



## Response to Comments

**Two Cleanup Action Plans, two Agreed Orders, & State Environmental Policy Act – Determination of non-significance for the 7901 2<sup>nd</sup> Ave S, LLC area, and the Kenyon Industrial Park area**

**South Park Landfill cleanup site  
Seattle, WA**

**Toxics Cleanup Program**

Washington State Department of Ecology

Northwest Regional Office

Shoreline, Washington

April 2026

## Publication information

This document is available on the Department of Ecology's website at:

<https://go.ecology.wa.gov/SPL>

### Related information

- Clean-up site ID: 1324
- Facility site ID: 2180

## Contact information

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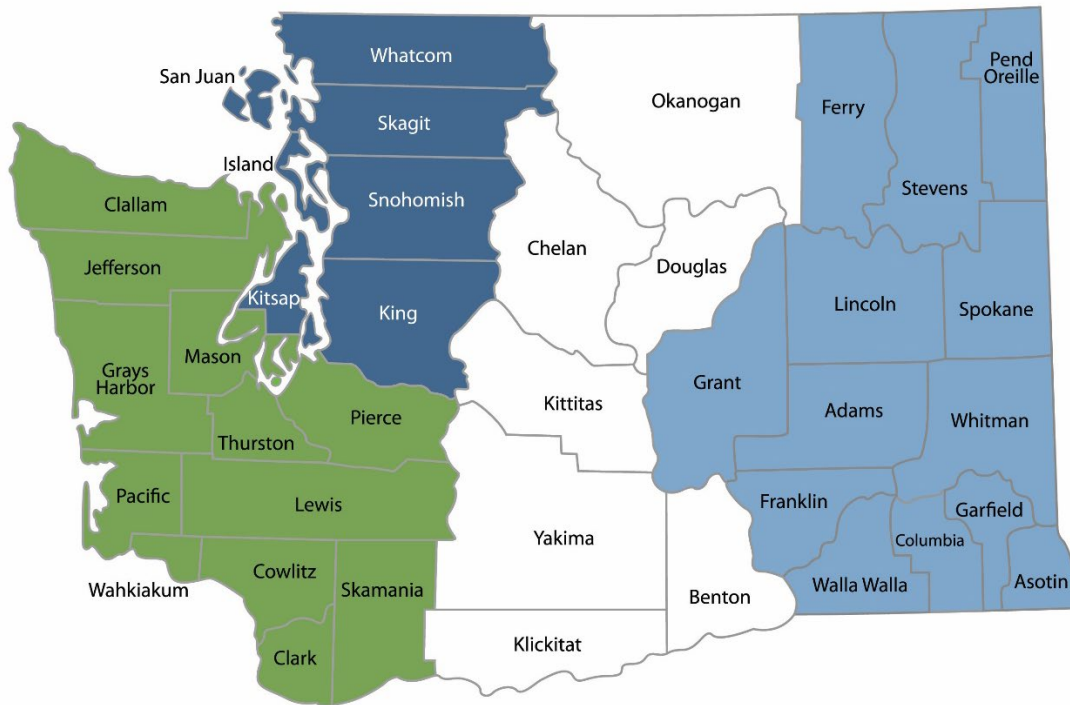
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<sup>1</sup> [www.ecology.wa.gov/contact](http://www.ecology.wa.gov/contact)

# Department of Ecology's region offices

## Map of counties served



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 206-594-0000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
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Region	Counties served	Mailing address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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**South Park Landfill cleanup site  
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Northwest Regional Office  
Shoreline, WA

**April 2026**



DEPARTMENT OF  
**ECOLOGY**  
State of Washington



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## Public outreach summary

The South Park Landfill site located in Seattle is continuing Washington State's [formal cleanup process](#)<sup>2</sup> as directed under the Model Toxics Control Act ([MTCA](#)<sup>3</sup>). King County is addressing contamination at the Site under a legal agreement with Ecology.

The Department of Ecology's public involvement activities related to this Site's 30-day comment period (September 22 – October 21, 2025) included:

- **Fact sheet:**
  - US mail distribution of a fact sheet providing information about the cleanup documents, the public comment period to approximately 5012 addresses including neighboring businesses and other interested parties.
  - Email distribution of the postcard and a fact sheet to 104 people, including interested individuals, local/county/state/federal agencies, neighborhood associations, and interested community groups.
  - The postcard and fact sheet were available digitally through Ecology's [cleanup site webpage](#)<sup>4</sup>.
- **Legal notices:**
  - Publication of one paid display ad in *Seattle Times*, dated Friday, September 19, 2025
- **Site register:**
  - Publication of 4 notices in our Toxics Cleanup Site Register:
    - Comment period notice:
      - September 18, 2025
      - October 2, 2025
      - October 16, 2025
    - Response summary notice:
      - April 16, 2026
    - Visit [our Site Register website](#)<sup>5</sup> to download PDFs.
- **Websites:**
  - We announced the public comment period, posted the fact sheet and postcard, and made the review documents available on [our South Park Landfill webpage](#)<sup>6</sup> and our [Public Inputs & Events webpage](#)<sup>7</sup>.
- **Document repositories:**

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<sup>2</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

<sup>3</sup> <https://ecology.wa.gov/mtca>

<sup>4</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/2582>

<sup>5</sup> <https://apps.ecology.wa.gov/publications/UIPages/PublicationList.aspx?IndexTypeName=Program&NameValue=Toxics+Cleanup&DocumentTypeName=Newsletter>

<sup>6</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/2582>

<sup>7</sup> <https://10ecology.wa.gov/Events/Search/Listing>

- Documents were available at the Seattle Public Library – South Park Branch and at our Northwest Region Office.

## Comment summary

From September 22 – October 21, 2025, we solicited public comments on two cleanup action plans, two agreed orders, and a State Environmental Policy Act-Determination of non-significance for the 7901 2<sup>nd</sup> Ave S, LLC area and the Kenyon Industrial Park area of the broader South Park Landfill cleanup site.

We received three comments during the 30-day comment period.

Table 1: List of commenters

	First name	Last name	Agency/Organization/Business	Submitted by
1	Tamela	Smart	Dept. of Archeology and Historic Preservation	Agency
2	Alexandra	Johnson	Duwamish River Community Coalition	Organization
3	John and Gretchen	Hill	Governors of 7901 2 <sup>nd</sup> Ave S, LLC	Business

## Next steps

### Minor changes made

We have reviewed and considered the public comments received on the documents. Based on our evaluation of the comments, minor changes in wording were made to the cleanup action plan for the Kenyon Industrial Park area. These wording changes were made to make it clearer when a contingency action may be triggered during landfill gas probe monitoring for this area. You will be able to view this change on page 92 of the final Kenyon Industrial Park Cleanup Action Plan. Both cleanup action plans and legal documents are being finalized and will be available on the site webpage as final versions in the near term.

### Next steps

The next steps for these two areas are to finalize the signing of the agreed orders for both the Kenyon Industrial Park area and 7901 2<sup>nd</sup> Ave S, LLC area. Once signed, the work described in the cleanup action plan will begin. See graphic below and visit our [cleanup process webpage](#)<sup>8</sup> to learn more about Washington’s formal cleanup process.

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<sup>8</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

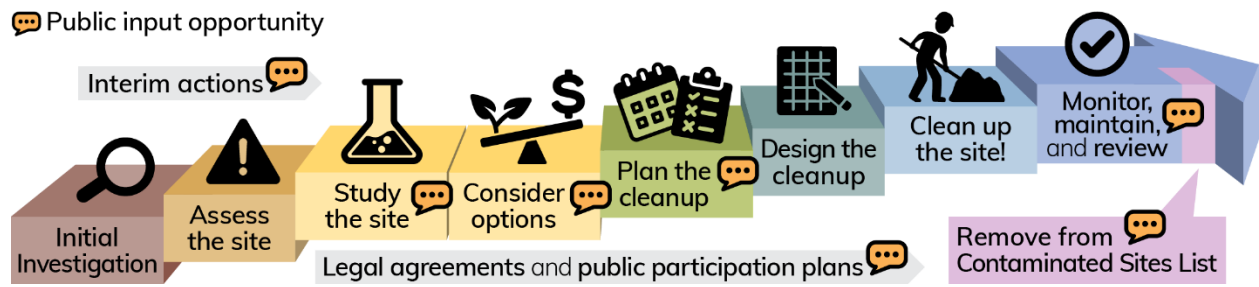


Figure 1 Washington's formal cleanup process.

<sup>15</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

## Comments and responses

The public comments are presented below, along with our responses. Appendix A, page 31, contains the comments in their original format.

### Comment from: Department of Archeology and Historic Preservation

In future correspondence please refer to:

Project Tracking Code: 2025-09-06069  
Property: Department of Ecology\_South Park Landfill Cleanup Site  
Re: Archaeology - Survey Requested

Dear Meredith Waldref:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. Based on our review, we concur with the plan to conduct a cultural resources survey prior to the project, as is stated in the SEPA checklist.

We also recommend consultation with the concerned tribes and would appreciate receiving any correspondence or comments from the tribes or other parties concerning cultural resource issues that you receive.

These comments are based on the information available at the time of this review. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,  
Tamela Smart, M.A.  
Local Government Archaeologist  
(360) 628-2755

**Tamela.Smart@dahp.wa.gov**

**Response:** Thank you for your comment. Ecology reviewed and consulted on the project with DAHP and the affected Tribes under MTCA (DAHP Project No. 2025-11-07456). Ecology sent a preliminary determination of effect and proposed mitigation plan to DAHP and the affected Tribes on 21 November 2025. Ecology received concurrence from DAHP on our determination of a low potential to impact cultural resources and the requirement for an Inadvertent Discovery Plan to be prepared for the project. We will continue to be in conversation with DAHP and the affected Tribes concerning cultural resources as a part of the ongoing cleanup. In the event of a discovery of potentially significant cultural resources or any human remains,

work will be stopped in the area of the find, the find will be protected, and DAHP and the affected Tribes will be contacted.

## Comment from: Duwamish River Community Coalition

Letter to the Department of Ecology

Re: Comments on the Kenyon Industrial Park (KIP) and the 7901 2nd Ave S (7901) Cleanup Action Plan (CAP)

On behalf of the Duwamish River Community Coalition (DRCC)

Dear Department of Ecology,

Firstly, thank you for creating a comprehensive cleanup plan and report for the KIP and 7901 sites. The plans are understandable, data-informed, and well-organized. We hope to offer suggestions that bolster the strong foundations of your CAP.

When reading through these reports, our priorities lie with community. We work to uplift the most vulnerable voices in the Duwamish Valley, who have lived and breathed in the shadows of polluting industries and utilities for decades. Additionally, people who live in Georgetown and South Park have some of the most severe health inequities in King County. Childhood asthma hospitalization rates are among the highest in the city, and life expectancy is approximately 10 years shorter when compared to wealthier neighborhoods and seven years shorter when compared to the County average (Public Health - Seattle & King County Assessment, Policy Development & Evaluation, 2023). Our community also lives in close proximity to several contaminated waste sites, including the Duwamish River Superfund sites, and suffers from air pollution caused by drayage trucks, industry, traffic congestion, manufacturing facilities, and highways. South Park and Georgetown residents have a mere 140 square feet of accessible green space per resident compared to 387 square feet per resident in Seattle. The Duwamish Valley has lost between 16 and 25% tree canopy cover over the last 5 years, among the highest rates of environmental justice communities in Seattle (Seattle Office of Sustainability & Environment, Tree Canopy Assessment Report, 2021). Lastly, Georgetown and South Park have been subjected to intense gentrification over the last decade. Low-income families, Black and brown neighbors, and legacy homeowners have been increasingly pushed out due to exclusive zoning and unaffordable housing development. Between 2015 and 2022, low-income renters in the Duwamish Valley were displaced at a rate more than four times the citywide average (Final Environmental Impact Statement, 2025).

Cleanups like the South Park Landfill reflect this history. The landfill openly burned its waste for thirty years, polluting the air in South Park and beyond and layering soot on people's laundry, cars, and play areas for children, prompting housewives and other residents to stage a sit-in at City Hall to resist the open burning and eventually leading to the closing of the landfill. Decades of activism have brought us to this point of cleanup, and we credit this legacy back to the community.

Below are some high-level recommendations for the KIP and the 7901 cleanup plans. Specific parts of this letter are inclusive of both parts of the Landfill site unless otherwise stated.

Thank you for your comments. Please see specific responses in blue embedded in the below text:

### Recommendations

- I. **Add a community impact analysis to the cleanup plan.** This could look like an environmental justice review/health impact assessment for all people expected to be living and working within half a mile of KIP's footprint, pursuant to the HEAL Act's requirement for Ecology to include equitable community engagement and public participation in "processes that facilitate and support the inclusion of members of communities affected by agency decision making" (RCW 70A.02.050).
  - A. The CAP refers to "nearby buildings" and human receptors, but there is no explicit measure of how many residents/households/children/sensitive populations live within 500 ft/1,000 ft/0.5 miles of the landfill's footprint and its likely gas dispersion zones (including the LR3 zoning at the corner of 5th Ave S and S Sullivan St). A breakdown of these counts and demographics would help inform a community level analysis. People with lower median incomes, limited English proficiency, or less access to the internet increases vulnerability and lowers adaptive capacity to report and respond to these plans, so demonstrating consideration of these communities within the report is one step towards acknowledging their lived experiences near these contaminated sites.
  - B. This should include a map showing the number of households, schools, daycares, clinics, and community centers within half a mile of KIP's footprint.
  - C. Please include mention of "nearby residents" in Table 3.1 disclosing potential exposure pathways and human receptors.

**Response:** There are two ways in which nearby communities are considered in Ecology's evaluation of the site:

1. Ecology produced a SHARP report for the site in 2024, which identified site contaminants and pathways, and included an evaluation of likely vulnerable populations and overburdened communities in proximity to the site. This included an evaluation of environmental health disparities mapping or other available information to help prioritize sites. While this step was taken in response to the HEAL Act and Ecology's January 2024 updates to the Model Toxics Control Act (MTCA), Ecology's priority to the completion and monitoring of the remedy at South Park Landfill is unchanged.

2. The Cleanup Action Plans for the site have developed a conceptual site model to identify pathways and potential receptors to demonstrate that the selected remedy is protective of human health and the environment. Downgradient groundwater monitoring wells, for instance, show that landfill leachate is generally contained to the site. The data does not show that nearby residents (or residential wells) are potential receptors of landfill contamination. Potential receptors are limited to visitors and people working at the site.
- II. **“Breathing zone” is not a fully protective practice and is inherently a limited indicator of safety to nearby populations.** Methane is lighter than air and vinyl chloride and H<sub>2</sub>S can migrate and accumulate in pockets; near-surface and perimeter monitoring, indoor air sampling, and community ambient monitoring are all needed. Dispersal could be unequal otherwise and easily blow into the breathing zone, adding to the cumulative air pollution nearby residents already breathe and experience on a daily basis from SR-99/SR-509 roadway emissions, nearby industrial sources, the Port of Seattle and Northwest Seaport Alliance, stormwater contamination, and groundwater contamination.
    - A. Perimeter probes at the property line are appreciated, but for the residences nearest the landfill, continuous VOC sensors at the nearest property line possible are needed.
    - B. **Indoor air quality monitoring and air filters** should be provided to nearby businesses and in the closest occupied buildings, through outreach and by request. Connecting with local nonprofits or business associations to foster community knowledge is considered a best practice for this.

**Response:** In the event that perimeter landfill gas (LFG) probes indicate elevated levels of methane, Ecology will consider a contingent action that is sufficiently protective of human health and the environment and consider measures for nearby off-site buildings, if necessary. A comprehensive discussion of the characterization of methane at the landfill and evaluation of nearby buildings can be found in the South Park Landfill Remedial Investigation/Feasibility Study (Floyd | Snider, 2017), including the unique considerations of methane at the Kenyon parcel. Be aware that buildings on the CenterPoint South Park (CPSP) parcel that were identified for monitoring are not currently occupied due to a recent tenant change. Be aware that the scope of the documents covers a remedy for the two smallest parcels on the northwest end of the landfill, which is the side of the landfill furthest from the South Park and adjoining neighborhoods. The largest landfill parcel, owned by CPSP, has already constructed a remedy including a LFG-collection system. The city-owned South Transfer Station Phase 2 project is at 90% design, which also includes an LFG collection system

- III. **We request collection and destruction, not intermittent ventilation, as the method of disposal of any trigger actions caused by LFG increases.** Intermittent ventilation without treatment is a false solution that would lower measured levels within the

covered cap but would be failing to solve what this cleanup is intended to do, which is to prevent harmful chemicals of concern from being further released into the environment.

- A. Alternative examples include engineered caps with gas collection layers or passive vents with treatment. The EPA provides guidance on these considerations, and we acknowledge your expertise on this topic as well.

**Response:** Please be aware that the scope of these two CAP documents (and related documents) is for two smaller properties that comprise a smaller percentage of the landfill and in some cases, fall outside the limits of refuse. The selected remedy for these two properties does not include a landfill gas collection system. Other portions of the landfill have designed and/or constructed collection systems.

**IV. We request a paid community liaison for all cleanup sites in the Duwamish Valley, including stipends for community members who would like to attend meetings as advisors. This will provide greater transparency and meaningful community engagement.**

- A. This should include residents who work on these plans with Ecology when it falls within the DV, so that plans are not introduced for the first time to the community once the plans have already been created. This group would be invited to attend the annual inspections of the integrity of the KIP and 7901 parcel caps.

**Response:** Ecology recognizes the need to meaningfully involve the people we serve in actions, processes, and decisions that affect them. Washingtonians know their needs and interests better than anyone else. They understand their local issues and concerns, as well as their strengths and goals. This specialized knowledge based on lived experience is a form of expertise that improves the work of government agencies. However, many people face barriers that challenge their ability to engage in public processes. Providing compensation is one way to address financial barriers and promote broader representation of Washington's diverse public in Ecology's processes. We would be happy to provide a copy of Ecology's draft internal guidance on Lived Experience Compensation if you are interested in reviewing it. If so, please contact Meredith Waldref ([meredith.waldref@ecy.wa.gov](mailto:meredith.waldref@ecy.wa.gov), 425-229-3683). Since the Lived Experience Compensation process is new, we are continuing to incorporate this funding into our work along the Lower Duwamish Waterway.

We have noted this request for a workgroup for Duwamish Valley cleanup sites, but given state budget projections and the scope of our work in the area it is unlikely we will have the ability to implement a compensated community advisory group at this time, because we must meet cleanup site deadlines with current staff. We have been and continue to be committed to providing robust outreach for our work in the Duwamish Valley and appreciate your comment and review.

- V. **We request Ecology commit to making the groundwater and landfill gas monitoring, annual inspections and reporting, and coordination and submission of data in the five-year site reviews available to the public.** Make announcements at community meetings like the South Park Neighbors Association about where to access these resources.
- A. The most important parts of this Plan are not able to be covered in the fact sheets provided to the community. We request a presentation that is understandable and accessible to community members that discusses the presumptive remedy versus the more permanent cleanup action, when a trigger action occurs and the protocols for this, and how you will make and keep monitoring and reporting information available to the public.

**Response:** These reports will continue to be publicly available on the South Park Landfill webpage. As staffing capacity allows, we will continue to make announcements and present at community meetings and other LDW events with an emphasis on providing presentations ahead of or during comment periods.

We strive to summarize the complexities of these cleanup sites in our public mailers and on our webpages. We will add a section to the South Park Landfill webpage that explains the remedy in more depth and hope to highlight this at a future community meeting.

- VI. **Independent audits of the monitoring data – and allowing community groups to run independent air monitors, funded by the PLPs or Ecology – should be required.** These audits do not have to be on an annual basis, but should occur at least once every three years.

**Response:** The request is noted, but unfortunately it is outside of the scope of this public outreach.

Areas where we respectfully request further information/elaboration

- I. Would this CAP change if the area was rezoned from IG2?
- A. Declaring it for industrial use in perpetuity feels like another false solution where the land can never be reimagined because doing so would require a more thorough cleanup that actually removes the contaminated material. We should have more choice in how our land is used than just providing the minimal level of effort and permanently entrenching a parcel to industry. I think we deserve better than that. One example is the Duwamish People's Park, which was also supposed to be paved and declared industrial in perpetuity. Through community advocacy, the vision for the Park was able to be created and now serves as a salmon hatchery and wildlife refuge. It is

surely too late now for this site, but please consider taking a more progressive and proactive role in the future for complete cleanups.

- B. If possible, please provide at least a broad benefit-cost breakdown as to why you chose this and how expensive each option is to the private owner/Ecology in the long run.

**Response:** Unfortunately, Ecology does not have a voice in future development at the site, as it is mostly private property. The cleanup action for these two (and all four) landfill parcels is based on compatibility (and cleanup levels) for future industrial land use. Environmental covenants for the landfill parcels prevent residential uses, childcare facilities, schools, parks, agriculture and non-industrial commercial uses. These uses were established prior to implementation of cleanup actions over the last decade at the landfill. Ecology's understanding is that these parcels will continue to operate with industrial activities and these CAPs are appropriate for that use. If a future land owner would like to use a parcel for an activity other than industrial, Ecology can engage with them on what additional cleanup actions will be necessary to be protective of human health and the environment. Ecology has worked on other sites which transitioned from industrial activities to commercial or residential, and that process will involve public notification and opportunity to comment on the additional cleanup work required.

- II. How is Ecology going to ensure prevention of residual contamination of vinyl chloride from slowly diffusing into the Duwamish Valley Aquifer?

**Response:** This is a primary benefit of the cleanup action plans included in the public outreach process. A landfill cap, meeting the minimum criteria, can limit infiltration of water from the surface and help mitigate the downgradient transport of vinyl chloride. The groundwater monitoring for the landfill includes downgradient wells that will help characterize residual vinyl chloride. The Site Coordinator, Parametrix, has produced a report in regard to recent increases observed of vinyl chloride in groundwater that was uploaded to Ecology's site for the landfill.

- A. Is the fence the only solution to groundwater seep in the compact bay of the former SRFS waste collection building?

**Response:** This will be addressed as part of the city-led design of the South Transfer Station project.

- III. Can Ecology describe further why it was determined appropriate to use a CPOC for groundwater CULs for vinyl chloride, iron, and manganese at the KIP site?

- A. We specifically request more focus on: "(ii) regarding human health, and please do require the site-specific human health risk assessment: "The department recognizes that, for those cleanup actions selected under this chapter that involve containment of hazardous substances, the soil cleanup levels will typically not be met at the points of compliance specified in (b)

through (e) of this subsection. In these cases, the cleanup action may be determined to comply with cleanup standards, provided: (i) The selected remedy is permanent to the maximum extent practicable using the procedures in WAC 173-340-360; (ii) The cleanup action is protective of human health. The department may require a site-specific human health risk assessment conforming to the requirements of this chapter to demonstrate that the cleanup action is protective of human health;” (pg. 6-1)

**Response:** The remedy was evaluated and determined to meet the requirements of the Model Toxics Control Act through preparation of the RI/FS (remedial investigation/feasibility study) and establishment of cleanup levels. A conditional point of compliance (in this case, at the downgradient property line) was determined to be appropriate for a cleanup action that involves containment of hazardous substances. The selected remedy (landfill capping) is considered a presumptive remedy. In other words, a landfill cap meeting the minimum requirements is usually considered to be sufficiently protective of human health.

We do not believe a site-specific risk assessment is necessary for this site. We believe the selected remedy sufficiently addresses all of the potential exposure pathways for a landfill (as identified in the presumptive remedy for municipal landfills, EPA (1993)):

If solid waste remained uncovered, trespassers or site workers could be exposed through direct contact. This is prevented by the landfill cap.

If chemicals from the landfill volatilized into the air or entered the air on dust particles, trespassers, site workers, or area residents could be exposed through inhalation. Dust is prevented by the landfill cap. The landfill is in an advanced stage of decomposition and is producing low levels of vapors. Monitoring inside buildings on the property, where vapors are expected to reach higher concentrations than outdoors, have not detected landfill gas. Site visitors and local residents are not expected to be exposed through inhalation of dust or vapors.

If chemicals in surface runoff or groundwater travelled to the LDW, where they could be taken up by aquatic life, recreational or subsistence fishers in the LDW could be exposed through consumption of fish and shellfish. Swimmers and boaters in the LDW could be exposed through contact with the river water. There is a health advisory warning people not to consume any fish or shellfish from the LDW except salmon. Surface runoff at the site is captured and discharged to the City of Seattle stormwater system. Groundwater monitoring at the Site demonstrates that site contamination does not reach the LDW. Recreational and subsistence fishers are not expected to be exposed through consumption of fish or shellfish; swimmers and boaters are not expected to be exposed by contacting the water in the river.

USEPA. 1993. Presumptive Remedy for CERCLA Municipal Landfill Sites. EPA 540-F-93-035.

- B. How will Ecology gauge the level of thickness of fill material needed? This material should absolutely have required testing prior to use at the Landfill - not testing results from the last two years.

**Response:** Fill thickness is specified in the Cleanup Action Plan to be a minimum of 12". Ecology will review the construction specifications for each of the two PLP to ensure compliance with minimum standards, including the source of imported materials and any testing. The guideline for testing of imported materials can be considered on a case-by-case basis.

- IV. For areas like the landscaped buffers and slopes and perimeter landscaping, what is the replanting plan after the new soil layer is input?

**Response:** Ecology does not anticipate that landscaping will be proposed by either property owner given the challenges and compatibility issues with these features on a landfill, which can be a conduit for undesirable infiltration.

- V. Please provide more details on the existing swales, ditches, or ponds on the KIP Area and the type of cover planned for remediation. We do not accept a plan that would increase the overall surface area of impermeable or hardscape surfaces.

- A. "Stormwater conveyance and treatment facilities located above solid waste such as swales, ditches, or ponds on the KIP Area are required to have cover, as prescribed by WAC 173-304- 460, consisting of a low-permeability layer with a minimum 24-inch thickness of soil and permeability of 10-6 centimeters per second or less, or an impermeable geomembrane that is at least 50 millimeters thick." (pg. 6-4)

**Response:** Property owners may be required to do on-site stormwater management or water quality treatment as part of the permitting process. However, these types of stormwater features are not likely to be proposed by the property owners.

- VI. Please clarify this language in the Contingent Actions section, as it is confusing: "greater than 5 percent by volume during four or more of the quarterly or monthly events within a twelve (12) month period" (pg. 6-6)

- A. Quarterly or monthly? We recommend a trigger for action at two quarterly events or six monthly events

**Response:** Ecology concurs and will plan changes to the wording of this section to make it clearer.

- VII. How is Ecology going to ensure that methane percentages from the cement kiln dust swale don't trigger a contingency action?

A. Examples: GP-25, KMW-05, TGP-12, GP-24

**Response:** The Kenyon property owner is required to install probes and measure methane at the west property line and also monitor existing buildings for methane.

Other changes requested

- I. CIMP - "All maintenance activities should be documented on a cap inspection and maintenance field form, with supporting sketches, figures, and/or photographs attached. An example form is provided in Exhibit A.1." (pg. A-7)
  - A. 4.2 - Landfill Cap Maintenance - There should be an addendum after that requires the results of the maintenance activities to be posted on Ecology's website within 30 days of collection from the maintenance contractor
  - B. 4.4 (**there appears to be no '4.3'**) - Stormwater Infrastructure Maintenance - the same addendum as defined above in 4.2 should be added
  - C. 4.6 - Unforeseen Events - inspection and maintenance activities documented post-events should also be posted to Ecology's website
  - D. 6.0 - Reporting and Record Keeping - also post the results of the CAP Annual Report to the website

**Response:** Ecology currently keeps quarterly maintenance reports on the project web site as well as the Annual Report and will endeavor to add them to the site in a timely manner.

- E. Landfill Gas Monitoring and Contingency Plan - Quarterly perimeter probe measurements should be made publicly available on the PLP's website, or Ecology's website "LFG production is expected to continue to decline over time. A reduction of monitoring frequency may be allowed if perimeter monitoring results in the KIP Area are consistently less than criteria thresholds" (pg. B-7). Ecology should define what "consistently less" means. Which threshold and for how many results until this is considered?
- F. Require most recent calibrations published either to the PLP's website or to Ecology's website.

**Response:** Ecology currently keeps quarterly maintenance reports on the project website. Equipment calibrations are generally not required or maintained in project submittals. This is fairly consistent with analytical equipment used in site characterization on Ecology-led cleanup sites.

- II. Groundwater Monitoring and Contingency Plan
  - A. Publish the Environmental (Restrictive) Covenant on either Ecology's or the Parcel Owners' websites.

**Response:** Ecology will post covenants on our project web site.

- B. Is groundwater level measured constantly, or if not, at which temporal cadence?

**Response:** Groundwater is monitored quarterly at the site.

- C. Require annual reports to be publicly available on Ecology's or the PLP's website, for as many years as COCs are out of compliance/have not been terminated (and same with unforeseen events)

**Response:** This is expected.

- D. PLPs' written evaluation submitted to Ecology should be made publicly available within 30 days of receipt by Ecology.

**Response:** This is expected.

- E. If Ecology determines the data at the Site is not the cause of the Site, what will Ecology do next?

**Response:** Ecology will evaluate other potential sources if this is the case.

#### 7901 Parcel-Specific Requests and Questions

- I. How are iron and manganese expected to be in compliance within the next ten years? Ecology indicated they are periodically, but not consistently, elevated above CULs in the two monitoring wells, but are they overall decreasing naturally?

**Response:** The dissolution of iron and manganese from native soils due to anaerobic landfill conditions is described in the Five Stage Model of the degradation of biodegradable wastes found in the Remedial Investigation/Feasibility Study for the Site. The concentrations of these metals in groundwater are expected to naturally decrease over time. The Site Coordinator, Parametrix, recently produced a report addressing recent increases observed of vinyl chloride in groundwater. that was uploaded to Ecology's site for the landfill.

- II. Please provide more information as to why CPOCs are being used for groundwater CULs for arsenic and benzene. We have concerns that they are being overlooked due to costs.

**Response:** A Conditional Point of Compliance is a common practice when contamination is left in place in the case of a landfill (i.e., a containment remedy) and will also help with practicality of finding a reasonable location to characterize groundwater outside of the limits of refuse and upgradient of the limits of SR-99. As discussed above in item III under "Areas where we

respectfully request further information/elaboration,” we do not expect the use of conditional points of compliance to result in exposures to the chemicals in the waste remaining in place.

- III. When considering ambient air risk, we cannot limit our focus to “site-specific” areas. Ecology must consider a broader scope to include humans living nearby. Chemical-specific requirements should be adjusted accordingly.

**Response:** The methane monitoring plan for the four landfill parcels includes consideration of landfill gas systems (LFG) and placement of probes to evaluate the potential lateral migration of methane and generation of gas of landfill waste outside of the limits of the landfill. Probes have been installed that are intended to measure methane concentrations near 5<sup>th</sup> Ave. S. and Sullivan Street, for instance.

- IV. Similar to KIP, Ecology should require the “site-specific human health risk assessment conforming to the requirements of this chapter to demonstrate that the cleanup action is protective of human health” and that “The cleanup action is demonstrated to be protective of terrestrial ecological receptors under WAC 173-340-7490 through 173-340-7494”.

**Response:** An evaluation of potential exposure pathways to humans is provided above in item III under “Areas where we respectfully request further information/elaboration.” We expect the cap and other landfill controls to prevent exposures to trespassers, site workers, and local residents. The cap also prevents exposures to terrestrial ecological receptors.

- V. Please note which percentage of this area is covered by structures.

**Response:** The 7901 parcel is 0.72 acres and has a 17,000 square foot warehouse. The warehouse covers approximately 50% of the parcel area.

- VI. Is reinternment of the solid waste expected during this cleanup? And if so, what is the mitigation plan for any harmful gases or chemicals that are released as a result?

**Response:** Reinternment is not anticipated, as construction will be constrained by the need to place clean fill to meet the minimum specifications in the Cleanup Action Plan. Reinternment may also conflict with construction permits.

- VII. Please place compliance LFG probes along 2nd Ave S as well.

**Response:** Placement of LFG probes is based on a comprehensive monitoring network established during the RI/FS. Ecology believes that the monitoring of probes, indoor and contingencies will be sufficiently protective. Landfill gas below or migrating to 2<sup>nd</sup> Avenue can be intercepted by the LFG system to be constructed at the STS2 site in late 2026.

- VIII. Edit: “Grant the department and other property owners the right to enter the property at reasonable times for the purpose of evaluating compliance with the cleanup action plan and other required plans, including the right to take samples, inspect any remedial actions taken at the site, and to inspect records.” to be “Grant the department, community liaisons, and other property owners the right to enter the property at reasonable times for the purpose of evaluating compliance with the cleanup action plan and other required plans, including the right to take samples, inspect any remedial actions taken at the site, and to inspect records.”

**Response:** Ecology does not have the ability to negotiate access for community to private properties on the landfill.

- IX. Will the captured stormwater be treated after it is conveyed and then discharged, or disposed of somehow, or what?

**Response:** This is will be determined based on permitting requirements evaluated by the engineer and permitting authority at the time of design. We do not have this information now.

- X. Please include website publication and/or community reporting in the Implementation Schedule for both sites

**Response:** Ecology takes responsibility for informing the public and will not be imposing this requirement in the implementation schedule in the Cleanup Action Plans.

- XI. In Ecology’s community impact assessment, please include the areas zoned as SF 5000 SE, S, and LR3 S of the sites

**Response:** Please see the response to Recommendation I.(C), located at the top of this document for information on how Ecology evaluated community impacts.

- XII. Cap Inspection and Maintenance Plan (CIMP)

- A. How did Ecology choose the Site Coordinator and ensure they are qualified to conduct inspection and reporting?

**Response:** The current Site Coordinator was selected by the City and SPPD. Annual reports from the Site Coordinator are sealed by a licensed professional engineer and licensed professional geologist.

- B. Change to “Grant access, as needed, for cap inspection by Ecology, community liaisons, and/or the Site Coordinator.”

**Response:** See above.

XIII. We request that Ecology include additional greening efforts on the land.

**Response:** Unfortunately, Ecology does not have input on how the property owners choose to use their land. Requirements for compatibility with the landfill cap are also unfortunately a deterrent to planting at the landfill.

We appreciate the opportunity to submit comments and your time and consideration. Overburdened communities impacted by cumulative pollutants like the South Park Landfill need to be at the center of these cleanup decisions.

We look forward to hearing a response from you!

Sincerely,

Alexandra Johnson (she/her)

Senior Climate & Environmental Policy Analyst

[alexandra@drcc.org](mailto:alexandra@drcc.org)

## Comment from: 7901 2<sup>nd</sup> Ave S, LLC

Thank you for your comments. Please see specific responses in blue embedded in the below text:

7901 2nd Ave S, LLC  
P. O. Box 80464  
Seattle, WA 98108  
October 21, 2025

### **Submitted via Ecology's South Park Landfill Webpage**

<https://apps.ecology.wa.gov/cleanupsearch/site/1324>

Meredith Waldref, Public Involvement Coordinator Ryan Gardiner, Site Manager

Washington Department of Ecology Northwest Regional Office

15700 Dayton Avenue N.

Shoreline, WA 98133

Re: 7901 2nd Avenue S. LLC – Comments on Proposed Agreed Order, Cleanup Action Plan, and SEPA Determinations for 7901 2nd Ave S LLC and for Kenyon Industrial Park

Dear Ms. Waldref and Mr. Gardiner:

This letter submits comments on behalf of 7901 2nd Ave S, LLC (“7901”), which will be the signatory to the 7901 Agreed Order and which is a member of the public and community in which the 7901 2nd Avenue South property (“7901 property”) is located.

The governors of 7901, John and Gretchen Hill, have operated their family business (Hill Industries, Inc.) for over 30 years, specializing in managing a fragile aluminum foil material used in commercial aviation manufacturing. The company has supported the Hill family and a small team of long-time employees— most of whom live in West Seattle and have raised families here. It is also one of two tenants at the 7901 property.

In May 2005, John Hill purchased the 7901 property, which is located on an extremely small portion of the much larger site known as the former South Park Landfill. It was promptly transferred to 7901, of which the Hills are the sole governors. The 7901 property is a 0.72-acre parcel with a single 17,000 square foot steel warehouse. The warehouse was constructed in 1975, more than a decade after the South Park Landfill ceased operation.

The 7901 property represents a *de minimis* portion of what Ecology designates as the historic landfill boundary. The South Park Landfill spans 39 acres, so the 7901 property represents a mere 1.85% of the total historical landfill. Since the existing building met 7901’s operational

needs, 7901 did not plan any redevelopment when it took title and currently has no plans for future redevelopment.

Around 2013, a City of Seattle attorney and a developer approached 7901 regarding participation in their **Consent Decree** related to cleanup of the larger landfill site. 7901 hired legal counsel and an environmental consulting firm, and worked diligently to educate itself about the process. By 2022, after extensive discussions, 7901's attorney had negotiated a **De Minimis Consent Decree** with your agency and the Attorney General's Office. Throughout this process, 7901 has consistently cooperated in good faith, accepted the environmental restrictions that Ecology was proposing during those negotiations, and committed the company to responsible site management.

**Response:** As you noted, Ecology has been encouraging PLPs to address aspects of this Site for many years. With regards to the 7901 property, that discussion did not result in a final cleanup action plan (CAP) for the property or a *de minimis* consent decree agreed to by all the parties. While Ecology has presented various options for addressing contamination at the 7901 property over the years, none were agreed to by 7901 in a manner which allowed completion of a consent decree. The latest proposed CAP for a *de minimis* consent decree was discussed with 7901 in September 2023 and Ecology was informed by the 7901 attorney that it was not acceptable. Ecology therefore determined it was appropriate to move the Site work forward using other administrative mechanisms.

As part of that proposed decree, 7901 would be required to install methane monitoring devices inside the warehouse and to maintain the pavement around the existing steel warehouse, but not tear it up or replace it. 7901 was prepared to sign the Decree that was negotiated with Ecology. In 2023, however, Ecology abruptly and, without adequate explanations or factual justifications for the change, decided that the pavement would have to meet the minimum cap requirements for a landfill, requirements that are imposed by law only on new or proposed landfills (not on historical landfills, such as the South Park Landfill, of which the 7901 property occupies only 0.72 acres). As Ecology acknowledges in 7901's Cleanup Action Plan (footnote 5 on page 5-1), "none of the closure requirements in WAC 173-301, 173- 304, or 173-351 are applicable requirements." It is electing, pursuant to WAC 173-340-710(7)(c), to use the WAC 173-304 closure requirements as minimum requirements.

**Response:** To be clear, as detailed in the CAP Section 5.1, Ecology considers the closure requirements in the MFS for Solid Waste Handling (WAC 173-304) as an ARAR (applicable relevant and appropriate requirement) for this property's CAP, along with the Washington State Minimal Functional Standards for Landfills (WAC 173-304-460).

Ecology is electing to do so, however, without an adequate factual basis and where there is no factual evidence of historical municipal solid waste ("MSW") disposal on the 7901 property. The only "solid waste or impacted waste" found in borings drilled in May 2017, which were drilled at each of the four corners of the 7901 property through the existing pavement, was demolition debris in the form of nails and bricks in Boring 2 and "some wood chips" in Boring 1.

There was no MSW detected in any of the borings, each of which was drilled to a maximum depth of 20 feet below ground surface (“bgs”).

**Response:** Based on the information in the Remedial Investigation/Feasibility Study (RI/FS) of the landfill, the 7901 2<sup>nd</sup> Ave. property is located near the oldest and deepest part of the landfill. Further, historic photographs and limited soil characterization indicate that the property may have been impacted by auto wrecking/salvage operation following the placement of municipal wastes. Ecology believes that a landfill cap meeting the minimum requirements and goals established in the CAP, meets the goals established in the CAP, minimizes the need for future maintenance, and protects human health and the environment, is critical at 7901 2<sup>nd</sup> Ave. and all areas of South Park Landfill.

Ecology is requiring a minimum thickness of 12 inches of fill material over “the solid waste or impacted waste”. The demolition debris in Boring 2 was detected at 2.5-3 feet bgs (nails) and at 4.5-5 feet bgs (bricks). The wood chips in Boring 1 were detected at 9.3-10 feet bgs. The shallowest impacts – in the form of “weak petroleum odor” – were detected at depths below 9 feet bgs in Boring 1 and 14.5-15 feet bgs in Boring 2. Although “garbage-like odor” was detected at 4.6-4.9 feet bgs in Boring 3 and 3.5-4 feet in Boring 4, neither boring detected any MSW. A copy of the borings and the site figure showing the locations of the borings are attached.

Therefore, the 7901 property already meets the minimum thickness requirement of 12 inches of fill material over any alleged “solid waste or impacted waste”. Despite this, to the detriment of the community in the form of substantial truck traffic to haul out asphalt and haul in new pavement materials to the 7901 property and the Kenyon Industrial Park property, Ecology is requiring that the existing pavement be torn out and replaced with either a 3-inch minimum thickness for asphaltic concrete or a 4-inch minimum thickness for cement concrete to cover an already over-10-foot thick layer of fill material. There is no factual basis upon which to require a *de minimis* party such as 7901 to incur the thousands of costs – including the associated disruptions to its tenants’ businesses and the enormous truck traffic and noise that the removal and replacement of the pavement will cause – to rip out pavement that is already maintained and in good condition, absent any evidence whatsoever that MSW exists on the property. Ecology has provided no explanation for what has changed technically to warrant the new requirements at the 7901 property. Nor has it adequately analyzed the costs and impacts associated with its decision to impose those requirements.

**Response:** The legacy pavement at 7901 does not meet the minimum requirements outlined in the CAP. Based on the RI/FS, the underlying fill at this parcel may contain (1) waste, (2) cement kiln dust, and most importantly, (3) is presumed to be contaminated with one or more hazardous substances. Unless there is documentation or as-builts that show placement of clean fill during development in the 1960s, the landfill remedy requires a landfill capping section to be placed in a way as to contain both the solid waste and contaminated soil. Ecology understands that maintaining existing grades will require export of legacy materials and media.

The issue of cost allocation at a MTCA site is not addressed by Ecology in determining the cleanup approach nor in the administrative mechanism (e.g., orders or decrees). This type of equity argument should be addressed in a private right of action during a claim for contribution or declaratory relief.

Without explanation and without factual justification, Ecology insisted that 7901 sign a *de minimis* Consent Decree that imposed these requirements without, in 7901's view, a proper legal or factual basis for the change. Furthermore, the SEPA Checklist incorrectly suggests that the truck-, dust- and noise-related impacts caused by meeting these requirements will be nominal. There has been no SEPA evaluation of the impacts that will be caused by tearing up the pavement to 7901's and Kenyon Industrial Park's tenants and to members of the community. As noted below, there could be as many as **400 truckloads** of material exiting and entering these properties if these pavement-related requirements are imposed. Nor has Ecology conducted (or required the parties who dumped the waste at the South Park Landfill to conduct) a disproportionate cost analysis that would show a public interest benefit from removal and replacement of the pavements at the 7901 property and the Kenyon Industrial Park property that is greater than the impacts that those actions will have on the community. Furthermore, Ecology has not explained how it is "equitable" to impose these significantly higher costs on 7901 as a *de minimis* party.

**Response:** Ecology understands that placement of a landfill cap over the solid waste may require excavation of the legacy and/or contaminated materials and require importing suitable capping materials. This was considered in issuing the SEPA determination of non-significance. It is Ecology's finding that the construction impacts associated with cleanup actions do not outweigh the long-term benefits to communities, public health and the environment, and Ecology will have authority to address impacts by adjusting the schedule for work done under the CAP. Any impact from increased traffic will be addressed during implementation of the CAP as the Engineering Design Report will include information on the amount of solid waste or hazardous substance material that is to be moved or interned onsite. Once that information is confirmed, Ecology can work with the PLPs regarding timing of material exiting or entering the Site. Ecology anticipates near-term construction at all 3 northern landfill parcels, 2<sup>nd</sup> Ave. S., and portions of the 5<sup>th</sup> Ave. S. rights-of-ways to provide necessary upgrades.

This year, 7901 was instead presented with the threat of an Enforcement Order, and were told to "take it or leave it" by Ecology. 7901 then learned that the owner of the neighboring Kenyon Industrial Park, whose property encompasses 6.49 acres and is over nine times larger than the 7901 property, was given the opportunity to enter into an Agreed Order with Ecology in lieu of an enforcement order. 7901 approached Ecology to inquire as to why it was treating a *de minimis* party so differently from other non-*de minimis* potentially liable parties. Ecology then changed course and offered a "take the Agreed Order or else" approach, telling us that the "Agreed" Order was non-negotiable. 7901 is electing to enter into the Agreed Order rather than face the threatened enforcement action by Ecology and despite the fact that it does not provide any of the protections afforded by the earlier negotiated *De Minimis* Consent Decree (i.e., covenant not to sue, contribution protection, and a waiver of past Ecology costs).

**Response:** As acknowledged in this letter, Ecology has been in discussions with 7901 regarding cleanup necessary for this property since 2013. Ecology is not required to enter into a settlement with any PLP. When negotiations are not fruitful, Ecology may use other administrative means to require cleanup be conducted at a Site. It is Ecology's preference to work cooperatively with a party, so Ecology was willing to work with 7901 on an Agreed Order – with the caveat that further delay would not be acceptable.

### **7901's Primary Concerns**

- **Disproportionate Financial Burden:** The required remediation involves removing and replacing the asphalt and up to seven inches of gravel across the 7901 property to meet the combined depth required for the crushed rock and new asphalt. According to 7901's environmental consultant, SoundEarth Strategies, this would represent approximately 27 trucks for hauling out the removed material and 30 trucks for hauling in the new material. In its SEPA determination, Ecology has not considered the noise, traffic, and dust impacts of increased truck traffic on the neighboring community. Nor has it considered the inability of tenants in the warehouse, including Hill Industries, to operate during the removal and replacement of the pavement surrounding the building. Furthermore, it is 7901's understanding that there could be as many as a total of 400 truckloads or more of material, if one includes the same removal and replacement requirements being required for the neighboring Kenyon Industrial Park parcel, exiting and entering the properties. These pavement-related costs are extremely large for 7901, whose only asset is the 0.72-acre parcel. With the requirements for methane monitoring and ongoing Ecology oversight, 7901's costs could well exceed \$250,000. Please explain why Ecology believes that this is equitable and the extent to which Ecology believes it is consistent with its guidance for treatment of *de minimis* parties. Also, as a member of the public, 7901 would like Ecology's explanation for why (1) it has not conducted a disproportionate cost analysis before imposing these requirements; and (2) it did not address these substantial (and not nominal) noise, dust, and traffic-related impacts in Section 14 of its SEPA Checklist on what Ecology acknowledges is a vulnerable and economically disadvantaged community.

**Response:** As detailed above, Ecology will be able to mitigate traffic impacts related to cleanup work under the terms of the CAP and Agreed Order. Thus additional SEPA review (e.g., a mitigated DNS or creation of an EIS) is not necessary. As for equity concerns related to costs of cleanup work at the 7901 property, this is a matter for 7901 to address with other PLPs for the Site.

- **Failure to Hold the Dumping Parties Responsible for Conditions on 7901's Property:** Ecology has refused to hold the true responsible parties liable for conditions on the 7901 property – namely, the City of Seattle and King County (both of whom were owners of the 7901 property during the time of the alleged, but factually unsupported, waste disposal). Under the Agreed Order, Ecology is placing the burden of cost recovery on 7901, a small business and *de minimis* party. Please explain the rationale for

Ecology's decision not to require the primary parties that were responsible for the alleged conditions on the 7901 property and the Kenyon Industrial Park property to conduct these cleanup actions.

**Response:** As described above, MTCA provides for a private right of action so a party may seek contribution against another person liable under MTCA for recovery of remedial action costs. Ecology named South Park Property Development a PLP in 2006, Seattle Public Utility a PLP in 2006, and King County Solid Waste Division a PLP in 2006. 7901 has been aware that this Site is required to be cleaned up by Ecology since before 2013. This has provided sufficient time for the PLPs to discuss allocation of remedial action costs. Ecology believes that it is reasonable to have the property owners address their portion of the cleanup site by taking lead on those actions. However, all PLPs are strict, joint and severally liable for the Site and if a PLP does not act as required under their order or decree then Ecology may both seek enforcement on that party and seek to have other PLPs address remaining cleanup requirements.

- **Unexplained Change in Ecology Position:** 7901 never refused any request to sign on to the *De Minimis* Consent Decree that was negotiated. However, the requirements to rip up and replace the pavement on the 7901 property were imposed without a clear legal or factual basis – relying on standards that do not apply to historical landfills – and without clear communication and proper SEPA compliance. As a member of the public, 7901 asks that Ecology identify all of the historical landfills that ceased accepting waste before 1970, to which Ecology has applied the requirements in WAC 173-304-640 and has required property owners to rip up and replace existing pavement that is in good condition.

**Response:** Ecology believes the supporting documents for this Site, including the CAP and responses in this comment period sufficiently explain the required cleanup action including the capping requirement.

- **Ongoing Costs and Oversight:** Ecology is forcing a *de minimis* party to face continuous and open-ended quarterly billing from Ecology for meetings, reviews, and site inspections. Please explain why Ecology believes that this is equitable and consistent with Ecology's *de minimis* guidance rather than requiring the parties, who operated the landfill and are responsible for the alleged waste disposal, to do so.

**Response:** As described above, it is not Ecology's responsibility to allocate costs among PLPs for a Site. While Ecology attempted negotiation with 7901 for a *de minimis* consent decree, the parties were not able to come to a mutually agreed upon resolution. Ecology believes that sufficient time was spent in negotiation (multiple years) and other approaches to the Site were therefore necessary.

- **External Impacts:** Increased heavy truck traffic from nearby developments (including the City's and County's Utility truck maintenance and recycling projects) contributes to surface damage on 2nd Avenue South and worsens stormwater flow issues. Please explain what steps Ecology is taking to require the parties liable for waste disposal to

minimize these impacts.

**Response:** Ecology addresses remedial actions under this order. If 7901 has claims unrelated to remedial actions, those must be discussed with the City and County and will not be facilitated by Ecology.

7901 has always acted as responsible stewards of its property and fully acknowledge the environmental sensitivities associated with former landfilling activities. 7901 is not seeking to avoid responsibility, only to ensure that costs are **equitably shared** (i.e., imposed on those whose operations resulted in any alleged waste disposal). 7901 should not be unfairly burdened by obligations stemming from others' historical polluting activities and development projects.

Thank you for your consideration of 7901's comments and look forward to your written responses. 7901 remains ready and willing to cooperate with all agencies involved and to continue maintaining its property to the highest standards. 7901 simply asks for fairness and transparency in the process.

Sincerely,

John and Gretchen Hill

Governors of 7901 2nd Ave S, LLC

cc: Kim Maree Johannessen (*via e-mail only*)

Levi Fernandes, SoundEarth Strategies (*via e-mail only*)

# Appendices

Appendix A. Public comments in original format



Allyson Brooks Ph.D., Director  
State Historic Preservation Officer

September 22, 2025

Meredith Waldref  
Senior Outreach Planner  
WA State Dept. of Ecology

In future correspondence please refer to:  
Project Tracking Code: 2025-09-06069  
Property: Department of Ecology\_South Park Landfill Cleanup Site  
Re: Archaeology - Survey Requested

Dear Meredith Waldref:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. Based on our review, we concur with the plan to conduct a cultural resources survey prior to the project, as is stated in the SEPA checklist.

We also recommend consultation with the concerned tribes and would appreciate receiving any correspondence or comments from the tribes or other parties concerning cultural resource issues that you receive.

These comments are based on the information available at the time of this review. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,

Tamela Smart, M.A.  
Local Government Archaeologist  
(360) 628-2755  
Tamela.Smart@dahp.wa.gov





*Elevating the voices of those impacted by the Duwamish River pollution and other environmental injustices to advocate for a clean, healthy, and equitable environment for people and wildlife. Promoting place-keeping and prioritizing community capacity and resilience.*

October 9th, 2025

Letter to the Department of Ecology

Re: Comments on the Kenyon Industrial Park (KIP) and the 7901 2nd Ave S (7901) Cleanup Action Plan (CAP)

On behalf of the Duwamish River Community Coalition (DRCC)

Dear Department of Ecology,

Firstly, thank you for creating a comprehensive cleanup plan and report for the KIP and 7901 sites. The plans are understandable, data-informed, and well-organized. We hope to offer suggestions that bolster the strong foundations of your CAP.

When reading through these reports, our priorities lie with community. We work to uplift the most vulnerable voices in the Duwamish Valley, who have lived and breathed in the shadows of polluting industries and utilities for decades. Additionally, people who live in Georgetown and South Park have some of the most severe health inequities in King County. Childhood asthma hospitalization rates are among the highest in the city, and life expectancy is approximately 10 years shorter when compared to wealthier neighborhoods and seven years shorter when compared to the County average (Public Health - Seattle & King County Assessment, Policy Development & Evaluation, 2023). Our community also lives in close proximity to several contaminated waste sites, including the Duwamish River Superfund sites, and suffers from air pollution caused by drayage trucks, industry, traffic congestion, manufacturing facilities, and highways. South Park and Georgetown residents have a mere 140 square feet of accessible green space per resident compared to 387 square feet per resident in Seattle. The Duwamish Valley has lost between 16 and 25% tree canopy cover over the last 5 years, among the highest rates of environmental justice communities in Seattle (Seattle Office of Sustainability & Environment, Tree Canopy Assessment Report, 2021). Lastly, Georgetown and South Park have been subjected to intense gentrification over the last decade. Low-income families, Black and brown neighbors, and legacy homeowners have been increasingly pushed out due to exclusive zoning and

unaffordable housing development. Between 2015 and 2022, low-income renters in the Duwamish Valley were displaced at a rate more than four times the citywide average (Final Environmental Impact Statement, 2025).

Cleanups like the South Park Landfill reflect this history. The landfill openly burned its waste for thirty years, polluting the air in South Park and beyond and layering soot on people's laundry, cars, and play areas for children, prompting housewives and other residents to stage a sit-in at City Hall to resist the open burning and eventually leading to the closing of the landfill. Decades of activism have brought us to this point of cleanup, and we credit this legacy back to the community.

Below are some high-level recommendations for the KIP and the 7901 cleanup plans. Specific parts of this letter are inclusive of both parts of the Landfill site unless otherwise stated.

### Recommendations

- I. **Add a community impact analysis to the cleanup plan.** This could look like an environmental justice review/health impact assessment for all people expected to be living and working within half a mile of KIP's footprint, pursuant to the HEAL Act's requirement for Ecology to include equitable community engagement and public participation in "processes that facilitate and support the inclusion of members of communities affected by agency decision making" (RCW 70A.02.050).
  - A. The CAP refers to "nearby buildings" and human receptors, but there is no explicit measure of how many residents/households/children/sensitive populations live within 500 ft/1,000 ft/0.5 miles of the landfill's footprint and its likely gas dispersion zones (including the LR3 zoning at the corner of 5th Ave S and S Sullivan St). A breakdown of these counts and demographics would help inform a community level analysis. People with lower median incomes, limited English proficiency, or less access to the internet increases vulnerability and lowers adaptive capacity to report and respond to these plans, so demonstrating consideration of these communities within the report is one step towards acknowledging their lived experiences near these contaminated sites.
  - B. This should include a map showing the number of households, schools, daycares, clinics, and community centers within half a mile of KIP's footprint.
  - C. Please include mention of "nearby residents" in Table 3.1 disclosing potential exposure pathways and human receptors.
- II. **"Breathing zone" is not a fully protective practice and is inherently a limited indicator of safety to nearby populations.** Methane is lighter than air and vinyl chloride and H<sub>2</sub>S can migrate and accumulate in pockets; near-surface and perimeter monitoring,

indoor air sampling, and community ambient monitoring are all needed. Dispersal could be unequal otherwise and easily blow into the breathing zone, adding to the cumulative air pollution nearby residents already breathe and experience on a daily basis from SR-99/SR-509 roadway emissions, nearby industrial sources, the Port of Seattle and Northwest Seaport Alliance, stormwater contamination, and groundwater contamination.

A. Perimeter probes at the property line are appreciated, but for the residences nearest the landfill, continuous VOC sensors at the nearest property line possible are needed.

B. **Indoor air quality monitoring and air filters** should be provided to nearby businesses and in the closest occupied buildings, through outreach and by request. Connecting with local nonprofits or business associations to foster community knowledge is considered a best practice for this.

III. **We request collection and destruction, not intermittent ventilation, as the method of disposal of any trigger actions caused by LFG increases.** Intermittent ventilation without treatment is a false solution that would lower measured levels within the covered cap but would be failing to solve what this cleanup is intended to do, which is to prevent harmful chemicals of concern from being further released into the environment.

A. Alternative examples include engineered caps with gas collection layers or passive vents with treatment. The EPA provides guidance on these considerations, and we acknowledge your expertise on this topic as well.

IV. **We request a paid community liaison for all cleanup sites in the Duwamish Valley, including stipends for community members who would like to attend meetings as advisors. This will provide greater transparency and meaningful community engagement.**

A. This should include residents who work on these plans with Ecology when it falls within the DV, so that plans are not introduced for the first time to the community once the plans have already been created. This group would be invited to attend the annual inspections of the integrity of the KIP and 7901 parcel caps.

V. **We request Ecology commit to making the groundwater and landfill gas monitoring, annual inspections and reporting, and coordination and submission of data in the five-year site reviews available to the public.** Make announcements at community meetings like the South Park Neighbors Association about where to access these resources.

A. The most important parts of this Plan are not able to be covered in the fact sheets provided to the community. We request a presentation that is understandable and accessible to community members that discusses the presumptive remedy versus the more permanent cleanup action, when a trigger action occurs and the protocols for this, and how you will make and keep monitoring and reporting information available to the public.

- VI. **Independent audits of the monitoring data – and allowing community groups to run independent air monitors, funded by the PLPs or Ecology – should be required.**  
These audits do not have to be on an annual basis, but should occur at least once every three years.

Areas where we respectfully request further information/elaboration

- I. Would this CAP change if the area was rezoned from IG2?
- A. Declaring it for industrial use in perpetuity feels like another false solution where the land can never be reimagined because doing so would require a more thorough cleanup that actually removes the contaminated material. We should have more choice in how our land is used than just providing the minimal level of effort and permanently entrenching a parcel to industry. I think we deserve better than that. One example is the Duwamish People’s Park, which was also supposed to be paved and declared industrial in perpetuity. Through community advocacy, the vision for the Park was able to be created and now serves as a salmon hatchery and wildlife refuge. It is surely too late now for this site, but please consider taking a more progressive and proactive role in the future for complete cleanups.
  - B. If possible, please provide at least a broad benefit-cost breakdown as to why you chose this and how expensive each option is to the private owner/Ecology in the long run.
- II. How is Ecology going to ensure prevention of residual contamination of vinyl chloride from slowly diffusing into the Duwamish Valley Aquifer?
- A. Is the fence the only solution to groundwater seep in the compact bay of the former SRFS waste collection building?
- III. Can Ecology describe further why it was determined appropriate to use a CPOC for groundwater CULs for vinyl chloride, iron, and manganese at the KIP site?
- A. We specifically request more focus on: “(ii) regarding human health, and please do require the site-specific human health risk assessment: “The department recognizes that, for those cleanup actions selected under this chapter that involve containment of hazardous substances, the soil cleanup levels will typically not be met at the points of compliance specified in (b) through (e) of this subsection. In these cases, the cleanup action may be determined to comply with cleanup standards, provided: (i) The selected remedy is permanent to the maximum extent practicable using the procedures in WAC 173-340-360; (ii) The cleanup action is protective of human health. The department may require a site-specific human health risk assessment conforming to the requirements of this chapter to demonstrate that the cleanup action is protective of human health;” (pg. 6-1)
- IV. How will Ecology gauge the level of thickness of fill material needed?

- A. This material should absolutely have required testing prior to use at the Landfill - not testing results from the last two years.
- V. For areas like the landscaped buffers and slopes and perimeter landscaping, what is the replanting plan after the new soil layer is input?
- VI. Please provide more details on the existing swales, ditches, or ponds on the KIP Area and the type of cover planned for remediation. We do not accept a plan that would increase the overall surface area of impermeable or hardscape surfaces.
  - A. “Stormwater conveyance and treatment facilities located above solid waste such as swales, ditches, or ponds on the KIP Area are required to have cover, as prescribed by WAC 173-304- 460, consisting of a low-permeability layer with a minimum 24-inch thickness of soil and permeability of 10-6 centimeters per second or less, or an impermeable geomembrane that is at least 50 millimeters thick.” (pg. 6-4)
- VII. Please clarify this language in the Contingent Actions section, as it is confusing: “greater than 5 percent by volume during four or more of the quarterly or monthly events within a twelve (12) month period” (pg. 6-6)
  - A. Quarterly or monthly? We recommend a trigger for action at two quarterly events or six monthly events
- VIII. How is Ecology going to ensure that methane percentages from the cement kiln dust swale don’t trigger a contingency action?
  - A. Examples: GP-25, KMW-05, TGP-12, GP-24

#### Other changes requested

- I. CIMP - “All maintenance activities should be documented on a cap inspection and maintenance field form, with supporting sketches, figures, and/or photographs attached. An example form is provided in Exhibit A.1.” (pg. A-7)
  - A. 4.2 - Landfill Cap Maintenance - There should be an addendum after that requires the results of the maintenance activities to be posted on Ecology’s website within 30 days of collection from the maintenance contractor
  - B. 4.4 (**there appears to be no ‘4.3’**) - Stormwater Infrastructure Maintenance - the same addendum as defined above in 4.2 should be added
  - C. 4.6 - Unforeseen Events - inspection and maintenance activities documented post-events should also be posted to Ecology’s website
  - D. 6.0 - Reporting and Record Keeping - also post the results of the CAP Annual Report to the website
- II. Landfill Gas Monitoring and Contingency Plan - Quarterly perimeter probe measurements should be made publicly available on the PLP’s website, or Ecology’s website

- A. “LFG production is expected to continue to decline over time. A reduction of monitoring frequency may be allowed if perimeter monitoring results in the KIP Area are consistently less than criteria thresholds” (pg. B-7). Ecology should define what “consistently less” means. Which threshold and for how many results until this is considered?
  - B. Require most recent calibrations published either to the PLP’s website or to Ecology’s website.
- III. Groundwater Monitoring and Contingency Plan
- A. Publish the Environmental (Restrictive) Covenant on either Ecology’s or the Parcel Owners’ websites.
  - B. Is groundwater level measured constantly, or if not, at which temporal cadence?
  - C. Require annual reports to be publicly available on Ecology’s or the PLP’s website, for as many years as COCs are out of compliance/have not been terminated (and same with unforeseen events)
  - D. PLPs’ written evaluation submitted to Ecology should be made publicly available within 30 days of receipt by Ecology.
  - E. If Ecology determines the data at the Site is not the cause of the Site, what will Ecology do next?

### 7901 Parcel-Specific Requests and Questions

- I. How are iron and manganese expected to be in compliance within the next ten years? Ecology indicated they are periodically, but not consistently, elevated above CULs in the two monitoring wells, but are they overall decreasing naturally?
- II. Please provide more information as to why CPOCs are being used for groundwater CULs for arsenic and benzene. We have concerns that they are being overlooked due to costs.
- III. When considering ambient air risk, we cannot limit our focus to “site-specific” areas. Ecology must consider a broader scope to include humans living nearby. Chemical-specific requirements should be adjusted accordingly.
- IV. Similar to KIP, Ecology should require the “site-specific human health risk assessment conforming to the requirements of this chapter to demonstrate that the cleanup action is protective of human health” and that “The cleanup action is demonstrated to be protective of terrestrial ecological receptors under WAC 173-340-7490 through 173-340-7494”.
- V. Please note which percentage of this area is covered by structures.
- VI. Is reinternment of the solid waste expected during this cleanup? And if so, what is the mitigation plan for any harmful gases or chemicals that are released as a result?
- VII. Please place compliance LFG probes along 2nd Ave S as well.
- VIII. Edit: “Grant the department and other property owners the right to enter the property at reasonable times for the purpose of evaluating compliance with the cleanup action plan

and other required plans, including the right to take samples, inspect any remedial actions taken at the site, and to inspect records.” to be “Grant the department, **community liaisons**, and other property owners the right to enter the property at reasonable times for the purpose of evaluating compliance with the cleanup action plan and other required plans, including the right to take samples, inspect any remedial actions taken at the site, and to inspect records.”

- IX. Will the captured stormwater be treated after it is conveyed and then discharged, or disposed of somehow, or what?
- X. Please include website publication and/or community reporting in the Implementation Schedule for both sites
- XI. In Ecology’s community impact assessment, please include the areas zoned as SF 5000 SE, S, and LR3 S of the sites
- XII. Cap Inspection and Maintenance Plan (CIMP)
  - A. How did Ecology choose the Site Coordinator and ensure they are qualified to conduct inspection and reporting?
  - B. Change to “Grant access, as needed, for cap inspection by Ecology, **community liaisons**, and/or the Site Coordinator.”
- XIII. We request that Ecology include additional greening efforts on the land.

We appreciate the opportunity to submit comments and your time and consideration. Overburdened communities impacted by cumulative pollutants like the South Park Landfill need to be at the center of these cleanup decisions.

We look forward to hearing a response from you!

Sincerely,



Alexandra Johnson (she/her)  
Senior Climate & Environmental Policy Analyst  
[alexandra@drec.org](mailto:alexandra@drec.org)

*The Duwamish River Community Coalition*

7901 2nd Ave S, LLC  
P. O. Box 80464  
Seattle, WA 98108

October 21, 2025

**Submitted via Ecology's South Park Landfill Webpage**

<https://apps.ecology.wa.gov/cleanupsearch/site/1324>

Meredith Waldref, Public Involvement Coordinator  
Ryan Gardiner, Site Manager  
Washington Department of Ecology  
Northwest Regional Office  
15700 Dayton Avenue N.  
Shoreline, WA 98133

Re: 7901 2nd Avenue S. LLC – Comments on Proposed Agreed Order, Cleanup Action Plan,  
and SEPA Determinations for 7901 2nd Ave S LLC and for Kenyon Industrial Park

Dear Ms. Waldref and Mr. Gardiner:

This letter submits comments on behalf of 7901 2nd Ave S, LLC (“7901”), which will be the signatory to the 7901 Agreed Order and which is a member of the public and community in which the 7901 2nd Avenue South property (“7901 property”) is located.

The governors of 7901, John and Gretchen Hill, have operated their family business (Hill Industries, Inc.) for over 30 years, specializing in managing a fragile aluminum foil material used in commercial aviation manufacturing. The company has supported the Hill family and a small team of long-time employees—most of whom live in West Seattle and have raised families here. It is also one of two tenants at the 7901 property.

In May 2005, John Hill purchased the 7901 property, which is located on an extremely small portion of the much larger site known as the former South Park Landfill. It was promptly transferred to 7901, of which the Hills are the sole governors. The 7901 property is a 0.72-acre parcel with a single 17,000 square foot steel warehouse. The warehouse was constructed in 1975, more than a decade after the South Park Landfill ceased operation.

The 7901 property represents a *de minimis* portion of what Ecology designates as the historic landfill boundary. The South Park Landfill spans 39 acres, so the 7901 property represents a mere 1.85% of the total historical landfill. Since the existing building met 7901’s operational needs, 7901 did not plan any redevelopment when it took title and currently has no plans for future redevelopment.

Around 2013, a City of Seattle attorney and a developer approached 7901 regarding participation in their **Consent Decree** related to cleanup of the larger landfill site. 7901 hired legal counsel and an environmental consulting firm, and worked diligently to educate itself about the process. By 2022, after extensive discussions, 7901's attorney had negotiated a **De Minimis Consent Decree** with your agency and the Attorney General's Office. Throughout this process, 7901 has consistently cooperated in good faith, accepted the environmental restrictions that Ecology was proposing during those negotiations, and committed the company to responsible site management.

As part of that proposed decree, 7901 would be required to install methane monitoring devices inside the warehouse and to maintain the pavement around the existing steel warehouse, but not tear it up or replace it. 7901 was prepared to sign the Decree that was negotiated with Ecology. In 2023, however, Ecology abruptly and, without adequate explanations or factual justifications for the change, decided that the pavement would have to meet the minimum cap requirements for a landfill, requirements that are imposed by law only on new or proposed landfills (not on historical landfills, such as the South Park Landfill, of which the 7901 property occupies only 0.72 acres). As Ecology acknowledges in 7901's Cleanup Action Plan (footnote 5 on page 5-1), "none of the closure requirements in WAC 173-301, 173-304, or 173-351 are applicable requirements." It is electing, pursuant to WAC 173-340-710(7)(c), to use the WAC 173-304 closure requirements as minimum requirements.

Ecology is electing to do so, however, without an adequate factual basis and where there is no factual evidence of historical municipal solid waste ("MSW") disposal on the 7901 property. The only "solid waste or impacted waste" found in borings drilled in May 2017, which were drilled at each of the four corners of the 7901 property through the existing pavement, was demolition debris in the form of nails and bricks in Boring 2 and "some wood chips" in Boring 1. There was no MSW detected in any of the borings, each of which was drilled to a maximum depth of 20 feet below ground surface ("bgs").

Ecology is requiring a minimum thickness of 12 inches of fill material over "the solid waste or impacted waste". The demolition debris in Boring 2 was detected at 2.5-3 feet bgs (nails) and at 4.5-5 feet bgs (bricks). The wood chips in Boring 1 were detected at 9.3-10 feet bgs. The shallowest impacts – in the form of "weak petroleum odor" – were detected at depths below 9 feet bgs in Boring 1 and 14.5-15 feet bgs in Boring 2. Although "garbage-like odor" was detected at 4.6-4.9 feet bgs in Boring 3 and 3.5-4 feet in Boring 4, neither boring detected any MSW. A copy of the borings and the site figure showing the locations of the borings are attached.

Therefore, the 7901 property already meets the minimum thickness requirement of 12 inches of fill material over any alleged "solid waste or impacted waste". Despite this, to the detriment of the community in the form of substantial truck traffic to haul out asphalt and haul in new pavement materials to the 7901 property and the Kenyon Industrial Park property, Ecology is requiring that the existing pavement be torn out and replaced with either a 3-inch minimum thickness for asphaltic concrete or a 4-inch minimum thickness for cement concrete to cover an already over-10-foot thick layer of fill material. There is no factual basis upon which to require a *de minimis* party such as 7901 to incur the thousands of costs – including the associated disruptions to its tenants' businesses and the enormous truck traffic and noise that the removal and replacement of the pavement will cause – to rip out pavement that is already maintained and in good condition, absent any evidence whatsoever that

MSW exists on the property. Ecology has provided no explanation for what has changed technically to warrant the new requirements at the 7901 property. Nor has it adequately analyzed the costs and impacts associated with its decision to impose those requirements.

Without explanation and without factual justification, Ecology insisted that 7901 sign a *de minimis* Consent Decree that imposed these requirements without, in 7901's view, a proper legal or factual basis for the change. Furthermore, the SEPA Checklist incorrectly suggests that the truck-, dust- and noise-related impacts caused by meeting these requirements will be nominal. There has been no SEPA evaluation of the impacts that will be caused by tearing up the pavement to 7901's and Kenyon Industrial Park's tenants and to members of the community. As noted below, there could be as many as **400 truckloads** of material exiting and entering these properties if these pavement-related requirements are imposed. Nor has Ecology conducted (or required the parties who dumped the waste at the South Park Landfill to conduct) a disproportionate cost analysis that would show a public interest benefit from removal and replacement of the pavements at the 7901 property and the Kenyon Industrial Park property that is greater than the impacts that those actions will have on the community. Furthermore, Ecology has not explained how it is "equitable" to impose these significantly higher costs on 7901 as a *de minimis* party.

This year, 7901 was instead presented with the threat of an Enforcement Order, and were told to "take it or leave it" by Ecology. 7901 then learned that the owner of the neighboring Kenyon Industrial Park, whose property encompasses 6.49 acres and is over nine times larger than the 7901 property, was given the opportunity to enter into an Agreed Order with Ecology in lieu of an enforcement order. 7901 approached Ecology to inquire as to why it was treating a *de minimis* party so differently from other non-*de minimis* potentially liable parties. Ecology then changed course and offered a "take the Agreed Order or else" approach, telling us that the "Agreed" Order was non-negotiable. 7901 is electing to enter into the Agreed Order rather than face the threatened enforcement action by Ecology and despite the fact that it does not provide any of the protections afforded by the earlier negotiated *De Minimis* Consent Decree (i.e., covenant not to sue, contribution protection, and a waiver of past Ecology costs).

### **7901's Primary Concerns**

- **Disproportionate Financial Burden:** The required remediation involves removing and replacing the asphalt and up to seven inches of gravel across the 7901 property to meet the combined depth required for the crushed rock and new asphalt. According to 7901's environmental consultant, SoundEarth Strategies, this would represent approximately 27 trucks for hauling out the removed material and 30 trucks for hauling in the new material. In its SEPA determination, Ecology has not consider the noise, traffic, and dust impacts of increased truck traffic on the neighboring community. Nor has it considered the inability of tenants in the warehouse, including Hill Industries, to operate during the removal and replacement of the pavement surrounding the building. Furthermore, it is 7901's understanding that there could be as many as a total of **400 truckloads** or more of material, if one includes the same removal and replacement requirements being required for the neighboring Kenyon Industrial Park parcel, exiting and entering the properties. These pavement-related costs are extremely large for 7901, whose only asset is the 0.72-acre parcel. With the requirements for methane monitoring and

ongoing Ecology oversight, 7901's costs could well exceed **\$250,000**. Please explain why Ecology believes that this is equitable and the extent to which Ecology believes it is consistent with its guidance for treatment of *de minimis* parties. Also, as a member of the public, 7901 would like Ecology's explanation for why (1) it has not conducted a disproportionate cost analysis before imposing these requirements; and (2) it did not address these substantial (and not nominal) noise, dust, and traffic-related impacts in Section 14 of its SEPA Checklist on what Ecology acknowledges is a vulnerable and economically disadvantaged community.

- **Failure to Hold the Dumping Parties Responsible for Conditions on 7901's Property:** Ecology has refused to hold the true responsible parties liable for conditions on the 7901 property – namely, the City of Seattle and King County (both of whom were owners of the 7901 property during the time of the alleged, but factually unsupported, waste disposal). Under the Agreed Order, Ecology is placing the burden of cost recovery on 7901, a small business and *de minimis* party. Please explain the rationale for Ecology's decision not to require the primary parties that were responsible for the alleged conditions on the 7901 property and the Kenyon Industrial Park property to conduct these cleanup actions.
- **Unexplained Change in Ecology Position:** 7901 never refused any request to sign on to the *De Minimis* Consent Decree that was negotiated. However, the requirements to rip up and replace the pavement on the 7901 property were imposed without a clear legal or factual basis – relying on standards that do not apply to historical landfills – and without clear communication and proper SEPA compliance. As a member of the public, 7901 asks that Ecology identify all of the historical landfills that ceased accepting waste before 1970, to which Ecology has applied the requirements in WAC 173-304-640 and has required property owners to rip up and replace existing pavement that is in good condition.
- **Ongoing Costs and Oversight:** Ecology is forcing a *de minimis* party to face continuous and open-ended quarterly billing from Ecology for meetings, reviews, and site inspections. Please explain why Ecology believes that this is equitable and consistent with Ecology's *de minimis* guidance rather than requiring the parties, who operated the landfill and are responsible for the alleged waste disposal, to do so.
- **External Impacts:** Increased heavy truck traffic from nearby developments (including the City's and County's Utility truck maintenance and recycling projects) contributes to surface damage on 2nd Avenue South and worsens stormwater flow issues. Please explain what steps Ecology is taking to require the parties liable for waste disposal to minimize these impacts.

7901 has always acted as responsible stewards of its property and fully acknowledge the environmental sensitivities associated with former landfilling activities. 7901 is not seeking to avoid responsibility, only to ensure that costs are **equitably shared** (i.e., imposed on those whose operations resulted in any alleged waste disposal). 7901 should not be unfairly burdened by obligations stemming from others' historical polluting activities and development projects.

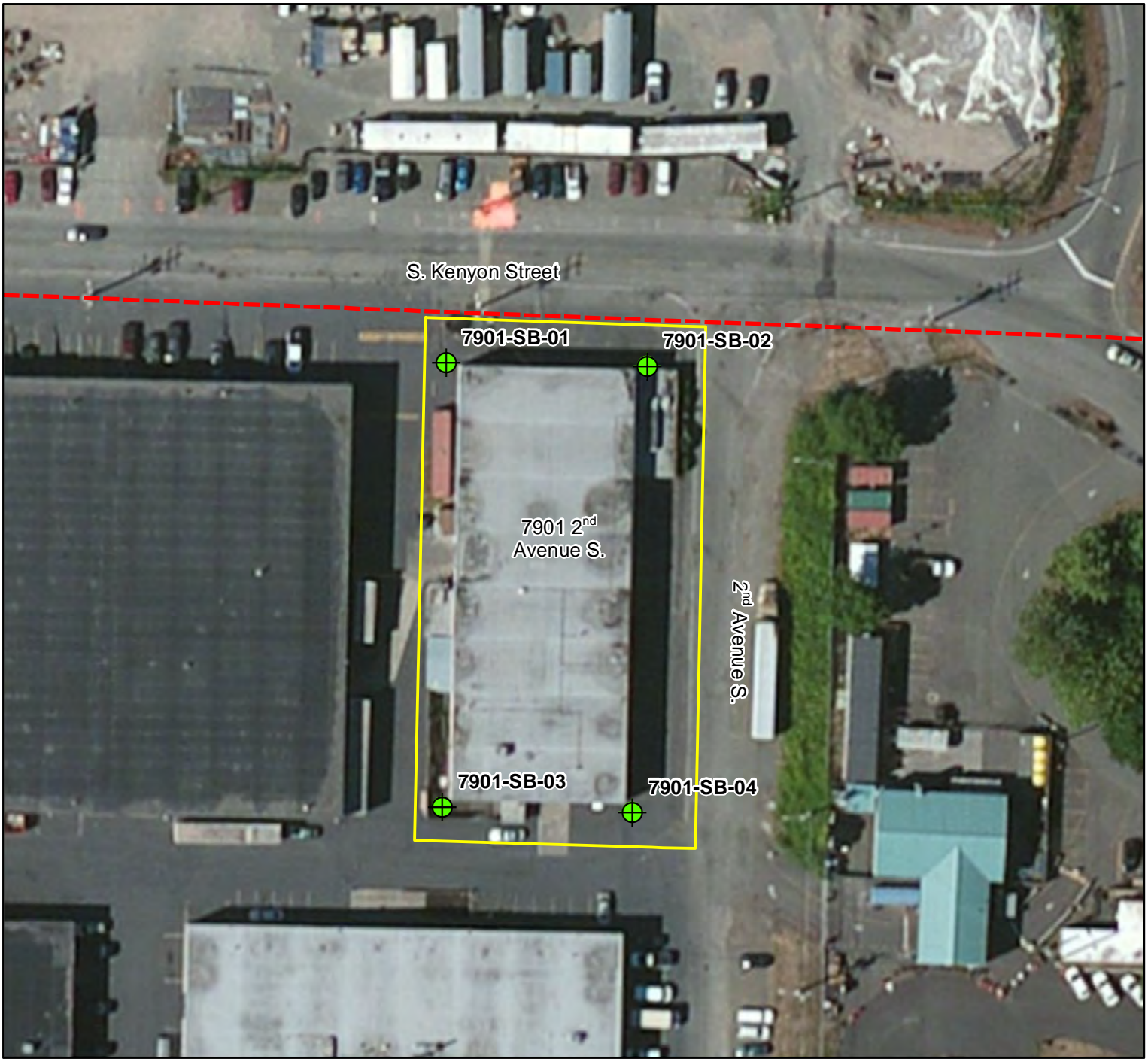
Washington Department of Ecology  
Northwest Regional Office  
October 21, 2025  
Page 5 of 5

Thank you for your consideration of 7901's comments and look forward to your written responses. 7901 remains ready and willing to cooperate with all agencies involved and to continue maintaining its property to the highest standards. 7901 simply asks for fairness and transparency in the process.




Sincerely,

**John and Gretchen Hill**  
Governors of 7901 2nd Ave S, LLC

cc: Kim Maree Johannessen (*via e-mail only*)  
Levi Fernandes, SoundEarth Strategies (*via e-mail only*)



**LEGEND:**

-  Proposed Boring
-  South Park Landfill Boundary
-  7901 2<sup>nd</sup> Avenue S. Parcel Boundary

**NOTES:**

1. Background Source: ESRI World Imagery (USDA NAIP, 08/2015).



SOUTH PARK LANDFILL  
SEATTLE, WA

7901 2<sup>nd</sup> AVENUE S.  
PROPERTY AND  
BORING LOCATIONS



**MONITORING WELL/ BORING LOG**

BORING/WELL No:

**7901-SB-01**

PAGE 1 of 2

PROJECT: 7901 SPLF DRILLER: Holt Services  
 LOCATION: 2nd Ave S. DRILL METHOD: Air-knife / Direct Push  
 CLIENT: Ecology SAMPLE METHOD: Continuous  
 DATE: 5/25/2017 HOLE DIAMETER: 3.25" / 2.0"  
 LOGGED BY: T. Dubé HOLE DEPTH: 20'

WELL DIAMETER:  
 WELL DEPTH:  
 WELL CASING:  
 WELL SCREEN:  
 FILTER PACK:

CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS / 6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
								Asphalt. Boring was cleared to 4.5 ft using air-knife.	
						1	SW-SM	Sand with gravel and some silt; fill material.	
	M	0.2				2	ML	2 to 2.5: Medium brown, soft SILT with minor very fine sand, probable minor clay and minor rock/gravel; no odor, no sheen.	
						3			
	M	0.0				4	ML	4.2 to 4.4: Medium gray, firm, gravelly SILT; no odor, no sheen.	
						5		(In the 5-10 ft core, only 3.4 ft were recovered; assumed this interval was from 6.6 to 10 ft.)	
	SM					6			
	M	0.2				7	ML	6.6 to 7.4: Brown-gray, hard SILT with local rock, and dark brown wood layer; no odor, no sheen.	
						8	ML/SP	7.4 to 9.3: Medium brown to medium gray, firm SILT with interbedded very fine to medium, very dense SAND; no odor, no sheen.	
	M	0.4				9			
	M	1.1				10	ML	9.3 to 10: Dark brown, firm SILT with minor very fine sand and some rock/gravel, some wood chips; weak petroleum odor (possible diesel), slight sheen. •Soil sample SB-01-9.5 collected @1535 from 9.3-10 ft.	
						11			

**NOTES:**

- Abbreviations for Moisture Content: SM = slightly moist, M = moist, VM = very moist, W = wet
- Water levels were not measured inside the temporary wells used for low-flow groundwater sampling, and water levels shown on boring logs are based only on soil sample moisture.



**MONITORING WELL/ BORING LOG**

BORING/WELL No:

**7901-SB-01**

PAGE 2 of 2

PROJECT: 7901 SPLF  
 LOCATION: 2nd Ave S.  
 CLIENT: Ecology  
 DATE: 5/25/2017  
 LOGGED BY: T. Dubé

DRILLER: Holt Services  
 DRILL METHOD: Air-knife / Direct Push  
 SAMPLE METHOD: Continuous  
 HOLE DIAMETER: 3.25" / 2.0"  
 HOLE DEPTH: 20'

WELL DIAMETER:  
 WELL DEPTH:  
 WELL CASING:  
 WELL SCREEN:  
 FILTER PACK:

CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS/6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
▼	M	0.3				12		(In the 10-15 ft core, only 1.4 ft were recovered; assumed this interval was from 13.6 to 15 ft.)	
	W	0.3				13			
	W					14	ML/SW	13.6 to 14.7: Firm to stiff SILT, and very fine to coarse SAND, with rock, minor debris, and wood, including iridescent coated rock; no odor, no sheen; fill material. ●Soil sample SB-01-14 collected @1540 from 14-14.7 ft.	
	W					15	ML/SW	14.7 to 15: Gray, firm SILT with some clay; homogeneous, weak petroleum odor, slight sheen; apparent native material. 15 to 15.1: Brown, fine to coarse SAND (in drive shoe).	
						16		(In the 15-20 ft core, only 2.5 ft were recovered; assumed this interval was from 17.5 to 20 ft.)	
	W	1.4				18	ML	17.5 to 20: Brown, soft to firm laminated SILT with some clay, fairly plastic; homogeneous; weak petroleum odor, slight sheen; native material. ●Soil sample SB-01-17.5 collected @1545 from 17.5-18.5 ft.	
	W	1.9				19	ML	Same as above; weak petroleum odor, no sheen.	
						20		Boring completed at 20 ft below ground surface.  ●Groundwater sample SB-01-GW collected @16:00 from 17.5 ft within a temporary well screen.	
						21			
						22			

NOTES:



**MONITORING WELL/ BORING LOG**

BORING/WELL No:

**7901-SB-02**

PAGE 1 of 2

PROJECT: 7901 SPLF DRILLER: Holt Services Inc.  
 LOCATION: 2nd Ave S. DRILL METHOD: Air-knife / Direct Push  
 CLIENT: Ecology SAMPLE METHOD: Continuous  
 DATE: 5/25/2017 HOLE DIAMETER: 3.25" / 2.0"  
 LOGGED BY: T. Dubé HOLE DEPTH: 20'

WELL DIAMETER:  
 WELL DEPTH:  
 WELL CASING:  
 WELL SCREEN:  
 FILTER PACK:

CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS / 6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
								2" Asphalt. Boring was cleared to 5 ft using air-knife.	
						1	SW/SM	Mixed layers of sand, silty sand, gravel with debris; fill material.	
						2		a large rock (5") at 2 ft bgs	
	M	0.2				3	ML	2.5 to 3: Medium, greenish-gray soft, sandy SILT with some gravel up to 1 inch, and some waste debris (nails); no odor, light globular sheen.	
	M	0.6				4			
	M	1.6				5	GM	4.5 to 5: Medium gray, loose sandy GRAVEL up to 2", with some silt, with debris (bricks); no odor, no sheen.	
						6			
						7		(In the 5-10 ft core, there was little recovery due to rocks, and only approximately 10" of soil, at an assumed depth of 9-10 ft.)	
						8			
						9	ML	9 to 10: Medium gray to brown gray, soft sandy SILT, with some gravel/rock; no odor, no sheen.	
	SM	1.6				10			
						11			



# MONITORING WELL/ BORING LOG

BORING/WELL No:

7901-SB-02

PAGE 2 of 2

PROJECT: 7901 SPLF DRILLER: Holt Services Inc.  
 LOCATION: 2nd Ave S. DRILL METHOD: Air-knife / Direct Push  
 CLIENT: Ecology SAMPLE METHOD: Continuous  
 DATE: 5/25/2017 HOLE DIAMETER: 3.25" / 2.0"  
 LOGGED BY: T. Dubé HOLE DEPTH: 20'

WELL DIAMETER:  
 WELL DEPTH:  
 WELL CASING:  
 WELL SCREEN:  
 FILTER PACK:

CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS/6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
▼	M	0.9		little recovery		12	SM	(Little recovery from 10-15 feet, except at base of core and in geoprobe drive shoe, at an assumed depth of 14.5 to 15 ft.)	
						13			
						14			
						15		14.5 to 15: Dark brown, loose, silty SAND with some rock/gravel; weak petroleum odor, slight sheen; apparent fill material. ●Soil sample SB-02-14.5 collected @ 09:30 from 14.5-15 ft.	
						16		(In the 15-20 ft core, only 2.5 ft were recovered; assumed this interval was from 17.5 to 20 ft.)	
						17			
						18		17.5 to 18: Dark gray, dense, fine SAND with some silty layers; weak to no odor, no sheen; likely native material. ●Soil sample SB-02-17.5 collected @ 09:35 from 17.5-18 ft.	
						19		18 to 20: Medium brown, moderately plastic, firm to stiff SILT with some clay and woody debris; no odor, no sheen; native material.	
						20		Boring was completed at 20 ft bgs.  ●Groundwater sample SB-02-GW collected @ 10:35 from 19.5 ft. within a temporary well screen.	
						21			
	22								

NOTES:



**MONITORING WELL/ BORING LOG**

BORING/WELL No: **7901-SB-03**  
PAGE 1 of 2

PROJECT: 7901 SPLF	DRILLER: Holt Services	WELL DIAMETER:
LOCATION: 2nd Ave S.	DRILL METHOD: Air-knife / Direct Push	WELL DEPTH:
CLIENT: Ecology	SAMPLE METHOD: Continuous	WELL CASING:
DATE: 5/25/2017	HOLE DIAMETER: 3.25" / 2.0"	WELL SCREEN:
LOGGED BY: T. Dubé	HOLE DEPTH: 20'	FILTER PACK:
		CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS / 6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
								1 " Asphalt. Boring was cleared to 5 feet bgs using air-knife.	
						1	ML	Silt with minor rocks and some sand; fill material.	
	M	0.1				2			
						3	ML	2.5 to 3: Gray, firm, gravelly SILT with very fine sand; no odor, very slight sheen.	
	M	0.5				4			
						5	ML	4.6 to 4.9: Similar to above; but with less gravel; no odor, no sheen, but garbage-like odor in hole.	
						6		(In the 5-10 ft core, only 2.2 ft were recovered; assumed this interval was from 7.8 to 10 ft.)	
						7			
	M	0.5				8	ML	7.8 to 8.5: Gray-brown to gray-green, stiff SILT with minor very fine sand and some rock; no odor, no sheen. ●Soil sample SB-03-8 collected @ 14:05 from 8-8.5 ft.	
	M	0.3				9	ML/ SP	8.5 to 10: Dark brown-gray, oxidized orange to pale grayish white, heterogeneous mix of stiff SILT and very dense, very fine to fine SAND with some rocks; no odor, no sheen; fill material. ●Soil sample SB-03-9 collected @ 14:10 from 9-10 ft.	
	W					10			
						11			



# MONITORING WELL/ BORING LOG

BORING/WELL No:

7901-SB-03

PAGE 2 of 2

PROJECT: 7901 SPLF DRILLER: Holt Services  
 LOCATION: 2nd Ave S. DRILL METHOD: Air-knife / Direct Push  
 CLIENT: Ecology SAMPLE METHOD: Continuous  
 DATE: 5/25/2017 HOLE DIAMETER: 3.25" / 2.0"  
 LOGGED BY: T. Dubé HOLE DEPTH: 20'

WELL DIAMETER:  
 WELL DEPTH:  
 WELL CASING:  
 WELL SCREEN:  
 FILTER PACK:

CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS/6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
▼						12		(In the 10-15 ft core, only 0.7 ft was recovered; assumed this interval was from 14.3 to 15 ft.)	
	W	0.1				13			
						14			
						15	ML/ SP	14.3 to 15: Similar to above; heterogeneous multicolored layers of firm SILT and dense fine SAND with some rocks, and trace debris; no odor, no sheen; fill material.	
						16		(In the 15-20 ft core, only 3.3 ft were recovered; assumed this interval was from 16.7 to 20 ft.)	
						17			
						18	ML	16.7 to 20: Gray to brown-gray, moderately plastic, firm homogeneous SILT, with local coarse silt grading to very fine sand, and minor clay; native material. ●Soil sample SB-03-17 collected @ 14:15 from 17-18 ft.	
	W	0.3				19			
						20			
	W	0.4				21			
						22		Boring completed at 20 feet bgs.  ●Due to turbid low-recharge water pumped from temporary well screen, no groundwater sample was collected in this boring.	

NOTES:



**MONITORING WELL/ BORING LOG**

BORING/WELL No:

**7901-SB-04**

PAGE 1 of 2

PROJECT: 7901 SPLF	DRILLER: Holt Services	WELL DIAMETER:
LOCATION: 2nd Ave S.	DRILL METHOD: Air-knife / Direct Push	WELL DEPTH:
CLIENT: Ecology	SAMPLE METHOD: Continuous	WELL CASING:
DATE: 5/25/2017	HOLE DIAMETER: 3.25" / 2.0"	WELL SCREEN:
LOGGED BY: T. Dubé	HOLE DEPTH: 20'	FILTER PACK:
		CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS / 6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
						0		Asphalt. Boring was cleared to 4 feet bgs using air-knife.	
						1	ML/SW	Mixed silt, gravel, sand with rock; fill material.	
						2		Rocks up to 5".	
	SM	0.1				3	ML	2.5 to 3: Medium gray to gray-brown, soft to firm SILT with some gravel/rock to 2"; no odor, no sheen.	
	SM	0.1				4	ML	3.5 to 4: Dark gray, soft, sandy SILT with rocks and debris; no odor, no sheen, but garbage-like odor in hole.	
						5			
						6		(In the 5-10 ft core, only 3.3 ft were recovered; assumed this interval was from 6.7 to 10 ft.)	
	M W	0.2				7	ML	6.7 to 7.5: Gray-brown, firm SILT with minor sand and some gravel/rock and debris; no odor, no sheen; fill material.	
	VM	0.5				8	ML/SP	7.5 to 8: Brown woody material and stiff SILT interbedded with very dense, very fine to medium SAND with gravel.	
						9	ML	8 to 9.3: Gray hard SILT with rock, and some very fine to coarse sand; no odor, light globular sheen.	
	M	29.6				9		●Soil sample SB-04-9 collected @ 12:05 from 9-10 ft.	
	W					10	ML/SP	9.3 to 10: Dark brown, plant debris-rich (peat), stiff SILT and very fine to fine SAND, and rock fragments; no odor, no sheen.	
						11			

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# MONITORING WELL/ BORING LOG

BORING/WELL No:

7901-SB-04

PAGE 2 of 2

PROJECT: 7901 SPLF DRILLER: Holt Services  
 LOCATION: 2nd Ave S. DRILL METHOD: Air-knife / Direct Push  
 CLIENT: Ecology SAMPLE METHOD: Continuous  
 DATE: 5/25/2017 HOLE DIAMETER: 3.25" / 2.0"  
 LOGGED BY: T. Dubé HOLE DEPTH: 20'

WELL DIAMETER:  
 WELL DEPTH:  
 WELL CASING:  
 WELL SCREEN:  
 FILTER PACK:

CASING ELEVATION:

Approx. Water Level	Moisture Content	PID (ppm)	BLOWS/6"	Sample		DEPTH (ft.)	SOIL TYPE	LITHOLOGY / DESCRIPTION	Well Completion/ Backfill Material
				Recovery	Interval				
▼	M	4.7				12		(In the 10-15 ft core, only 1.5 ft were recovered; assumed this interval was from 13.5 to 15 ft.)	
	W	0.3				13			
						14	ML/ SP	13.5 to 14.7: Similar to above; mixture of very dense SAND, hard SILT, and rock with some debris (brick); no odor no sheen; fill material. ●Sample SB-04-14 collected @ 12:10 from 14-15 ft.	
						15	ML	14.7 to 15: Creamy white with orange oxidation, soft, soapy material, overlying brownish woody silt-rich material; no odor, no sheen; fill material.	
						16			
						17		(In the 15-20 ft core, only 1.5 ft were recovered; assumed this interval was from 18.5 to 20 ft.)	
						18			
	W	0.2				19	ML	18.5 to 20: Brown, firm SILT, grading downward to brown-gray, dense, fine SAND; no odor, no sheen; likely native material.	
	W	0.3				20	SP	●Soil sample SB-04-18.5 collected @ 12:15 from 18.5-20 ft, plus MS/MSD sample volume.	
						21		Boring completed at 20 feet bgs. ●Groundwater sample SB-04-GW collected @12:50 from 17.5 ft within a temporary well screen.	
						22			

NOTES: