



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

March 25, 2008

Mr. Douglas Rigoni
SeaTac Investments LLC
2003 Western Ave. Suite 500
Seattle, WA 98121

Dear Mr. Rigoni:

**Re: Further Action Determination under WAC 173-340-515(5) for the following
Hazardous Waste Site:**

- Name: SeaTac Development (Master Park Lot C)
- Address: 16025-16223 International Blvd, SeaTac WA
- Facility/Site No.: 38258847
- VCP No.: NW1824

Thank you for submitting your independent remedial action report for the SeaTac Development (Master Park Lot C) facility (Site) for review by the State of Washington Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

1. On-Site Source and Groundwater Investigation Summary – June to November 2007, dated January 14th 2008, prepared by Golder Associates Inc.
2. Addendum to On-Site Source and Groundwater Investigation Summary – June to



November 2007, dated March 13th 2008, prepared by Golder Associates Inc.

The documents listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at 425.649.7239.

The Site is defined by the extent of contamination caused by the following release(s):

- Gasoline range petroleum hydrocarbons (benzene present) in Soil;
- Gasoline range petroleum hydrocarbons (benzene present) in Ground Water.

The Site is more particularly described in Enclosure A to this letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) performed at the Site are not sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing any of the contamination at the Site.** Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **further remedial action is necessary** at the Site under MTCA.

- Gasoline range petroleum hydrocarbon plume in the northwest quadrant of the property has not been fully characterized. The extent of the subsurface impacts in both soil and groundwater north of monitoring wells MW-19, MW-11, MW-7, MW-12 and MW-16 requires further investigation. The extent of the subsurface impacts in both soil and groundwater west of monitoring wells MW-16, MW-17 and MW-5 requires further investigation.
- After the review of the above mentioned reports it has been determined that the remedial action performed in 2003, which included the Restrictive Covenant dated May 6th 2003, is not protective of the Quaternary Vashon Advance (QVA) aquifer and that the subsurface soil and groundwater impacts extend beyond the property boundary. Therefore, the current Partially Sufficient determination letter dated May 5th 2007, is no longer appropriate for the site.
- Additionally, the Model Toxics Control Act and the anticipated Agreed Order requires the following;

Remedial Investigation (RI) and fully characterize the site;
Feasibility Study (FS).

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Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or performed at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at 425.649.4446.

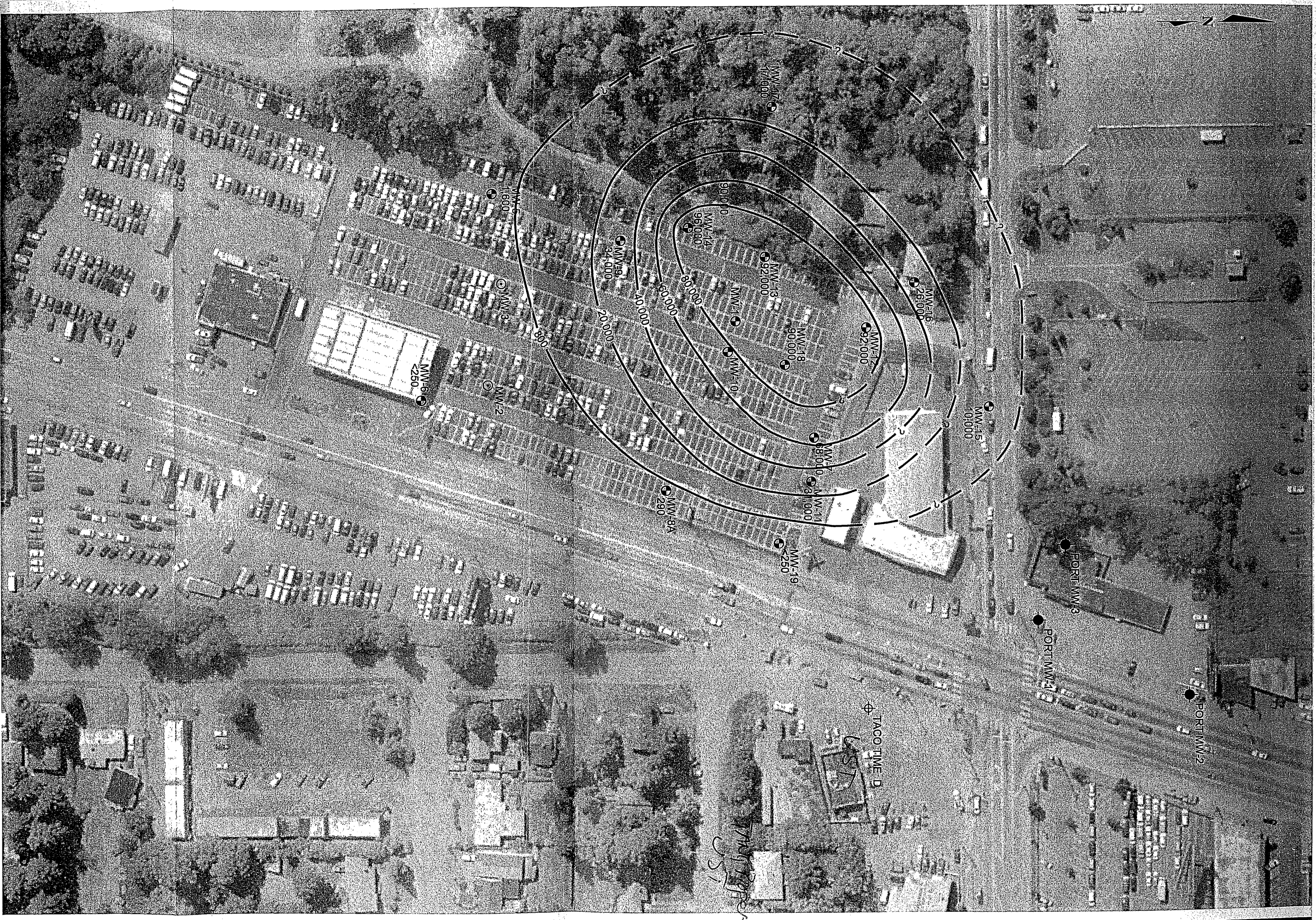
Sincerely,



Dale R. Myers
Site Manager
NWRO Toxics Cleanup Program

dm/kp

Enclosures: 2



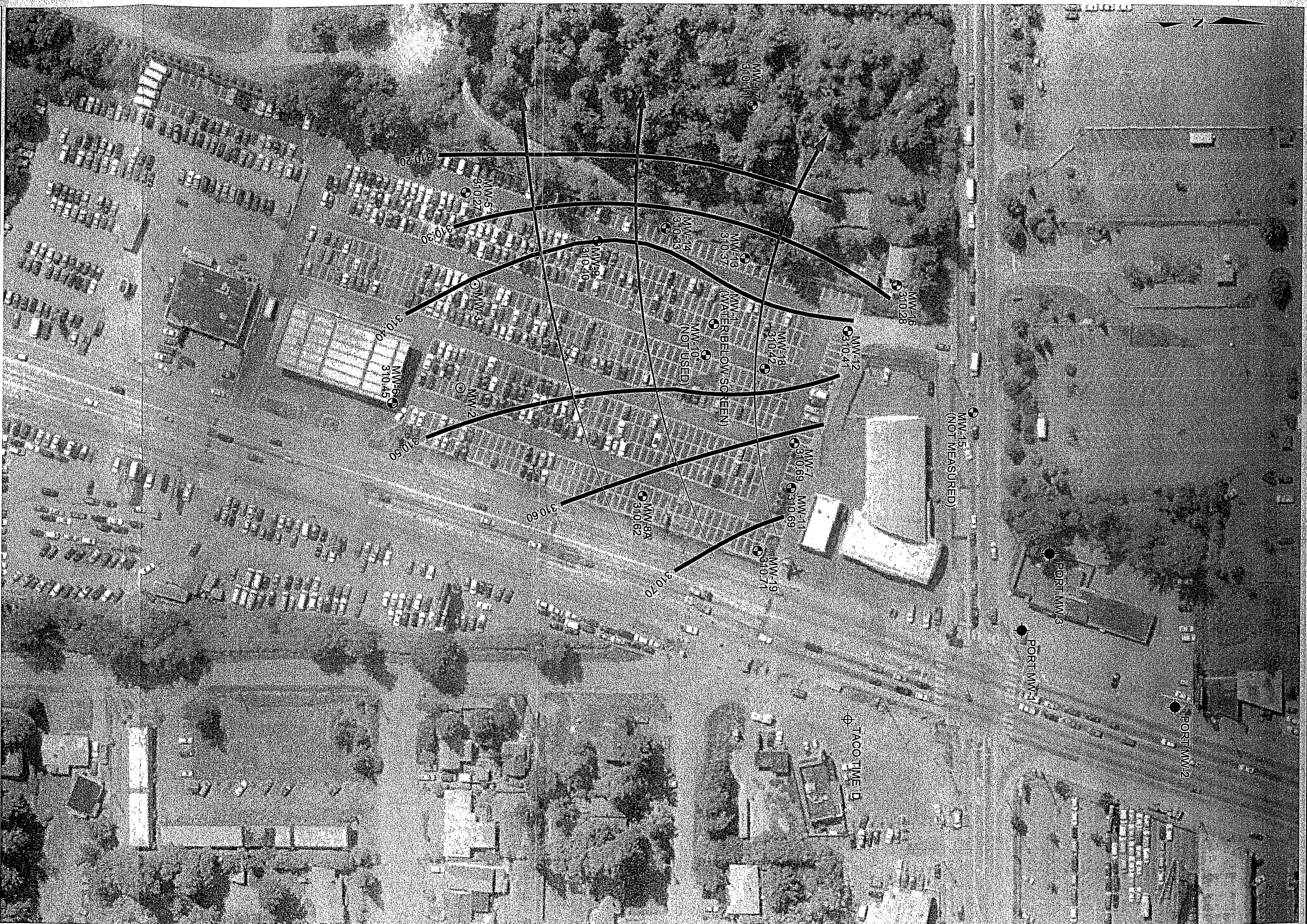


FIGURE 3
QVA AQUIFER MONITORING WELL LOCATIONS
AND GROUNDWATER ELEVATION CONTOUR

SUNREAL/SEATAC GARAGE ES/AMA