



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

December 28, 2023

Elton Lee
LMI – West Seattle Holdings, LLC
125 High Street
High Street Tower, 24th Floor
Boston, MA 02110
(elee@GID.com)

Re: Satisfaction of Prospective Purchaser Consent Decree No. 13-2-26556-2 and No Further Action at the following Contaminated Site:

- **Site Name:** SKS Shell Station
- **Site Address:** 3901 SW Alaska St, Seattle, WA 98116
- **Cleanup Site ID:** 6015
- **Facility/Site ID:** 39196282

Dear Elton Lee:

Thank you for working with the Washington State Department of Ecology (Ecology) on the SKS Shell Station (Site). This letter provides written notification that the remedial actions required by Prospective Purchaser Consent Decree (Decree) No. 13-2-26556-2 have been satisfactorily completed and that no further remedial action is necessary to clean up contamination at the Site under the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW. This letter also describes the next steps for dismissing the Decree. The Decree became effective on July 29, 2013, and was amended on April 16, 2015.

Satisfaction of Decree

Ecology has determined the requirements of the Decree have been satisfied. Ecology made this determination pursuant to Section XXIX (Duration of Decree).

The remedial actions required by the Decree are specified in Section VI (Work to Be Performed) and detailed in the Cleanup Action Plan (Exhibit C). LMI – West Seattle Holdings, LLC was required to perform the remedial actions specified in the Cleanup Action Plan (CAP), Exhibit C to the Decree. After inspecting the Site and reviewing the supporting documentation, Ecology has determined that the remedial actions required by the Decree have been satisfactorily completed.

No Further Action Determination

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site under MTCA. Ecology has also determined that no post-cleanup controls or monitoring are necessary under MTCA.

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Dismissal of the Decree

Based on the above determinations, Ecology has decided to dismiss the Decree. The Attorney General's Office will seek joint dismissal of the Decree in King Superior Court.

Upon dismissal of the Decree, Section XIII (Retention of Records) will remain in effect for ten years from the date the Decree is no longer in effect. Sections XIX (Covenant Not To Sue) and XX (Contribution Protection) will remain in effect in perpetuity.

Financial Responsibility

Per XXV Remedial Action Costs of the Prospective Purchaser Consent Decree: This Satisfaction and No Further Action Letter does not absolve LMI West Seattle Holdings, LLC of financial responsibility. Ecology will issue a bill for the outstanding cost-recovery charges.

Thank You

Thank you for cleaning up the Site. Should you have any questions, please do not hesitate to contact Ecology's cleanup project manager for this Site, Dale Myers, by phone at (425) 389-2521 or by email at dale.myers@ecy.wa.gov.

Sincerely,



Barry Rogowski
Program Manager
Toxics Cleanup Program

cc: Dave Cook, Aspect Consulting, LLC (dave.cook@aspectconsulting.com)
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Ecology Site File

