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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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November 27, 2018

Michael Stone
PIH Olympia, LLC
501 E Camino Real
Boca Raton, FL 33432

Re: Termination of VCP Agreement for the following Site:

- **Site Name:** Phoenix Inn (*a.k.a.* Double Tree Olympia)
- **Site Address:** 415 Capitol Way N, Olympia, Thurston County, WA 98501
- **Facility/Site No.:** 1571525
- **Cleanup Site No.:** 5257
- **VCP Project No.:** SW1582

Dear Michael Stone:

The Department of Ecology (Ecology) has terminated the Voluntary Cleanup Program (VCP) Agreement governing Project No. SW1582. The project involved the cleanup of Phoenix Inn (*a.k.a.* Double Tree Olympia) facility (Site).

In an email on September 28, 2018, Ecology received your letter dated July 9, 2018. Your letter requested withdrawal from the VCP based on sale of the property. The effective date of termination is October 15, 2018, based on the date a new VCP application, submitted by the new property owner, was received and accepted by Ecology.

We are providing this notice in accordance with the terms of the Agreement. Any charges billed prior to the effective date of termination of the Agreement (October 15, 2018) must be paid. Ecology fiscal's records indicated one charge from September 2018, in the amount of \$24.79, and invoiced in October 2018, is still pending.

Termination from the VCP does not resolve or alter a person's liability to the state, nor protect potentially liable persons from contribution claims made by third parties. Termination from the VCP does not constitute a determination of substantial equivalence. Though SW1582 is

terminated from the VCP, Ecology does not give up any of its powers, as listed in chapter 70.105D.030 Revised Code of Washington (RCW). The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this termination.

Contact Information

If you have any questions about this notice, please contact me at (360) 407-6241 or rebecca.lawson@ecy.wa.gov.

Sincerely,



Rebecca S. Lawson, P.E., LHG
Section Manager
Toxics Cleanup Program
Southwest Regional Office

By certified mail: 9489 009 0027 6066 6791 01

Enclosure: Email dated September 28, 2018

cc: Robert Rubenstein, PIH Olympia, LLC
Robyn D. Neely, Esquire
Paul McCullough, Arcadis
Matt McGraner, Highland Capital Management
Nicholas Acklam, Ecology
Beth McKee, Ecology
Ecology Site File

Enclosure A

Email dated September 28, 2018

From: Robyn.Neely@akerman.com
To: [Acklam, Nicholas \(ECY\)](mailto:Acklam.Nicholas@ecy.wa.gov); [Mullin, Tim \(ECY\)](mailto:Mullin.Tim@ecy.wa.gov)
Cc: mstone@revantage.com; Paul.McCullough@arcadis.com; jesse@blairassetmgmt.com; lddio@revantage.com
Subject: RE: Double Tree Olympia Site Cleanup Site ID: 5257, VCP Project ID: SW1582
Date: Friday, September 28, 2018 2:46:02 PM

Nick, thank you. You are correct, we consider the official termination will be 30 days from electronic receipt of the letter which will be October 28, 2018. Thanks again for your assistance. Regards,
Robyn

Robyn Neely

Partner

Akerman LLP | 420 South Orange Avenue, Suite 1200 | Orlando, FL 32801

D: 407 419 8549

robyn.neely@akerman.com

From: Acklam, Nicholas (ECY) <nack461@ecy.wa.gov>
Sent: Friday, September 28, 2018 5:02 PM
To: Neely, Robyn (Ptnr-Orl) <Robyn.Neely@akerman.com>; Mullin, Tim (ECY) <TMUL461@ecy.wa.gov>
Cc: mstone@revantage.com; Paul.McCullough@arcadis.com; jesse@blairassetmgmt.com; lddio@revantage.com
Subject: RE: Double Tree Olympia Site Cleanup Site ID: 5257, VCP Project ID: SW1582

Hi Robyn,

Please let this email serve as confirmation of termination for VCP project SW1582 per the conditions provided in your letter to Ecology on September 28, 2018. Please note the date provided on the attached letter is July 9, 2018; however, it is my interpretation that the actual date should be September 28, 2018, the date Ecology received the letter electronically. The official termination of the project will be 30 days from receipt of this letter (October 28, 2018) or upon receipt of the VCP Application from NHT Olympia, LCC, whichever comes first. Please let me know if anyone has any questions or comments. I will also provide notification when Ecology receives the hard copy of the letter.

Thank you,
Nick

From: Robyn.Neely@akerman.com [<mailto:Robyn.Neely@akerman.com>]
Sent: Friday, September 28, 2018 1:20 PM
To: Mullin, Tim (ECY) <TMUL461@ecy.wa.gov>
Cc: Acklam, Nicholas (ECY) <nack461@ecy.wa.gov>; mstone@revantage.com; Paul.McCullough@arcadis.com; jesse@blairassetmgmt.com; lddio@revantage.com
Subject: RE: Double Tree Olympia Site Cleanup Site ID: 5257, VCP Project ID: SW1582

Tim, and Nick, sending this again since I had Nick's email address incorrect. Please see email below

and pdf copy attached. Thanks, Robyn

Robyn Neely

Partner

Akerman LLP | 420 South Orange Avenue, Suite 1200 | Orlando, FL 32801

D: 407 419 8549

robyn.neely@akerman.com

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From: Neely, Robyn (Ptnr-Orl)
Sent: Friday, September 28, 2018 4:12 PM
To: TMUL461@ECY.WA.GOV
Cc: Nack461@ecy.gov; Mike Stone (mstone@revantage.com) <mstone@revantage.com>; McCullough, Paul <Paul.McCullough@arcadis.com>; Jesse Blair <jesse@blairassetmgmt.com>; Lourdes D'Dio (lddio@revantage.com) <lddio@revantage.com>
Subject: RE: Double Tree Olympia Site Cleanup Site ID: 5257, VCP Project ID: SW1582

Tim and Nick, just to clarify, we are mailing the original letter to Nick's attention at PO Box 47600, Olympia, WA 98504-7600. Thanks, Robyn

Robyn Neely

Partner

Akerman LLP | 420 South Orange Avenue, Suite 1200 | Orlando, FL 32801

D: 407 419 8549

robyn.neely@akerman.com

From: Neely, Robyn (Ptnr-Orl)
Sent: Friday, September 28, 2018 4:09 PM
To: 'TMUL461@ECY.WA.GOV' <TMUL461@ECY.WA.GOV>
Cc: 'Nack461@ecy.gov' <Nack461@ecy.gov>; Mike Stone (mstone@revantage.com) <mstone@revantage.com>; 'McCullough, Paul' <Paul.McCullough@arcadis.com>; 'Jesse Blair' <jesse@blairassetmgmt.com>
Subject: Double Tree Olympia Site Cleanup Site ID: 5257, VCP Project ID: SW1582

Tim, and Nick, please see the attached VCP Termination Letter for the Double Tree Olympia Site, located at 415 Capiol Way N., Olympia, WA 98501, Cleanup Site ID: 5257, VCP Project ID: SW1582. PIH Olympia LLC recently sold the property to NHT Olympia, LLC. We have been waiting to submit the termination letter until the new owner would be submitting a new VCP Application and Agreement. We understand that documentation is currently being submitted by the new owner. If you have any questions, please do not hesitate to contact me. Regards, Robyn

Robyn Neely

Partner

Akerman LLP | 420 South Orange Avenue, Suite 1200 | Orlando, FL 32801

D: 407 419 8549

robyn.neely@akerman.com



January 23, 2019

Dear S L:

The following is in response to your request for proof of delivery on your item with the tracking number:
9489 0090 0027 6066 6791 01.

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Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	michael stone

Shipment Details

Weight:	0.9oz
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Recipient Signature

Signature of Recipient:

Address of Recipient:

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