



Electronic Copy

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

August 20, 2024

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

**Re: Environmental Covenant – Ecology Approval for Additional Remedial Investigation Field Activities at King County parcel 2423200050**

Dear Susan Penoyar:

Washington Department of Ecology (Ecology) has received Sound Transit's *Request for Ecology Approval Under Restrictive Covenants, Remedial Investigation Field Program* letter, date July 15, 2024 (*July 2024 Letter*), for the Y Pay Mor Drycleaner facility (Site). This letter requested Ecology to approve certain remedial investigation (RI) field activities at King County parcel 2423200050 (Property) currently prohibited under a restrictive covenant.

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). The 1995 covenant prohibits interference with ongoing groundwater monitoring and taking Site groundwater for domestic purposes. The 1998 restrictive covenant includes the following restrictions:

- The owner shall not alter, modify, or remove the existing structure(s) in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.
- Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
- Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

The Site is currently enrolled in Ecology's Voluntary Cleanup Program (VCP). Sound Transit submitted a *Remedial Investigation Work Plan – Addendum No. 1* on July 15, 2024 for Ecology's review under VCP. Ecology provided comments in an email dated July 24, 2024. Sound Transit submitted a *Revised Remedial Investigation Work Plan – Addendum No. 1 (Revised RIWP Addendum 1)*, dated July 29,

2024, based on Ecology's comments. The *Revised RIWP Addendum 1* proposes installing eight permanent monitoring wells in areas of residual soil and groundwater contamination at the Site (**Enclosure A**). Ecology concurred with the proposed monitoring well locations in an email dated July 29, 2024.

Sound Transit's *July 2024 Letter* requested Ecology's approval on the RI activities detailed in the *Revised RIWP Addendum 1*, which included: (1) installing eight monitoring wells (**Enclosure A**); (2) developing new monitoring wells and redeveloping existing monitoring wells; (3) collecting groundwater samples and monitoring certain parameters in new and existing monitoring wells; and (4) performing slug tests at select monitoring wells.

A Sampling and Analysis Plan (SAP) is included in the *Revised RIWP Addendum 1*. A Site-specific Health and Safety Plan (HASP) has been developed for use during RI field activities.

**Ecology approves the aforementioned RI field activities. Please follow the SAP and HASP to mitigate potential contaminants release or exposure to human health and environment.**

Ecology provides this approval per the conditions of the 1998 and 1995 restrictive covenants for this Property. This approval does not address whether or not the cleanup conducted to date will meet the requirements of cleanup under the Model Toxics Control Act (MTCA). Please continue submitting data for Ecology's review under VCP and working with Ecology to achieve the cleanup goals.

Please note that while Ecology has approved the above RI field activities, 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. Please request further Ecology approval(s) as needed for future activities on the Property.

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](mailto:jing.song@ecy.wa.gov).

Sincerely,



Jing Song  
Site Manager  
Toxics Cleanup Program, NWRO

Enclosures (1): A – Proposed Monitoring Well Locations

cc: Tricia DeOme, GeoEngineers, Inc. ([tdeome@geoengineers.com](mailto:tdeome@geoengineers.com))  
Kathryn Wyatt, Assistant Attorney General, ([Kathryn.Wyatt@atg.wa.gov](mailto:Kathryn.Wyatt@atg.wa.gov))  
Kim Wooten, Ecology, ([kim.wooten@ecy.wa.gov](mailto:kim.wooten@ecy.wa.gov))  
Donna Kirkman, Ecology, ([dmus461@ecy.wa.gov](mailto:dmus461@ecy.wa.gov))  
Ecology Periodic Reviewer, TCP-NWRO, ([tamara.welty@ecy.wa.gov](mailto:tamara.welty@ecy.wa.gov))



Enclosure A: Proposed Monitoring Well Locations

