



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

July 11, 2023

David Cook
Sagamore Spokane LLC Project Coordinator
Aspect Consulting
710 2nd Avenue, Suite 550
Seattle, Washington, 98104

Re: Prospective Purchaser Consent Decree (PPCD) No. 21200059-32, Corrective Action Notice:

- **Site Name:** Hamilton Street Bridge Site
- **Site Address:** 111 North Erie Street, Spokane, WA 99202
- **Cleanup Site ID:** 3509
- **Facility/Site ID:** 84461527

Dear David Cook:

On January 17, 2023, the Department of Ecology (Ecology) project coordinator visited the Hamilton Street Bridge Site ("Site") to inspect the current construction work, and to assess the damage from campers that cut down trees in 2022. Based on the observations from the Site visit, Ecology issued a corrective action notice to Sagamore, dated January 23, 2023. All deficiencies, except one regarding the alteration of the Site gradient and stormwater diversion, have been adequately addressed by Sagamore Spokane LLC (Sagamore).

In the January 23, 2023, corrective action notice, Ecology had requested a foundation piling schedule by February 15, 2023. The purpose of this request was to ensure that Sagamore is proceeding to construct the CAP remedy in a timely manner. As of the date of this letter, Ecology has not received a schedule update from Sagamore regarding when foundation piling work will resume at the Site.

The Schedule contained in the Prospective Purchaser Consent Decree (PPCD) as Exhibit D specifies that construction under the CAP amendment was due to be completed in accordance with the schedule described in the final Engineering Design Report (EDR), Section 11, Reporting and Schedule. The final EDR (2021), Section 11, Reporting and Schedule, Site construction was scheduled to end by April 2023, and the permanent structures for stormwater management

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and diversion were to have been installed by that time. This has not taken place. Additionally, Ecology has not received a request for an extension of the schedule, a requirement set forth in Article XVII of the PPCD. Hence, Sagamore has not complied with the schedule for construction of the remedy, including the permanent hardscape capping and stormwater diversion required by the CAP Amendment.

The PPCD Article VI Work to be Performed, Section A requires that "The work will also include enhancing the existing stormwater management system by conveying stormwater to areas outside the area of contamination." To ensure that the underlying media are protected from stormwater infiltration in compliance with the PPCD, Ecology requires that Sagamore implement one of the two following options:

- Sagamore must restore the Site to the original pre-construction grade using the materials described in the February 2, 2006, Cleanup Action Report within 90 days of receipt of this letter.
- Or, Sagamore may propose an alternative plan to manage and divert stormwater from contaminated soils, instead of restoring the Site surface to its original grade. Sagamore must submit a plan to Ecology describing this alternative within 30 days of receipt of this letter and must complete the installation of the alternative within 30 days of receiving Ecology's written approval of the alternative plan.

We appreciate your cooperation in this matter. If you have any questions or need additional information about this corrective action notice, please contact me at 509-385 8380 or e-mail me at christer.loftenius@ecy.wa.gov.

Sincerely,



Christer Loftenius, LG, LHG
Site Manager
Toxics Cleanup Program, Eastern Region

By certified mail: 9214 8901 9403 8321 2974 88

cc: Nick Acklam, Ecology ^{NA}
Barry Rogowski, Ecology
Kara Tebeau, Office of the Attorney General
Bryce Robbert, Avista
Scott McDonald, BNSF
Ecology Site File