



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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October 18, 2011

CERTIFIED MAIL
7011 0470 0003 3682 8842

PANOS PROPERTIES LLC-II
6850 E GREEN LAKE WY N UNIT 201
SEATTLE WA 98115

Dear Sir/Madam:

Re: **EARLY NOTICE LETTER:** Facility Site # 12583
Yankee Diner
5300 24th Ave NW & 5425 Shilshole Ave NW
Seattle, WA 98107
Tax Parcel # 0467000423

This letter is sent to you concerning information that the Department of Ecology (Ecology) has gathered regarding the above referenced property. As part of the process under the Model Toxics Control Act (MTCA), Ecology maintains a list of known or suspected contaminated sites. Based on available information in the department's files, it is Ecology's decision to add this property to the list as a site known to be contaminated by hazardous substances.

Enclosed is a data summary report containing information we believe reflects the current site status. Please note that inclusion on the list **does not** mean that Ecology has determined you to be a potentially liable person responsible for cleanup under MTCA. However, this letter is a notification that an area(s) of contamination exists on this property. Further investigation or cleanup action will need to be done to comply with Washington State laws and regulations.

Because of considerable potential liability, please be advised to carefully consider any investigation or cleanup actions and to carefully document steps taken independent of Ecology's involvement. Guidance documents to help conduct an independent cleanup are available if you are interested in this option. In proceeding with an independent cleanup, please be aware there are requirements in State law which must be met. Some of these requirements are addressed in WAC 173-340-120(8)(B) and -300(4). Ecology will use the appropriate requirements contained throughout MTCA in its evaluation of the adequacy of any independent remedial (cleanup) actions performed.

Ecology has a strong commitment to work cooperatively with individuals to accomplish prompt and effective investigations and site cleanups. However, due to limited resources and requirements in State law, we are not able to provide all the assistance requested. Your cooperation in planning or conducting a cleanup action is not an admission of guilt or liability.



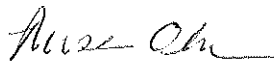
If an independent cleanup action is undertaken, and a formal review of the work is desired, a report may be submitted to Ecology through the Voluntary Cleanup Program. This program was established in response to the public's need for Ecology to more rapidly review cleanup actions. A fee has been established to support this review process. Guidance documents to help conduct an independent cleanup are available on our website (<http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>) if you are interested in this option.

If a cleanup action is undertaken and a formal review of the work is not desired at this time, then the information should be submitted to Ecology in order to document any assessment or cleanup activities. If no report is available, but work is in progress or anticipated, a letter describing these plans would be helpful in updating the site record.

If an independent cleanup action does not occur on this property, Ecology will conduct a more detailed inspection at a future time that may include testing for contamination. After that, Ecology will assess what action is needed and establish a priority for that work under the formal MTCA cleanup process. At that time, the potentially liable person(s) would be determined and would be responsible for cleanup costs, including State oversight.

Should you have any questions regarding this letter or if you would like a copy of Chapter 70.105D RCW (The Model Toxics Control Act), the implementing regulations, Chapter 173-340 WAC, that detail these requirements, or a guidance document, please contact Donna Musa at (425) 649-7136 or donna.musa@ecy.wa.gov. Thank you in advance for your cooperation.

Sincerely,



Russ Olsen
Toxics Cleanup Program

RO:dkm

Enclosure: Cleanup Site Details Summary Sheet

cc: Don Schwartz, Ballard Hotel, LLC



Cleanup Site Details

10/19/2011

KING COUNTY

SITE 1

YANKEE DINER

Alternate Name(s): Ballard Hotel, BALLARD HOTEL LLC, Yankee Diner

CleanupSite ID: **11692**

FS ID: **12583**

LOCATION:

Address: **5425 Shilshole Ave NW & 5300 24th**
SEATTLE 98107

Lat/Long: **47.66731** **-122.38683**
Township/Range/Section: **25N** **3E** **11**

Legislative District: **36**
Congressional District: **7**

STATUS:

Ecology Status: **Awaiting Cleanup**
WARM BIN#: **Northwest**
Site Manager: **Northwest Region**
Statute: **MTCA**

Is Brownfield? **Yes**
Environmental Covenant? **Yes**
Is PSI Site? **Yes**

UST Site ID: **8**
WRIA ID: **8**

NFA Received?

NFA Date:

NFA Reason:

ASSOCIATED CLEANUP UNIT(S)

cuid	Cleanup Unit Name	Unit Type	Process Type	Unit Status	Size (Acres)	ERTS ID
12292	Yankee Diner	Upland	No Process	Awaiting Cleanup	623344	

SITE ACTIVITIES:

Applies to:	Related ID (Unit-LUST-VCP)	Activity Display Name	Status	Start Date	End Date	Legal Mechanism	Performed By	Project Manager
CleanupSite		Site Discovery/Release Report Received			10/5/2010			Musa, Donna
CleanupSite		Initial Investigation / Federal Preliminary Assessment	Completed	11/5/2010	4/29/2011	Ecology		Musa, Donna
CleanupSite		Early Notice Letter(s)			10/18/2011			Musa, Donna

AFFECTED MEDIA & CONTAMINANTS:

Media:

Contaminant:	Ground Water	Surface Water	Soil	Sediment	Air	Bedrock
Lead	C		C			
Petroleum-Other	C		C			

Cleanup Site Details

10/19/2011

Polynuclear Aromatic Hydrocarbons

C C

Key:

B - Below Cleanup Level

C - Confirmed Above Cleanup Level

S - Suspected

R - Remediated

RA - Remediated-Above

RB - Remediated-Below