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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

February 26, 2025

Ross Stainsby
Sound Transit
401 S Jackson St
Seattle, WA 98104
(ross.stainsby@soundtransit.org)

Re: No further action necessary under state cleanup law for the following contaminated site based on Initial Investigation:

Site name: Sound Transit Parcel FL232
Property address: 23646 Pacific Hwy S, Kent WA 98032
Facility/Site ID: 100003285
Cleanup Site ID: 17168
ERTS ID: 698332
County Parcel ID: 2500600520

Dear Ross Stainsby:

The Washington State Department of Ecology (Ecology) received your report about a release of hazardous substances at Sound Transit Parcel FL232 on May 19, 2020. We also received your reports documenting your independent cleanup of the Site in December 2020 and July 2024. We have investigated the release and reviewed your independent cleanup, as required under RCW [70A.305.030](#)(2)(d)¹ and WAC [173-340-310](#).²

Based on the investigation, Ecology has determined that a release posing a threat to human health or the environment occurred, but no further remedial action is necessary to clean up contamination at the Site due to a completed independent remedial action.

Ecology bases this determination on an analysis of whether the remedial action meets the substantive requirements of the Model Toxics Control Act, chapter [70A.305](#) RCW,³ and the

¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.030>

² <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-310>

³ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

cleanup regulations adopted under that act, chapters [173-340](#)⁴ and [173-204](#)⁵ WAC (collectively called the “state cleanup law”).

Based on this determination, Ecology has added the Site to the [No Further Action Sites List](#)⁶ and assigned it Cleanup Site ID 17168. You can find information and electronic records for the Site on the [Sound Transit Parcel FL232](#)⁷ webpage.

This determination applies only to the release reported on May 19, 2020, that has a completed independent remedial action.

Ecology bases this determination on the information contained in the following documents:

- Phase II Environmental Site Assessment, Sound Transit Federal Way Link Extension Parcel FL232. GeoEngineers, Inc., Tacoma WA. September 11, 2017.
- Soil Characterization and Remediation Report, Parcel FL-232. O'Neill Service Group, LLC., Redmond, WA. July 15, 2020.
- Post-Remediation Compliance Monitoring, Federal Way Link Extension Parcel FL232. GeoEngineers, Inc., Tacoma, WA. July 29, 2024.

You can request site file documents by submitting a [records request](#).⁸ For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 407-6040.

This determination is void if information in any of the listed documents is materially false or misleading.

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This determination does not:

- Resolve or alter a person’s liability to the state.
- Protect liable persons from contribution claims by third parties.

⁴ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340>

⁵ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-204>

⁶ <https://apps.ecology.wa.gov/cleanupsearch/reports/cleanup/nfa>

⁷ <https://apps.ecology.wa.gov/cleanupsearch/site/17168>

⁸ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW [70A.305.040](#)(4).⁹

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This determination does not provide an opinion on whether the action you performed is substantially equivalent. Courts make that determination. See RCW [70A.305.080](#)¹⁰ and WAC [173-340-545](#).¹¹

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this determination. See RCW [70A.305.170](#)(6).¹²

If you have any questions about this determination, please contact the regional Initial Investigation Coordinator, Donna Kirkman, at (425) 301-6080 or donna.kirkman@ecy.wa.gov.

Sincerely,



Nick Treat
Voluntary Cleanup Program Unit Supervisor
Toxics Cleanup Program, NWRO

cc: Marsi Beeson, GeoEngineers (mbeeson@geoengineers.com)

⁹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

¹⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

¹¹ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

¹² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>