	Toxicity Equivalent

NOTES
[1] Analyzed by EPA Method 8270E SIM.
[2] Analytical results for each individual cPAH is multiplied by the TEF and all seven cPAH values are added.

6.6 Recent Groundwater Data

Landau Associates 2017 Groundwater Data Table

Table 3
Summary of Detected Compounds – Groundwater
Boeing Buildings 10-13 and 10-16 – Renton, Washington

Analyte	Screening Levels		Sample Location, Sample ID, Sample Date, and Laboratory Sample ID								
			LAI-B2 LAI-B2-GW 9/11/2017	LAI-B4 LAI-B4-GW 9/13/2017	LAI-B6 LAI-B6-GW-20170911 9/11/2017	LMW-2D LMW-2D-20170913 9/13/2017	LAI-B7 LAI-B7-GW-201712 12/22/2017	LAI-B8 LAI-B8-GW-201712 12/22/2017	LAI-B9 LAI-B9-GW-201712 12/22/2017	MW-2 MW-2-20170913 9/13/2017	MW-10 MW-10-20170913 9/13/2017
	Method A	Method B*	17I0116-07	17I0139-02	17I0116-03	17I0139-07	17L0423-13	17L0423-05	17L0423-09	17I0139-05	17I0139-06
Metals (µg/L; EPA 200.8/SW-846 7470A)											
Arsenic	5	0.06	8.39 J	3.75	9.32	5.40	--	--	--	5.46	8.10
Chromium, Total	50	100	0.500 U	0.500 U	0.815	0.500 U	--	--	--	0.644	0.683
Petroleum Hydrocarbons (µg/L; NWTPH-HCID/NWTPH-Gx)											
Gasoline Range Organics	1,000/800[b]	N/A	250 U	250 U	250 U	250 UJ	603	100 U	100 U	250 U	250 U
Volatile Organic Compounds (µg/L; SW-846 8260C)											
Acetone	N/A	7,200	8.09 J	5.00 UJ	7.74 J	5.00 UJ	5.00 U	5.00 U	5.00 U	8.55 J	5.00 UJ
Carbon Disulfide	N/A	800	0.27 J	0.20 U	0.67 J	0.20 U	0.20 U	0.20 U	0.20 U	0.20 U	0.20 U
sec-Butylbenzene	N/A	800	0.20 U	0.20 U	0.20 U	0.20 U	0.77	0.20 U	0.20 U	0.20 U	0.20 U
Toluene	1,000	640	0.20 U	0.62	0.20 U	0.20 U	0.20 U	0.20 U	0.20 U	0.20 U	0.20 U
Vinyl Chloride	0.2	0.03	0.20 U	0.20 U	0.20 U	0.34	0.20 U	0.20 U	0.20 U	0.20 U	0.20 U

Abbreviations and Acronyms:
EPA = US Environmental Protection Agency
GW = groundwater
ID = identification
MTCA = Washington State Model Toxics Control Act
µg/L = micrograms per liter
N/A = not applicable
NL = not listed
-- = not analyzed

Notes:
U = The analyte was analyzed for but was not detected above the level of the reported sample quantitation limit.
J = The result is an estimated quantity. The associated numerical value is the approximate concentration of the analyte in the sample.
UJ = The analyte was not detected in the sample; the reported sample reporting limit is an estimate.
Bold = detected compound
Blue Box = detected concentration is greater than MTCA Method B screening level.
Green Box = detected concentration is greater than MTCA Method B and MTCA Method A screening level.

* For MTCA Method B screening levels, the most conservative value of either cancer, non-cancer, or maximum contaminant level was used. Screening levels for metals would be adjusted up to natural background concentrations.
[b] MTCA Method A screening level is 1,000 µg/L if benzene is not present and the total of ethylbenzene, toluene, and xylenes is less than 1 percent of the gasoline mixture; otherwise the screening level is 800 µg/L.

ZipperGeo 2021 Groundwater Data Table

Table 3. Groundwater Analytical Results
Boeing Renton - Building Parcel
ZGA Project No. 2509.22

Matrix	Boring ID	Sample ID	Date	Analytical Results (µg/L)									
				TPH					Chlorinated VOCs[4]		Metals		
				GRPH[1]	DRPH[2]	ORPH[2]	DRPH[3]	ORPH[3]	Vinyl Chloride	Other VOC	Dissolved Arsenic[5]	Dissolved Mercury[6]	PCBs[7]
Groundwater	PB-201	PB-201-20211118	11/18/2021	-	450[x]	400[x]	<50	<150	<0.02	<RDL	3.31	-	-
	PB-202	PB-202-20211118	11/18/2021	-	<50	<150	-	-	<0.02	<RDL	1.60	-	-
	PB-203	PB-203-20211118	11/18/2021	-	60[x]	<150	-	-	<0.02	<RDL	1.93	-	-
	PB-204	PB-204-20211117	11/17/2021	-	160[x]	<150	-	-	<0.02	<RDL	32.4	-	<0.1
	PB-205	PB-205-20211117	11/17/2021	-	77[x]	<150	-	-	-	-	-	-	-
MTCA Cleanup Level for Groundwater (µg/L) [8]				1,000	500 total		500 total		80[9]	Varies	5	2	0.1

LEGEND

<3.20/<RDL	= Specified analyte not detected above the RDL.
ND	= Specified analyte not detected above the RDL.
20.2	= Specified analyte detected above the RDL, but below the MTCA Cleanup Level.
32.4	= Specified analyte detected above the MTCA Cleanup Level.
-	= Not analyzed, sampled, or applicable.

ACRONYMS

µg/L	Micrograms per liter, aka parts per million, or ppm
CLARC	Cleanup Levels and Risk Calculation
DCE	Dichloroethene
DRPH	Diesel-range petroleum hydrocarbons
EPA	United States Environmental Protection Agency
GRPH	Gasoline-range petroleum hydrocarbons
MTCA	Model Toxics Control Act
NE	Not established
NWTPH	Northwest total petroleum hydrocarbon
RDL	Laboratory Reported Detection Limit
VOC	Volatile Organic Compound

NOTES
[1] Analyzed by Method NWPTH-Gx.
[2] Analyzed by Method NWPTH-DX.
[3] Analyzed by Method NWPTH-DX after the sample was run through a silica gel column.
[4] Analyzed by EPA Method 8260D. Vinyl Chloride analyzed by 8260D-SIM.
[5] Analyzed by EPA Method 6010D.
[6] Analyzed by EPA Method 7470A.
[7] Analyzed by EPA Method 8082A.
[8] MTCA Cleanup Regulation, Chapter 173-340-900 WAC, Table 720-1 Method A Cleanup Levels for groundwater, unless noted otherwise.
[9] MTCA Cleanup Regulation, Chapter 173-340 WAC, CLARC, Groundwater, Method B, Noncancer.
[x] The sample chromatographic pattern does not resemble the fuel standard used for quantitation.

6.7 Recent Soil Gas and Indoor Air Data

Landau Associates 2017 Soil Gas and Indoor Air Data Tables

Table 4
Summary of Detected Compounds – Soil Gas
Boeing Buildings 10-13 and 10-16 – Renton, Washington

Analyte	MTCA Method B Unrestricted Screening Level[a]	Modified MTCA Method B Commercial Screening Level[b]	Sample Location, Field Sample ID, Sample Date, and Laboratory Sample ID					
			LAI-B1 LAI-B1-SG-20170911 9/11/2017 1709312-02A	LAI-B2 LAI-B2-SG-20170911 9/11/2017 1709312-03A	LAI-B3 LAI-B3-SG-20170911 9/11/2017 1709312-04A	LAI-B4 LAI-B4-SG-20170913 9/13/2017 1709312-06A	LAI-B5 LAI-B5-SG-20170913 9/13/2017 1709312-07A	LAI-B6 LAI-B6-SG-20170911 9/11/2017 1709312-01A
Volatile Organic Compounds (µg/m³; TO-15)								
1,2,4-Trimethylbenzene	107	N/A	**13**	2.3 U	2.2 U	**29**	2.2 U	**54**
1,3,5-Trimethylbenzene	NL	N/A	**9.7**	2.3 U	2.2 U	**8.9**	2.2 U	**20**
1,3-Butadiene	2.8	8.3	**100**	**140**	**73**	1.0 U	**6.4**	**13**
2,2,4-Trimethylpentane	NL	N/A	**2,500**	2.2 U	2.1 U	2.1 U	2.0 U	2.1 U
2-Butanone/MEK	76,000	N/A	**38**	5.6 U	5.3 U	**15**	5.2 U	5.4 U
4-Ethyltoluene	NL	N/A	**11**	2.3 U	2.2 U	**13**	2.2 U	**43**
Acetone	NL	N/A	**190**	**94**	**45**	**120**	**38**	**68**
Benzene	11	32	**100**	**12**	**17**	1.5 U	**6.3**	**5.3**
Carbon Disulfide	11,000	N/A	**290**	**66**	5.6 U	5.7 U	5.5 U	**48**
Chloroform	3.6	11	2.3 U	2.3 U	2.2 U	**6.0**	2.1 U	2.2 U
Cyclohexane	NL	N/A	**370**	**13**	**3.9**	1.6 U	1.5 U	**12**
Dichlorodifluoromethane	1,500	N/A	2.3 U	**11**	2.2 U	2.3 U	2.2 U	**8.9**
Ethanol	NL	N/A	**12**	**11**	3.4 U	**48**	3.3 U	3.4 U
Ethylbenzene	15,000	N/A	**11**	**6.4**	1.9 U	2.0 U	1.9 U	**5.5**
Isopropylbenzene	6,100	N/A	2.3 U	2.3 U	2.2 U	2.2 U	2.2 U	**6.5**
m,p-Xylene	1,500	N/A	**37**	**27**	1.9 U	**8.8**	**17**	**26**
n-Heptane	NL	N/A	**320**	**12**	**8.6**	1.9 U	1.8 U	**18**
n-Hexane	11,000	N/A	**830**	**22**	**20**	**6.3**	**6.4**	**17**
n-Propylbenzene	15,000	N/A	2.3 U	2.3 U	2.2 U	2.2 U	2.2 U	**11**
o-Xylene	1,500	N/A	**19**	**13**	1.9 U	2.0 U	**5.3**	**12**
Styrene	15,000	N/A	**8.8**	**15**	1.9 U	2.0 U	1.9 U	1.9 U
Tetrachloroethene	320	N/A	3.1 U	**13**	**11**	3.1 U	3.0 U	3.1 U
Toluene	76,000	N/A	**160**	**16**	**16**	**7.5**	**8.2**	**14**
Trichlorofluoromethane (CFC 11)	11,000	N/A	**85**	**12**	2.5 U	2.6 U	2.5 U	**88**

Abbreviations and Acronyms:
ID = identification
µg/m³ = micrograms per cubic meter
MTCA = Washington State Model Toxics Control Act
N/A = not applicable
NL = not listed

Notes:
Bold = detected compound
Blue Box = detected concentration is greater than MTCA Method B Unrestricted screening level.
Green Box = detected concentration is greater than MTCA Method B and Modified MTCA Method B screening level.
U = The analyte was analyzed for but was not detected above the level of the reported sample quantitation limit.

[a] For MTCA Method B cleanup levels, the most conservative value of either cancer or non-cancer was used.
[b] Modified MTCA Method B screening levels were calculated for a commercial exposure scenario using an exposure frequency of 0.33, which equates to 55 hours per week for 52 weeks per year.

Table 5
Indoor Air/Ambient Air Analytical Results
Boeing Buildings 10-13 and 10-16 – Renton, Washington

Analyte	MTCA Method B Unrestricted Screening Level[a]	Method B Commercial Screening Level[b]	Field Sample ID, Sample Date, and Laboratory Sample ID								
			AA 12/22/2017 1712556-05A/B	1013-IA1 12/22/2017 1712556-01A	1013-IA1 Corrected for Background[c]	1013-IA2 12/22/2017 1712556-02A/	1013-IA2 Corrected for Background[c]	1016-IA1 12/22/2017 1712556-03A/	1016-IA1 Corrected for Background[c]	1016-IA2 12/22/2017 1712556-04A/	1016-IA2 Corrected for Background[c]
1,3-Butadiene	0.083	0.25	0.22 U	0.29 U	N/A	0.29 U	N/A	0.27 U	N/A	0.30 U	N/A
Benzene	0.32	0.96	**0.75**	**0.70**	ND	**0.64**	ND	**0.98**	**0.23**	**0.59**	ND

Notes:
Bold = detected compound
U = The analyte was analyzed for but was not detected above the level of the reported sample quantitation limit.

All concentrations are reported in micrograms per cubic meter (µg/m³).
[a] For MTCA Method B cleanup levels, the most conservative value of either cancer or non-cancer was used.
[b] Modified MTCA Method B screening levels were calculated for a commercial exposure scenario using an exposure frequency of 0.33, which equates to 55 hours per week for 52 weeks per year.
[c] Detected concentrations of benzene in indoor air were corrected for background by subtracting the concentration of benzene detected in ambient air from the concentration detected in indoor air.

Abbreviations and Acronyms:
ID = identification
MTCA = Model Toxics Control Act
N/A = not applicable
ND = detected concentration in indoor air is less than the concentration detected in ambient air
µg/m³ = micrograms per cubic meter

ZipperGeo 2022 Soil Gas Data Table (Building 10-16)

Matrix	Analyte	MTCA Method B Sub-Slab Soil Gas Screening Level[1] (µg/m³)	MTCA Commercial Worker Screening Level[5] (µg/m³)	Sub-Slab Soil Gas Sample ID							
				SG-1	SG-2	SG-3	SG-4	SG-5	SG-6	SG-7	SG-8
Soil-Gas	**Total Petroleum Hydrocarbons (µg/m³)**										
	C5-C8 Aliphatic Hydrocarbons	NE	NE	<710	<500	<480	<490	<530	**810**	<490	**700**
	C9-C12 Aliphatic Hydrocarbons	NE	NE	<240	<170	<160	<160	<180	<160	<160	<520
	C9-C10 Aromatic Hydrocarbons	NE	NE	<240	<170	<160	<160	<180	<160	<160	<520
	Benzene	**11**	**50**	<3	<2.1	<2	<2.1	<2.3	<2	<2.1	<6.7
	Toluene	**76,000**	**650,000**	<180	<130	<120	<120	<130	<120	<120	<400
	Ethylbenzene	**15,000**	NE	**12**	<2.9	<2.8	<2.8	<3.1	<2.8	<2.8	<9.1
	m,p-Xylenes	NE	NE	**47**	<5.8	<5.6	<5.6	<6.2	<5.6	<5.6	<18
	o-Xylene	NE	NE	**15**	<2.9	<2.8	<2.8	<3.1	<2.8	<2.8	<9.1
	Total Xylenes	**1,500**	**13,000**	**62**	<5.8	<5.6	<5.6	<6.2	<5.6	<5.6	<18
	Naphthalene	**2.5**	**11**	<2.4 [J]	<1.8	<1.7	<1.7	<1.9	<1.7	<1.7	<2.4 [J]
	Total Petroleum Hydrocarbons [2]	**1,500**	**13,000**	**762**	**491**	**466**	**471**	**517**	**1,036**	**471**	**1,438**
	Volatile Organic Compounds[4] (µg/m³)										
	1,2-Dibromoethane (EDB)	**0.14**	NE	<0.73	<0.51	<0.49	<0.5	<0.55	<0.49	<0.5	<1.6
	1,2-Dichloroethane (EDC)	**3.2**	NE	<0.38	<0.27	<0.26	<0.26	<0.29	<0.26	<0.26	<0.85
	2-Propanol (Tracer Gas)	NA[3]	NE	<82	<58	<55	<56	<56	<55	<56	<180
	Methyl tert-butyl ether (MTBE)	**320**	NE	<69	<48	<46	<47	<51	<46	<47	<150
	1,2,4-Trimethylbenzene	**910**	NE	<47	<33	<31	<32	<35	<31	<32	<100
	1,3,5-Trimethylbenzene	**910**	NE	<47	<33	<31	<32	<35	<31	<32	<100
	1,3-Butadiene	**2.8**	**13**	<0.42	<0.3	<0.28	<0.29	<0.31	<0.28	<0.29	<0.93
	2,2,4-Trimethylpentane	**NE**	NE	<44	<31	<30	<30	<33	<30	<30	<98
	2-Butanone (MEK)	**76,000**	NE	<56	<40	<38	<38	<42	<38	<38	<120
	4-Ethyltoluene	**NE**	NE	<47	<33	<31	<32	<35	<31	<32	<100
	Acetone	**NE**	NE	**63**	<32	<30	<31	<34	**68**	**41**	**330**
	Carbon Disulfide	**11,000**	NE	<59	<42	<40	<40	<44	<40	<40	<130
	Chloroform	**3.6**	**17**	<0.46	<0.33	<0.31	<0.32	<0.35	<0.31	<0.32	<1
	Cyclohexane	**91,000**	NE	<65	<46	<44	<45	<49	<44	<45	<140
	Dichlorodifluoromethane	**1,500**	NE	**97**	**30**	<6.3	**240**	<7	**14**	**230**	**190**
	Ethanol	**NE**	NE	<72	<50	<48	<49	<54	**450** [ve]	<49	**210**
	Isopropylbenzene	**NE**	NE	<93	<66	<63	<64	<70	<63	<64	<210
	n-Heptane	**6,100**	NE	<39	<27	<26	<27	<29	<26	<27	<86
	n-Hexane	**11,000**	NE	<33	<24	<23	<23	<25	<23	<23	<74
	n-Propylbenzene	**15,000**	NE	<47	<33	<31	<32	<35	<31	<32	<100
	Styrene	**15,000**	NE	<8.1	<5.7	<5.5	<5.5	<6	<5.5	<5.5	<18
	Tetrachloroethene (PCE)	**320**	NE	<64	<45	<43	<44	<48	<43	<44	<140
	Trichloroethene (TCE)	**11**	**95**	<1	<0.72	<0.69	<0.7	<0.76	<0.69	<0.7	<2.3
	Trichlorofluoromethane (CFC 11)	**11,000**	NE	<21	<15	<14	<15	<16	**94**	<15	<47
	Methylene Chloride	**2,200**	NE	**830** [ve lc]	<230	<220	<230	<250	<220	<230	<730

LEGEND

<1.0	= Specified analyte not detected at or above the indicated RDL.
20.2	= Specified analyte detected above the RDL, but below the MTCA Method B Sub-Slab Screening Level.
4,700	= Specified analyte detected above the MTCA Method B Sub-Slab Screening Level (no occurances in data set).

ACRONYMS AND ABBREVIATIONS

CLARC	Cleanup Level and Risk Calculator
µg/m³	micrograms per cubic meter
MTCA	Chapter 70A.305 RCW and its implementing regulations, the Model Toxics Control Act, Chapter 173-340 WAC.
NA	not applicable
NE	not established
RDL	laboratory reporting detection limit
TPH	total petroleum hydrocarbons
VOCs	volatile organic compounds

NOTES

1 MTCA Cleanup Regulation, CLARC data tables (updated July 2022), MTCA Method B unrestricted (residential) Sub-Slab Soil Vapor Screening Level. For MTCA Method B cleanup levels, the most conservative value of either cancer or non-cancer was used.

2 TPH concentration is calculated using 1/2 of the RDL for non-detect TPH components in accordance with Washington State Department of Ecology's *Guidance for Evaluating Vapor Intrusion in Washington State (March, 2022)* .

3 2-Propanol was utilized as a tracer gas. Concentrations of 2-Propanol in the sample imply a leak in the sampling train. However, based on New Jersey Department of Environmental Protection (NJDEP) guidance we interpret that samples with up to 100,000 µg/m3 are still representative of sub-slab soil vapor as this threshold represents a 0.1% leak and does not compromise a statistically significant portion of the overall sample volume.

4 All other compounds analyzed by EPA Method TO-15 that are not listed were not detected above the laboratory RDL.

5 MTCA Cleanup Regulation, CLARC data tables (updated July 2022), Commercial worker screening levels are risk-based concentrations for adult commercial workers in buildings that are not used for residential purposes.

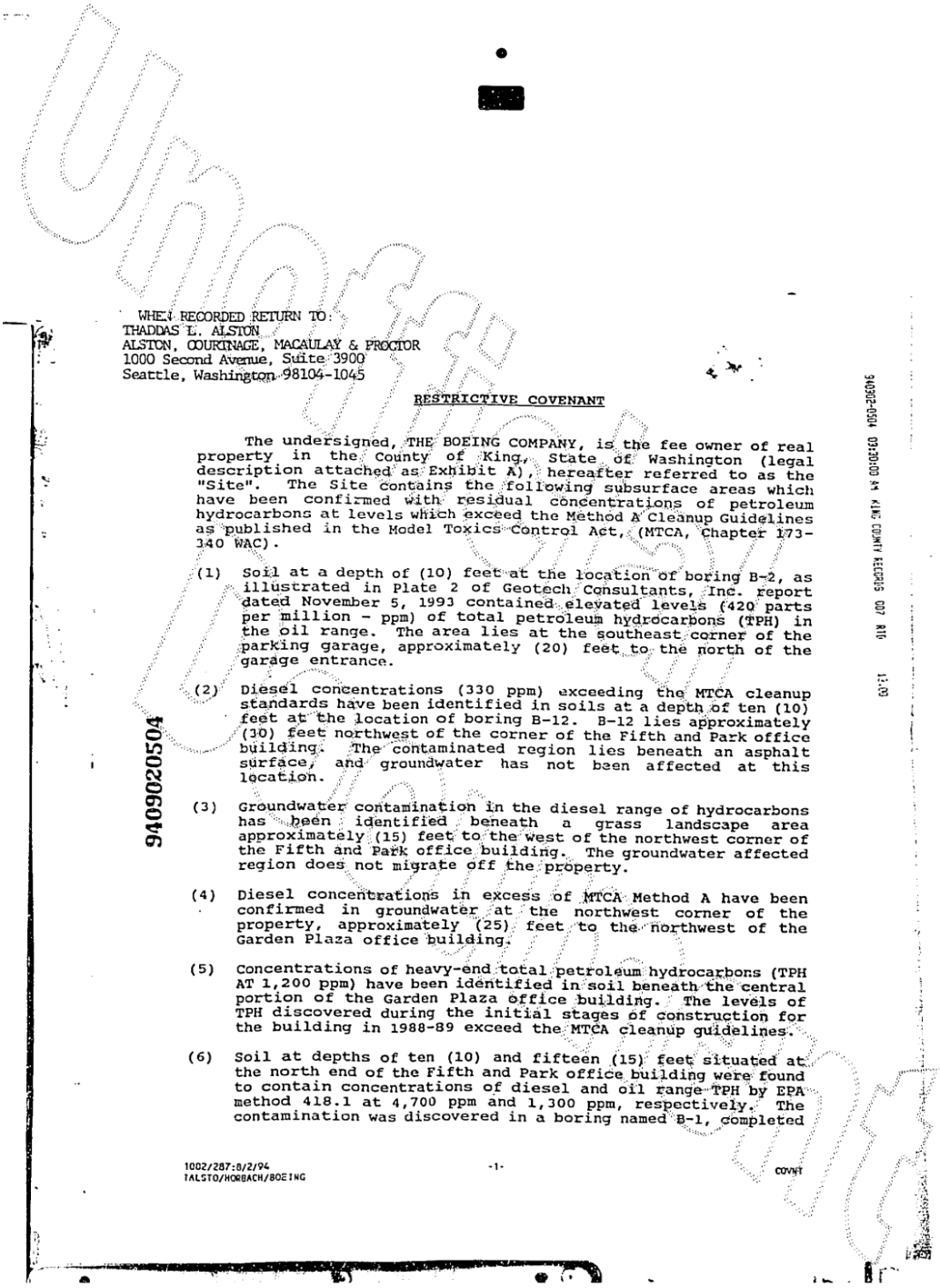
J The analyte concentration is reported below the lowest calibration standard. The value reported is an estimate.

lc The presence of the analyte is likely due to laboratory contamination.

ve The analyte response exceeded the valid instrumentation calibration range. The value reported is an estimate.

6.8 Restrictive Covenants

1994 Restrictive Covenant



WHEN RECORDED RETURN TO:
THADDAS L. ALSTON
ALSTON, COURTNAGE, MACAULAY & PROCTOR
1000 Second Avenue, Suite 3900
Seattle, Washington 98104-1045

9409020504 03/02/94 09:00 KING COUNTY RECORDS COV RTC 13:00

RESTRICTIVE COVENANT

The undersigned, THE BOEING COMPANY, 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 173-340 WAC).

(1) Soil at a depth of (10) feet at the location of boring B-2, as illustrated in Plate 2 of Geotech Consultants, Inc. report dated November 5, 1993 contained elevated levels (420 parts per million - ppm) of total petroleum hydrocarbons (TPH) in the oil range. The area lies at the southeast corner of the parking garage, approximately (20) feet to the north of the garage entrance.

(2) Diesel concentrations (330 ppm) exceeding the MTCA cleanup standards have been identified in soils at a depth of ten (10) feet at the location of boring B-12. B-12 lies approximately (30) feet northwest of the corner of the Fifth and Park office building. The contaminated region lies beneath an asphalt surface, and groundwater has not been affected at this location.

9409020504

(3) Groundwater contamination in the diesel range of hydrocarbons has been identified beneath a grass landscape area approximately (15) feet to the west of the northwest corner of the Fifth and Park office building. The groundwater affected region does not migrate off the property.

(4) Diesel concentrations in excess of MTCA Method A have been confirmed in groundwater at the northwest corner of the property, approximately (25) feet to the northwest of the Garden Plaza office building.

(5) Concentrations of heavy-end total petroleum hydrocarbons (TPH AT 1,200 ppm) have been identified in soil beneath the central portion of the Garden Plaza office building. The levels of TPH discovered during the initial stages of construction for the building in 1988-89 exceed the MTCA cleanup guidelines.

(6) Soil at depths of ten (10) and fifteen (15) feet situated at the north end of the Fifth and Park office building were found to contain concentrations of diesel and oil range TPH by EPA method 418.1 at 4,700 ppm and 1,300 ppm, respectively. The contamination was discovered in a boring named B-1, completed

1002/287:8/2/94
TALSTO/HORBACH/BOEING

-1-

COVRT

Unofficial Document

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.

DATED this ___ day of August, 1994.

THE BOEING COMPANY

BY: J. J. Nelson
Signature

J.J. Nelson
Print Name

ITS: Dir. Facilities - BCAG
Title

BY: _____
Signature

_____
Print Name

ITS: _____
Title

9409020504

1002/287:8/2/94
TALSTO/HORBACH/BOEING

-3-

COVNT

Unofficial Document

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 26TH day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared J.J. NELSON known to me to be the DIRECTOR OF FACILITIES of THE BOEING COMPANY, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

Signature

JEFFREY ADELSON
Print Name
NOTARY PUBLIC in and for the State of Washington, residing at ISSAQUAH.
My commission expires SEPT 2, 1995.

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1002/287:8/2/94
TALSTO/HORBACH/BOEING

-4-

COVNT

Unofficial Document

09. 02. 94 08:37 AM P02

EXHIBIT A

9TH & PARK

Lots 1 through 10, inclusive, Block 11, Renton Farm Plat, according to the plat thereof recorded in Volume 10 of Plats, page 97, in King County, Washington.

GARDEN PLAZA

Parcel A:

Lots 5, 6, 7 and 8, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington.

Parcel B:

Lots 1 and 2, Renton Boiler Works Short Plat Number 282-79, recorded under King County Recording Number 7907109002, being a portion of Lots 9, 10, 11 and 12, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington.

9409020504

See page 2 for remainder C-F

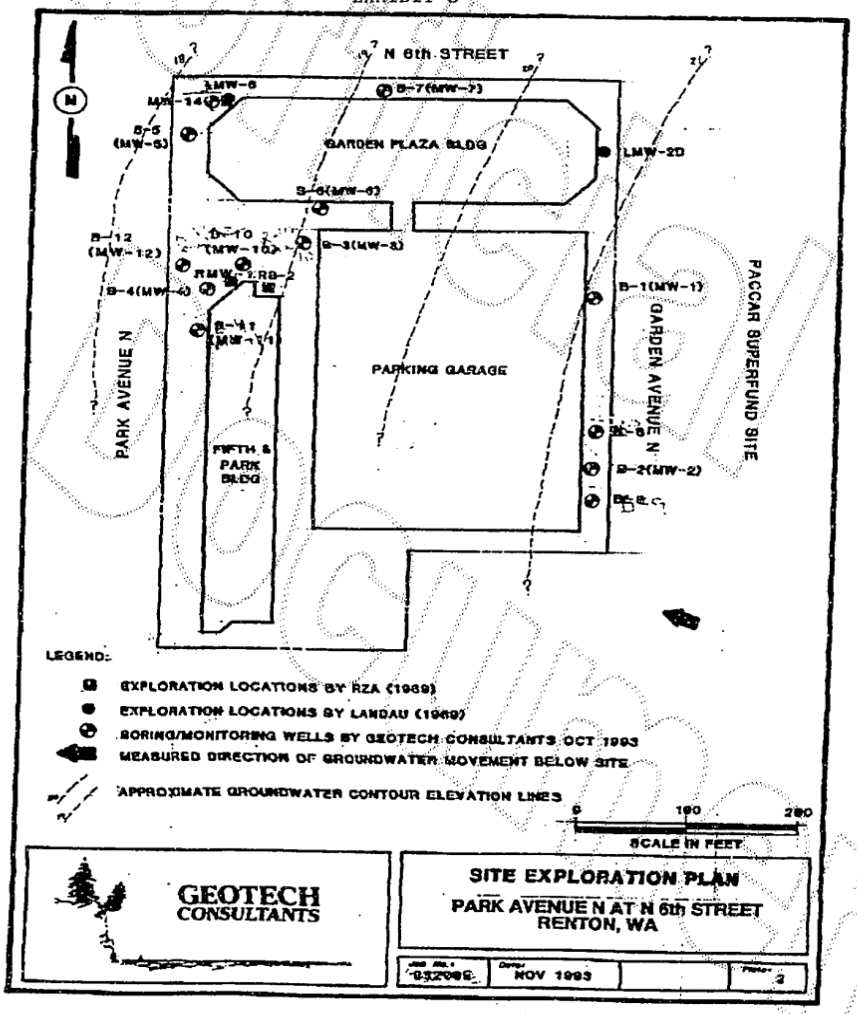
Page 1 of 2

Unofficial Document

05-01-1994 01:43PM FROM Geotech Consultants Inc TO 3236590 P.01

EXHIBIT B

9409020504



TOTAL P.01

2001 Restrictive Covenant

When Recorded, Please Return To

Gerald Bresslour
Office of the General Counsel
The Boeing Company
P O Box 3707, M/C 13-08
Seattle, WA 98124-2207



2001 060 1000022

DOCUMENT TITLE Restrictive Covenant M3200100855 8/15

REFERENCE NUMBERS OF RELATED DOCUMENTS 9409020504,

GRANTOR The Boeing Company, a Delaware corporation

GRANTEE State of Washington Department of Ecology

LEGAL DESCRIPTION Portions of Block 11, Renton Farm Plat, according to the plat thereof recorded in Volume 10 of Plats, page 97, in King County, Washington and portions of Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington, and as further described on Attachment A on pages 7 and 8

ASSESSOR'S PARCEL NO(S) (Garden Plaza) 756460-0048-04, 756460-0050-09, 756460-0060-07, 756460-0097-04, 756460-0096-05, 722400-1035-02, 756460-0005-05, 756460-0055-04, 756460-0046-06, (Fifth and Park) 722400-0985-04, 722400-1015-06 and 722400-1025-04

Said document(s) were filed for record by Transnation Title as accommodation only. It has not been examined as to proper execution or as to its effect upon title.

RESTRICTIVE COVENANT

The Boeing Company

This Declaration of Restrictive Covenant is made pursuant to RCW 70 105D 030 (1) (f) and (g) and WAC 173-340-440 by The Boeing Company, d/b/a Boeing (hereafter referred to as "Boeing"), its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter referred to as "Ecology")

An independent remedial action (hereafter referred to as "Remedial Action") occurred at the property that is the subject of this restrictive covenant (hereafter referred to as "Restrictive Covenant") The Remedial Action conducted at the property is described in the following documents·

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1 Report titled – "Voluntary Cleanup Program Report Garden Plaza and 5th & Park Property, Park Avenue North and North 6th Street, Renton, Washington" Prepared for JM Investments, Seattle, WA. by GEOTECH Consultants, Inc , Bellevue, WA , and dated October 1, 1999.

This document is on file at Ecology's Northwest Regional Office

This Restrictive Covenant is required because a Remedial Action has determined that groundwater at the property may contain vinyl chloride and arsenic concentrations which exceed the Model Toxics Control Act Method A Residential Cleanup Levels established under WAC 173-340-740 Previously a restrictive covenant (hereafter referred to as "Original Restrictive Covenant") was entered into by Boeing on the 26th

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day of August, 1994, and recorded with the County of King (Record # 9409020504) The Original Restrictive Covenant noted petroleum contamination in soil and groundwater The petroleum contamination has since been remediated to comply with the Model Toxics Control Act This Restrictive Covenant hereby supercedes the Original Restrictive Covenant recorded in King County (Record # 9409020504)

The undersigned, Boeing, is the fee owner of the real property, described as Garden Plaza and Fifth and Park Buildings, located at Park Avenue North and North Sixth Street, City of Renton, in the County of King, State of Washington (hereafter referred to as "Property"), that is subject to this Restrictive Covenant The Property is legally described in Attachment A

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Boeing makes the following declaration as to limitations, restrictions, and uses to which the Property 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 them, including all current and future owners of any portion of or interest in the Property (hereafter referred to as "Owner")

Section 1 No groundwater may be taken for any use from the Property

Section 2 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

Section 3. 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 approval from Ecology.

Section 4 The Owner of the Property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision of continued monitoring, operation, and maintenance of the Remedial Action

Section 5 The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property

Section 6 The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant Ecology may approve any inconsistent use only after public notice and comment

Section 7 The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action, to take samples, to inspect Remedial Actions conducted at the Property, and to inspect records that are related to the Remedial Action

Section 8 The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use

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of the Property or be of any further force or effect However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs

The Boeing Company, Owner, a Delaware corporation

By. _____
Printed Name: _____
Its Authorized Representative
Date
May 21, 2001

ACKNOWLEDGMENT

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State of Washington)
) ss
County of King)

I certify that I know or have satisfactory evidence that Philip W. Cyburt is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Authorized Representative of The Boeing Company_____ to be the free and voluntary act and deed of such party for the uses and purposes mentioned in the instrument

Dated: May 21, 2001

ROBIN S. BUSHNELL NOTARY PUBLIC COMMISSION EXPIRES JAN 17, 2002 STATE OF WASHINGTON

_____
Notary public in and for the State of Washington, residing at Seattle
My appointment expires
1-17-02

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The Washington State Department of Ecology ("Ecology") authorizes the recording of the foregoing restrictive covenant as a condition to the issuance by Ecology of a letter pursuant to RCW 70.105D.030(1)(a) relating to the property described in Exhibit A Ecology acknowledges that the foregoing restrictive covenant supersedes the Restrictive Covenant recorded under King County recording no 9409020504

Washington State Department of Ecology

By Ronald W. Timm
Its Authorized Signatory

ACKNOWLEDGMENT

LAYONA L. GOSSAL NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES APRIL 6, 2003

State of Washington)
) ss.
County of King)

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I certify that I know or have satisfactory evidence that Ronald W. Timm is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Authorized Representative of The Washington State Department of Ecology to be the free and voluntary act and deed of such party for the uses and purposes mentioned in the instrument

Dated 4-12-01

Layona L. Gossal
Notary public in and for the State of Washington, residing at Bellevue
My appointment expires 4-6-03

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ATTACHMENT A

5TH & PARK

Lots 1 through 10, inclusive, Block 11, Renton Farm Plat, according to the plat thereof recorded in Volume 10 of Plats, page 97, in King County, Washington

GARDEN PLAZA

Parcel A

Lots 5, 6, 7 and 8, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington.

Parcel B

Lots 1 and 2, Renton Boiler Works Short Plat Number 282-79, recorded under King County Recording Number 7907109002, being a portion of Lots 9, 10, 11 and 12, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington

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Parcel C

The East 39.3 feet of the West 83 5 feet of Lots 11 and 12, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington,

LESS the North 20 feet thereof.

Parcel D

The West 44 2 feet of Lots 11 and 12, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington,

LESS the North 20 feet thereof.

Parcel E

Lots 11, 12, and 13, Block 11, Renton Farm Plat, according to the plat thereof recorded in Volume 10 of Plats, page 97, in King County, Washington;

EXCEPT that portion of Lot 13 conveyed to the City of Renton by deed recorded under King County Recording Number 7203140338,

AND,

Lots 1, 2 and the North 35 feet of Lot 3, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington,

EXCEPT that portion of Lot 1 conveyed to the City of Renton by Deed recorded under King County Recording Number 7203140338

Parcel F

Lot 4 and the South 15 feet of Lot 3, Block 1, Sartorisville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington

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6.9 Photo log

Photo 1: Building 10-16 and garage – facing east.



Photo 2: Building 10-16 and garage – facing west.



Photo 3: Building 10-16 interior ground floor – facing west.

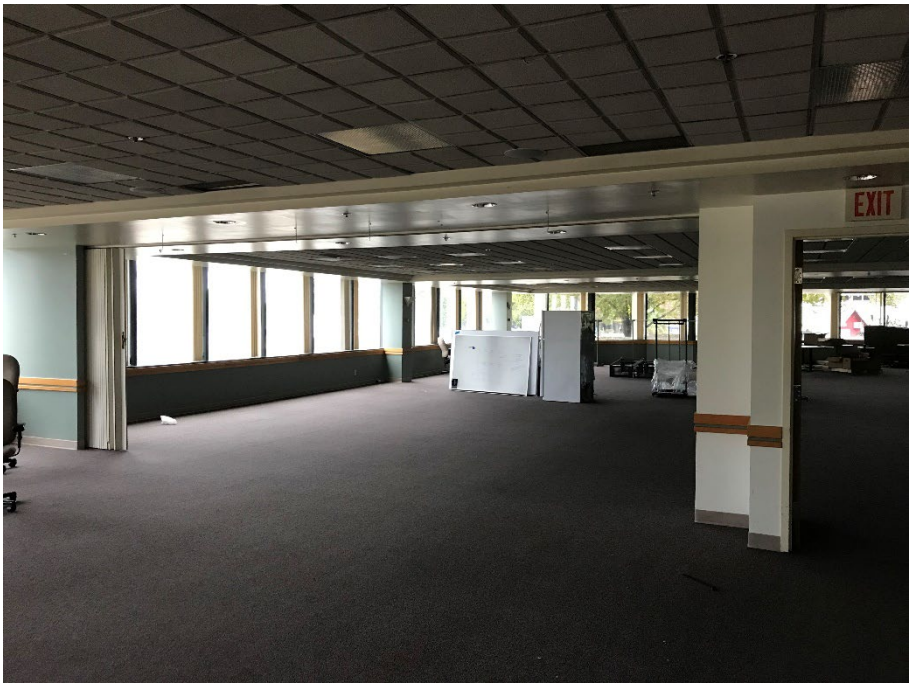


Photo 4: Building 10-16 SG-5 vapor probe location – near east interior elevator.



Photo 5: Building 10-13 – facing southeast.



Photo 6: Building 10-13 and garage – facing south.



Photo 7: Parking garage and Buildings 10-16 (left) and 10-13 (right) – facing east.



Photo 8: Parking garage ground floor – facing southeast.

