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# Thea Foss Waterway Redevelopment Properties Parcel 3, Site 5

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## Proposed consent decree amendment & restrictive covenant available for public comment

Washington State Department of Ecology (Ecology) is asking for your comments on a consent decree amendment and restrictive covenant for a site known as Parcel 3, Site 5.

The site is part of a larger mixed-use redevelopment project along the Thea Foss Waterway. The site is located at the 1500 block of Dock Street, Tacoma. Thea Foss Holdings LLC recently purchased the site.

- The amendment will add Thea Foss Holdings LLC to an existing consent decree between Ecology and the City of Tacoma and Foss Waterway Development Authority.

A consent decree is a formal agreement between Ecology and potentially liable parties responsible for cleanup of contaminated sites under the state's Model Toxics Control Act, Chapter 70.105D RCW.

- Ecology and the potentially liable parties intend to restrict future activities on the site, regardless of who owns the site. Ecology and potentially liable parties will accomplish this by attaching a restrictive covenant to the consent decree amendment.

Ecology welcomes your comments on adding Thea Foss Holdings LLC to the consent decree and on the restrictive covenant.

The box to the right contains information on where to view the amendment and restrictive covenant, and where to send your comments.

**Deadline for comments is  
December 8, 2005.**

### Site Background

In 1994, Ecology entered into an area-wide consent decree with the City of Tacoma and Tacoma Metropolitan Park District to clean up abandoned industrial and commercial properties along Dock Street. The consent decree has been amended several times since 1994 to address cleanup of specific parcels, add or remove potentially liable parties, and put restrictive covenants in place for certain properties.

As the new owner of Parcel 3, Site 5, Thea Foss Holdings LLC is liable for clean up of the site along with past owners of the property. The amendment to the consent decree formalizes this responsibility.

## November 2005 Fact Sheet

### Public Comment Period

**November 7 through  
December 8, 2005**

### Please direct your questions and comments to:

Marv Coleman, Site Manager  
WA Department of Ecology  
SWRO Toxics Cleanup Program  
300 Desmond Drive  
PO Box 47775  
Olympia, WA 98504-7775  
(360) 407-6259  
[MCOL461@ecy.wa.gov](mailto:MCOL461@ecy.wa.gov)

### You may view a copy of the consent decree amendment at the following locations:

**Tacoma Public Library**  
1102 Tacoma Ave. So.  
Tacoma, WA 98402  
(253) 591-5666

**Citizens for A Healthy Bay**  
917 Pacific Ave. Suite 100  
Tacoma, WA 98402  
(253) 383-2429

**WA Department of Ecology**  
SWRO Toxics Cleanup Program  
300 Desmond Drive  
PO Box 47775  
Olympia, WA 98504-7775  
(360) 407-6365  
[LKOZ461@ecy.wa.gov](mailto:LKOZ461@ecy.wa.gov)

### Web Sites:

[www.ecy.wa.gov/programs/tcp/sites/thea\\_foss/th\\_frame.htm](http://www.ecy.wa.gov/programs/tcp/sites/thea_foss/th_frame.htm)

[www.ecy.wa.gov](http://www.ecy.wa.gov), "Public Events Calendar"

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## Thea Foss Waterway Redevelopment Properties

Depending on site conditions, Ecology will require Thea Foss Holdings LLC to conduct or maintain site investigations, perform cleanup actions, clean up contamination, and provide and maintain institutional controls (such as deed restrictions and compliance monitoring) for some portions of the site. The potentially liable parties have cleaned up most of the site already, in accordance with the consent decree amendment.

The parties to the consent decree amendment have agreed to a restrictive covenant. The proposed restrictive covenant will:

- ✓ Restrict activities that may interfere with cleanup actions.
- ✓ Restrict groundwater use.
- ✓ Provide for monitoring well maintenance.
- ✓ Require owners to notify Ecology of ownership changes.

Future changes to the restrictive covenant will require Ecology's approval.

### What Happens Next?

Ecology will consider public comment on the proposed amendment and restrictive covenant, and may change the amendment and restrictive covenant based on public comment.

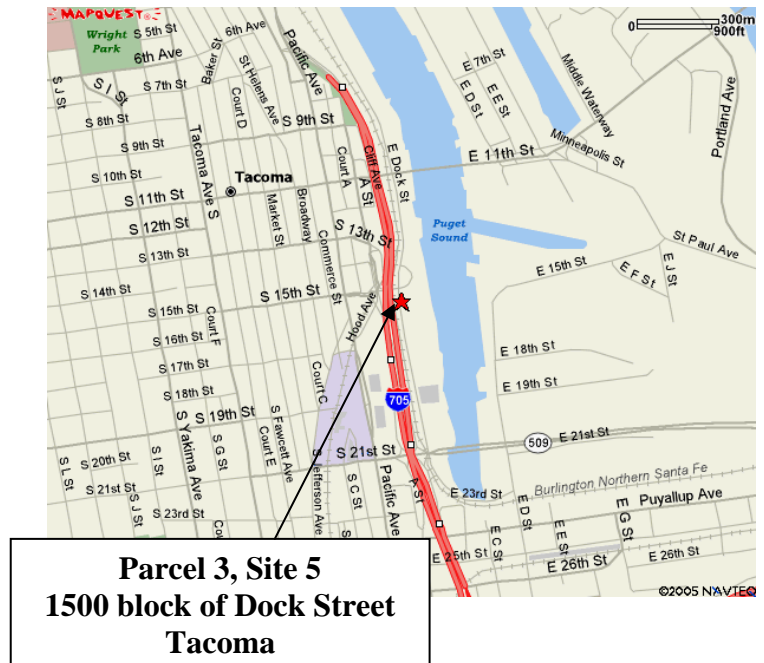
Ecology will provide additional opportunities for public comment as the investigation and cleanup of Parcel 3, Site 5 moves forward.

### Ecology Wants Your Comments

Please review and comment on the amendment to add Thea Foss Holdings LLC to the consent decree, and the restrictive covenant. The public comment period is November 7 through December 8, 2005.

This is an opportunity for Ecology to hear your ideas and comments. Please see the front page of this fact sheet for locations where you may access documents, and where to send your comments.

## Location Map





Department of Ecology  
Southwest Regional Office  
PO Box 47775  
Olympia, WA 98504-7775

Thea Foss Redevelopment Properties  
*Public Comment Opportunity*  
*Nov. 7 through Dec. 8, 2005*