



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (425) 649-7000

October 25, 1999

June Ledwig
ARE-3005 First Avenue, LLC
135 N. Los Robles Avenue, Suite 250
Pasadena, California 91101

Dear Ms. Ledwig

Re: Independent Remedial Action
3005 First Avenue, Seattle, WA

Thank you for submitting the results of your independent remedial action(s) for review by the State of Washington Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the following information regarding the ARE facility located at 3005 First Avenue:

1. Monitoring Well Construction and Ground Water Sampling; Oncogen, Seattle, Washington; dated February 20, 1990 by ERM-Northwest.
2. Underground Storage Tank Site Characterization - 3005 First Avenue, Seattle, Washington; dated June 15, 1994 by Environmental Partners.
3. Final Report - UST Closure and Independent Remedial Action - Pharmaceutical Research Institute - Seattle, Washington; dated November 8, 1995 by Dames & Moore.

The report(s) listed above will be kept in the Central Files of the Northwest Regional Office (NWRO) of Ecology for review by appointment only. Appointments can be made by calling Central Records at the NWRO at (425) 649-7190 or -7239.

Based upon the information in the reports listed above, Ecology has determined that, at this time, the release of petroleum hydrocarbons into the soil and shallow groundwater no longer poses a threat to human health or the environment.

Therefore, Ecology is issuing this determination that no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology.

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In addition, the Restrictive Covenant filed on your property dated July 9, 1999, is a condition to maintain Ecology's no further action determination. The Restrictive Covenant is attached to this letter as Attachment A. Ecology's no further action determination automatically terminates and will have no force and effect if any portion of the Restrictive Covenant is violated. WAC 173-340-440(6) requires you to notify and seek comment from a city or county department with land use planning authority for real property subject to the Restrictive Covenant.

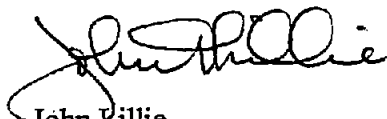
Ecology's no further action determination is made only with respect to the release identified in the report(s) listed above. This no further action determination applies only to the area of the property affected by the release identified in the report at 3005 First Avenue, Seattle, WA. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by ARE-3005 First Avenue LLC.

Ecology will update its Leaking Underground Storage Tank database to reflect this "No Further Action" determination. Your site will not appear in future publications of the LUST database.

The state, Ecology, and its officers and employees are immune from all liability and no cause of action of any nature may arise from any act or omission in providing this determination.

If you have any questions, please contact me at 425-649-4446.

Sincerely,



John Lillie

Toxics Cleanup Program

Initials

Attachment A, Restrictive Covenant

cc: Karen Mixon Dames & Moore