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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

April 19, 2024

Susan Penoyar
Sound Transit
401 South Jackson Street
Seattle, WA 98104
(susan.penoyar@soundtransit.org)

Re: Response to Sound Transit's Request on Land Use Under Restrictive Covenant at the Following Cleanup Site:

- **Name:** Y Pay Mor Drycleaner
- **Address:** 2210 South 320th Street, Federal Way, WA 98003
- **King County Parcel:** 2423200050
- **Facility/Site No.:** 2518
- **Cleanup Site ID No.:** 3180

Dear Susan Penoyar:

Washington Department of Ecology (Ecology) has received Sound Transit's *Request for Ecology Concurrence on Transit-Oriented Development with Residential Units* letter, date March 30, 2024, for the Y Pay Mor Drycleaner facility (Site).

The Site is defined by the nature and extent of contamination associated with the following releases:

- Tetrachloroethene (PCE) and trichloroethene (TCE) into the Soil.
- PCE, TCE, cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC) into the Groundwater.

The Site is located on a 7.52-acre King County parcel 2423200050 (the Property). The Property is a former shopping center. A portion of the Property is being developed into part of the new and expanded Federal Way Transit Center (FWTC). Other portions of the Property are planned for transit-oriented development (TOD, **Figure 1**).

Two restrictive covenants are in place for the Property: a 1998 restrictive covenant (King County Recording No. 9808101434), and a 1995 restrictive covenant (King County Recording No. 9510121424). Residential land use is not prohibited under these existing restrictive covenants.

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However, this letter does not address whether or not the cleanup conducted on the Site will meet the requirements for residential land use under the Model Toxics Control Act (MTCA), because the data to make this determination is not yet available. The Site is currently enrolled in Ecology's Voluntary Cleanup Program (VCP). Ecology will provide technical assistance and opinions under VCP in separate letters to make such a determination when sufficient data is available. Please continue submitting data for Ecology's review under VCP and working with Ecology to achieve the cleanup goals.

Please also note that the 1998 and 1995 restrictive covenants are still in place and will remain in place until they are modified or terminated pursuant to WAC 173-340-440. Ground disturbing activities (such as redevelopment) may release or expose the contamination that remains on the Property, which is prohibited by the restrictive covenants unless approved by Ecology in advance. Please request further Ecology approval(s) as needed for future activities on the Property. Ecology will review your specific work plans to ensure human health and the environment will be protected during and after your project.

If you have any questions about this letter, please contact me by phone at 425-229-2565 or by email at jing.song@ecy.wa.gov.

Sincerely,



Jing Song

Site Manager

Toxics Cleanup Program, NWRO

Enclosures (1): Figure 1 Site Plan

cc: Tricia DeOme, GeoEngineers, Inc., (tdeome@geoengineers.com)
Kathryn Wyatt, Assistant Attorney General, (kathryn.wyatt@atg.wa.gov)
Nick Treat, Department of Ecology, (nick.treat@ecy.wa.gov)
Ecology Periodic Review Site File

Figure 1 Site Plan




Legend

- Surplus Property (Potential TOD)
- FL358 Parcel Boundary
- Former Y Pay Mor Cleaners
- Stormwater Detention Vaults

Notes:

1. The locations of all features shown are approximate.
 2. TOD = transit-oriented development; ROW = right-of-way
 3. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.
- Data Source: Google Earth Pro Aerial Image, 2017



Site Plan	
Remedial Investigation Y Pay Mor Site Federal Way, Washington	
	Figure 2