

Instrument Number: 20231003000466 Document:COV Rec: \$250.50 Page-1 of 48

Record Date:10/3/2023 12:28 PM

King County, WA

Return Address:

David Unruh
Toxics CleanupProgram
Department of Ecology PO Box 330316
Shoreline, WA 98133

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)	
1. Environmental Covenant	2. _____
3. _____	4. _____
Reference Number(s) of Documents assigned or released:	
Additional reference #'s on page _____ of document	
Grantor(s) Exactly as name(s) appear on document	
1. 8701 Greenwood LLC	
2. _____	
Additional names on page _____ of document.	
Grantee(s) Exactly as name(s) appear on document	
1. State of Washington, Department of Ecology	
2. _____	
Additional names on page _____ of document.	
Legal description (abbreviated: i.e. lot, block, plat or section, township, range)	
Greenwood Park 3rd Add, Bik. I, Vol. 18 ofPlats, Pg. 14, S40Ft ofSDLot	
I&All SD Lots 2Thru 6 Less CO Rd	
Additional legal is on page _____ of document.	
Assessor's Property Tax Parcel/Account Number	<input type="checkbox"/> Assessor Tax # not yet assigned
assigned 292070-0030	
The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.	
<p>"I am signing below and paying an additional \$50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."</p> <p style="text-align: right;">_____ Signature of Requesting Party</p>	
Note to submitter: Do not sign above nor pay additional \$50 fee if the document meets margin/formatting requirements	

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After Recording
Return Original Signed Covenant to:
David Unruh
Toxics Cleanup Program
Department of Ecology PO Box 330316
Shoreline, WA 98133

Environmental Covenant

Grantor: 8701 Greenwood LLC, a Washington limited liability company
Grantee: State of Washington, Department of Ecology (hereafter "Ecology")
Brief Legal Description: Greenwood Park 3rd Add, Blk. 1, Vol. 18 of Plats, Pg. 14, S 40 Ft of SD Lot 1 & All SD Lots 2 Thru 6 Less CO Rd
Tax Parcel No.: 292070-0030
Cross References: Restrictive Covenant, King County Rec. # 9607290604; Site No Further Action Opinion Letter, VCP Project No. NW3329, FSID No. 63538329, CSID No. 6416

RECITALS

- a. This document is an environmental (restrictive) covenant (hereafter "Covenant") executed pursuant to the Model Toxics Control Act ("MTCA"), chapter 70.105D RCW, and Uniform Environmental Covenants Act ("UECA"), chapter 64.70 RCW.
- b. The Property that is the subject of this Covenant (hereafter "Property") is part of a site commonly known as Texaco 211544, 8701 Greenwood Ave N, Seattle, Washington, Facility Site ID 63538329. The Property is depicted on the sketch attached as Exhibit C. The Property is affected by releases from the SMI Inc. Trust site, 8733 Greenwood Avenue N, Seattle, Washington, Facility Site ID 74731271, Cleanup Site ID 4350 and is part of Grantor's real property legally described in Exhibit A, and illustrated in Exhibit B, both of which are attached. If there are differences between these two Exhibits, the legal description in Exhibit A shall prevail.
- c. This Covenant is required because residual contamination remains on the Property from the SMI Inc. Trust site. A No Further Action (NFA) Opinion Letter for the Texaco 211544 site, which describes the remedial actions related to the Texaco 211544 site and the residual contamination on the Property from the SMI Inc. Trust site, will be issued by Ecology following recording of this Covenant. Based on the completed remedial actions, Ecology agrees to release the existing Restrictive Covenant (King County Recording No. 9607290604, dated July 29, 1996) related to the Texaco 211544 site as a condition of this Covenant. Ecology held a public comment period from August 10, 2023 to September 8, 2023 regarding release of the Restrictive Covenant, in accordance with Toxics Cleanup Program Procedure 440C, Releasing Environmental Covenants under the Model Toxics Control Act (Publication Number 15-09-057, revised December 22, 2016)¹.

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Contamination on the Property in the location described in Exhibit C, related to contamination from the north-adjacent SMI Inc. Trust site, has come to be located on the Property in soil and groundwater at concentrations which exceed the minimum allowable amount under MTCA (as described in the Texaco 211544 site NFA Opinion Letter). Therefore, this new Covenant is required for the Property. Specifically, the following principal contaminants remain on the Property:

Medium	Principal Contaminants Present
Soil	Total Petroleum Hydrocarbons as Diesel (TPH-D)
Groundwater	TPH-D

d. It is the purpose of this Covenant to restrict certain activities and uses of the Property to protect human health and the environment and the integrity of remedial actions conducted at the site. Records describing the extent of residual contamination and remedial actions conducted are available through Ecology. This Covenant includes the following Exhibits:

- Exhibit A – Legal Description
- Exhibit B – Property Map
- Exhibit C – Map Illustrating Location of Restrictions
- Exhibit D – Restrictive Covenant, King County Recording No. 9607290604, dated July 29, 1996
- Exhibit E – Soil Cap Management Plan

Records describing the extent of residual contamination and remedial actions conducted are available through Ecology.² These include the following documents:

Department of Ecology (Ecology). Opinion on Proposed Cleanup of the following Site: Texaco 211544, 8701 Greenwood Avenue N, Seattle, WA. February 3, 2023.

EVREN Northwest, Inc. (EVREN). Model Remedy Site Closure Report, Former Texaco 211544 Facility, 8701 Greenwood Avenue North, Seattle, WA. November 22, 2022.

EVREN Northwest, Inc., Focused Sub-Slab Vapor Investigation, Future Kiddie Academy Property, 8701 Greenwood Avenue North, Seattle, Washington, February 23, 2022.

EVREN Northwest, Inc. Soil Cap Management Plan, Commercial Property, 8701 Greenwood Avenue North, Seattle, Washington, June 5, 2023 (the “Soil Cap Management Plan”)

¹ <https://apps.ecology.wa.gov/publications/SummaryPages/1509057.html>

² <https://apps.ecology.wa.gov/cleanupsearch/site/6416>

e. This Covenant grants Ecology certain rights under UECA and as specified in this Covenant. As a Holder of this Covenant under UECA, Ecology has an interest in real property; however, this is not an ownership interest which equates to liability under MTCA or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 *et seq.* The rights of Ecology as an “agency” under UECA, other than its right as a holder, are not an interest in real property.

f. This Covenant supersedes and releases the existing Restrictive Covenant, which is recorded with King County as #9607290604.

COVENANT

8701 Greenwood LLC, as Grantor and fee simple owner of the Property, hereby grants to the Washington State Department of Ecology, and its successors and assignees, the following covenants. Furthermore, it is the intent of the Grantor that such covenants shall supersede any prior interests the Grantor has in the property and run with the land and be binding on all current and future owners of any portion of, or interest in, the Property.

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Section 1. General Restrictions and Requirements.

The following general restrictions and requirements shall apply to the Property:

- a. **Interference with Remedial Action.** The Grantor shall not engage in any activity on the Property that may impact or interfere with the remedial action, which is further described in the Soil Cap Management Plan attached as Exhibit E and the other associated documents referenced above in Recitals Paragraph (d) (hereafter referred to as "remedial action") and any operation, maintenance, inspection or monitoring of that remedial action without prior written approval from Ecology.
- b. **Protection of Human Health and the Environment.** The Grantor shall not engage in any activity on the Property that may threaten continued protection of human health or the environment without prior written approval from Ecology. This includes, but is not limited to, any activity that results in the release of residual contamination that was contained as a part of the remedial action or that exacerbates or creates a new exposure to residual contamination remaining on the Property.
- c. **Continued Compliance Required.** Grantor shall not convey any interest in any portion of the Property without providing for the continued adequate and complete operation, maintenance and monitoring of remedial actions and continued compliance with this Covenant.
- d. **Leases.** Grantor shall restrict any lease for any portion of the Property to uses and activities consistent with this Covenant and notify all lessees of the restrictions on the use of the Property.
- e. **Preservation of Reference Monuments.** Grantor shall make a good faith effort to preserve any reference monuments and boundary markers used to define the areal extent of coverage of this Covenant. Should a monument or marker be damaged or destroyed, Grantor shall have it replaced by a licensed professional surveyor within 30 days of discovery of the damage or destruction.

Section 2. Specific Prohibitions and Requirements.

In addition to the general restrictions in Section 1 of this Covenant, the following additional specific restrictions and requirements shall apply to the Property.

- a. **Containment of soil.** The remedial action for the Property is based on containing residual contaminated soil under a cap consisting of pavement and located in the restricted area as illustrated in Exhibit C. The primary purpose of this cap is to minimize the potential for contact with contaminated soil. As such, the following restrictions shall apply within the area illustrated in Exhibit C:

Any activity on the Property that will compromise the integrity of the cap including: drilling; digging; piercing the cap with sampling device, post, stake or similar device; grading; excavation; installation of underground utilities; removal of the cap; or, application of loads in excess of the cap load bearing capacity, is prohibited without prior written approval by Ecology.

Should the Grantor propose to remove all or a portion of the pavement in the restricted area illustrated in Exhibit C so that access to the underlying contamination is feasible, Ecology may require treatment or removal of the underlying contaminated soil. If the Grantor is only repairing all or a portion of the asphalt pavement to maintain the cap over the underlying contaminated soil, Ecology will not require treatment or removal of the underlying contaminated soil.

The Grantor shall report to Ecology within forty-eight (48) hours of the discovery of any damage to the cap. Unless an alternative plan has been approved by Ecology in writing, the Grantor shall promptly repair the damage and submit a report documenting this work to Ecology within thirty (30) days of completing the repairs.

The Grantor covenants and agrees that it shall annually, or at another time as approved in writing by Ecology, inspect the cap and report within thirty (30) days of the inspection the condition of the cap and any changes to the cap that would impair its performance.

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b. **Stormwater facilities.** To minimize the potential for mobilization of contaminants remaining in the soil and groundwater on the Property, no stormwater infiltration facilities or ponds shall be constructed within the restricted area of the Property illustrated in Exhibit C. All new stormwater catch basins, conveyance systems, and other appurtenances located within this area shall be of water-tight construction.

c. **Groundwater use.** The groundwater within the restricted area of the Property illustrated in Exhibit C remains potentially contaminated and shall not be extracted for any purpose other than temporary construction dewatering or for remedial activities including investigation, monitoring or additional remediation. Drilling of a well that could potentially capture contaminated groundwater associated with the restricted area for any water supply purpose is strictly prohibited. Groundwater extracted within the area that could potentially capture contamination associated with the restricted area for any purpose shall be considered potentially contaminated and any discharge of this water shall be done in accordance with state and federal law.

Section 3. Access.

a. The Grantor shall maintain clear access to all remedial action components necessary to construct, operate, inspect, monitor and maintain the remedial action.

b. The Grantor freely and voluntarily grants Ecology and its authorized representatives, upon reasonable notice, the right to enter the Property at reasonable times to evaluate the effectiveness of this Covenant and associated remedial actions, and enforce compliance with this Covenant and those actions, including the right to take samples, inspect any remedial actions conducted on the Property, and to inspect related records.

c. No right of access or use by a third party to any portion of the Property is conveyed by this instrument.

Section 4. Notice Requirements.

a. **Conveyance of Any Interest.** The Grantor, when conveying any ownership interest within the area of the Property described and illustrated in Exhibits B and C, including but not limited to title, easement, leases, and other interests, but excluding security interests must:

- i. Provide written notice to Ecology of the conveyance by email no later than fourteen (14) following the date of the conveyance.
- ii. Include in the conveying document a notice in substantially the following form, as well as a complete copy of this Covenant:

NOTICE: THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL COVENANT GRANTED TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY ON _____, 20____ AND RECORDED WITH THE KING COUNTY AUDITOR UNDER RECORDING NUMBER _____, USES AND ACTIVITIES ON THIS PROPERTY MUST COMPLY WITH THAT COVENANT, A COMPLETE COPY OF WHICH IS ATTACHED TO THIS DOCUMENT.

- iii. Unless otherwise agreed to in writing by Ecology, provide Ecology with a complete copy of the executed document no later than fourteen (14) days after the date of execution of such document.

b. **Reporting Violations.** Should the Grantor become aware of any violation of this Covenant, Grantor shall promptly report such violation in writing to Ecology.

c. **Emergencies.** For any emergency or significant change in site conditions due to Acts of Nature (for example, flood or fire) resulting in a violation of this Covenant, the Grantor is authorized to respond to such an event in accordance with state and federal law. The Grantor must notify Ecology in writing of the event and response actions planned or taken as soon as practical but no later than within 24 hours of the discovery of the event.

d. **Notification procedure.** Any required written notice, approval, reporting or other communication shall be

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personally delivered or sent by first class mail to the following persons. Any change in this contact information shall be submitted in writing to all parties to this Covenant. Upon mutual agreement of the parties to this Covenant, an alternative to personal delivery or first-class mail, such as e-mail or other electronic means, may be used for these communications.

Maninder Singh KAGS Ecology Coordinator 8701 Greenwood LLC 12620 NE 85 th St, Suite 108 Kirkland, WA 98033 (425) 243-2120	Environmental Covenants Coordinator Washington State Department of Ecology Toxics Cleanup Program P.O. Box 47600 Olympia, WA 98504 – 7600 (360) 407-6000
Ecology@KAGreaterSeattle.com	ToxicsCleanupProgramHQ@ecv.wa.gov

Section 5. Modification or Termination.

- a. Grantor must provide written notice and obtain approval from Ecology at least sixty (60) days in advance of any proposed activity or use of the Property in a manner that is inconsistent with this Covenant. For any proposal that is inconsistent with this Covenant and permanently modifies an activity or use restriction at the site:
 - i. Ecology must issue a public notice and provide an opportunity for the public to comment on the proposal; and
 - ii. If Ecology approves of the proposal, the Covenant must be amended to reflect the change before the activity or use can proceed.
- b. If the conditions at the site requiring this Covenant have changed or no longer exist, then the Grantor may submit a request to Ecology that this Covenant be amended or terminated. Any amendment or termination of this Covenant must follow the procedures in MTCA and UECA and any rules promulgated under these chapters.
- c. By signing this agreement, per RCW 64.70.100, the original signatories to this agreement, other than Ecology, who no longer have a real property interest in the Property, agree to waive all rights to sign amendments to and termination of this Covenant.

Section 6. Enforcement and Construction.

- a. This Covenant is being freely and voluntarily granted by the Grantor.
- b. Within ten (10) days of execution and recording of this Covenant, Grantor shall provide Ecology with an original signed Covenant and proof of recording and a copy of the Covenant and proof of recording to others required by RCW 64.70.070.
- c. Ecology shall be entitled to enforce the terms of this Covenant by resort to specific performance or legal process. All remedies available in this Covenant shall be in addition to any and all remedies at law or in equity, including MTCA and UECA. Enforcement of the terms of this Covenant shall be at the discretion of Ecology, and any forbearance, delay or omission to exercise its rights under this Covenant in the event of a breach of any term of this Covenant is not a waiver by Ecology of that term or of any subsequent breach of that term, or any other term in this Covenant, or of any rights of Ecology under this Covenant.
- d. The Grantor shall be responsible for all costs associated with its implementation of this Covenant. Furthermore, the Grantor, upon request by Ecology, shall be obligated to pay for Ecology's costs to process a request for any modification or termination of this Covenant and any approval required by this Covenant.
- e. This Covenant shall be liberally construed to meet the intent of MTCA and UECA.
- f. The provisions of this Covenant shall be severable. If any provision in this Covenant or its application to

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any person or circumstance is held invalid, the remainder of this Covenant or its application to any person or circumstance is not affected and shall continue in full force and effect as though such void provision had not been contained herein.

g. A heading used at the beginning of any section or paragraph or exhibit of this Covenant may be used to aid in the interpretation of that section or paragraph or exhibit but does not override the specific requirements in that section or paragraph.

Section 7. Release of Restrictive Covenant. This Covenant supersedes and releases the existing Restrictive Covenant which is recorded in the records of the King County Recorder under recording number 9607290604.

Unofficial Copy

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The undersigned Grantor warrants he/she holds the title to the Property and has authority to execute this Covenant.

EXECUTED this 25th day of September, 2023.

The undersigned further acknowledges Restrictive Covenant 9607290604 filed in King County, is hereby terminated and replaced with the above Environmental Covenant. The undersigned acknowledges termination of Restrictive Covenant 960729-0604 as successor to the original Grantor, pursuant to Section 6 of the 1996 Covenant, granting such authority to "The owner of the Site ... and the owner's assigns and successors in interest..."

8701 GREENWOOD LLC, a Washington limited liability company

MSL

by: Maninder Singh

Title: KAGS ECOLOGY COORDINATOR

STATE OF Washington
COUNTY OF King

On this 25th day of September, 2023, I certify that Maninder Singh personally appeared before me, acknowledged that he/she is the KAGS Ecology Coordinator of the limited liability company that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument for said limited liability company.

Notary Public
State of Washington
Forrest Craig
Commission No. 183356
Commission Expires 04-22-27

Forrest Craig
Notary Public in and for the State of Washington
Residing at Redmond, WA
My appointment expires 4-22-27

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The Department of Ecology hereby accepts the status as GRANTEE and HOLDER of the above Environmental Covenant pertaining to the Texaco 211544 site, Facility Site ID 63538329, Cleanup Site ID 6416, and the SMI Inc. Trust site, 8733 Greenwood Avenue N, Seattle, Washington, Facility Site ID 74731271.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Kimberly Wooten

by: Kimberly Wooten

Title: Section Manager - Toxics Cleanup Program

Dated: 9/28/23

Unofficial Copy

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Exhibit A

LEGAL DESCRIPTION

THE SOUTH 40 FEET OF LOT 1 AND ALL OF LOTS 2 THROUGH 6, BLOCK 1, GREENWOOD PARK THIRD ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18 OF PLATS, PAGE 14, IN KING COUNTY, WASHINGTON;

EXCEPT THE EAST 15 FEET OF SAID LOTS AS TAKEN BY OR CONVEYED TO KING COUNTY FOR WIDENING OF GREENWOOD AVENUE PURSUANT TO PROCEEDINGS FILED IN KING COUNTY SUPERIOR COURT CAUSE NO. 238428 AND DEEDS RECORDED UNDER AUDITOR'S FILE NOS. 2579428, 2582718, 2581733 AND 2589364.

Official Copy

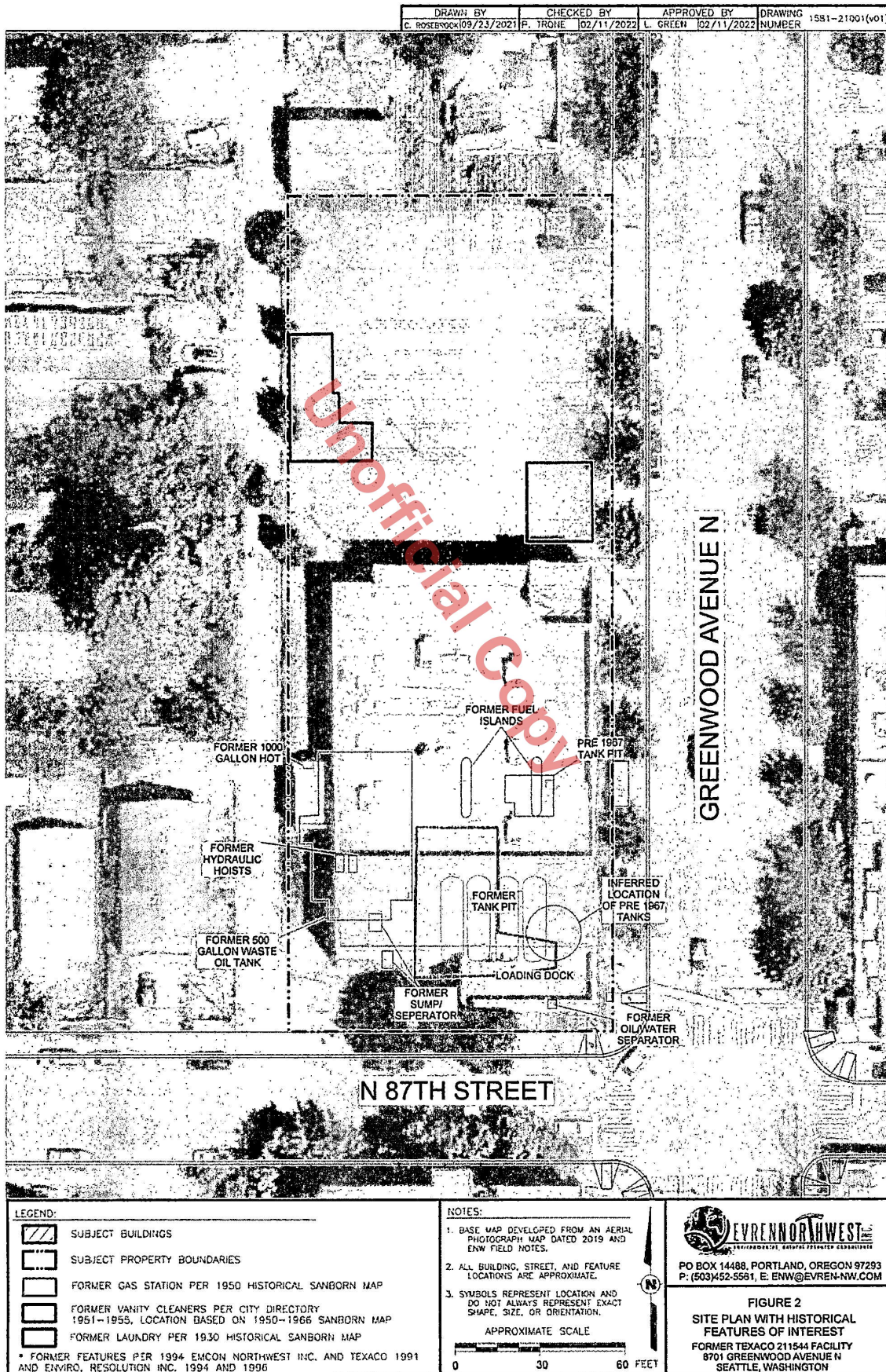
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Exhibit B

PROPERTY MAP

Unofficial Copy



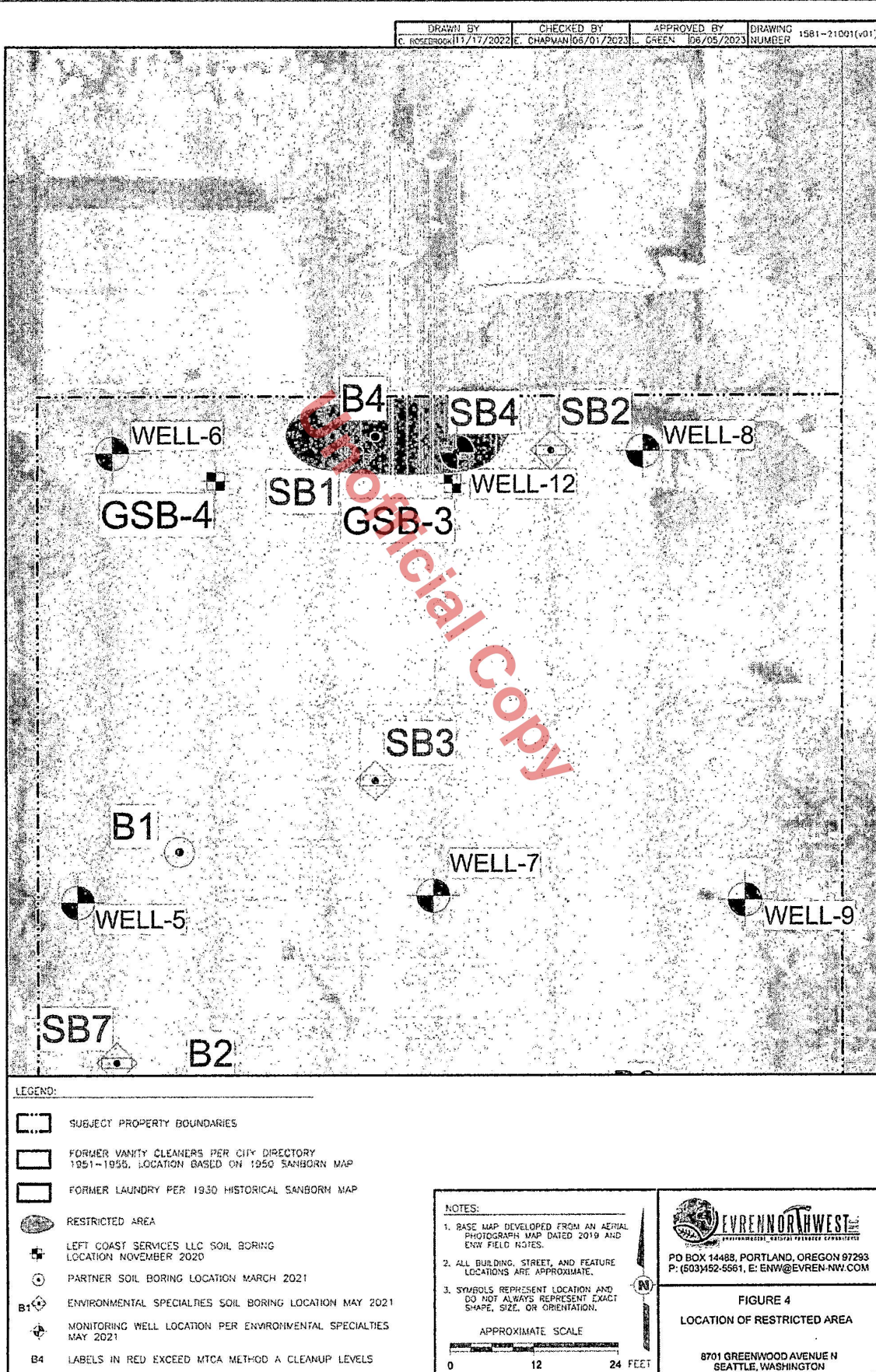
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Exhibit C

MAP ILLUSTRATING LOCATION OF RESTRICTIONS

Unofficial Copy



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Exhibit D

RESTRICTIVE COVENANT, KING COUNTY RECORDING NO. 9607290604

Unofficial Copy

**RESTRICTIVE COVENANT
on the former TEXACO property
8701 Greenwood Ave. North, Seattle, WA**

COPY RECEIVED

JUL 29 1996

NO RECORDS

960729-0604 11:24:00 AM KING COUNTY RECORDS 005 PTD 13.00

The property that is the subject of this Restrictive Covenant has been the subject of an independent remedial action under Chapter 70.105D RCW. The remedial action undertaken to clean up the property is described in various reports on file at the Northwest Regional Office of the Department of Ecology ("Ecology") under the file heading: Incident No. 2298, "Texaco Station 63-232-0037." This Restrictive Covenant is required under Ecology's rule WAC 173-340-440 because the remedial action resulted in residual concentrations of petroleum contaminated soil which exceed Method A cleanup levels for soil established under WAC 173-340-740.

The undersigned, Village/Seattle Partners, is the fee owner of real property in the County of King, State of Washington (legal description attached as Exhibit A hereto), hereafter referred to as "Site." The Site contains the following subsurface areas with the residual hydrocarbon concentrations in the soil exceeding Model Toxics Control Act ("MTCA") Method A Cleanup Levels:

1. Soil approximately three (3) feet below ground surface at the western sidewall of the former waste oil/sump excavation at the southwestern portion of the Site (Sample WOWWH-3).
2. Soil beneath the former waste oil/sump excavation at the southwestern portion of the Site approximately seven (7) feet below ground surface (Sample WOPM3-7).
3. Soil approximately five (5) and six (6) feet below the ground surface at the eastern side wall of the former waste oil/sump excavation at the southwestern portion of the Site (Samples WOEWO-5 and WOEW-6).

A drawing of the areas of known remaining soil contamination is attached hereto as Exhibit B.

Groundwater has not been impacted in these areas. Soil sample locations are shown on Plat-4 in the *Independent Remedial Action Report* dated January 6, 1996, prepared by Environmental Resolutions, Inc.

Village/Seattle Partners makes the following declaration as to limitations, restrictions and uses to which the Site 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 it, including all current and future owners of any portion or interest in the Site.

Section 1 - Soil with the hydrocarbon concentrations exceeding MTCA Method A Cleanup Levels that is excavated during activities at the Site shall be treated or disposed of at an approved facility. Documentation for disposal of impacted

COPY

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soil and results of all laboratory testing shall be submitted to Ecology following completion of activities. If previously unknown areas of soil with hydrocarbon contamination exceeding MTCA Method A cleanup levels are discovered during site activities, (1) Ecology must be notified, (2) the impacted soil will be removed as practicable, and (3) additional impacted soil left on the Site will be characterized and recorded in an addendum to this Restrictive Covenant.

Section 2 - Monitoring well AGW-6 must be sampled semi-annually, five times beginning September 1996. Any values of TPHG, TPHD, and BTEX exceeding Method A cleanup levels for groundwater must be reported to Ecology. Activities at the Site which interfere with the groundwater monitoring are prohibited. If construction or other activities require relocation of AGW-6, Ecology's prior approval must be obtained. Ecology's prior approval is not required for modifications to the surface elevation only of AGW-6 that do not affect sampling or monitoring.

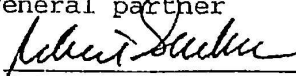
Section 3 - The owner of the Site must give written notice to Ecology, or to a successor agency, of the owner's intent to convey interest in the Site.

Section 4 - The owner must notify and obtain approval from Ecology, or from a successor agency, prior to any use of the Site that is inconsistent with the terms of this Restrictive Covenant. Public notice and comment may be sought by Ecology, or a successor agency, prior to the approval of the proposed change.

Section 5 - The owner shall allow authorized representatives of Ecology, or from a successor agency, the right to enter the Site at reasonable times for the purpose of evaluating compliance with the terms of this Restrictive Covenant.

Section 6 - The owner of the Site and the owner's assigns and successors in interest reserve the right under WAC 173-340-720 and WAC 173-340-440 to record an instrument which provides that this Restrictive Covenant shall no longer limit use of the Site or be of any further force or effect. However, such instrument may be recorded only with the consent of Ecology, or of a successor agency. Public notice and comment may be sought by Ecology, or a successor agency, prior to recording of such an instrument.

DATED this 26th day of July, 1996

VILLAGE/SEATTLE PARTNERS, a California general partnership
By: K & I ASSOCIATES, L.P., a California limited partnership,
its managing general partner
By: VPI, Inc., a California corporation,
its general partner
By: 
Robert Isackson
President

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EXHIBIT A

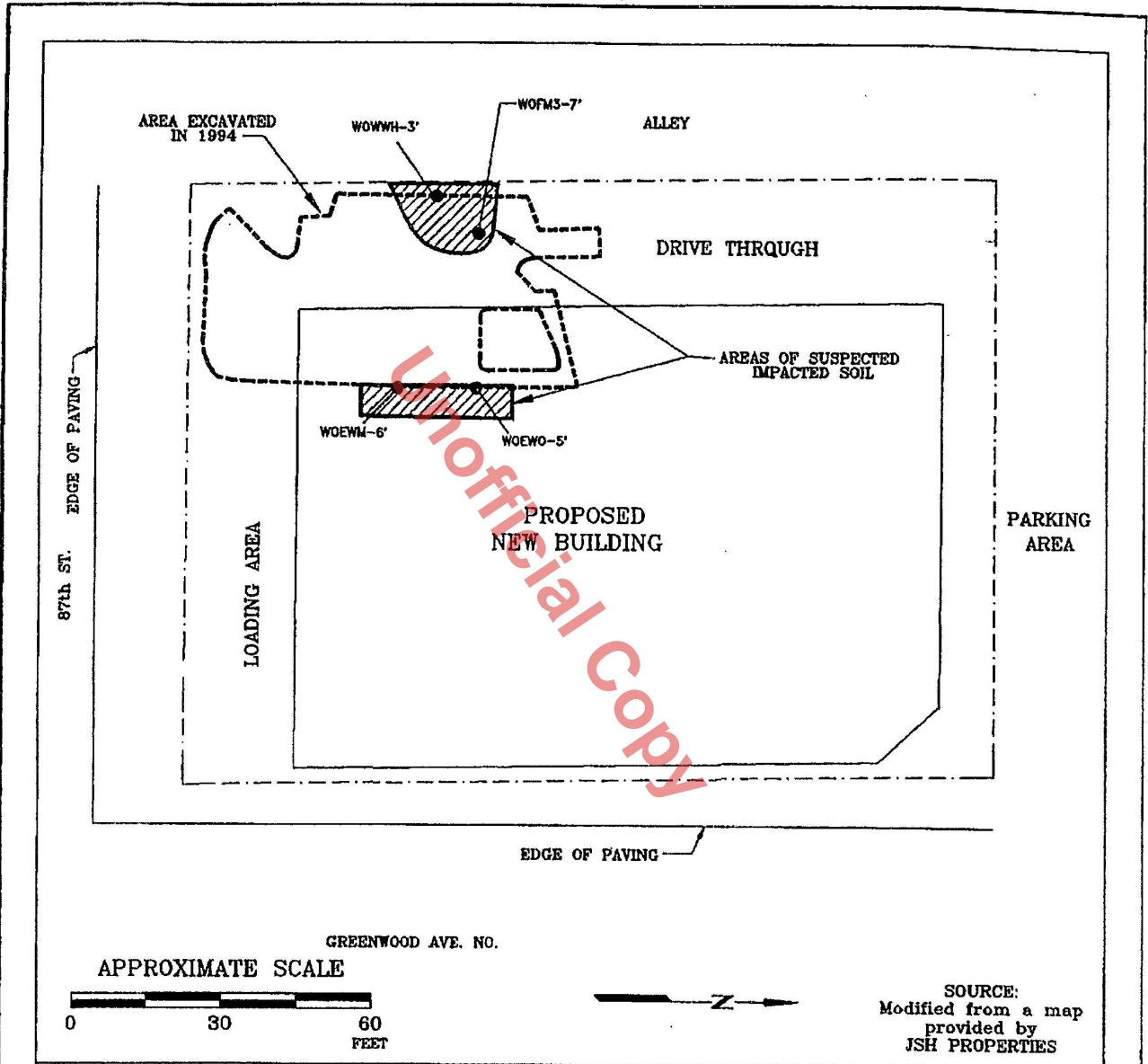
Legal description of that certain real property located at 8701 Greenwood Avenue North, City of Seattle, County of King, State of Washington:

Lots 5 and 6, Block 1, Greenwood Park Third Addition to the City of Seattle, according to the plat recorded in Volume 18 of Plats, page 14, in King County, Washington; EXCEPT the East 15 Feet thereof conveyed to King County for road purposes by Deeds recorded under Auditor's File No. 2579428 and 2582718.

SUBJECT TO: Easements, restrictions and reservations of record, if any.

INCLUDING,
Lot 4, Block 1, Greenwood Park Third Addition to the City of Seattle, according to plat recorded in Volume 18 of Plats, page 14, in King County, Washington, EXCEPT the East 15 Feet condemned for Greenwood Avenue under King County Superior Court Cause No. 238428.

Unofficial Copy



FN 31001003

EXPLANATION

- Soil Sample Location and Identification
- WOFM3-7'
- Upper Limit of Excavation

EXHIBIT B



AREAS OF SUSPECTED IMPACTED SOIL
 FORMER TEXACO FACILITY 63-232-0037
 8701 Greenwood Avenue North
 Seattle, Washington

PROJECT NO.
31001

PLATE
P-4

DATE: 12/29/96

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

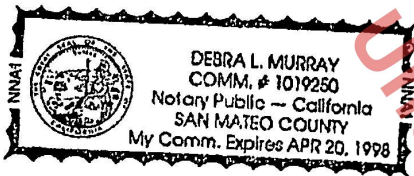
State of California

County of San Francisco

On July 26, 1996 before me, Debra L. Murray, Notary Public
DATE NAME, TITLE OF OFFICER - E.G. JANE DOE, NOTARY PUBLIC

personally appeared Robert Isackson
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Debra L. Murray
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

INDIVIDUAL
 CORPORATE OFFICER
President, VPI, Inc.
TITLE(S)

PARTNER(S) LIMITED
 GENERAL
 ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

Restrictive Covenant
TITLE OR TYPE OF DOCUMENT

4 + notary page
NUMBER OF PAGES

7/26/96
DATE OF DOCUMENT

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Village/Seattle Partners

N/A
SIGNER(S) OTHER THAN NAMED ABOVE

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Exhibit E

SOIL CAP MANAGEMENT PLAN

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SOIL CAP MANAGEMENT PLAN

Unofficial Copy

Commercial Property

8701 Greenwood Avenue N
Seattle, Washington

Prepared for:

KIDDIE ACADEMY
EDUCATIONAL CHILD CARE

Attn: Maninder Singh

1260 NE 85th Street

Suite-108

Kirkland, Washington 98033

Issued on:

July 14, 2023

Project No. 1581-21001-04

EVREN NORTHWEST, INC.
P.O. Box 14488, Portland, Oregon 97293
T. 503-452-5561 / E. ENW@EVREN-NW.com

Purpose

This Soil Cap Management Plan (Plan) has been prepared to assist site ownership with implementing Washington Department of Ecology (Ecology)-mandated land use restrictions at 8701 Greenwood Avenue North in Seattle, Washington (the "Subject Property"). Ecology has imposed land use restrictions to protect human health and the environment and preserve the integrity of remedial actions conducted at the site.

Use

This document details the following:

- Contaminated soil – historical use, chemicals present and estimated extent.
- Overview of requirements, including:
 - Containment of Soil Beneath a Cap
 - Annual soil cap inspections
 - Restrictions on Storm Water Facilities and Ground Water Use
 - Staff training
 - Maintenance and inspection
 - Procedures for preventing unauthorized subsurface work
- Annual report
- Management of contaminated soil and soil cap during subsurface work.

Identified personnel who have responsibility for exterior areas of the Subject Property should review this Plan on an annual basis.

Documentation of Compliance

Please acknowledge the completion of required actions on an annual basis, to be completed when the annual report is completed.

Year	Annual Report Submitted		Document Completion & Inclusion of Attachments in Annual Report			
	Date	By (Name & Initials)	B	C	D	E
2023						
2024						
2025						
2026						
2027						
2028						
2029						
2030						
2031						

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This
Soil Cap Management Plan

for:
Commercial Property
8701 Greenwood Avenue N
Seattle, Washington

Has been prepared for the sole benefit and use of our Client:

KIDDIE ACADEMY
EDUCATIONAL CHILD CARE
Attn: Maninder Singh
1260 NE 85th Street
Suite-108
Kirkland, Washington 98033

and its assignees

Issued
July 17, 2023

by:



Lynn D. Green

EXP. 12/14/2023

Erik Chapman, L.G.
Principal Geologist



Lynn D. Green, L.E.G.
Principal Engineering Geologist

Limitations. No warranties are expressed or implied concerning potential contaminants or environmental media not addressed through sampling and analysis. EVREN Northwest, Inc. is not responsible for conditions or consequences arising from relevant information that is concealed or not fully disclosed at the time of Plan preparation. This Plan was prepared in accordance with generally accepted professional practice in the area at this time for the exclusive use of our client and their agents or authorized third parties. No other warranty, either expressed or implied, is made.

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- 2 Site Plan
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- 4 Location of Restricted Area

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(within text)

- 4-1 Key Staff and Roles

Attachments

- A Soil Cap Annual Inspection Form
- B Documentation Form for Annual Staff Training
- C Subsurface Work Log Form
- D Subsurface Work Documentation Form

List of Acronyms and Abbreviations

bgs	below ground surface
BTOC	below top of casing
Client	Kiddie Academy
CMMP	Contaminated Media Management Plan
Ecology	Washington Department of Ecology
Covenant	Environmental Covenant
ENW	EVREN Northwest, Inc.
Plan	Soil Cap Management Plan

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SOIL CAP MANAGEMENT PLAN
8701 Greenwood Avenue N, Seattle, Washington

1.0 Site Setting & Environmental Conditions

This Plan applies to the Commercial Property (former Texaco 211544 Facility) located at 8701 Greenwood Avenue North in Seattle, Washington (subject site or subject property). Please reference Figure 1 for a site vicinity map and Figure 2 for site features.

1.1 Site Location and Setting

The subject property occupies 0.75 acres of commercial property occupying the northwest corner of the intersection of Greenwood Avenue N and N 87th Street in Seattle, Washington. The subject property is currently developed with one vacant commercial building and an asphalt parking lot with no current onsite operations. Land use in the surrounding area consists of a mix of commercial and residential uses.

Historical Use. Historical land use of the subject property has included a Texaco-branded gasoline service station, a cleaners and dyers operation (Vanity Cleaners), residential dwellings and several commercial businesses. In 1994, the service station ceased operations and all underground storage tanks (USTs) and associated product dispensing systems were removed. In 1996, a new commercial building was constructed across the entire site and Walgreens occupied the new commercial building from 1996 until 2009.

Previous site structures, including the former Vanity Cleaners building and the former Texaco service station are illustrated on the Site Plan on Figure 2.

Topography. The subject property is at an approximate elevation of 260 feet above mean sea level and slopes to the west-southwest (Figure 1). The subject vicinity is in a densely developed urban environment. Greenwood Park to the east and Sandel Park to the northeast are the nearest green spaces to the subject property, both of which are approximately 0.2 miles distance from the subject property. Approximately 95% of the subject property is covered by impervious surfaces.

Local and Regional Geologic Setting. The subject site is underlain by Holocene age Peat deposits, which are accumulations of wood and other plant material forming layers of greater than about 1 meter (3.3 feet) thickness and of mappable extent.¹ The peat units are underlain by Pleistocene age glacial deposits consisting of glacially transported silt, sand and sub-rounded to well-rounded gravel.

Local Hydrogeologic Setting. Soils encountered at the site during previous investigations consisted of poorly graded sands and gravels to a depth of between two and 10 feet below ground surface (bgs) overlying organic silts and peat ranging up to 12 feet thick. A wet sand to silty sand layer was encountered below the organic silt and peat layer. Underlying the wet silty sands was a gray gravel/silt hard pan layer at approximately 20 feet bgs.

Shallow (perched) ground water occurs within the silty sands beneath the peat layer and above the sand and gravel hardpan layer under confined to semi-confined conditions. Stabilized static ground water levels

¹ Booth, D.B., Goetz, K., Schimel, S.A., 2009, Geologic Map of Northeastern Seattle (Part of the Seattle North 7.5' x 15' Quadrangle), King County, Washington: U.S. Geological Survey Scientific Investigations Map 3065, Map 1:24,000.

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in monitoring wells have ranged from approximately 0.0 feet below top of casing (BTOC) to 3.45 feet BTOC and flows generally to the southwest.²

1.2 Background

Environmental investigations began at the subject site in 1996 to address a release of petroleum hydrocarbons to soil and ground water at the former Texaco 211544 Facility, identified as 8701 Greenwood Avenue North, Seattle, Washington (Ecology Facility Site ID 63538329). Based upon remedial actions and ground water sampling results, Ecology issued a Conditional No Further Action determination for the Texaco site in July 1996, subject to a restrictive covenant recorded against the property deed.

In 2020 and 2021, Mr. Maninder Singh, engaged with several environmental firms to conduct additional investigations at the subject site in preparation of redeveloping the site into a daycare facility (Kiddie Academy). Recent environmental work conducted on behalf of Mr. Singh has been through Ecology's Volunteer Cleanup Program. Recent investigations have determined the property is also affected by releases from the SMI Inc. Trust site at 8733 Greenwood Avenue North, Seattle, Washington (Facility Site ID 74731271).

Based on recent site characterization investigations, a cleanup remedy was selected and approved by Ecology, contingent upon land use restrictions which are recorded in a new restrictive covenant. The Covenant is required because residual contamination from the SMI Inc. Trust site remains on a portion of the subject property. Based on remedial actions already completed, Ecology is preparing a "No Further Action Likely" letter, outlining their opinion that no further actions will be required and that a formal opinion of No further Action required will be provided in the near future, following updating the restrictive covenant for this site. Ecology will release the existing Restrictive Covenant related to the Texaco 2115444 site when the new Covenant is issued. Additionally, Ecology will require certain activity and land use restrictions to protect human health and the environment.

This Plan was completed according to Ecology's site-specific requirements to facilitate bringing the site to No Further Action status.

1.3 Overview of Known Residual Contamination

Records describing the extent of residual contamination and remedial actions conducted are available at Ecology's website (<https://apps.ecology.wa.gov/cleanusearch/site/6416>). These documents include:

- ENW, 2022. *Model Remedy Site Closure Report*, Former Texaco 211544 Facility, 8701 Greenwood Avenue North, Seattle, WA. November 22, 2022.
- ENW, 2022. *Focused Sub-Slab Vapor Investigation*, Future Kiddie Academy Property, 8701 Greenwood Avenue North, Seattle, WA. February 23, 2022.
- Ecology, 2023. *Opinion on Proposed Cleanup of the following site: Texaco 211544, 8701 Greenwood Avenue N., Seattle, WA.* February 3, 2023.

² ENW, February 28, 2022. *Ground Water Monitoring: First Quarter 2022*, Future Kiddie Academy Property, 8701 Greenwood Avenue North, Seattle, Washington 98103: Prepare for Kiddie Academy, Attn: Maninder Singh.

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Contamination related to the SMI Inc. Trust site that has come to be located on the subject property contain impacts to soil and ground water at concentrations exceeding the minimum allowable under Model Toxics Control Act. The location and extent of residual contamination is described briefly below.

1.3.1 Soil

Ecology understands that former site features related to the former Texaco site were located on the southern portion of the site (see Figure 2). Therefore, contaminated soil located along the north property boundary is likely related to migration from the SMI Inc. Trust site. The Method A cleanup level was used to evaluate soil contaminated with total petroleum hydrocarbons in this portion of the property.

Total petroleum hydrocarbons in the diesel range (diesel-range organics, or DRO) are the principal contaminant present in soil connected to the SMI Inc. Trust site. DRO is present at a depth of 10 feet bgs at sample location SB4 in the vicinity of Well-12 near the shared boundary with SMI Inc. Trust site (i.e., north property boundary).

1.3.2 Reconnaissance Ground Water

DRO is the principal contaminant present in ground water. DRO was detected from a temporary well point at soil boring B4, located at the central part of the north property boundary across from the SMI Inc. Trust site, and is likely related to migration of impacts from that property.

The above areas of residual soil and ground water impacts exceeding the established site cleanup levels are highlighted in orange on Figure 4. The orange-highlighted area corresponds to the area in Exhibit C of Ecology's draft Restrictive Covenant. All of the land and activity use restrictions in the Covenant shall apply to the area illustrated on Figure 4 as the "Restricted Area."

1.4 Remedial Action Development

Since soil in the northern portion of the Property does not comply with cleanup standards, institutional controls in the form of an Environmental Covenant (Covenant) are necessary to protect human health and the environment.³

Ecology has drafted a restrictive covenant that addresses residual soil and ground water impacts related to the SMI Inc. Trust site. The following specific restrictions and requirements shall apply to the restricted area of the property as illustrated on Figure 4 of this Plan and Exhibit C of the Covenant.

- **Containment of Soil.** Residual contaminated soil in the restricted area shall be contained under a cap consisting of pavement, which primary purpose is to minimize the potential for contact with contaminated soil.

³ Since soil and ground water in the southern portion of the site meets cleanup standards, institutional controls are no longer necessary for contamination related to the former Texaco 1211544 facility. At the writing of this Plan (June 2023) Ecology is working with owners to remove the existing restrictive covenant that was placed on the property for the Texaco site on July 26, 1996.

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8701 Greenwood Avenue N, Seattle, Washington

- **Stormwater Facilities.** Since there is a potential for mobilization of contaminants remaining in the soil and ground water at the north property boundary, no stormwater infiltration facilities such as ponds or drywells shall be constructed within the restricted area of the property.
- **Groundwater Use Restrictions.** Owner may not extract through wells or by other means or use the groundwater within the restricted area for any purpose except temporary construction dewatering or remedial activities. This prohibition does not apply to extraction of groundwater associated with groundwater treatment or monitoring activities approved by Ecology or to temporary dewatering activities related to construction, development, or the installation of sewer or utilities at the Property approved in writing by Ecology. Owner must conduct a waste determination on any groundwater that is extracted during such monitoring, treatment, or dewatering activities and handle, store and manage wastewater according to applicable laws.
- **Long-Term soil cap monitoring and management** (see Sections 3 and 4) including:
 - Maintain all protective surfaces within restricted area (i.e., pavement) to prevent direct soil contact and storm water infiltration.
 - Implement the Contaminated Media Management Plan (CMMP)⁴

1.5 Remedial Action Implementation

Soil Cap. The soil cap was in place at the time this Plan was prepared. It consists of the existing paved parking area labeled "Restricted Area" on Figure 4 of this plan.

Institutional Controls. At the time this Plan was prepared (June 2023), Mr. Maninder was working with Ecology to complete the restrictive covenant and meet all legal requirements of implementing institutional controls (described in the next section).

2.0 Institutional Controls

The institutional controls provided in Ecology's Restrictive Covenant apply to the restricted area illustrated in Figure 3 of this Plan.

The following institutional controls (restrictions) shall apply in regards to containment of soil:

- Covenant restricts any activity on the property that will compromise the integrity of the cap. Any drilling, digging, grading, installation of underground utilities, removal of the cap, or application of loads in excess of the cap load bearing capacity is prohibited without prior written approval by Ecology.
- Ecology may require treatment or removal of contaminated soil if all or a portion of the pavement cap in the restricted area is removed. Ecology will not require treatment or removal of the underlying contaminated soil if the owner/operator is only repairing all or a portion of the asphalt pavement to maintain the cap over the underlying contaminated soil.

⁴ Partner. March 9, 2021. Soil Management Plan

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- Owner/operator shall notify Ecology within 48 hours of the discovery of any damage to the cap. The owner/operator shall repair any damage and submit a report documenting this work to Ecology within 30 days of completing repairs.
- Cap shall be inspected annually and a report submitted to Ecology documenting the condition of the cap and any changes to the cap that could impair its performance. The soil cap is to be regularly inspected and maintained under a management plan as long as hazardous substances remain at the site in quantities in excess of cleanup levels. (This Plan serves as the site's management plan)

In addition to restrictions pertaining to soil containment, the following general restrictions shall apply to the restricted area on Figure 4.

- Management of impacted media will be performed under a CMMP developed for the subject site.
- Procedures to ensure that all responsible persons that need to know about the restrictions are informed and trained in known practices to ensure that all subsurface work is done in accordance with the management plan.
- A health and safety plan as part of the site management plan to be followed whenever the soil cap is breached.
- Any digging/excavating will require prior permission from Ecology and the property owner.
- A log of all work that breaches the cap will be maintained and include information on how the cap was restored to be protective.
- Preparation and submittal of an annual report documenting compliance with all of the above.

3.0 Soil Cap

The soil cap encompasses the restricted area shown on Figure 4, meeting the following engineering control objectives:

- A physical barrier to prevent exposure to hazardous substances remaining on the property.
- Minimize water infiltration to the subsurface.
- Minimize long-term maintenance while meeting the above two goals.

The location of the soil cap is shown on Figure 4. The cap consists of the existing asphalt paving that is present above the Restricted Area.

4.0 Staff – Required Actions

Maintaining the soil cap integrity and security is an ongoing responsibility. The **Property Owner** shall be designated as the person responsible for ensuring this Plan is implemented, that the soil cap integrity is maintained and that this Plan will be reviewed on an annual basis.

The property owner may at his or her discretion assign tasks to appropriate personnel.

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The site director shall report to Ecology within 48 hours of the discovery of any damage to the cap. If any damage to the cap is found, measures will be immediately taken to repair the damage and submit a report to Ecology within 30 days of completing the repairs.

4.2 Annual Training

The following tasks to be conducted annually will ensure that all individuals who need to know about site restrictions are informed:

- The cap will be explained to all appropriate persons (e.g., anyone with responsibilities including the property and anyone actively working on the property). The nature of the site, the importance of and legal obligations of maintaining soil cap integrity, the importance of not breaching the soil cap, as well as procedures for obtaining approval to breach the cap will be discussed. Anyone visiting the subject property should be encouraged to report conditions they may observe (e.g., degradation or unauthorized human activities) that pose a threat to the integrity of the cap and safety to humans on site to the Property Owner.
- The Property Owner, along with staff designated by him or her, will review this Plan and acknowledge their understanding of Plan requirements. Designated staff should include all landscape and maintenance personnel, and any staff responsible for contracting work conducted at the site.

Attachment B provides a form that may be used to collect acknowledgement signatures. These will be included with the Annual Report.

4.3 Approval Process for Authorization to Breach the Soil Cap

As outlined in Section 2a of the new restrictive covenant prepared for the site, any activity that will compromise the integrity of the cap must be approved by Ecology prior to implementation. The Property Owner is responsible for development of an approval process for any subsurface work, so that no unauthorized work is conducted. This includes work conducted by any contractors or utilities. The process must:

- Allow for documentation required by the work log described in the next section.
- Require personnel or entity conducting work to review, acknowledge understanding and agree to adhere to both this Plan and the CMMP.

These procedures will be reviewed on an annual basis and adjusted as necessary to improve effectiveness or allow for changing conditions.

4.4 Maintain Log of Authorized Soil Cap Breaches

Anytime work is conducted that breaches the soil a log must be maintained. Attachment D provides a form that may be used as a log of work. At a minimum, the following should be documented:

- Personnel/entity performing work.
- Reason for and description of work performed.
- Management and disposal of any impacted soils.

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Precautions taken to prevent exposure to impacted excavated soils.

4.5 Submit an Annual Report

A report shall be completed within 30 days of the annual cap inspection the condition of the cap and any changes to the cap that would impair its performance. The forms in Attachments A through E have been designed to document compliance on an annual basis. A copy of the annual report should be submitted to the Property Owner for permanent filing and to Ecology.

The Property Owner shall establish a due date for the Annual Report. This due date may be scheduled for convenience, but once established should be adhered to annually. At the first five-year periodic review conducted by Ecology, this frequency may be reassessed.

5.0 Subsurface Work – Methods and Procedures

Work conducted on the Subject Property must be done in a manner that is protective of human health and is consistent with the Ecology institutional controls described previously in this Plan.

Users of the plan are advised that regulations may change in the future and therefore the regulations should be reviewed prior to commencing any subsurface work. If it is believed that local and State regulations have changed, revisions to the Plan may be necessary from time to time to reflect current regulatory standards.

5.1 Prior to Starting Any Work

Any personnel or entity who will be breaching the soil cap must first:

- Obtain authorization following the approval process developed according to Section 4.4 of this Plan.
- Read and provide signature acknowledgement of the requirements of and intention to adhere to this Plan.
- Obtain all required permits to complete scope of work.
- Complete the Project Initiation portion of the Subsurface Work Documentation form in Attachment E, including designation of responsible parties.

5.2 Earthwork on Site

Anyone conducting any earthwork that that will encounter soil or ground water beneath the soil cap **MUST** reference and adhere to the CMMP for complete soil and water management protocol.

5.3 Reporting Requirements

Detailed notes of field work shall be kept and submitted to the Property Owner or their designee using the Subsurface Work Documentation form in Attachment E. Reason for and dates of work, personnel/contractor/utility performing work, location of soil excavation, soil and water management and disposal, waste disposal receipts and maps/photos of work shall be submitted to Ecology.

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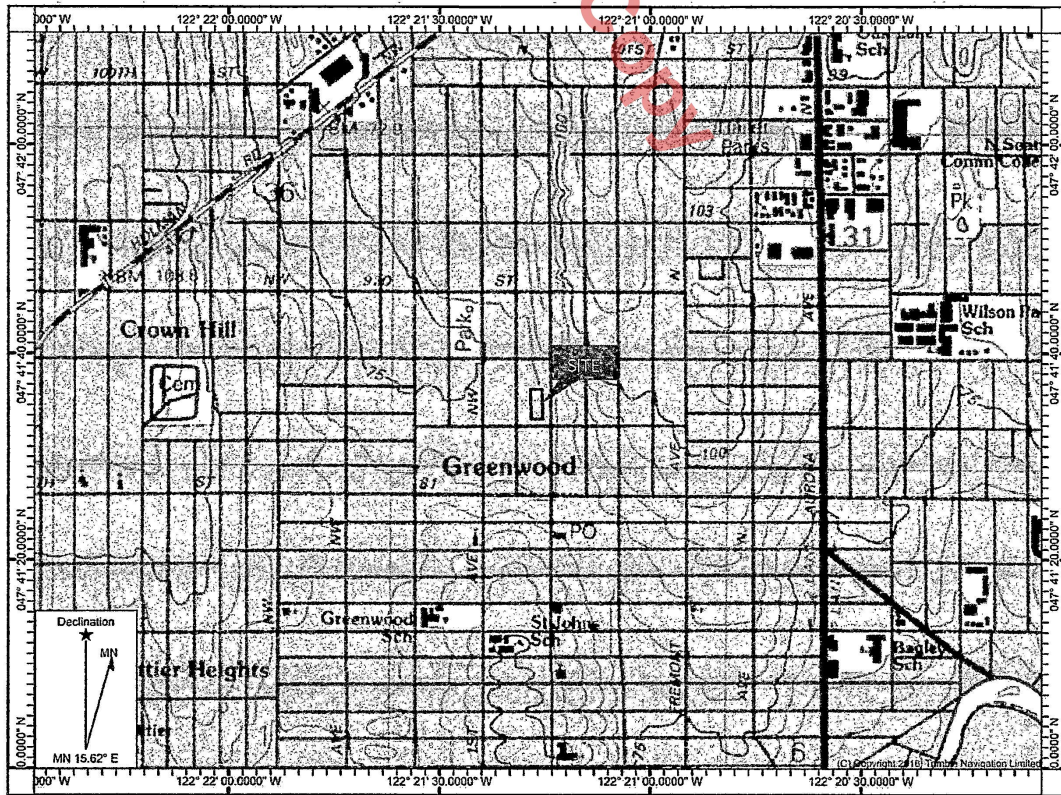
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Figures

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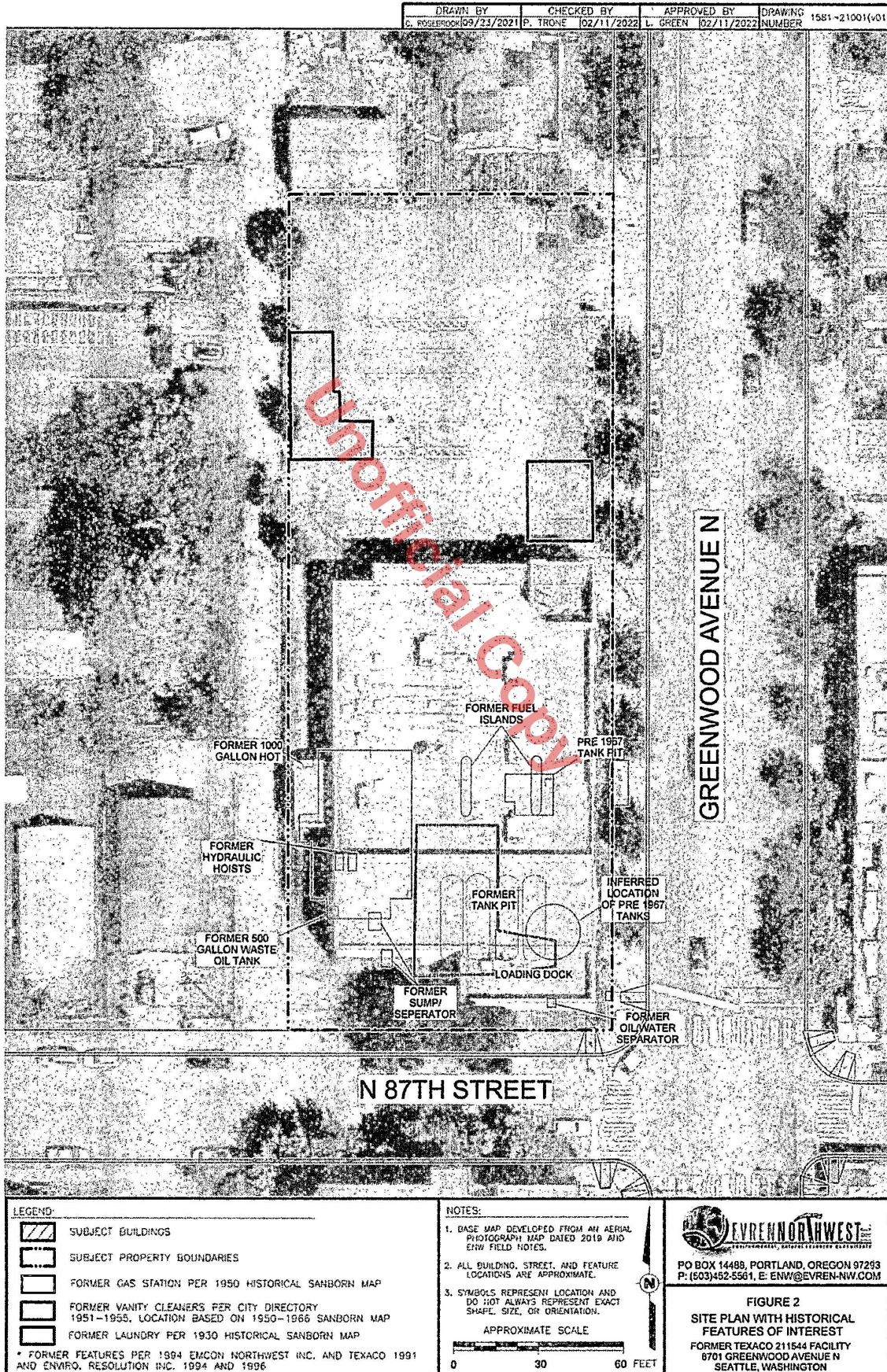
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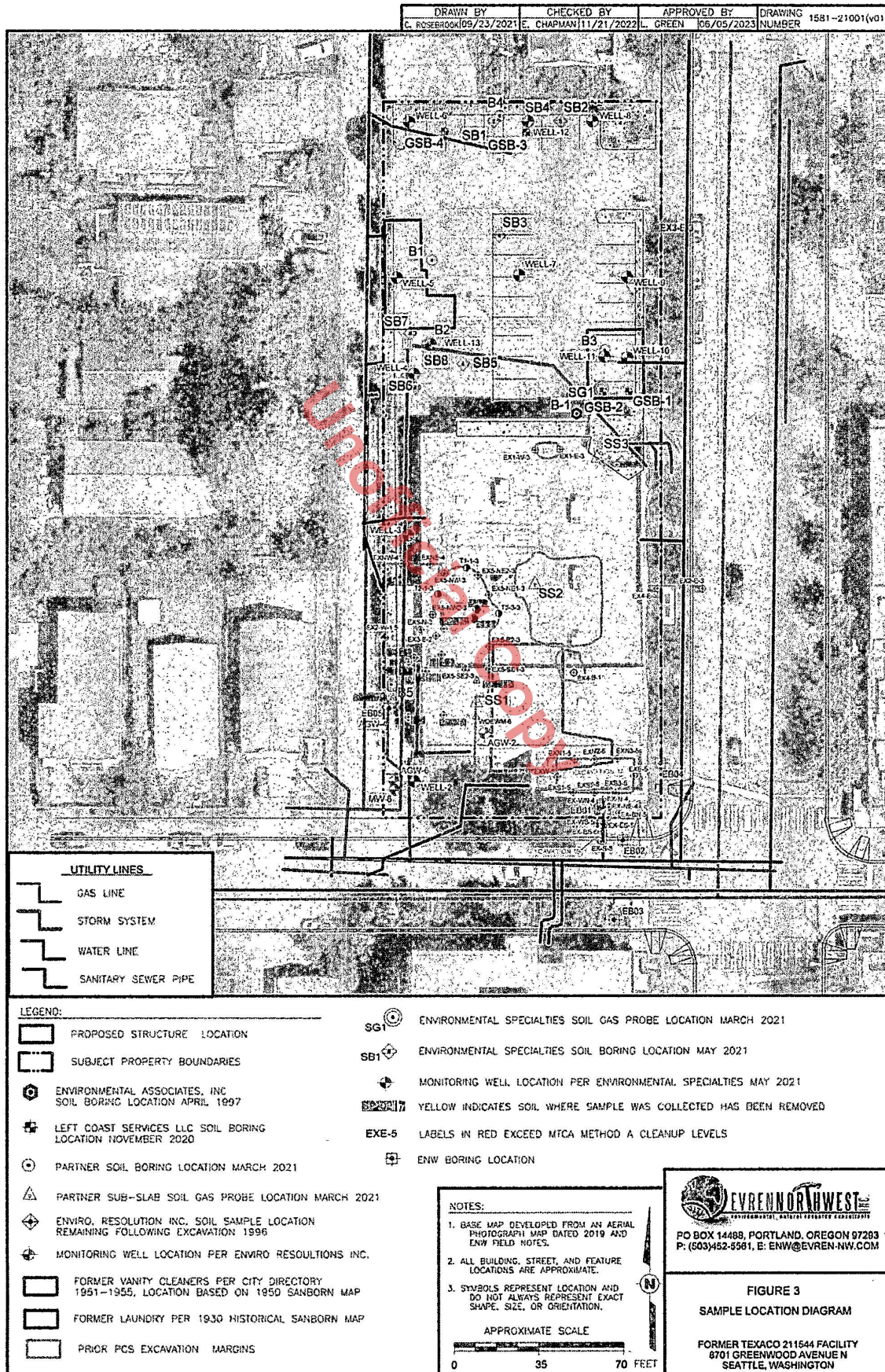
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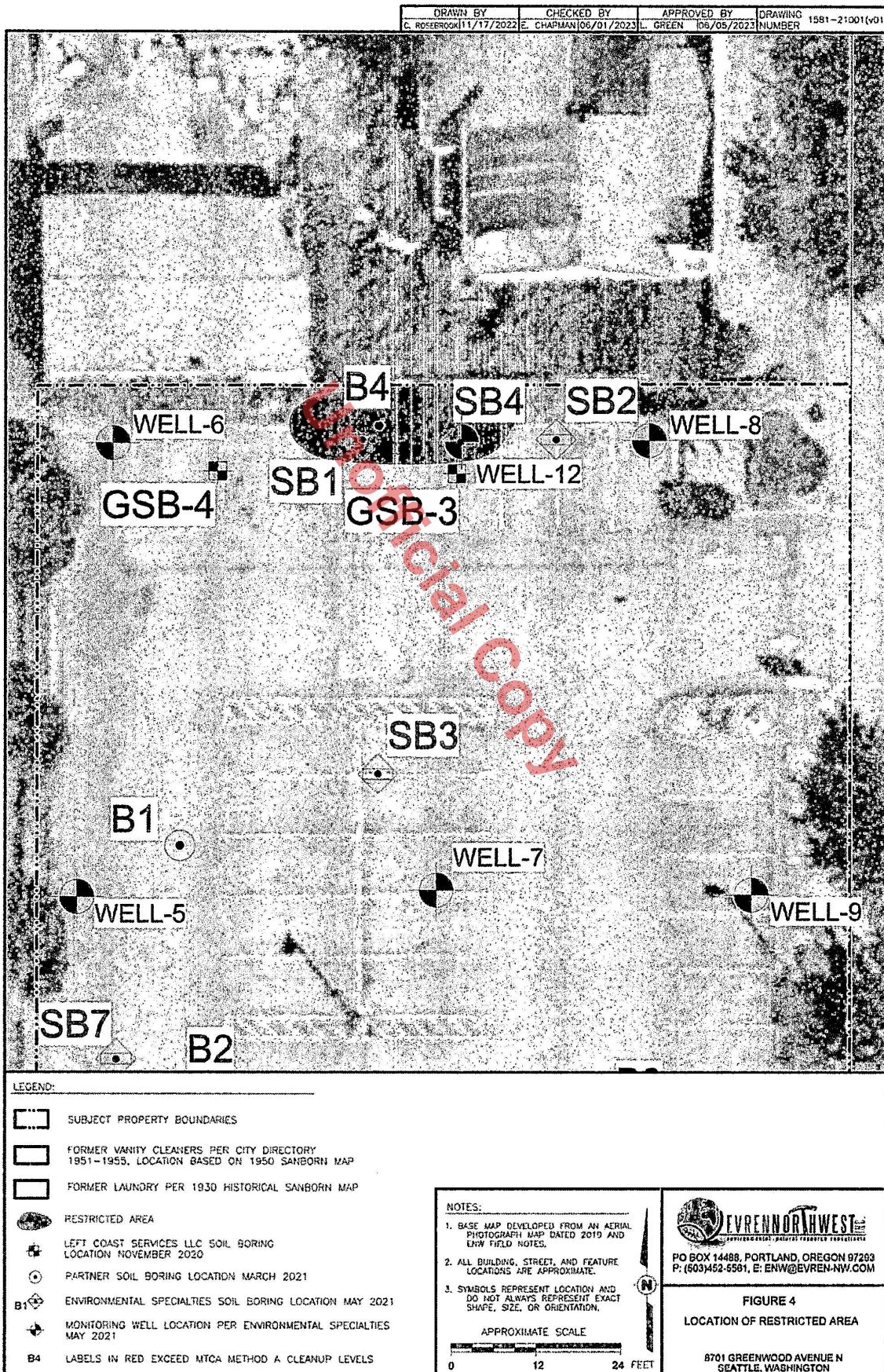


Name: SEATTLE NORTH
 Date: 09/20/21
 Location: 047° 41' 35.3419" N, 122° 21' 15.9186" W
 Contour Interval: 16 ft

	<p>Date Drawn: 11/22/2022 CAD File Name: 1581-21001-01_fig.tsv_map Drawn By: CLR Approved By: LDG</p>	<p>Former Texaco 211544 Facility 8701 Greenwood Avenue N Seattle, Washington</p>	<p>Site Vicinity Map</p>	<p>Project No. 1581-21001 Figure No. 1</p>
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Attachment A

Soil Cap Annual Inspection Form

Copy and use the following form to document the required annual cap inspection.

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Soil Cap Annual Inspection Form

Date of Inspection: _____

Inspected by: _____

Maintaining the soil cap integrity and security **protects individuals** from exposure to contaminated soil beneath the site and is an ongoing responsibility. *At a minimum, the soil cap will be inspected annually.* Such inspections include monitoring cap thickness, degradation, and any human activities with the potential to breach the building slab. More frequent inspections are encouraged and should also be documented with this form.

Persons performing the inspection must have a thorough understanding of the soil cap and the Soil Cap Management Plan.

SOIL CAP

Evaluate all areas for erosion, wildlife disturbance, any unauthorized human activity that is breaching (penetrating) the soil cap and vegetation establishment. At least 12 inches of clean soil must be maintained over the original impacted soil.

Is any unauthorized digging occurring? Y / N

If yes, immediately take steps to secure the area and manage the breach according to the Soil Cap Management or Contaminated Media Management Plan, as appropriate.

Are any natural elements (e.g., wind, rain, surface water, etc.) disturbing pavement surface? Y / N

Are there any signs of wildlife (e.g., gophers, deer, dogs, etc.) disturbing pavement surface? Y / N

Are there any potential conditions that may breach the cap? Y / N

If the answer is yes to any of these questions, please document the conditions by 1) taking photographs, 2) showing location on a map, 3) describing condition and the measures taken to remedy the situation. Documentation should be kept with this form and submitted with the Annual Report to Ecology.

ACTION OR ADDITIONAL DOCUMENTATION REQUIRED?

SIGNATURE OF PERSON PERFORMING INSPECTION:

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Attachment B

Documentation Form for Annual Training

Copy and use the following form to document compliance with the requirement for training.

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Attachment C

Subsurface Work Log Form

This form may be used to document any work that breaches the soil cap. This will create a work log as required by this Plan. Make copies as needed.

Unofficial Copy

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Official Copy

WORK LOG
 For Any Breach of Soil
 Cap

For Year: _____

Maintaining the soil cap integrity and security **to protect individuals** from exposure to contaminated soil beneath the site is an ongoing responsibility. This Plan requires Ecology's approval and a log of all work conducted that penetrates the soil cap. This form is to be submitted with the Annual Report to the Property Owner and Ecology. Make copies as necessary.

Responsible Party (Name, Position, Company):	Start Date:	End Date:
Has a subsurface work documentation form been completed?		
Please describe Scope of Work and reason for need to breach soil cap. Details and supporting documentation should be submitted with separate Subsurface Work Documentation form.		
Was any impacted soil excavated? If yes, briefly describe method of management and disposal.		
Describe precautions taken to prevent individuals from being exposed to hazardous constituents in soil		
Responsible Party (Name, Position, Company):	Start Date:	End Date:
Has a subsurface work documentation form been completed?		
Please describe Scope of Work and reason for need to breach soil cap. Details and supporting documentation should be submitted with separate Subsurface Work Documentation form.		
Was any impacted soil excavated? If yes, briefly describe method of management and disposal.		
Describe precautions taken to prevent individuals from being exposed to excavated soils		

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Attachment D

Subsurface Work Documentation Form

Copy and provide the following form to personnel, contractors or utilities who will be performing work that breaches the soil cap. **Completing and following instructions on this form will ensure work is done according to this Soil Cap Management Plan.** Once work is finished, a completed form and any required supporting information should be placed in the work log file.

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Subsurface Work Documentation Form

Name of Project: _____

This form is to be completed by any personnel, contractor or utility performing work that will penetrate the soil cap. Work is not to be conducted unless the criteria described below are met and the Property Owner (or designee) and Ecology have approved the work.

PROJECT INITIATION

Responsible Party (Name, Position, Company):	Requested Work Start Date:
<p>CERTIFICATION: I have read the Soil Cap Management Plan (Plan) and I understand its importance for protecting the soil cap. I agree to abide by these measures and safety rules and all applicable safety regulations while working on the property. <i>FURTHER, I take responsibility for training all field personnel for this project on the requirements of this Plan.</i> I understand that any violation of these rules will result in my removal from the work area.</p> <p>Signature of Responsible Party Listed Above:</p>	
<p>Please describe proposed work, any anticipated excavation of impacted soil or ground water, proposed methods of management and disposal, proposed methods of replacing soil cap at work completion.</p> <div style="height: 150px; border: 1px solid black; margin-top: 5px;"></div>	

PROJECT APPROVAL

Person Approving Proposed Work (Name, Position, Company):	Date of Approval:
<p>CERTIFICATION: I have a thorough understanding of the Soil Cap Management Plan (Plan). The proposed work methods meet the requirements of the Plan and I grant approval for the work to be conducted as described.</p> <p>Signature of Approving Party:</p>	
Designated personnel to contact in case of change in scope or questions regarding Plan:	Phone Number:

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Complete the following information upon project completion and submit to Ecology. Please attach appropriate supporting documentation including, but not limited to, field work photographs, and a map showing location and extent of work.

Responsible Party (Name, Position, Company):	Start Date:	End Date:
Detailed Description of Work: <div style="text-align: center; color: red; font-size: 2em; opacity: 0.3; transform: rotate(-45deg); pointer-events: none;"> Unofficial Copy </div>		
Was any contaminated soil from below the soil cap excavated? Y / N If yes, <u>please provide supporting documentation</u> and describe in detail the methods used to manage any impacted soils onsite and method(s) of disposal. <u>Waste receipts must be provided.</u>		
Describe precautions taken to prevent individuals from being exposed to impacted soils.		
Describe method of replacing soil cap at work completion.		
Signature of Responsible Party Listed Above:		