



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

March 22, 2016

Mr. Dow Constantine
King County Executive Office
401 5th Avenue, Suite 800
Seattle, WA 98104

Re: Satisfaction of Consent Decree No. 94-2-29616-7SEA and No Further Action at the following Site:

- **Site Name:** KCDT Metro Transit former South Dearborn Facilities Site
- **Site Address:** 802 South Dearborn Street, Seattle, WA
- **Site Number:** Cl Id #6455
- **Facility/Site Number:** FS Id #65124715

Dear Mr. Constantine:

Thank you for working with the Washington State Department of Ecology (Ecology) on the KCDT Metro Transit former South Dearborn Facilities Site (Site). This letter provides written notification that the remedial actions required by Consent Decree No. 94-2-29616-7SEA (Decree) 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 and next steps for dismissing the Decree. The Decree became effective on November 29, 1994.

Satisfaction of Decree

Ecology has determined the requirements of the Decree have been satisfied. Ecology made this determination pursuant to Section XXVI. 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). KCDT Metro Transit was required to demolish and remove existing structures, excavate and remove petroleum contaminated soils, and cleanup deeper soils and groundwater using cleanup treatment methods with monitored natural attenuation. After inspecting the Site and reviewing the supporting documentation, Ecology has determined that the remedial actions required by the Decree have been satisfactorily completed.

Dow Constantine
March 22, 2016
Page 2

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 October 15, 2015 and provided a 30-day public comment period, from October 16 to November 16, 2015. One comment was received. After review and consideration of the comments, Ecology removed the Site from the HSL on December 8, 2015. The removal will be reflected in the next publication of the HSL in the Site Register on February 18, 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 XIII. Retention of Records will remain in effect for ten years from the date the Decree is no longer in effect. Sections XXXII. Contribution Protection and XXXI. Covenant Not to Sue will remain in effect in perpetuity.

Thank you for cleaning up the Site, and returning this Site to beneficial uses to City of Seattle and the State of Washington. Should you have any questions, contact Ecology's Northwest Regional Toxics Cleanup Site Manager, Maura O'Brien at Maura.Obrien@ecy.wa.gov or (425) 649-7249.

Sincerely,



James J. Pendowski, Program Manager
Toxics Cleanup Program

cc: Gary Kriedt, King County
Andrew Marcuse, King County
Maiko Winkler-Chin, SCIDPDA
Allyson Bazan, AGO
Maura S O'Brien, Ecology