

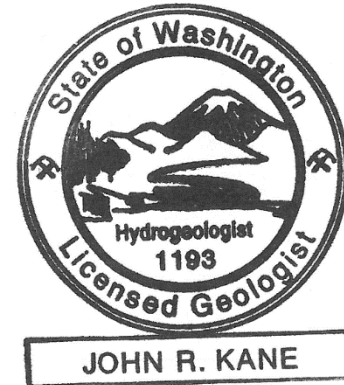


MEMORANDUM

To: Mr. Eugene Freeman
From: Mr. John Kane, Kane Environmental, Inc.

A handwritten signature in blue ink that reads "John Kane".

Date: March 13, 2014
Re: Request for Removal of Environmental Covenant
Vino Ristorante Italiano
212 S 3rd Street
Renton, Washington
VCP No. NW1757



Kane Environmental, Inc. (Kane Environmental) is pleased to present this memorandum regarding the Limited Phase II Environmental Site Assessment (ESA) conducted at 212 S 3rd Street in Renton, WA. The Limited Phase II ESA was performed to determine the extent of soil contamination on the Property that is currently addressed in an environmental covenant (recording number 20081028000093, included as Attachment C).

1.0 INTRODUCTION

Kane Environmental, Inc. (Kane Environmental) conducted a Limited Phase II Environmental Site Assessment at the property located at 212 S 3rd Street, Renton, Washington (Figure 1; Property) on February 27, 2014.

1.1 Background

The Property is occupied by a former residential structure, built in 1936, that had been converted to an Italian restaurant and is now vacant. A heating oil underground storage tank (UST) was removed from the area north of the building on the Property in February 2007. Petroleum-contaminated soil (PCS) was noted at the time of the removal, but the excavation was backfilled with contaminated soil. In April 2007, the Riley Group Inc. (RGI) conducted a remedial excavation of the tank removal area. A total of 101 tons of PCS were excavated and removed from the site, and approximately 10,700 gallons of petroleum-contaminated groundwater were pumped and removed from the site. However, RGI discontinued the

excavation with some PCS remaining in-place in the southwest sidewall of the excavation in order not to undermine the structural integrity of the building or the grease trap adjacent to the building. Two RGI soil samples from the excavation, G and D, contained total petroleum hydrocarbons (TPH) as diesel concentrations of 4,900 mg/kg (milligrams/kilogram) and 4,800 mg/kg, respectively. Both were collected from the excavation sidewall at a depth of approximately 10 feet below ground surface (bgs).

In November 2008, after four quarters of groundwater monitoring the Department of Ecology issued a no further action determination for the site, dependent on the continued performance and effectiveness of an environmental covenant to prevent exposure to the petroleum-contaminated soil reportedly left in place beneath the building on the Property.

On November 20, 2013, in order to determine the extent of soil and groundwater contamination remaining beneath the building, Kane Environmental advanced seven soil borings to a depth of 5.5-8 feet below the basement floor (10.5-13 feet bgs). Soil and groundwater samples were collected from each boring and analyzed for TPH as diesel and TPH as heavy oil. No detectable concentrations of any of the analytes were found. Kane Environmental reported these results to the Department of Ecology in order to request a removal of the environmental covenant. Mr. Eugene Freeman of the Department of Ecology requested further investigation of soil and groundwater conditions immediately north of the building, between the excavation and the foundation.

1.2 Scope of Work

The scope of work conducted by Kane Environmental included the following:

- Prepare a site-specific Health & Safety Plan prior to beginning field activities;
- Locate underground utilities;
- Four (4) soil borings were advanced outside of the building, as close to its northern wall as possible, to determine the presence or absence of any TPH as diesel impacts to the soil or groundwater.
- Completed a report detailing the results of the field investigation and including a summary of conclusions.

2.0 SUBSURFACE CONDITIONS

2.1 Geologic Setting

The City of Renton, Washington is located in the Black River valley, near the former confluence of the Black and Cedar Rivers. Its soils are therefore largely alluvial in nature, including sands, gravels, silts,

and clays, overlying glacial till deposited by the retreat of the Vashon Glacier. Soils encountered during the Limited Phase II ESA consisted of fine to medium sands and silts, extending to at least fifteen (15) feet bgs.

2.2 Hydrogeologic Setting

The U.S. Geological Survey (USGS) Renton, Washington 7.5-Minute Quadrangle Topographic Map indicates the Property is approximately thirty (30) feet above mean sea level (msl) and that the ground surface of the Property is relatively flat. During the drilling activity, groundwater was encountered in all borings at approximately 8-9 feet bgs.

3.0 FIELD METHODOLOGY

On February 27, 2014, in order to assess the soil and groundwater conditions on the Property, Kane Environmental advanced a total of four (4) soil borings, using a direct push Geoprobe sampler. The locations of the borings are shown on Figure 2 and the boring logs are included as Attachment B. Kane Environmental collected soil and groundwater samples from all four borings (Figure 2). Field methods utilized, including sample collection, field screening, soil sampling, groundwater sampling, selected analysis, and documentation procedures are briefly described in the following subsections. Sample collection and documentation were completed in accordance with Kane Environmental standard operating procedures.

3.1 Utility Locate

Kane Environmental contacted the Washington Utilities Underground Location Center prior to starting the fieldwork to conduct a general locating survey for telephone, gas, water, sewer, communication, and electric service for study areas at the Property. Areas identified as utility corridors by Washington Utilities Underground Location Center were marked and no work occurred in these areas. A private utility locator, Bravo Environmental of Tukwila, Washington, was retained to perform an on-property utility survey to determine if underground utilities and structures were located in the area of the drilling activity. A sewer line draining eastward from the grease trap was detected, and drilling was limited to areas three feet or more from the sewer line location. Drilling was also limited to areas three feet or more from an electrical line running to the corner of the building.

3.2 Sampling Methodology

Soil borings were advanced and soil samples were collected from each boring at the time of drilling, at the following locations:

- Soil borings KSB-8 and KSB-9 were located approximately two and a half (2.5) feet north of the building's north wall, adjacent to the curb at the edge of the parking lot, in the area west of the grease trap.
- Soil borings KSB-10 and KSB-11 were located in the area east of the grease trap, approximately five to six (5-6) feet north of the building wall. These soil borings could not be placed closer to the building due to the presence of a sewer line draining eastward from the grease trap, as well as an electrical line running to the corner of the building.

Groundwater samples were collected from all four soil borings.

3.3 Sample Collection Methods

Soil samples from the borings were collected in acetate liners placed inside the Geoprobe sampler. Soil samples were logged for physical properties such as grain size, color, and moisture. Soil samples were placed into 4-ounce pre-cleaned, laboratory prepared, glass jars with Teflon lids. Soil samples were selected for analysis based on anticipated depth to potential contamination from the former heating oil UST and field observations.

Upon discovery of groundwater in each soil boring, a temporary well was constructed by inserting five (5) feet of PVC screen and sufficient blank PVC to reach the ground surface. Disposable tubing was then extended down the PVC well and a groundwater sample was collected using a peristaltic pump. Groundwater was placed in the appropriate laboratory-supplied, pre-cleaned and preserved containers for analysis.

The soil and groundwater samples were immediately placed into ice-filled coolers and transported to ESN, NW in Olympia, Washington under standard chain-of-custody procedures.

Soil sampling nomenclature identified each soil sample with a "KSB", followed by a number corresponding to that particular boring. The last number designated the sample depth. For example, soil sample "KSB-10:15" was the tenth soil boring on the site and the sample was collected at fifteen (15) feet below the basement floor. Groundwater samples were labeled with a "W". For example, groundwater sample "KSB-8: W" was the groundwater sample collected from the eighth boring.

3.4 Field Screening Methods

Following collection, samples were inspected visually for any indication of contamination (discoloration and/or odor). Kane Environmental did not observe any discoloration or petroleum odor in any of the soil borings, except in soils from depths of 9.5 to 14.5 feet bgs in boring KSB-10, as well as a slight fuel odor

in soils from 9 to 11 feet bgs in boring KSB-9. Kane Environmental did not detect a petroleum odor in any groundwater samples collected, except for a slight odor in the groundwater sample from boring KSB-10.

4.0 ANALYTICAL METHODS

Groundwater samples and selected soil samples were submitted to the laboratory and analyzed for the following:

- TPH as Diesel and Heavy Oil Range Organics by Northwest Method NWTPH-Dx/Dx Extended.

All analyses were performed in accordance with ESN Northwest's in-house Quality Assurance/Quality Control Plans. Sample analyses were performed in compliance with EPA analytical methods and Ecology guidelines. Samples were analyzed within specified holding times.

All detection limits were within method requirements and no factors appeared to adversely affect data quality.

4.1 Laboratory QA/QC Procedures

Internal test methods run by the laboratory to ensure data accuracy and reproducibility include method blanks, method blank duplicates, surrogate blanks, and surrogate blank duplicates.

5.0 ANALYTICAL RESULTS

5.1 Soil Samples

All soil samples analyzed reported non-detectable concentrations of diesel range organics and heavy oil range organics, except for soil sample KSB-10:10, which reported a concentration of 300 mg/kg of diesel range organics. This value is below the MTCA Method A Cleanup Level of 2,000 mg/kg. Soil sample analytical results are summarized in Table 1. The laboratory analytical reports are included as Attachment A.

5.2 Groundwater Samples

All groundwater samples collected reported non-detectable concentrations of diesel range organics and heavy oil range organics, except for groundwater sample KSB-10:W, which reported a concentration of 4,500 µg/L of diesel range organics. This value is above the MTCA Method A Cleanup Level of 500 µg/L. Groundwater sample analytical results are summarized in Table 2. The laboratory analytical reports are included as Attachment A.

6.0 DISCUSSION AND CONCLUSIONS

Soil and groundwater samples collected from borings KSB-8, KSB-9, and KSB-11 reported non-detectable concentrations of Diesel Range Organics and Heavy Oil Range Organics. A soil sample from a depth of 10 feet bgs in boring KSB-10, located approximately one and a half feet from the grease trap and just inside the margin of the former remedial excavation, reported a concentration of diesel range organics of 300 mg/kg, below the MTCA Method A Cleanup Level. A groundwater sample from boring KSB-10 reported a concentration of diesel range organics of 4,500 µg/L, above the MTCA Method A Cleanup Level. Because groundwater contamination was not found in any of the other borings, this represents a small and limited “hotspot” of contamination. It is located five feet north of the building and is unlikely to pose a risk to human health or the environment. Additionally, the area of the former remedial excavation and location of the soil and groundwater samples is entirely capped by asphalt.

Based on the soil borings completed on the Property, the area of remaining soil contamination above the MTCA Method A Cleanup Level is estimated by Kane Environmental to be approximately 35 square feet. Assuming contamination is present between 8 and 14 feet bgs, as reported by RGI, the approximate volume of petroleum-contaminated soil remaining onsite is 210 cubic feet, or 7.78 cubic yards. Based on a soil density of 1.5 tons/cubic yard, 11.67 tons of petroleum-contaminated soil, or approximately one truck load of soil, may remain the Property.

Based on this *de minimis* amount of remaining petroleum-contaminated soil and limited impact to groundwater, Kane Environmental requests the removal of the environmental covenant on the Property.

FIGURES

Figure 1 – Vicinity Map

Figure 2 – Site Plan

TABLES

Table 1 – Summary of Petroleum Products in Soil

Table 2 – Summary of Petroleum Products in Groundwater

ATTACHMENTS

Attachment A – Laboratory Analytical Results

Attachment B – Soil Boring Logs

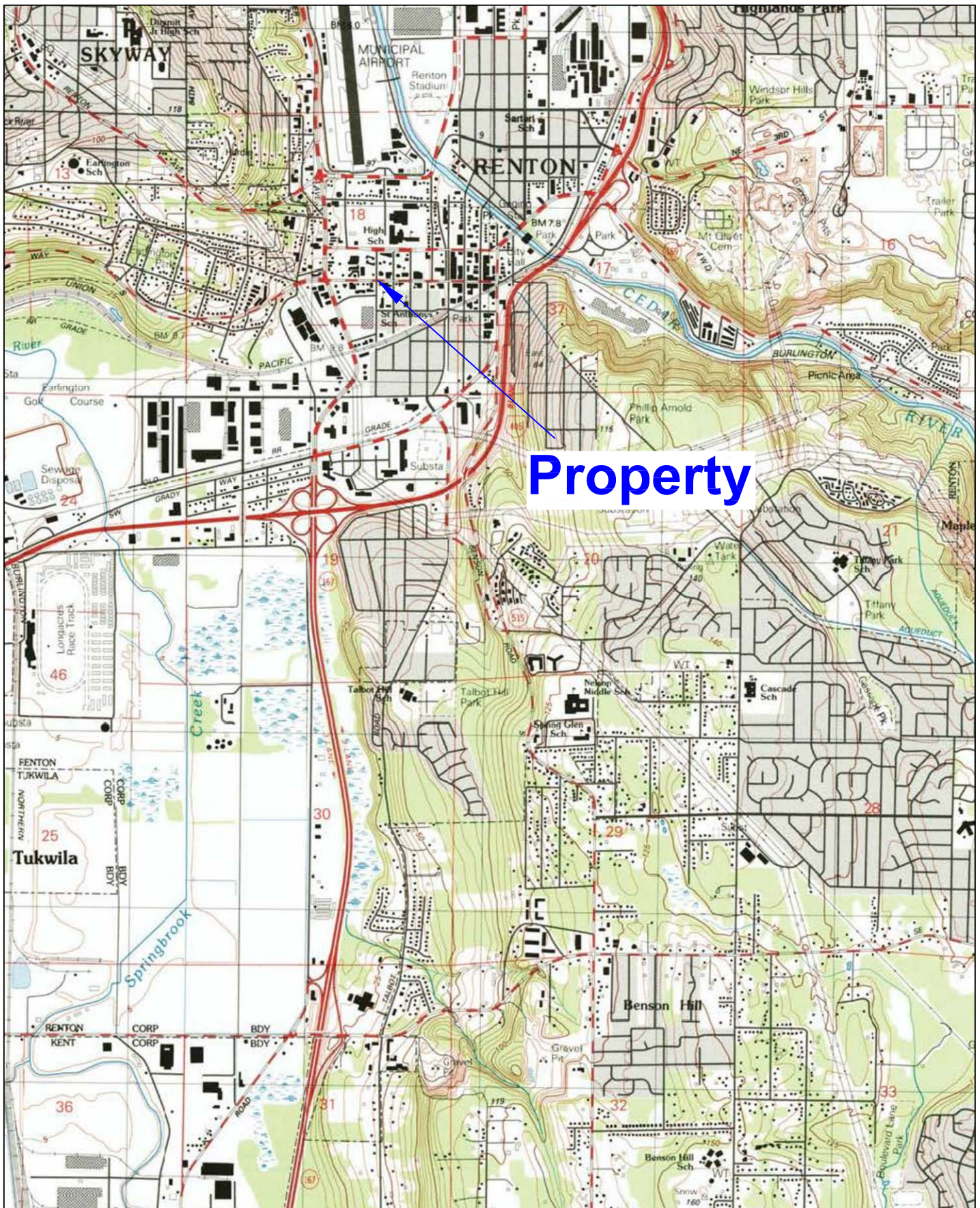
Attachment C – Environmental Covenant

REFERENCES

- *Site Characterization Report, Vino Ristorante Italiano*, prepared by Langseth Environmental Services, Inc., dated February 13, 2007. (Langseth 2007)
- *Limited Phase II Subsurface Investigation, Vino Ristorante Italiano, 212 South Third Street, Renton, Washington, RGI Project 2007-044*, prepared by The Riley Group Inc., dated March 22, 2007. (RGI 2007a)
- *VCP Agreement, Vino Ristorante Italiano, Facility/Site No. 4487258, VCP Project No. NW1757*, between Mr. Rick Corbett and the Washington Department of Ecology, dated April 3, 2007. (Ecology 2007a)
- *Remedial Feasibility Study & Independent Cleanup Action Plan Investigation, Vino Ristorante Italiano, 212 South Third Street, Renton, Washington, RGI Project 2007-044*, prepared by The Riley Group Inc., dated April 6, 2007. (RGI 2007b)
- *Independent Cleanup Action Letter Report Investigation, Vino Ristorante Italiano, 212 South Third Street, Renton, Washington, RGI Project 2007-044, Ecology TCP# NW1757*, prepared by The Riley Group Inc., dated June 20, 2007. (RGI 2007c)
- *Further Action Determination under WAC 173-340-515(5) for Vino Ristorante Italiano, 212 South Third Street, Renton, WA, Facility/Site No. 4487258, VCP No. NW1757*, prepared by the Washington Department of Ecology, dated July 2, 2007. (Ecology 2007b)
- *Groundwater Monitoring Event – Second Quarter 2007, Vino Ristorante Italiano, 212 South Third Street, Renton, Washington, Ecology VCP# NW1757, RGI Project # 2007-044B*, prepared by The Riley Group Inc., dated September 28, 2007. (RGI 2007d)
- *Groundwater Monitoring Event – Third Quarter 2007, Vino Ristorante Italiano, 212 South Third Street, Renton, Washington, Ecology VCP# NW1757, RGI Project # 2007-044B*, prepared by The Riley Group Inc., dated January 8, 2008. (RGI 2008a)
- *Groundwater Monitoring Event – Fourth Quarter 2008, Vino Ristorante Italiano, 212 South Third Street, Renton, Washington, Ecology VCP# NW1757, RGI Project # 2007-044B*, prepared by The Riley Group Inc., dated March 11, 2008. (RGI 2008b)
- *Environmental Covenant* between Solo Noi, LLC and the Washington Department of Ecology, dated October 17, 2008. (Ecology 2008a)

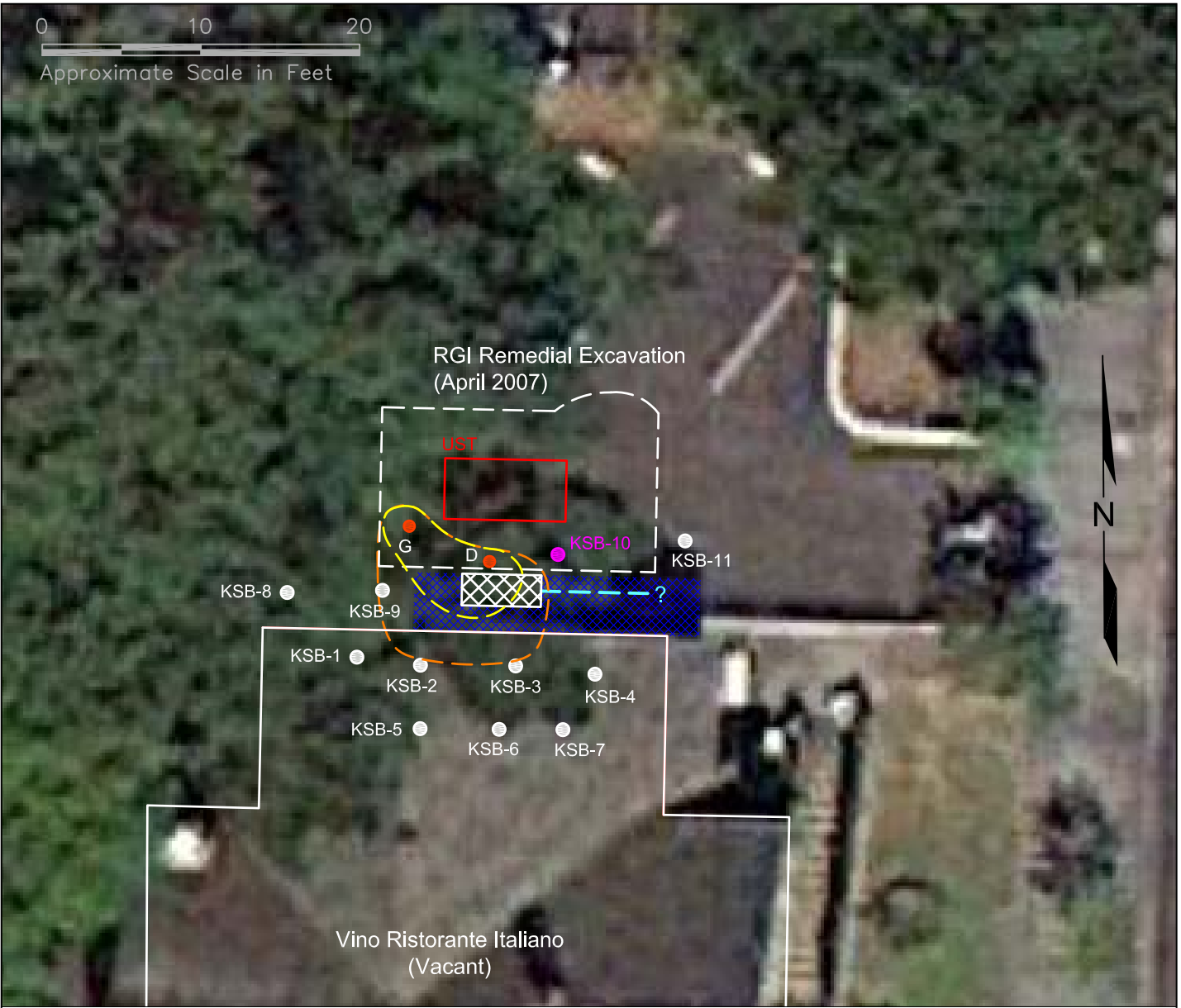
- *No Further Action at Vino Ristorante Italiano, 212 South Third Street, Renton, WA, Facility/Site No. 4487258, VCP Project No. NW1757, prepared by the Washington Department of Ecology, dated November 17, 2008. (Ecology 2008b)*

FIGURES



Limited Phase II Environmental Site Assessment
 212 S 3rd Street
 Renton, Washington

Figure 1
 Vicinity Map



<i>LEGEND</i>	
● KSB-1	Approximate locations of Kane Environmental soil borings
● KSB-10	Approximate locations of Kane Environmental soil borings with groundwater diesel concentrations above MTCA Method A Cleanup Level
	Estimates of contaminated soil area by RGI (orange) vs. Kane Environmental (yellow)
	Approximate location of RGI remedial excavation
	Approximate former location of UST
●	RGI confirmation samples with TPH as diesel detected above MTCA Method A cleanup level in soil
	Approximate location of grease trap
	Approximate location of side sewer line
	Area not accessible for drilling due to proximity (<3 feet) to underground utilities



Limited Phase II Environmental Site Assessment
 212 S 3rd Street
 Renton, Washington

Figure 2
 Sampling Locations & Soil Contamination Extent

TABLES

TABLE 1
Summary of Petroleum Products in Soil
Vino Ristorante Italiano
212 S 3rd Street
Renton, Washington

Sample ID	Sample Depth	Sample Date	Diesel Range Organics	Lube Oil Range Organics
	(in feet)		mg/kg	mg/kg
KSB-1:3ft	3 ft	11/20/2013	nd	nd
KSB-2:3ft	3 ft	11/20/2013	nd	nd
KSB-3:3-4ft	3-4 ft	11/20/2013	nd	nd
KSB-4:3-4	3-4 ft	11/20/2013	nd	nd
KSB-5:3-4	3-4 ft	11/20/2013	nd	nd
KSB-6:2-4	2-4 ft	11/20/2013	nd	nd
KSB-7:3-4	3-4 ft	11/20/2013	nd	nd
KSB-8:8	8 ft	2/27/2014	nd	nd
KSB-9:8	8 ft	2/27/2014	nd	nd
KSB-9:10	10 ft	2/27/2014	nd	nd
KSB-9:15	15 ft	2/27/2014	nd	nd
KSB-10:10	10 ft	2/27/2014	300	nd
KSB-10:15	15 ft	2/27/2014	nd	nd
KSB-11:10	10 ft	2/27/2014	nd	nd
KSB-11:13	13 ft	2/27/2014	nd	nd
KSB-11:15	15 ft	2/27/2014	nd	nd
Method Reporting Limit			50	100
MTCA Method A Cleanup Level for Unrestricted Land Use			2,000	2,000

Notes:

mg/kg = milligrams per kilogram (equivalent to parts per million)
 nd = not detected at Method Reporting Limit

TABLE 2
Summary of Petroleum Products in Groundwater
Vino Ristorante Italiano
212 S 3rd Street
Renton, Washington

Sample ID	Sample Date	Diesel Range Organics	Lube Oil Range Organics
		$\mu\text{g/L}$	$\mu\text{g/L}$
KSB-1:W	11/20/2013	nd	nd
KSB-2:W	11/20/2013	nd	nd
KSB-3:W	11/20/2013	nd	nd
KSB-4:W	11/20/2013	nd	nd
KSB-5:W	11/20/2013	nd	nd
KSB-6:W	11/20/2013	nd	nd
KSB-7:W	11/20/2013	nd	nd
KSB-8:W	2/27/2014	nd	nd
KSB-9:W	2/27/2014	nd	nd
KSB-10:W	2/27/2014	4500	nd
KSB-11:W	2/27/2014	nd	nd
Method Reporting Limit		250	500
MTCA Method A Cleanup Level for Groundwater		500	500

Notes:

$\mu\text{g/L}$ = micrograms per liter (equivalent to parts per billion)

nd = not detected at Method Reporting Limit

Shaded and bold cells indicate values above the MTCA Method A Cleanup Level for Unrestricted Land Use for groundwater.

**ATTACHMENT A
LABORATORY ANALYTICAL RESULTS**

CHAIN-OF-CUSTODY RECORD

CLIENT: Kane Environmental **DATE:** 2/27/14 **PAGE:** 1 **OF:** 1
ADDRESS: _____ **PROJECT NAME:** Vino Ristorante
PHONE: _____ **LOCATION:** 212 3rd St, Renton
CLIENT PROJECT #: _____ **PROJECT MANAGER:** Maria Donlavy **DATE OF COLLECTION:** 2/27
FAX: _____ **COLLECTOR:** Maria Donlavy

Sample Number	Depth	Time	Sample Type	Container Type	ANALYSES	TPH - HCD	TPH - Diesel & Oil	BTEX	VOC 8260L	VOC 8260	Semivol 8270	PAH's 8270	PCB's 8082	RCRA & Metals	MTCA & Metals	Pb	Asbestos - PLM	GRO Suite	DRO Suite	WO Suite	Notes	Total Number of Containers	Note Number
1. KSB-8: 8		1127	soil			X																	
2. KSB-9: 8		1149	soil																		HOLD		
3. KSB-9: 10		1149	soil																		HOLD		
4. KSB-9: 15		1200	soil																		HOLD		
5. KSB-10: 10		1207	soil																		HOLD		
6. KSB-10: 15		1211	soil																		HOLD		
7. KSB-11: 10		1237	soil																		HOLD		
8. KSB-11: 13		1247	soil																		HOLD		
9. KSB-11: 15		1247	soil																		HOLD		
10. KSB-8: W		1152	water																				
11. KSB-9: W		1223	water																				
12. KSB-10: W		1251	water																				
13. KSB-11: W		1306	water																				
14.																							
15.																							
16.																							
17.																							
18.																							

LABORATORY NOTES: REMOVE ALL SAMPLES AS PER MARIAM 2/27/14 1540PM
RECEIVED BY (Signature): [Signature] **DATE/TIME:** 2/27/14 1540
RECEIVED BY (Signature): [Signature] **DATE/TIME:** 2/27/14 1540
RECEIVED BY (Signature): [Signature] **DATE/TIME:** 2/27/14 1540
RECEIVED BY (Signature): [Signature] **DATE/TIME:** 2/27/14 1540

LABORATORY NOTES: REMOVE ALL SAMPLES AS PER MARIAM 2/27/14 1540PM
Turn Around Time: 24 HR 48 HR 5 DAY
 Website: www.esnww.com
 E-Mail: info@esnww.com

ESN NORTHWEST CHEMISTRY LABORATORY

Kane Environmental
 VINO RISTORANTE PH II PROJECT
 Renton, Washington

ESN Northwest
 1210 Eastside Street SE Suite 200
 Olympia, WA 98501
 (360) 459-4670 (360) 459-3432 Fax
 lab@esnnw.com

**Analysis of Diesel Range Organics & LubeOil Range Organics in Soil
 by Method NWTPH-Dx Extended/3660C**

Sample Number	Date Prepared	Date Analyzed	Surrogate Recovery (%)	Diesel Range Organics (mg/kg)	Lube Oil Range Organics (mg/kg)
Method Blank	3/5/2014	3/5/2014	91	nd	nd
LCS	3/5/2014	3/5/2014	83	89%	---
KSB-8:8	3/5/2014	3/5/2014	109	nd	nd
KSB-9:8	3/5/2014	3/5/2014	110	nd	nd
KSB-9:10	3/5/2014	3/5/2014	112	nd	nd
KSB-9:15	3/5/2014	3/5/2014	108	nd	nd
KSB-10:10	3/5/2014	3/5/2014	117	300	nd
KSB-10:15	3/5/2014	3/5/2014	111	nd	nd
KSB-11:10	3/5/2014	3/5/2014	102	nd	nd
KSB-11:13	3/5/2014	3/5/2014	107	nd	nd
KSB-11:15	3/5/2014	3/5/2014	105	nd	nd
KSB-11:15 Duplicate	3/5/2014	3/5/2014	114	nd	nd
Reporting Limits				50	100

"nd" Indicates not detected at the listed detection limits.

"int" Indicates that interference prevents determination.

ACCEPTABLE RECOVERY LIMITS FOR SURROGATE : 50% TO 150%

ESN NORTHWEST CHEMISTRY LABORATORY

Kane Environmental
 VINO RISTORANTE PH II PROJECT
 Renton, Washington

ESN Northwest
 1210 Eastside Street SE Suite 200
 Olympia, WA 98501
 (360) 459-4670 (360) 459-3432 Fax
 lab@esnnw.com

**Analysis of Diesel Range Organics & Lube Oil Range Organics in Water
 by Method NWTPH-Dx Extended/3660C**

Sample Number	Date Prepared	Date Analyzed	Surrogate Recovery (%)	Diesel Range Organics (ug/L)	Lube Oil Range Organics (ug/L)
Method Blank	3/3/2014	3/4/2014	85	nd	nd
LCS	3/3/2014	3/4/2014	112	103%	nd
KSB-8:W	3/3/2014	3/4/2014	102	nd	nd
KSB-9:W	3/3/2014	3/4/2014	100	nd	nd
KSB-10:W	3/3/2014	3/4/2014	97	4500	nd
KSB-11:W	3/3/2014	3/4/2014	138	nd	nd
Reporting Limits				250	500

"nd" Indicates not detected at the listed detection limits.


"int" Indicates that interference prevents determination.


ACCEPTABLE RECOVERY LIMITS FOR SURROGATE : 50% TO 150%

**ATTACHMENT B
SOIL BORING LOGS**

Sample Number	Sample Interval	Groundwater	% Recovery	Well Construction	Soil Log
KSB-8: 8			50	Backfilled with bentonite chips.	SM 0'-5': Medium brown to medium gray, silty fine sand with occasional gravels and rootlets, moist.
					SP 5'-6': Medium brown, medium sand, moist.
					ML 6'-8': Medium brown to medium gray silt with fine sand and clay, moist.
			80		ML 8'-10': Medium brown to medium gray, silt with clay, saturated.
					SP 10'-10.5': Medium brown, coarse sand with gravel, saturated.
					ML 10.5'-13': Medium brown to medium gray silt with clay, saturated.
			80		SP 13'-15': Medium brown to medium gray, medium sand, saturated.
					Boring ended at 15 feet bgs.

Logged by: Maria Dunlavey Driller: ESN Northwest Drilling Method: Direct Push Sampling Method: Acetate Liner Casing Type: N/A Annular Pack: N/A Slot Size: N/A Soils classified visually using the Unified Soils Classification System	Hammer Size: N/A Date Drilled: 2/27/2014 Hole Diameter: 2 inches Hole Depth: 15 feet Well Diameter: N/A Well Depth: N/A Screened Interval: 10 feet - 15 feet (Temporary)	Depth to Water (First Encountered): 8 feet Depth to Water (Static): N/A (water depths are approximate)
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 <p>3815 Woodland Park Avenue North, Suite 102 Seattle, WA - 206-691-0476 www.kane-environmental.com</p>	Limited Phase II ESA 212 S 3rd Street Renton, Washington	Soil Boring Log
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Sample Number	Sample Interval	Groundwater	% Recovery	Well Construction	Soil Log	
			60	Backfilled with bentonite chips.	0'-0.5': Asphalt. 0.5'-5.5': Medium brown to medium gray, silty fine sand with rootlets, moist.	
					SP 5.5'-6': Medium brown, medium sand.	
			80		ML 6'-9': Medium brown, silty fine sand, moist. Saturated below 8'.	
KSB-9: 8						
					SM 9'-10': Medium gray, silty fine sand, saturated. Slight fuel odor.	
KSB-9: 10					SP 10'-10.5': Medium brown, medium sand with gravels, moist.	
			80		SM 10.5'-13': Medium gray, silty fine sand, moist. Slight fuel odor near 11'.	
					SM 13'-14.5': Medium brown, silty fine sand, moist.	
KSB-9: 15					SP 14.5'-15': Medium brown, medium sand.	
Boring ended at 15 feet bgs.						

Logged by: Maria Dunlavey Driller: ESN Northwest Drilling Method: Direct Push Sampling Method: Acetate Liner Casing Type: N/A Annular Pack: N/A Slot Size: N/A Soils classified visually using the Unified Soils Classification System	Hammer Size: N/A Date Drilled: 2/27/2014 Hole Diameter: 2 inches Hole Depth: 15 feet Well Diameter: N/A Well Depth: N/A Screened Interval: 10 feet - 15 feet (Temporary)	Depth to Water (First Encountered): 8 feet Depth to Water (Static): N/A (water depths are approximate)
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Limited Phase II ESA
212 S 3rd Street
Renton, Washington

Soil Boring Log

Sample Number	Sample Interval	Groundwater	% Recovery	Well Construction	Soil Log
			60	Backfilled with bentonite chips.	0'-0.25': Asphalt. 0.25'-1': Medium gray, fine to coarse sand with gravel. 1'-9.5': Medium brown, silty fine sand with rootlets, moist.
KSB-10:10			60		SM 9.5'-14.5': Medium gray, silty fine sand, moist. Fuel odor.
KSB-10:15			100		SP 14.5'-15': Medium gray, medium sand with gravels, saturated.
Boring ended at 15 feet bgs.					

Logged by: Maria Dunlavey Driller: ESN Northwest Drilling Method: Direct Push Sampling Method: Acetate Liner Casing Type: N/A Annular Pack: N/A Slot Size: N/A Soils classified visually using the Unified Soils Classification System	Hammer Size: N/A Date Drilled: 2/27/2014 Hole Diameter: 2 inches Hole Depth: 15 feet Well Diameter: N/A Well Depth: N/A Screened Interval: 10 feet - 15 feet (Temporary)	Depth to Water (First Encountered): 8.5 feet Depth to Water (Static): N/A (water depths are approximate)
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3815 Woodland Park Avenue North, Suite 102
Seattle, WA - 206-691-0476
www.kane-environmental.com

Limited Phase II ESA
212 S 3rd Street
Renton, Washington

Soil Boring Log

Sample Number	Sample Interval	Groundwater	% Recovery	Well Construction	Soil Log
			60	Backfilled with bentonite chips.	SM 0'-0.25': Asphalt. 0.25'-7': Medium brown, silty fine sand with rootlets, moist.
			40		SP 7'-9': Medium brown, medium sand, moist.
KSB-11:10					SM 9'-10': Medium brown, silty fine sand, moist.
					SM 10'-12': Medium brown, fine sand with silt, saturated.
KSB-11:13			100		ML 12'-14.5': Medium gray, silt with fine sand.
KSB-11:15					SP 14.5'-15': Medium brown, medium to coarse sand with gravels.
Boring ended at 15 feet bgs.					

Logged by: Maria Dunlavey Driller: ESN Northwest Drilling Method: Direct Push Sampling Method: Acetate Liner Casing Type: N/A Annular Pack: N/A Slot Size: N/A Soils classified visually using the Unified Soils Classification System	Hammer Size: N/A Date Drilled: 2/27/2014 Hole Diameter: 2 inches Hole Depth: 15 feet Well Diameter: N/A Well Depth: N/A Screened Interval: 10 feet - 15 feet (Temporary)	Depth to Water (First Encountered): 8 feet Depth to Water (Static): N/A (water depths are approximate)
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3815 Woodland Park Avenue North, Suite 102
Seattle, WA - 206-691-0476
www.kane-environmental.com

Limited Phase II ESA
212 S 3rd Street
Renton, Washington

Soil Boring Log

**ATTACHMENT C
ENVIRONMENTAL COVENANT**

RECEIVED

NOV 14 2008

DEPT. OF ECOLOGY
TCP-NWRO

After Recording Return to:
Ms. Jing Liu
Department of Ecology
Northwest Regional Office
3190 - 160th Ave. SE
Bellevue, WA 98008



20081028000093

FIRST AMERICAN COV 49.00
PAGE 01 OF 008
10/28/2008 09:35
KING COUNTY, WA

Environmental Covenant

Grantor: Solo Noi, LLC

Grantee: State of Washington, Department of Ecology

Legal: Lots 1 & 2, Block 1, Mary E. Thorne Addition to the Town of Renton, according to the unrecorded plat thereof; Situated in the City of Renton, County of King, State of Washington

Tax Parcel Nos.: 0007200115 & 0007200116

Cross Reference: N/A

9/24/08

FIRST AMERICAN W/26430

Grantor, Solo Noi, LLC, hereby binds Grantor, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") made this day of September 24, 2008 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Solo Noi, LLC, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

A remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following document[s]:

- a. Site Characterization Report, Vino Ristorante Italiano, prepared by Langseth Environmental Services, Inc. dated February 13, 2007.

- b. Remedial Feasibility Study & Independent Cleanup Action Plan, Vino Ristorante Italiano, 212 South Third Street, Renton, WA, RGI Project 2007-044, prepared by the Riley Group, Inc. dated April 6, 2007.
- c. Limited Phase II Subsurface Investigation, Vino Ristorante Italiano, 212 South Third Street, Renton, WA, RGI Project 2007-044, prepared by the Riley Group, Inc. dated March 22, 2007.
- d. Independent Cleanup Action Letter Report, Vino Ristorante Italiano, 212 South Third Street, Renton, WA, RGI Project 2007-044, Ecology TCP#: NW1757, prepared by the Riley Group, Inc. dated June 20, 2007.
- e. Further Action Determination under WAC 173-340-515(5) for the following Hazardous Waste Site: Vino Ristorante Italiano, 212 South Third Street, Renton, WA, Facility/Site No. 4487258, VCP No. NW1757.
- f. Groundwater Monitoring Event – 2nd Quarter 2007, Vino Ristorante Italiano, 212 South Third Street, Renton, WA, RGI Project 2007-044b, prepared by the Riley Group, Inc., dated September 28, 2007.
- g. Groundwater Monitoring Event – 3rd Quarter 2007, Vino Ristorante Italiano, 212 South Third Street, Renton, WA, RGI Project 2007-044b, prepared by the Riley Group, Inc., dated January 8, 2008.
- h. Groundwater Monitoring Event – 4th Quarter 2008, Vino Ristorante Italiano, 212 South Third Street, Renton, WA, RGI Project 2007-044b, prepared by the Riley Group, Inc., dated March 11, 2008.

These documents are on file at Ecology's Northwest Regional Office.

This Covenant is required because the Remedial Action resulted in residual concentrations of diesel-range total petroleum hydrocarbons (TPH) which exceed the Model Toxics Control Act Method A Cleanup Level(s) for SOIL established under WAC 173-340-704.

The undersigned, Solo Noi, LLC, is the fee owner of real property (hereafter "Property") in the County of King, State of Washington, that is subject to this Covenant. The Property is legally described IN ATTACHMENT A OF THIS COVENANT AND MADE A PART HEREOF BY REFERENCE.

Solo Noi, LLC makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. A portion of the Property that is located on tax parcel number 0007200115 contains diesel-range TPH contaminated soil located under the northern portion of the restaurant building and grease trap. The Owner shall not alter, modify, or remove the existing structure[s] in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.

Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

Solo Noi, LLC



Richard Corbett

Partner

Dated: 9/24/08

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY



[Name of Person Acknowledging Receipt]

[Title]

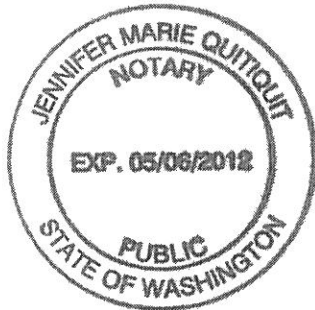
Dated: 10-17-08

THIS DOCUMENT IS RECORDED
AS A COURTESY ONLY.
FIRST AMERICAN TITLE INSURANCE
CO. ASSUMES NO LIABILITY FOR
SUFFICIENCY, VALIDITY OR
ACCURACY

[INDIVIDUAL ACKNOWLEDGMENT]

STATE OF WASHINGTON
COUNTY OF KING

On this 24 day of SEPTEMBER, 2008 I certify that RICHARD CORBETT personally appeared before me, and acknowledged that **he/she** is the individual described herein and who executed the within and foregoing instrument and signed the same at **his/her** free and voluntary act and deed for the uses and purposes therein mentioned.



J. M. Quitout
Notary Public in and for the State of
Washington, residing at RENTON.
My appointment expires 5-06-2012

[CORPORATE ACKNOWLEDGMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20__, I certify that _____ personally appeared before me, acknowledged that **he/she** is the _____ of the corporation that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that **he/she** was authorized to execute said instrument for said corporation.

Notary Public in and for the State of
Washington, residing at

My appointment
expires _____.

[REPRESENTATIVE ACKNOWLEDGEMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20__, I certify that _____ personally appeared before me, acknowledged that **he/she** signed this instrument, on oath stated that **he/she** was authorized to execute this instrument, and acknowledged it as the

_____ [type of authority] of _____ [name of party being represented] to be the free and voluntary act and deed of such party for the uses and purposes mentioned in the instrument.

Notary Public in and for the State of
Washington, residing at _____.
My appointment expires _____.