



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 22, 2016

Mr. Dave Tomson, SRMKII LLC
111 N Post Street, Suite 200
Spokane, WA 99201-4911

Ms. Tina Ragan, Ultra Corporation
C/O Mr. John J. Houlihan, Jr.
Houlihan Law
3401 Evanston Avenue N, Suite C
Seattle, WA 98103

Re: Satisfaction of Consent Decree No. 12-2-16257-3SEA and No Further Action at the following Site:

- **Site Name:** SRMKII, former Pace National site
- **Site Address:** 500 – 7th Avenue S, Kirkland, WA 98033
- **Site Cleanup Number:** SC Id #5063
- **Facility/Site Number:** FS Id #2159

Dear Mr. Tomson, Ms. Ragan, and Mr. Houlihan:

Thank you for working with the Washington State Department of Ecology (Ecology) on the SRMKII, former Pace National Site (Site). This letter provides written notification that the remedial actions required by Consent Decree No. 12-2-16257-3SEA have been satisfactorily completed and that no further remedial action is necessary to clean up contamination at the Site under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. This letter also describes the removal of the Site from Ecology's Hazardous Sites List. The Decree became effective on May 7, 2012, and was amended on September 27, 2013.

Satisfaction of the Consent Decree

Ecology has determined the requirements of the Consent Decree have been satisfied. Ecology made this determination pursuant to Section XXVII (Duration of Decree).

The remedial actions required by the Decree are specified in Section VI (Work to Be Performed) and detailed in the Cleanup Action Plan (Exhibit B). SRMKII and Ultra Corporation were required to conduct cleanup actions to treat, remove petroleum, and solvent chemicals of concern from soil and groundwater, and to conduct soil and groundwater compliance monitoring to confirm all chemicals of concern had been removed and remediated.

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Then SRMKII volunteered to test and conduct additional excavation to remove any detected chemicals in soil called gray soil, and then retest to confirm all gray soils had been removed. After inspecting the Site and reviewing the supporting documentation, Ecology has determined that the remedial actions required by the Decree have been satisfactorily completed.

No Further Action Determination

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site under MTCA. Ecology has also determined that no post-cleanup controls or monitoring are necessary under MTCA.

Delisting of the Site

Based on the no further action determination, Ecology proposed removing the Site from the Hazardous Sites List (HSL). Ecology published notice of the proposal in the Site Register on November 12 and 25, 2015 and provided a 30-day public comment period, from December 4, 2015 to January 4, 2016. No comments were received, and Ecology removed the Site from the HSL on February 1, 2016. The removal was reflected in the next publication of the HSL in the Site Register on February 16, 2016.

Dismissal of the Decree

Based on the above determinations, Ecology has decided to dismiss the Decree. The Attorney General's Office will seek joint dismissal of the Decree in King County Superior Court.

Upon dismissal of the Decree, Section XII (Retention of Records) will remain in effect for ten years from the date the Decree is no longer in effect. Sections XIX (Contribution Protection) and XVIII (Covenant Not to Sue) will remain in effect in perpetuity.

Thank you for cleaning up the Site. Should you have any questions, or need further assistance please contact Ecology's Northwest Region Toxics Cleanup Project Manager, Maura S. O'Brien at maura.obrien@ecy.wa.gov or (425) 649-7249.

Sincerely,



James J. Pendowski, Program Manager
Toxics Cleanup Program

cc: Daniel Balbiani, PES Environmental, Inc.
Andrew Fitz, AGO
Maura S O'Brien, Ecology