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Via Electronic Mail and U.S. Mail

Donna Musa
Department of Ecology
Northwest Regional Office
3190 -160th Avenue SE
Bellevue, WA 98008-5452

Re: *Notice of Cleanup Action*
Source Properties: 159 Denny Way, Seattle, Washington
3016 First Avenue, Seattle, Washington
Affected Property: 101 Denny Way, Seattle, Washington

Dear Donna:

This letter provides notice that 101 Denny LLC (“Denny”) will be conducting a cleanup action at property it owns located at 101 Denny Way, Seattle, Washington (the “Affected Property”) to address petroleum-related constituents that have migrated to the Affected Property from two separate, off-property sources. The first is located at 159 Denny Way (the “First Source Property”) and the second is located at 3016 First Avenue (the “Second Source Property”).

The petroleum-related constituents are confined to soil and groundwater in the eastern portion of the Affected Property at depths between 14 and 20 feet below ground surface. The constituents include gasoline-related and diesel-related compounds.

The First Source Property is the source of the gasoline-related compounds. Corporate predecessors of Chevron Corporation operated two service stations at the First Source Property between approximately 1924 and 1992. A condominium building currently sits on the First Source Property. Environmental investigations conducted by Chevron and others indicate petroleum-related constituents associated with the former service stations are present in groundwater less than 75 feet from the Affected Property. The impacted groundwater, which is about 15 to 20 feet below ground surface, is hydraulically upgradient of the Affected Property and flows toward the Affected Property. The First Source Property is currently enrolled in the Voluntary Cleanup Program (“VCP”).

The Second Source Property is the source of the diesel-related compounds. The diesel is attributable to heating oil that has been released from a 600-gallon underground storage tank

("UST") located only a few feet from the Affected Property beneath the basement of the apartment building on the Second Source Property. Cadre Centerview Apartments LLC ("Cadre"), the former owner of the Second Source Property, decommissioned the UST in 2014. Cadre removed heating oil and water from the UST, noted the UST has visible holes, and observed apparent leaks around the UST. Center View in Belltown, LLC ("Center View") is the current owner of the Second Source Property. Based on the location and depth of the UST relative to the Affected Property and the observed releases from the UST, it is obvious the UST is a source of the petroleum-related constituents at the Affected Property.

Denny plans to build a new mixed-use structure at the Affected Property (the "Project"). The contamination at the Affected Property is largely below the planned depth of the Project, but Denny may encounter some contaminated soil or groundwater during construction. Because petroleum-related constituents will remain under the new structure, Denny must construct a vapor barrier and sub-slab vapor collection system to prevent contaminated vapors from intruding in the new structure. All work Denny performs in response to the contamination will constitute "remedial action" as defined by the Model Toxics Control Act ("MTCA"), Chapter 70.105D RCW.

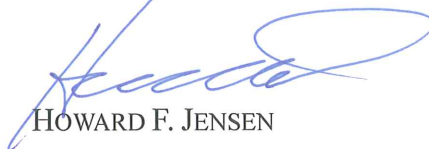
The cleanup action is scheduled to commence toward the end of this month and is expected to take three to four months to complete. This notice is provided pursuant to WAC 173-340-545(3)(a)(i). Denny will perform all remedial actions in accordance with MTCA and its associated cleanup regulations, Chapter 173-340 WAC.

Based on the information available at this time, Denny believes Chevron is liable under MTCA for the gasoline-range compounds that have migrated through groundwater from the First Source Property to the Affected Property, and Cadre and Center View are liable under MTCA for the diesel-range compounds that have migrated through groundwater from the Second Source Property to the Affected Property. We are providing Chevron, Center View, and Cadre with copies of this notice.

Please do not hesitate to contact me if you have any questions.

Sincerely,

VERIS LAW GROUP PLLC



HOWARD F. JENSEN

cc: Seattle & King County Department of Public Health
City of Seattle Department of Planning & Development
Sergio Borgiotti – Attorney for Chevron
John Houlihan – Attorney for Cadre
Joseph T G Harper – Registered Agent for Center View
Client