



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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August 29, 2018

Ms. Sue Selman
Bellwether Housing
1651 Bellevue Avenue
Seattle, Washington 98122

Re: Final Determination of Liability for Release of Hazardous Substances at the following Contaminated Site:

- Name: **Seattle Housing Authority Maint PKG Lot (Chevron No.: 209335)**
- Address: 1225 N. 45th Street, Seattle, WA 98103
- County Assessor's Parcel Number 782120-0275-06 and 782120-0255-00
- Facility/Site No.: 70996824
- Cleanup Site No.: 6537

Dear Ms. Selman:

On October 1, 2015, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Bellwether Housing (formerly known as Housing Resources Group) is a potentially liable persons (PLP) for a release of hazardous substances at the **Seattle Housing Authority Maint PKG Lot (Chevron No.: 209335)** facility (Site), which is now known as Stone Way Apartments. On October 27, 2015, and on March 1, 2017, the Law Office of Kantor Taylor sent Ecology written notices challenging Stone Way Apartments, LLC and Bellwether Housing Status as a PLP. Ecology has reviewed and considered your challenge to PLP status.

Pursuant to RCW 70.105D.040(1)(a), the owner or operator of a facility (site) where hazardous substances have come to be located is liable. A site may have more than one liable party, including prior owners or operators. Based on available information, Ecology finds that credible evidence exists that Bellwether Housing as the Operator of the Site is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that Bellwether Housing is a PLP with regard to the Site.

Additionally, Ecology has also made the following PLP determinations for the Site:

- Based on the information that Stone Way Apartments, LLC is the current property owner of the above parcels, Ecology found that credible evidence exists which supported Stone Way Apartments status as a PLP for the release at **Seattle Housing Authority Maint**



PKG Lot (Chevron No.: 209335). On the basis of that finding, on May 2, 2017, Ecology determined that Stone Way Apartments, LLC is a PLP with regard to **Seattle Housing Authority Maint PKG Lot (Chevron No.: 209335).**

- Based on the information available to date, Ecology found that credible evidence exists which supported Chevron Environmental Management Company (CEMC) status as a PLP for the release at **Seattle Housing Authority Maint PKG Lot (Chevron No.: 209335).** On the basis of that finding, on May 23, 2017, Ecology determined that CEMC is a PLP with regard to **Seattle Housing Authority Maint PKG Lot (Chevron No.: 209335).**

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and clean up facilities where hazardous substances have been released. Liability for environmental contamination under MTCA is strict, joint and several (RCW 70.105D.040(2)). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations. Ecology has determined that it is in the public interest for remedial actions to take place at this Site. Ecology will contact you regarding the actions necessary for the Bellwether Housing to bring about the prompt and thorough cleanup of hazardous substances at this Site. Failure to cooperate with Ecology or comply with MTCA in this matter will result in Ecology employing enforcement tools as it deems necessary and appropriate. This includes, but is not limited to, the issuance of an administrative order. Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70.105D.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Dale Myers, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Dale Myers at (425) 649-4446 or Dale.Myers@ecy.wa.gov.

Sincerely,



Robert W. Warren
Section Manager, Northwest Regional Office
Toxics Cleanup Program

By Certified Mail [9171 9690 0935 0206 7582 52]

cc: Allyson Bazan, Office of the Attorney General
Dale Myers, Department of Ecology
Louise Bardy, Department of Ecology
Cheryl A. Cameron, Chevron Environmental Management Company
Glenn J. Amster, Kantor Taylor Nelson Evatt & Decina PC