

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

City of Seattle; and South Park Property
Development, LLC

THIRD AMENDMENT
TO AGREED ORDER

No. DE 6706

TO: Andrew Lee, General Manager/CEO
City of Seattle
Seattle Public Utilities
Seattle Municipal Tower
700 5th Avenue, Suite 4900
PO Box 34018
Seattle, WA 98124-4018

Robert A. Howie, Jr.
South Park Property Development, LLC
165 NE Juniper Street, Suite 100
Issaquah, WA 98027

I. INTRODUCTION

Agreed Order No. DE 6706 (Order), entered into by the State of Washington, Department of Ecology (Ecology), the City of Seattle (City) and South Park Property Development, LLC (SPPD) on May 4, 2009, required that the City and SPPD (hereinafter collectively referred to as “PLPs”) to conduct a remedial investigation and feasibility study (RI/FS) and prepare a draft Cleanup Action Plan. In June 2013, the First Amendment to the AO was entered into by Ecology and the PLPs to require an interim action be performed at the SPPD parcel within the Site. In February 2016, the Second Amendment to the Order was entered into by Ecology and the PLPs to require an interim action be performed at the City’s parcel within the Site.

Ecology and the PLPs hereby stipulate to a Third Amendment of the Order. By this Third Amendment to the Order, the South Transfer Station Phase II Interim Action work plan (Exhibit G) is superseded and replaced by the attached South Recycling and Disposal Station Interim Action Work Plan (Exhibit H).

II. JURISDICTION

This Third Amendment to Agreed Order No. DE 6706 is issued pursuant to the authority of the Model Toxics Control Act (MTCA), RCW 70A.305.050(1).

III. AMENDMENT

This Third Amendment does not attempt to recite all of the provisions of the Order or the First or Second Amendments. Provisions of the Order, as amended, not specifically changed in this amendment remain in full force and effect. This Third Amendment will be the subject of public notice and comment under WAC 173-340-600.

Agreed Order No. 6706 is hereby amended to replace Exhibit G with Exhibit H, which is now an integral and enforceable part of the Order, and the following amendments will take place:

A. Work to be Performed, Section VII.G.3-4 Are Replaced with the Following:

3. South Transfer Station Interim Action. The interim remedial action will include maintenance and monitoring of an impervious landfill cap, landfill gas, and surface water controls, seep monitoring and access controls, a supplemental groundwater investigation, implementing institutional controls, and conducting compliance monitoring. The work plan for the interim action authorized herein is set forth in Exhibit H. This attachment is an integral and enforceable part of this Order.

4. Schedule. The timeline of deliverables required for the interim action is included in the interim action work plan (Exhibit H).

B. The Order is hereby amended to include Exhibit H, attached hereto.

C. Exhibit G is hereby removed from the Order.

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Effective date of this Amendment: August 2, 2024

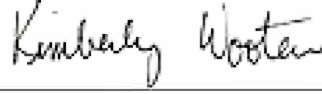
SOUTH PARK PROPERTY
DEVELOPMENT, LLC



ROBERT A. HOWIE JR
President
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Dated: 8/1/24

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY



KIM WOOTEN
Section Manager
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Dated: August 2, 2024

CITY OF SEATTLE


Andrew Lee (Jul 10, 2024 15:04 PDT)

ANDREW LEE
General Manager/CEO
Seattle Public Utilities
(206) 684-7934

Dated: 07/10/2024