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**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Region Office**

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

June 26, 2024

Roy Kuroiwa
Port of Seattle
Pier 69, 2711 Alaskan Way
Seattle, WA 98121
206-787-3814
(kuroiwa.r@portseattle.org)

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

- **Site Name:** Boeing Isaacson Thompson
- **Site Address:** 8701 E Marginal Way S, Tukwila
- **Cleanup Site ID:** 1944
- **Facility/Site ID:** 2218

Dear Roy Kuroiwa:

On January 9, 2024, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that the Port of Seattle is a potentially liable person (PLP) for a release of hazardous substances at the Boeing Isaacson Thompson facility (Site). On February 5, 2024, Ecology approved your request for a one-week extension to the 30-day comment period. On February 16, 2024, the 37-day comment period on our preliminary determination expired. On February 16, 2024, Ecology received your written comments.

Based on available information, Ecology finds that credible evidence exists that the Port of Seattle is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that the Port of Seattle is a PLP with regard to the Site. This determination only applies to the Boeing Isaacson Thompson Site.

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and cleanup facilities where hazardous substances have been released. Liability for environmental contamination under MTCA is strict, joint and several (RCW 70A.305.040(2)). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations. Ecology has determined that it is in the public interest for remedial actions to take place at this Site. Ecology will contact you regarding the actions necessary for the Port of Seattle to bring about the prompt and thorough cleanup of hazardous substances at this Site. Failure to cooperate with Ecology or comply with MTCA in this matter will result in Ecology employing enforcement tools as it deems necessary and appropriate. This includes, but is not limited to, the issuance of an administrative order. Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70A.305.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70A.305 RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, David Butler, will contact you with information about how Ecology intends to proceed with the cleanup.

Roy Kuroiwa
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If you have any questions regarding this notice, please contact David Butler by phone at 206-518-3513 or by email at david.butler@ecy.wa.gov.

Sincerely,



Dhroov M. Shivjani, PE
Acting Section Manager
Toxics Cleanup Program, NWRO

By certified mail: [9171 9690 0935 0192 9824 19]

cc: Elizabeth Black, Port of Seattle (Black.E@portseattle.org)
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David Butler, Ecology (david.butler@ecy.wa.gov)
Ecology Site File