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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
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January 24, 2024

Kevin Daniels
c/o Coleen Spratt
Union Station Associates, L.L.C.
2401 Utah Avenue South
Seattle, Washington 98134
(Kevin.Daniels@DanielsRE.com)
(coleens@nsco.com)

Re: Ecology Review of Response to Ecology Comments on Periodic Review, dated March 28, 2022; Union Station, Facility Site ID 2060, 411 South Jackson Street, Seattle, Washington

Dear Kevin Daniels,

Thank you for working with the Washington State Department of Ecology (Ecology) on the Union Station Site referenced above (Site). Cleanup activities were previously completed at this Site in accordance with the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW, under Prospective Purchaser Consent Decree No. 97-2-18936-5SEA (PPCD), which Ecology and Union Station Associates, LLC entered in 1997¹.

Pursuant to WAC 173-340-420(2), Ecology conducted its most recent periodic review for the Union Station Site in 2021. The findings of this review were documented in a report dated April 2021 (2021 Periodic Review)². The conclusions from Ecology's 2021 Periodic Review identified four specific issues concerning the following:

- Downgradient migration of contaminated groundwater above the set cleanup level from the Union Station Property beyond the conditional point of compliance (CPOC);
- Use of area background concentrations for evaluating compliance at the Site;
- Potential vapor intrusion into Site buildings; and
- Use of contingency actions described in the Cleanup Action Plan (CAP)³.

In response to Ecology's 2021 Periodic Review, Farallon Consulting, LLC (Farallon) completed a review of current and historical conditions at the Property and nearby properties on behalf of Union Station Associates, LLC. For the purpose of this correspondence, the term "Property" refers to the parcel of land located at 411 South Jackson Street in Seattle, Washington that is bordered by South Jackson Street to the north, 4th Avenue South to the west, Seattle Boulevard South to the south, and 5th Avenue South to the east.

¹ [Union Station Prospective Purchaser Consent Decree, dated July 28, 1997](#)

² [Periodic Review, Union Station Property, dated April 12, 2021](#)

³ [Cleanup Action Plan, Union Station Property, Seattle, Washington, prepared by Landau Associates, Inc., dated July 28, 1997.](#)

As part of their work, Farallon also conducted monitoring well redevelopment and limited groundwater sampling at the Site in October 2021. The findings and conclusions of their review and follow-up groundwater sampling work were presented in their letter, dated March 28, 2022 (2022 Response Letter)⁴, and subsequently discussed during a meeting held on May 3, 2023, between Ecology, Farallon Consulting, and Union Station Associates, LLC.

Based on our review of your response letter and on historical documentation and correspondence for the Union Station Site, Ecology has determined that additional work is needed to assess and ensure the effectiveness of the cleanup actions performed under the CAP. Ecology is issuing this letter to provide clarification of additional work that Union Station Associates needs to perform to address our concerns.

Required Actions

Contaminants in groundwater currently exceed cleanup levels at compliance wells along the western Property boundary. Based on available information, contaminant concentrations have remained at the same high levels for the past 25 years. For these reasons, Ecology has determined that additional action is required to ensure that users of the Property and downgradient receptors are protected from exposure to remaining Site contamination.

In accordance with the CAP, Union Station Associates is required to perform contingency groundwater monitoring at all Site wells and evaluate compliance at each well using the approach outlined in Table 3 of the CAP. Please complete one year of quarterly groundwater monitoring at the Union Station Site, providing a work plan within 60 days of the date of this letter for Ecology review and approval prior to performance of the work. The work plan should include the following tasks:

- Sampling and gauging of all Site wells during each quarterly event.
- Collection of monitored natural attenuation (MNA) parameters during each event. MNA parameters can be collected with minimal additional effort and will provide useful data to better understand plume stability and evaluate contingency cleanup alternatives.
- Provide progress reports after each quarterly sampling event, submitted to Ecology within 14 days following receipt of laboratory analytical results.
- Documentation of the activities and results in a single report, submitted to Ecology within 60 days of receipt of the fourth quarter analytical results.

Remaining Environmental Issues

As discussed in the 2021 Periodic Review, residual Site contaminants may pose a vapor intrusion exposure risk to building occupants. Furthermore, the contingency remedial action described in the CAP may no longer be appropriate to address remedy failure. In addition to working with you on compliance with the terms of the Prospective Purchaser Consent Decree, Ecology will be notifying other potentially liable parties (PLPs) for the Site that additional remedial action work is needed. Ecology expects the parties to work cooperatively with the agency to move the Site cleanup along.

Ecology would also like to meet with Union Station Associates and discuss how to best focus remedial actions at the Site to address the risk to human health and the environment in a manner which will address all parties' needs.

⁴ [Letter re: Response to Ecology Comments on Periodic Review, Union Station Facility Site ID No.: 2060, 411 South Jackson Street, Seattle, Washington, prepared by Farallon Consulting, dated March 28, 2022.](#)

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Ecology appreciates the effort that your team has put into responding to Ecology's 2021 Periodic Review. If you have any questions regarding the contents of this letter, please contact me at (425) 758-5231 or zak.wall@ecy.wa.gov.

Regards,

A handwritten signature in black ink, appearing to read 'Zak Wall', written in a cursive style.

Zak Wall, LG
Cleanup Project Manager
Toxics Cleanup Program, NWRO

cc: Suzy Stumpf – Farallon Consulting, (sstumpf@farallonconsulting.com)
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