



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Northwest Region Office

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

April 5, 2024

Exxon Mobil Oil Corporation  
C/O Corporation Service Company  
300 Deschutes Way SW Ste 208 MC-CSC1  
Tumwater, WA 98501

**Re: Preliminary Determination of Liability for Release of Hazardous Substances at the following Contaminated Site:**

- **Site Name:** C L AUTO REPAIR
- **Site Address:** 2901 17TH AVE S, Seattle, WA 98144
- **Cleanup Site ID:** 10376
- **Facility/Site ID:** 74542995
- **King County Assessor's Parcel Number(s):** 308600-3356

Dear Exxon Mobil Oil Corporation,

Based on credible evidence, the Department of Ecology (Ecology) is proposing to find liable Exxon Mobil Oil Corporation under the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW, for the release of hazardous substances at the C L AUTO REPAIR facility (Site). Any person whom Ecology finds, based on credible evidence, to be liable is known under MTCA as a "potentially liable person" or "PLP."

This letter identifies the basis for Ecology's proposed finding and your opportunity to respond to that finding. This letter also describes the scope of your potential liability and next steps in the cleanup process at the Site.

**Proposed Finding of Liability**

Ecology is proposing to find ExxonMobil Oil Corporation liable under RCW 70A.305.040 for the release of hazardous substances at the Site. This proposed finding is based on the following evidence:

1. According to the King County Tax Assessor, Exxon Mobil Oil Corporation was the past owner and operator of the C L Auto Repair Site, located at 2901 17TH AVE S, Seattle, WA 98144 from 1944-1967.
2. As per the most recent report in Ecology's files, '*Environmental Investigation Report*' (Aspect Consulting, dated June 5<sup>th</sup>, 2023), it is confirmed that the prior operations at the subject property have resulted in areas of petroleum contamination in soil and groundwater, which extend beyond the subject property boundaries to below Forest Street to the north, 17th Avenue South to the east, an adjoining residential property to the west, and likely beneath Beacon Avenue South to the northeast. Together these areas comprise the Site as generally defined by the Model Toxics Control Act (MTCA) as anywhere hazardous substances or contamination has come to be located. This report documents gasoline range petroleum hydrocarbons (TPH-g), naphthalene, benzene, ethylbenzene, toluene, and xylenes (BTEX) exceeding MTCA Method A cleanup levels in soil and groundwater. There is measurable light non-aqueous phase liquid (LNAPL) and dissolved gasoline plume with unknown extent in North, East and West directions.
3. C L Auto Repair Site is located in Seattle's Beacon Hill neighborhood, within two blocks of the Beacon Hill Sound Transit Link light rail station and King County Metro bus lines, public library, and numerous restaurants, churches, parks, and small business retail establishments. This release poses a threat to the current residents of the west adjoining residence and the future inhabitants of the property.

### **Opportunity to Respond to Proposed Finding of Liability**

In response to Ecology's proposed finding of liability, you may either:

1. Accept your status as a PLP without admitting liability and expedite the process through a voluntary waiver of your right to comment. This may be accomplished by signing and returning the enclosed form or by sending a letter containing similar information to Ecology;  
or
2. Challenge your status as a PLP by submitting written comments to Ecology within thirty (30) calendar days of the date you receive this letter; or
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Shreejita Basu  
NWRO Toxics Cleanup Program  
PO Box 330316  
Shoreline WA 98133-9716

You may also submit your signed waiver or written comments to the following email address:

- [shreejita.basu@ecy.wa.gov](mailto:shreejita.basu@ecy.wa.gov)

After reviewing any comments submitted, or after 30 days if no response has been received, Ecology will make a final determination regarding your status as a PLP and provide you with written notice of that determination.

### **Identification of Other Potentially Liable Persons**

Ecology will be notifying the following additional persons that they may be potentially liable for the release of hazardous substances at the Site:

1. Frank S.Y Chin
2. Henry Chin

If you are aware of any other persons who may be liable for the release of hazardous substances at the Site, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up the Site.

### **Responsibility and Scope of Potential Liability**

Ecology may either conduct or require PLPs to conduct remedial actions to investigate and clean up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

Each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real property and those costs are not reimbursed, then Ecology has the authority under RCW 70A.305.055 to file a lien against that real property to recover those costs.

### **Next Steps in Cleanup Process**

In response to the release of hazardous substances at the Site, Ecology intends to conduct the following actions under MTCA:

1. Conduct a Site Hazard Assessment;
2. Negotiate an Agreed Order to complete the Remedial Investigation, Feasibility Study and Draft Cleanup Action Plan to remediate the Site.

For a description of the process for cleaning up a contaminated site under MTCA, please refer to the enclosed fact sheet.

April 5, 2024

Page 4

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of contaminated sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

### Contact Information

If you have any questions regarding this letter or if you would like additional information regarding the cleanup of contaminated sites, please contact me at (206) 773-7950 or by email at [shreejita.basu@ecy.wa.gov](mailto:shreejita.basu@ecy.wa.gov). Thank you for your cooperation.

Sincerely,



Shreejita Basu  
Cleanup Project Manager  
Toxics Cleanup Program, NWRO

Enclosures (2)

1. FOCUS: MODEL TOXICS CONTROL ACT CLEANUP REGULATION: PROCESS FOR CLEANUP OF HAZARDOUS WASTE SITES (#94-129)
2. PLP WAIVER FORM

cc: Derek Threet, AAG, ([derek.threet@atg.wa.gov](mailto:derek.threet@atg.wa.gov))  
Kim Wooten, Ecology, ([kim.wooten@ecy.wa.gov](mailto:kim.wooten@ecy.wa.gov))  
Ecology Site File