



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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November 13, 2015

Gary Johnson
Department of Planning and Development
700 5th Ave, Suite 2000
PO Box 34019
Seattle WA 98124

Re: **Proposed Removal of Activity and Use Restrictions at the following Cleanup Site:**

- **Site Name:** BMW Seattle Pike St.
- **Site Address:** 714 Pike St and 715 Pine St, Seattle WA 98122
- **Cleanup Site ID:** 1055
- **Facility/Site ID:** 33641566
- **Tax Parcels:** 880490021503 and 880490023004
- **VCP Project ID:** NW2618
- **Covenant Recording #:** 9812162604

Dear Mr. Johnson:

The purpose of this letter is to notify your agency that the Department of Ecology (Ecology) is proposing to remove an environmental covenant (Covenant) that restricts certain uses and activities on the above-referenced property as part of the cleanup of the BMW Seattle Pike St. (Site). The restrictions were established to protect human health and the environment and integrity of the remedial actions at the Site.

Ecology has preliminarily determined the conditions on the property that originally required the Covenant no longer exist. A detailed description of the remedial actions conducted and the current conditions at the Site can be found at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=1055>.

Based on this determination, the following restrictions appear to be no longer necessary for this property:

1. Any activity on the property that may result in the release or exposure to the environment of contaminated soil that was contained as part of the Remedial Action, or created a new exposure pathway, is prohibited.
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.
3. The Owner of the Property must give thirty (30) days advanced notice before conveyance of any interest in the Property.



4. 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.
5. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of the Covenant.
6. The Owner shall authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action.
7. 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.

A full copy of the restrictions can be found on Ecology's Environmental Covenant Registry at http://www.ecy.wa.gov/programs/tcp/sites_brochure/SiteLists.htm. Search for the site using the above facility/site identification number.

Ecology is seeking your input on the proposed removal of the property restrictions in accordance with WAC 173-340-440(12). If you believe the restrictions are still necessary to protect human health or the environment, or the integrity of the remedial actions at the Site, please respond to this letter with your reasons for keeping the restrictions.

Ecology would appreciate your response in writing by letter or e-mail by December 10, 2015.¹ If we do not hear from you by this date, we will assume you have no concerns with this proposal. A copy of the document removing the Covenant will be sent to you after it is recorded.

If you have any questions regarding this letter or the cleanup of the Site, please feel free to contact me at eufr461@ecy.wa.gov or 425-649-7191.

Sincerely,



Eugene Freeman

¹ Unless another deadline has been agreed to through a prior conversation, provide at least 20 calendar days for a response.