



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

January 27, 2020

Maggie Capelle  
ARE-QRS Corp  
400 Dexter Avenue North, Suite 200  
Seattle, WA 98109

**Re: Acceptance of VCP Application for the following Site:**

- **Site Name:** Seattle DOT Mercer Parcels
- **Site Address:** 800 Mercer Street, Seattle, Washington 98109
- **Cleanup Site ID:** 14784
- **Facility/Site No.:** 27913
- **VCP Project No.:** NW3258

Dear Maggie Capelle:

The Department of Ecology (Ecology) has accepted your Voluntary Cleanup Program (VCP) application for the **Seattle DOT Mercer Parcels facility** (Site). We applaud your initiative and welcome your interest in the VCP. This letter confirms your entry into the VCP and provides important information on how we will manage the Project.

**Agreement**

Ecology has completed and signed the VCP Agreement governing the Project. The effective date of the Agreement is **January 23, 2020**. A copy of the Agreement is enclosed. Please review it carefully.

**Identification**

Ecology has assigned a unique name and number to the **Site**. We have also assigned a unique number to your **Project** at the Site. You can find this information in the box at the bottom of the first page of the Agreement. When contacting us, please use this information to identify your Project.

**Designated Managers**

Communications between Ecology and Seattle DOT Mercer Parcels should be directed through their designated managers to the maximum extent possible.



- **Ecology**

We have designated the following site manager to respond to your requests:

Ms. Tena Seeds  
Department of Ecology  
Toxic Cleanup Program, NWRO  
3190 160<sup>th</sup> Ave SE  
Bellevue, WA 98008  
Phone: (425) 649-7008  
E-mail: [tsee461@ecy.wa.gov](mailto:tsee461@ecy.wa.gov)

- **Seattle DOT Mercer Parcels**

The application designated you as the project manager for the site. We will therefore respond only to your requests. If someone replaces you as the project manager or your contact information changes, please submit a Change of Contact Form. You may download the Form from our VCP web site:

<https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070218.html>

### **Requests for Written Opinions**

In your application, you requested a written opinion on the sufficiency of your cleanup. Ecology will review the documents you submitted and provide you a written opinion within about 90 days.

### **Reporting Requirements**

When requesting written opinions on planned or completed remedial actions, please comply with the following reporting requirements:

1. **Licensing.** Documents submitted containing geologic, hydrologic, or engineering work must be under the seal of an appropriately licensed professional, as required by Chapters 18.43 and 18.220 RCW.
2. **Data Submittal.** Environmental sampling data must be submitted in both a printed form and an electronic form capable of being transferred into our data management systems. For instructions on how to submit data, please refer to the following web site: <https://ecology.wa.gov/Research-Data/Data-resources/Environmental-Information-Management-database/EIM-submit-data>

Maggie Capelle  
January 27, 2020  
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Failure to comply with these requirements may result in unnecessary delays.

### **Payment**

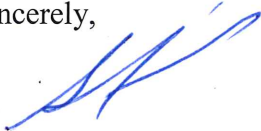
Ecology will send monthly invoices to you, the billing contact designated in the Application Form. If someone replaces you as billing contact or your contact information changes, please submit a Change of Contact Form. The Form is available on the VCP web site.

The invoice will include a summary of the costs incurred, payments received, identity of staff involved, and the amount of time spent on the Project during the previous month. Payment is due within thirty days of the invoice date. For more information on the billing system, please refer to the VCP web site.

### **Contact Information**

We are committed to working with you to accomplish the prompt and effective cleanup of the Site. Again, if you have any questions about the VCP or your Project, please contact Ms. Tena Seeds at (425) 649-7008.

Sincerely,



Sonia Fernández  
VCP Coordinator  
Toxics Cleanup Program, NWRO

SF:sf

Enclosure: Copy of VCP Agreement

cc: Mark Dage, Hart Crowser, Inc. (e-mail)  
Kelli Barker, VCP Fiscal Analyst

# VCP AGREEMENT



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**INSTRUCTIONS: Submit this Agreement (original) to Ecology as part of your Application.** Before submitting, enter the Customer's name and the Site's address on the first page and sign the Agreement on the second page. If your Application is accepted, then Ecology will do the following: 1) identify the Site and VCP project in the box below; 2) sign the Agreement, and 3) send you a copy of the completed Agreement.

This document constitutes an Agreement between the State of Washington Department of Ecology (Ecology) and 800 Mercer, LLC (Customer) to provide informal site-specific technical consultations under the Voluntary Cleanup Program (VCP) for the Site identified below and associated with the following address: Seattle DOT Mercer Parcels Site at 800 Mercer Street, Seattle, WA, 98109.

The purpose of this Agreement is to facilitate independent remedial action at the Site. Ecology is entering into this Agreement under the authority of the Model Toxics Control Act (MTCA), Chapter 70 105D RCW, and its implementing regulations, Chapter 173-340 WAC. If a term in this Agreement is defined in MTCA or Chapter 173-340 WAC, then that definition shall govern.

### Services Provided by Ecology

Upon request, Ecology agrees to provide the Customer informal site-specific technical consultations on the independent remedial actions proposed for or performed at the Site consistent with WAC 173-340-515(5). Those consultations may include assistance in identifying applicable regulatory requirements and opinions on whether the remedial actions proposed for or conducted at the Site meet those requirements.

Ecology may use any appropriate resource to provide the Customer with the requested consultative services. Those resources may include, but shall not be limited to, those of Ecology and the Office of the Attorney General. However, Ecology shall not use independent contractors unless the Customer provides Ecology with prior written authorization.

In accordance with RCW 70 105D 030(1)(i), any opinions provided by Ecology under this Agreement are advisory only and not binding on Ecology. Ecology, the state, and officers and employees of the state are immune from all liability. Furthermore, no cause of action of any nature may arise from any act or omission in providing, or failing to provide, informal advice and assistance under the VCP.

### Payment for Services by Customer

The Customer agrees to pay all costs incurred by Ecology in providing the informal site-specific technical consultations requested by the Customer consistent with WAC 173-340-515(6) and 173-340-550(6). Those costs may include the costs incurred by attorneys or independent contractors used by Ecology to provide the requested consultative services. Ecology's hourly costs shall be determined based on the method in WAC 173-340-550(2).

Ecology shall mail the Customer a monthly itemized statement of costs (invoice) by the tenth day of each month (invoice date) that there is a balance on the account. The invoice shall include a summary of the costs incurred, payments received, identity of staff involved, and amount of time staff spent on the project.

The Customer shall pay the required amount by the due date, which shall be thirty (30) calendar days after the invoice date. If payment has not been received by the due date, then Ecology shall withhold

FOR COMPLETION BY ECOLOGY ONLY	Facility / Site Name: <u>Seattle DOT Mercer Parcels</u>
	Facility / Site No.: <u>27913</u>
	VCP Project No.: <u>NW 3258</u>

RECEIVED

JAN 23 2020

any requested opinions and notify the Customer by certified mail that the debt is past due. If payment has not been received within sixty (60) calendar days of the invoice date, then Ecology shall stop all work under the Agreement and may, as appropriate, assign the debt to a collection agency under Chapter 19.16 RCW. The Customer agrees to pay the collection agency fee incurred by Ecology in the course of debt collection.

### Reservation of Rights / No Settlement

This Agreement does not constitute a settlement of liability to the state under MTCA. This Agreement also does not protect a liable person from contribution claims by third parties for matters addressed by the Agreement. 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). Ecology's signature on this Agreement in no way constitutes a covenant not to sue or a compromise of any Ecology rights or authority.

Ecology reserves all rights under MTCA, including the right to require additional or different remedial actions at the Site should it deem such actions necessary to protect human health and the environment, and to issue orders requiring such remedial actions. Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the release or threatened release of hazardous substances at the Site.

### Effective Date, Modifications, and Severability

The effective date of this Agreement shall be the date on which this Agreement is signed by the Toxics Cleanup Program's Section Manager or delegated representative. This Agreement may be amended by mutual agreement of Ecology and the Customer. Amendments shall be in writing and shall be effective when signed by the Toxics Cleanup Program's Section Manager or delegated representative. If any provision of this Agreement proves to be void, it shall in no way invalidate any other provision of this Agreement.

### Termination of Agreement

Either party may terminate this Agreement without cause by sending written notice by U.S. mail to the other party. The effective date of termination shall be the date Ecology sends notice to the Customer or the date Ecology receives notice from the Customer, whichever occurs first. Unless otherwise directed, issuance of a No Further Action opinion, either for the Site as a whole or for a portion of the real property located within the Site, shall constitute notice of termination by Ecology.

Under this Agreement, the Customer is only responsible for costs incurred by Ecology before the effective date of termination. However, termination of this Agreement shall not affect any right Ecology may have to recover its costs under MTCA or any other provision of law.

### Representations and Signatures

The undersigned representative of the Customer hereby certifies that he or she is fully authorized to enter into this Agreement and to execute and legally bind the Customer to comply with the Agreement.

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Louise Bandy  
Signature

Louise Bandy  
Printed Name

Section Manager, Robert W. Wanders  
Toxics Cleanup Program Section

Date: 1/23/2020

800 Mercer, LLC  
Name of Customer

see attached signature page  
Signature

\_\_\_\_\_  
Printed Name of Signatory

\_\_\_\_\_  
Title of Signatory

Date: 1/21/20

If you need this document in an alternative format, please call the Toxics Cleanup Program at 360-407-7170. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

Signature Page to VCP Agreement

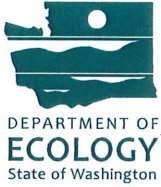
*800 Mercer, LLC  
a Delaware limited liability company*

By: *ALEXANDRIA REAL ESTATE EQUITIES, L.P.,  
a Delaware limited partnership,  
managing member*

By: *ARE-QRS CORP.,  
a Maryland corporation,  
general partner*

By: 

*Allison Grochola  
Vice President  
RE Legal Affairs*



# Voluntary Cleanup Program

## Washington State Department of Ecology Toxics Cleanup Program

### APPLICATION FORM

Under the Voluntary Cleanup Program (VCP), the Department of Ecology (Ecology) may provide informal site-specific technical consultations to persons conducting independent remedial actions at a hazardous waste site. Ecology may provide such consultations under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC.

To enter the VCP, complete and submit to Ecology a VCP Application. The Application consists of the following two documents:

1. Application Form (including required attachments). ← **THIS DOCUMENT**
2. Agreement.

For guidance on how to complete your Application, please refer to the Application Instructions, which are available separately on the VCP web site: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process/Cleanup-options/Voluntary-cleanup-program>

#### Part 1 - ADMINISTRATION

**A. Customer Information.** The Customer is the person or organization requesting services from Ecology under the VCP, and is responsible for paying the costs incurred by Ecology. The authority and duty of the Customer are explained in the Agreement.

Name of Customer: 800 Mercer, LLC

What type of entity is the Customer?

Person

*If the Customer is a “**person**,” then the Customer shall serve as both the Project Manager and the Project Billing Contact. Please identify this person and their contact information in both Parts 1B and 1C.*

Organization

*If the Customer is an “**organization**,” then please identify the Project Manager in Part 1B and the Project Billing Contact in Part 1C. **Both persons must be employed by the Customer organization.***

What is the Customer’s involvement at the Site? Please check all that apply.

Property owner

Business owner (operator)

Past property owner

Mortgage holder

Future property owner

Consultant

Property lessee

Attorney

Other – please specify: \_\_\_\_\_

If not the current property owner, is the Customer acting as the agent for the property owner?

Yes  No

If not the current property owner, is the Customer authorized to grant access to the property?

Yes  No

## Part 1 – ADMINISTRATION continued

**B. Project Manager Information.** Ecology will send this person all official correspondence. This person must either be the Customer or be employed by the Customer. This person may not be an independent contractor hired by the Customer. Please enter the required information below.

Name: Maggie Capelle		Title: Vice President - Seattle
Mailing address: 400 Dexter Avenue North, Suite 200		
City: Seattle	State: WA	Zip: 98109
Phone: 206-832-0509	Fax:	E-mail: mcapelle@are.com

**C. Project Billing Contact Information.** Ecology will send this person monthly invoices. This person must either be the Customer or be employed by the Customer. This person may not be an independent contractor hired by the Customer. Please enter the required information below.

Name: Maggie Capelle		Title: Vice President - Seattle
Mailing address: 400 Dexter Avenue North, Suite 200		
City: Seattle	State: WA	Zip: 98109
Phone: 206-832-0509	Fax:	E-mail: mcapelle@are.com

### D. Project Consultant Information.

Is the Customer a consultant?

- Yes *If you answered "YES," then skip to the next question.*
- No *If you answered "NO" and the Customer hired a consultant to conduct the independent remedial action, then enter the required information below.*

Name: Mark Dagel		Title: Senior Associate Hydrogeologist
Organization: Hart Crowser		
Mailing address: 3131 Elliott Avenue, Suite 600		
City: Seattle	State: WA	Zip: 98121
Phone: 206-324-9530	Fax: 206-328-5581	E-mail: mark.dagel@hartcrowser.com

Do you want Ecology to contact the Project Consultant?

- Yes  No

### E. Property Owner Information.

Is the Customer the owner of the property where independent remedial action is being conducted?

- Yes *If you answered "YES," then enter the type of entity and skip to the next question.*
- No *If you answered "NO," then please enter all of the required information below.*

Name: Steven Shain		Title:
Organization: City of Seattle		
Mailing address: 700 Fifth Avenue		
City: Seattle	State: WA	Zip: 98104
Phone: 503-704-6677	Fax:	E-mail: steven.shain@seattle.gov



**Part 1 – ADMINISTRATION continued**

What type of entity is the property owner? Please check only one.

- |  |   |
|--|---|
| <input type="checkbox"/> Private                       | <input type="checkbox"/> County               |
| <input type="checkbox"/> Tribal                        | <input checked="" type="checkbox"/> Municipal |
| <input type="checkbox"/> Federal                       | <input type="checkbox"/> Mixed                |
| <input type="checkbox"/> State                         | <input type="checkbox"/> Public School        |
| <input type="checkbox"/> Other – please specify: _____ |   |

**F. Request for Written Opinion.**

Are you requesting a written opinion at this time?

- Yes    No

If you answered “YES,” on what planned or completed remedial action do you want a written opinion?  
Ecology review and approval of Data Gaps Investigation Work Plan

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**Please attach to this Application any additional remedial action plans or reports you want Ecology to review.** Ecology will base its opinion on the information contained in the Site file, including any information attached to this Application.

If you answered “NO,” please explain why you are enrolling in the VCP at this time and when you expect to request a written opinion from Ecology.

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Attach additional pages if necessary.

**G. Reporting Requirements.**

Please comply with the following reporting requirements when requesting written opinions on planned or completed remedial actions:

- Licensing.** Documents submitted containing geologic, hydrologic, or engineering work must be under the seal of an appropriately licensed professional, as required by Chapters 18.43 and 18.220 RCW.
- Data Submittal.** Environmental sampling data must be submitted in both a printed form and an electronic form capable of being transferred into Ecology’s data management systems. For instructions on how to submit the data, please refer to the following Ecology web site: <https://ecology.wa.gov/Research-Data/Data-resources/Environmental-Information-Management-database/EIM-submit-data> Failure to comply with these requirements may result in unnecessary delays. **Ecology will not issue a No Further Action (NFA) opinion unless these requirements are satisfied.**

## Part 2 - DESCRIPTION OF THE SITE

**A. Name of the Site.** If Ecology has already identified the Site, enter the name provided by Ecology. Otherwise, enter a suggested name for the Site. You may also include an alternate name.

Name: Seattle DOT Mercer Parcels

Alternate Name: Broad Block Site

### B. Location of Property where the Releases Occurred (Source Property).

The "source property" is the property where hazardous substances were released into the environment. For example, if petroleum was released from a leaking UST, the source property is the property where the UST was located.

Do you know on which property the releases occurred?

- Yes *If you answered "YES," then please refer to the source property when answering the following questions.*
- No *If you answered "NO," then please refer to the property addressed by your remedial action (cleanup) when answering the following questions.*

**Physical Address.** Please enter the physical address of the property below.

Street Address: 800 Mercer Street

City: Seattle

State: WA

Zip: 98109

**Geographic Position.** Please enter the geographical position of the property below. For additional guidance on how to complete this part, please refer to instructions on the VCP web site.

COORDINATES	LATITUDE:	Degrees: 47	Minutes: 37	Seconds: 29.90
	LONGITUDE :	Degrees: -122	Minutes: 20	Seconds: 27.72
LOCATION ON PROPERTY: [e.g., point of release or center of parcel]		Approximate center of parcel		
COLLECTION METHOD: [e.g., GPS or address matching]		Address matching		
COLLECTION SOURCE: [i.e., map scale]		Google Earth		
HORIZONTAL DATUM: [i.e., base reference for coordinate system]		WGS84 Geodetic Datum		
ACCURACY LEVEL: [i.e., +/- feet or meters]		Approximately +/- 50 feet		

### Legal Descriptions.

TRS DATA:	Township: 25N	Range: 4E	Section: 30	Quarter-Quarter: SW-NE
TAX PARCEL #(s):	2249000055 and 2249000006			

**Part 2 - DESCRIPTION OF THE SITE continued**

**C. Identification of Properties affected by the Releases (Affected Properties).**

An "affected property" is a property affected by the release of hazardous substances on the source property. For example, petroleum released from a leaking UST on one property (source property) may migrate through the soil or ground water onto an adjacent property (affected property).

Do any of the releases affect any properties adjacent to the source property?

- Yes *If you answered "YES," then please identify below each property that you know has been affected by the releases on the source property. If you need to identify additional properties, please attach additional pages.*
- No *If you answered "NO," then skip to the next question.*
- Unknown *If you answered "UNKNOWN," then skip to the next question.*

1.	Address:
	Tax Parcel(s):
2.	Address:
	Tax Parcel(s):
3.	Address:
	Tax Parcel(s):
4.	Address:
	Tax Parcel(s):

**D. Identification of Public Right-of-Ways affected by the Releases.**

Do any of the releases affect any public right-of-ways (e.g., streets)?

- Yes
- No
- Unknown

If you answered "YES" above, please specify below. Otherwise, skip to the next question.

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Attach additional pages if necessary.

**E. Extent of the Site.**

What is the approximate areal extent of the Site? Please check only one.

- < 5,000 square feet
- > 5,000 square feet, but < 1 acre
- > 1 acre, but < 10 acres
- > 10 acres
- Unknown

**Part 2 - DESCRIPTION OF THE SITE continued**

**F. Description of Release(s) at the Site.**

**Source of Release(s).**

What are the source(s) of the release(s) at the Site? Please check all that apply.

- Point source (e.g., leaking tank)
- Non-point source (e.g., contaminated soil used as fill)
- Area-wide lead and arsenic soil contamination (see questions below)
- Other – please specify: Offsite groundwater plume (see below).
- Unknown

To the extent known, please describe the source(s) of the release(s):

Petroleum-impacted soil in the northwest corner of the Property is likely associated with a former gasoline and auto service station.

Chlorinated solvents in saturated soil and groundwater are associated with a release from the adjacent and upgradient American Linen Supply Co Dexter Ave (American Linen) Site originating on the property across the street to the north (700 Dexter Avenue North).

Lead-impacted soil and heavy oil-impacted groundwater on the east side of the Property may be associated with past uses as a vehicle wrecking yard or fill brought in during Broad Street development and removal.

Arsenic-impacted groundwater is likely associated with mobilization from naturally occurring arsenic in the soil. Total arsenic was detected in one groundwater sample from a monitoring well at a concentration (14 µg/L) slightly exceeding the MTCA Method A cleanup level; this sample had a relatively high total suspended solids concentration of 180 mg/L which may bias the total arsenic result high. Dissolved arsenic was detected in one grab groundwater sample at a concentration (6.9 µg/L) slightly exceeding the MTCA Method A cleanup level.

Attach additional pages if necessary.

**Circumstances of Release(s).** To the extent known, please describe below the circumstances of the release(s).

The specific circumstances of the releases on or from the Property are not known. Due to the historical operations on the Property (gasoline and auto service station, wrecked vehicle storage), it is possible that petroleum and lead impacts were from minor spills or leaks associated with underground storage tanks (USTs). Small leaks and releases from vehicles parked over several years may have also occurred.

Attach additional pages if necessary.

**Circumstances of Release Discovery.** To the extent known, please describe below the circumstances of the discovery of the release(s).

A Limited Phase II Environmental Site Assessment conducted in 2018 and a Site Investigation conducted in 2019 identified the releases.

Attach additional pages if necessary.

**Part 2 - DESCRIPTION OF THE SITE continued**

**Area-Wide Soil Contamination.** For information about the area-wide soil contamination project, please refer to the following web site: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Dirt-Alert-program>. For information about the Tacoma Smelter Plume (TSP) and the associated Management Plan, please refer to the following web site: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites/Toxic-cleanup-sites/Tacoma-smelter>

Is the Site located within an area affected by smelter emissions, such as the TSP area?

Yes     No     Unknown

To determine whether your Site is located within the TSP area, please refer to the map on the TSP web site identified above.

Is the Site located on a former apple or pear orchard in operation prior to 1947?

Yes     No     Unknown

Is the Site impacted by area-wide arsenic and/or lead soil contamination?

Yes     No     Unknown

**G. Nature and Extent of Hazardous Substances Released at the Site.** The following questions refer to conditions after the release, but prior to any cleanup, of the hazardous substances at the Site.

**Hazardous Substances and Affected Media.** To the extent known, please identify in the following table the hazardous substances released at the Site and the media (e.g., soil) impacted by those substances. Use the codes at the bottom of the table.

HAZARDOUS SUBSTANCE	AFFECTED MEDIA				
	SOIL	GROUND WATER	SURFACE WATER	SEDIMENT	AIR
EXAMPLE: Benzene	C	S	N/A	N/A	B
Heavy oil-range TPH	B	C	N/A	N/A	N/A
Lead	C	B	N/A	N/A	N/A
PCE	C	C	N/A	N/A	U
TCE	C	C	N/A	N/A	U
Cis-1,2-dichloroethylene	C	C	N/A	N/A	U
Vinyl chloride	B	C	N/A	N/A	U
Gasoline-range TPH	C	B	N/A	N/A	U
Arsenic	B	C	N/A	N/A	N/A

When identifying the affected media in the table above, please use one of the following codes:

- C = confirmed, above cleanup level
- B = confirmed, below cleanup level
- O = confirmed, not present
- S = suspected
- N/A = not suspected
- U = unknown

**Part 2 - DESCRIPTION OF THE SITE continued**

**Drinking Water.**

Does any of the contamination at the Site pose a threat or potential threat to an existing drinking water source (ground water or surface water)?

- Yes     No     Unknown

If you answered "YES" above, what type of drinking water system is threatened by the contamination? Please check all that apply.

- Single Family  
 Public Drinking Water Supply

If you checked "Public Drinking Water Supply" above, is the contamination located within or upstream of a 10-year wellhead protection area?

- Yes     No     Unknown

To help answer the above question or if you answered "Yes" to that question, then go to <https://fortress.wa.gov/doh/eh/dw/swap/maps/> or call (800) 521-0323.

**Indoor Air.**

Are contaminant odors present in any buildings, manholes, or other confined spaces?

- Yes     No     Unknown

If you answered "YES" above, please specify:

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Attach additional pages if necessary.

**H. Maps of the Site.**

Please attach to this application map(s) that identify, to the extent known, the following:

- The location of the site.
- The properties, and any public right-of ways, affected by the site.
- The source(s) of the release(s) at the site.
- The nature and extent of contamination at the site.
- Any human or ecological receptors impacted by the site (e.g., drinking water wells).
- The physical characteristics of the site (e.g., property lines, building and road outlines, surface water bodies, water supply wells, ground water flow direction, and utility right-of-ways).
- The properties adjacent to the site and the uses of those properties (e.g., gas station, dry cleaner, residential).

### Part 3 – OPERATIONAL HISTORY OF THE SITE

**A. Current Use of Source Property.** Note that the following questions refer only to the Source Property, not other properties affected by the Site. Answer these questions to the best of your ability.

**Current Property Owners.** To the extent known, please identify below the current owner of the source property.

Name: Steven Shain		Title:
Organization: City of Seattle		
Mailing address: 700 Fifth Avenue		
City: Seattle	State: WA	Zip code: 98104
Phone: 503-704-6677		

**Current Business Owner (Operator).** To the extent known, please identify below the current owner of the business located on the source property.

Name:		Title:
Organization:		
Mailing address:		
City:	State:	Zip code:
Phone:		

**Current Business Operations.** To the extent known, please identify below the current operations of the business located on the source property.

What is the current land use of the source property? Please check all that apply.

- Residential
- Commercial
- Industrial
- Agricultural
- Other – please specify: vacant
- School
- Childcare facility
- Park

Is there a currently operational commercial or industrial business located on the source property?

- Yes     No     Unknown

If you answered "YES" above, please identify in the following table the current business operations using the North American Industry Classification System (NAICS) codes and specifying the operations.

NAICS CODE	DESCRIPTION OF OPERATIONS
EX: 447110	Gasoline Stations with Convenience Stores

**Part 3 – OPERATIONAL HISTORY OF THE SITE continued**

Is there a solid waste handling facility located on the Source Property?

- Yes     No     Unknown

If you answered "YES" above, please identify:

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Attach additional pages if necessary.

Is there a dangerous waste treatment, storage, or disposal facility located on the Source Property?

- Yes     No     Unknown

If you answered "YES" above, please identify:

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Attach additional pages if necessary.

**Regulation of Current Business Operations.**

Does the business operate under any federal, state, or local permits related to the release of hazardous substances into the environment (e.g., NPDES permit)?

- Yes     No     Unknown

If you answered "YES" above, please specify the regulated operation, the name of the permit, and the date it was issued in the table below.

REGULATED OPERATION	PERMIT	DATE ISSUED
EX: Wastewater discharge	NPDES permit	02/02/02

Has a state or federal notice of enforcement action (e.g., notice of violation) ever been issued related to the release of hazardous substances at the business?

- Yes     No     Unknown

If you answered "yes" above, please specify (notice and year issued): \_\_\_\_\_

Have business operations resulted in any other spills or other unpermitted releases on the source property?

- Yes     No     Unknown

If you answered "YES" above, please specify in the table below.

RELEASE	DATE OF RELEASE	STATUS OF RELEASE



**Part 3 – OPERATIONAL HISTORY OF THE SITE continued**

**Storage Tank Information.** In table below, please identify all above ground storage tanks (AST) and underground storage tanks (UST) that have been used for storing hazardous substances on the source property, irrespective of whether the tanks are still in use or in place. *If you are unable to provide answers to specific questions regarding a tank, please enter "U" for unknown.*

IDENTIFICATION				STATUS AND CLOSURE				RELEASES	
Hazardous Substance	Type (AST/UST)	Size (Gallons)	TANK ID	DATE INSTALL	IN USE (Y/N)	DATE CLOSED	CLOSURE METHOD (*)	PAST (Y/N)	CURRENT (Y/N)
EX: Diesel	UST	10,000	4	02/87	N	05/98	Removed	Y	N
U	UST	U	1	U	N	U	Removed	U	N
U	UST	U	2	U	N	U		U	N
Diesel	UST	1,000	3	U	N		Removed	U	N

(\*) Options = Removed or Closed in Place

**B. Past Use of Source Property.** Note that the following questions refer only to the Source Property, not other properties affected by the Site. Please answer these questions to the best of your ability.

**Past Property Owners.** To the extent known, please identify below the owner of the source property at the time the release occurred.

Name:		Title:	
Organization:			
Mailing address:			
City:		State:	Zip code:
Phone:	Fax:		E-mail:

**Past Business Owners (Operators).** To the extent known, please identify below the owner of the business (operator) at the time the release occurred.

Name:		Title:	
Organization:			
Mailing address:			
City:		State:	Zip code:
Phone:	Fax:		E-mail:

**Identification of Past Business Operations.** Please identify in the following table the past operations of businesses located on the source property using the North American Industry Classification System (NAICS) codes and/or specifying the operations.

NAICS CODE	DESCRIPTION OF OPERATIONS
EX: 447110	Gasoline Stations with Convenience Stores
447110	Gasoline stations with convenience stores
811111	General automotive repair
811412	Appliance repair and maintenance
	Auto wrecking

**Part 3 – OPERATIONAL HISTORY OF THE SITE continued**

**C. Future Use of Source and Affected Properties.** The following questions refer to both source and affected properties. Please answer these questions to the best of your ability.

Will any ownership interest in the source or affected properties be conveyed prior to, or upon completion of, the cleanup?

Yes     No     Unknown

If you answered "YES" above, please specify:

The source property is being characterized and cleaned up as part of a Prospective Purchaser Consent Decree. Prior to cleanup, ownership of the source property will be transferred to 800 Mercer, LLC.

Attach additional pages if necessary.

Will any of the source or affected properties, or portions of those properties, be redeveloped as part of the cleanup?

Yes     No     Unknown

If you answered "YES" above, please specify the proposed land use below. Please check all that apply.

- |  |   |
|--|---|
| <input type="checkbox"/> Residential             | <input type="checkbox"/> School             |
| <input checked="" type="checkbox"/> Commercial   | <input type="checkbox"/> Childcare facility |
| <input type="checkbox"/> Industrial              | <input type="checkbox"/> Park               |
| <input type="checkbox"/> Agricultural            |   |
| <input type="checkbox"/> Other – please specify: |   |

Please also specify the activities proposed for that land use:

The proposed development of the source property includes constructing two towers with public spaces, a community center, and two levels of underground parking.

Attach additional pages if necessary.

**Part 4 – ADMINISTRATIVE HISTORY OF THE SITE**

Have you previously reported the release(s) of hazardous substances at the Site to Ecology?

- Yes – If so, when? 6/22/18       No       Unknown

Has the cleanup of the Site, or any portion of the Site, ever been managed under the VCP?

- Yes – If so, please specify the VCP Project Number: \_\_\_\_\_  
 No  
 Unknown

Has the cleanup of the Site, or any portion of the Site, ever been managed under a federal or state order or decree?

- Yes – If so, please specify the type and docket number:  
 No  
 Unknown

**Part 5 – DESCRIPTION OF INDEPENDENT REMEDIAL ACTIONS AT THE SITE**

**A. Scope of Remedial Actions.**

Do you plan to characterize and address all of the contamination at the Site, including any contamination located on affected adjacent properties, as part of the VCP project?

- Yes       No       Unknown

If you answered "NO" above, please describe below the scope of the VCP project, including the contamination (properties, portions of a property, media and/or hazardous substances) that you DO NOT plan on characterizing and/or addressing as part of the VCP project. Please include additional pages if necessary.

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Attach additional pages if necessary.

**Part 5 – DESCRIPTION OF INDEPENDENT REMEDIAL ACTIONS AT THE SITE continued**

**B. Status of Remedial Actions.**

What is the current status of remedial actions at the site? Please check all that apply in the table below.

REMEDIAL ACTION	PLANNED	ONGOING	COMPLETED	NOT APPLICABLE
INITIAL RESPONSE (UST ONLY)				X
INTERIM ACTION				X
REMEDIAL INVESTIGATION		X		
FEASIBILITY STUDY	X			
CLEANUP ACTION	X			

**C. Documentation of Remedial Actions.**

Please list in the table below all known remedial action plans or reports produced for the site, including:

- The title of the plan or report,
- The author (e.g. consulting firm) of the plan or report,
- The date the plan or report was produced,
- Whether the plan or report has been submitted to Ecology,
- The date the plan or report was submitted to Ecology.

	TITLE	AUTHOR	DATE	SUBMITTED TO ECOLOGY	
				Y/N?	DATE
EX:	John Doe's Site: Remedial Investigation Work Plan	Mom's Consulting Firm	02/20/05	NO	N/A
1.	Phase I Environmental Site Assessment	Shannon & Wilson	1/25/18	Y	
2.	Limited Phase II Environmental Site Assessment	Shannon & Wilson	1/25/18	N	N/A
3.	Draft Phase I Environmental Site Assessment	Hart Crowser	5/13/19	N	N/A
4.	Site Investigation Summary Report	Hart Crowser	10/15/19	N	N/A
5.	Data Gaps Investigation Work Plan	Hart Crowser	10/14/19	N	N/A
6.					
7.					
8.					
9.					
10.					

## Part 6 – STATEMENT AND SIGNATURE

**A. Statement and Signature.** The undersigned affirms that the information contained in this application is true and accurate to the best of his or her knowledge. Please note that someone other than the Customer may sign this Application Form.

Name: Mark Dagele Title: Senior Associate Hydrogeologist

Signature:  Date: 1-16-20

Organization: Hart Crowser

Mailing address: 3131 Elliott Avenue, Suite 600

City: Seattle State: WA Zip code: 98121

Phone: 206-324-9530 Fax: 206-328-5581 E-mail: mark.dagele@hartcrowser.com

### B. Affiliation.

What is the signatory's involvement at the Site? Please check all that apply.

- Customer
- Property Owner
- Consultant
- Attorney
- Other – please specify: \_\_\_\_\_