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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 6, 2025

Boyer Halvorsen
Boyer Logistics Inc.
7318 4th Ave. S.
Seattle, WA 98108
(boyer@boyertowing.com)

Re: Ecology's Response to Early Notice Letter Regarding a Release of Hazardous Substances

Site Name: Boyer Towing, Inc.

Site Location: 7318 4th Avenue S., Seattle, WA 98108

CSID: 17117

FSID: 37926748

Dear Boyer Halvorsen:

Ecology has received the letter dated March 28, 2025, from Johannessen & Associates in response to the Early Notice Letter Regarding a Release of Hazardous Substances. Ecology understands you dispute the finding of suspected impacts to, or releases of hazardous substances on or to, the Boyer property's soils or groundwater. This response was prepared to clarify Ecology's rationale and expectations for further assessment.

First, Ecology recognizes the complex nature of properties and Sites in the Lower Duwamish Valley. Ecology's actions to list the Boyer Towing Site are consistent with the Lower Duwamish Source Control Strategy. Ecology's objective is to identify and control sources of recontamination to sediments in advance of the EPA-led "in-water" sediment remediation. The existing sediment characterization data indicate a potential upland source of recontamination to sediments.

Specifically, recent sediment characterization results for samples collected proximate to King County Tax Parcel No. 6871200350 exceed the remedial action levels for polychlorinated biphenyls (PCBs) and upland sources have not been excluded. These data provide the line of evidence suggesting the presence of upland source(s) of the sediment contamination. As sediment characterization data has been collected to further develop the EPA-led in-water remediation activities, Ecology requests

assessment of potential upland source(s) at the Boyer Towing properties in accordance with the Model Toxics Control Act (MTCA).

Second, Ecology recognizes that Boyer Towing intends to be a Party to a future Lower Duwamish Waterway Consent Decree that will settle liability for the known “in-water” contamination. Listing the Boyer Towing Site does not affect that process or the future activities intended to remediate the known “in-water” contamination. Ecology requests assessment of potential upland source(s) at the Boyer Towing properties in accordance with the Model Toxics Control Act (MTCA) and will work with Boyer Towing to control such sources to prevent recontamination of “in-water” sediments, as necessary.

Third, with regard to Ecology’s Site Hazard Assessment Rating Process (SHARP) report noted in the March 28, 2025, Early Notice Letter:

- Ecology has posted your Response letter on the Boyer Towing site webpage, so your objection to the SHARP report is acknowledged.
- Ecology acknowledges and will address improvements regarding communication of confirmed and suspected sources of contamination in our SHARP documents.
- The site was given a “high” rating based on the likely impacted environmental receptors, the nature of the suspected contaminant(s), and the potential for exposure. Shoreline LDW properties with confirmed or suspected releases typically score a “high” SHARP rating because of the additional exposure pathways in this setting.
- The SHARP report is an introductory review of a site, to be used by Ecology in prioritizing which sites move forward with increased agency oversight. Ecology expects that through the MTCA process, suspected releases, past land and industrial uses, and site ownership and affiliations will be further defined.

Finally, Ecology’s MTCA process is intended determine the nature and extent of releases of hazardous substances at a Site. The Site boundary is defined by where contamination has come to be located and not by parcel boundaries. The MTCA process determines if remedial actions are necessary at a Site based on the type and amount of contamination identified. In addition, the MTCA process allows for additional entities and/or potentially liable parties if identified based on the Site history.

In closing, this response was prepared to clarify Ecology’s rationale and expectations for further assessment of the Boyer Towing Site. The existing sediment characterization data indicate a potential upland source of recontamination to sediments. Ecology requests assessment of potential upland source(s) at the Boyer Towing properties in accordance with the Model Toxics Control Act (MTCA). Consistent with other LDW projects, Ecology requests you engage with the Toxics Cleanup Program to address this Site through the formal MTCA process starting with negotiation of an Agreed Order to

Boyer Halvorsen

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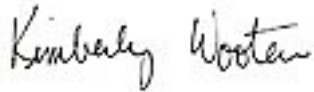
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conduct a remedial investigation and feasibility study to characterize the Site and determine suitable remedial alternatives, if necessary.

Contact Information

We look forward to continuing working with you regarding the site. Please feel free to contact Ryan Gardiner by email at ryan.gardiner@ecy.wa.gov or by phone at (425) 681-5543 if you have any questions or concerns regarding the content of this letter.

Sincerely,



Kimberly Wooten

Section Manager

Toxics Cleanup Program, NWRO

cc: Kim Maree Johannessen, Johannessen & Associates, P.S, (kmi@johanassocs.com)
Ivy Anderson, AAG (ivy.anderson@atg.wa.gov)
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