



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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August 27, 2019

Norm Payton
Washington State Department of Transportation
Maintenance Operations
PO Box 47358
Olympia, WA 98504-7358

Re: No Further Action (NFA) Determination associated with Leaking Underground Storage Tank (LUST) Site:

- Site Name: WA DOT Signals Maintenance
- Site Address: 3700 9th Ave S Seattle, WA 98134
- Facility/Site No.: 60549963
- Cleanup Site No.: 9862
- LUST ID No.: 707
- Release Notification Date: 2/7/1991

Dear Norm Payton:

Based on the historical information in our files and the recent sampling documented in the *Draft Supplemental Site Investigation Report WA DOT Signals Maintenance Site Seattle, Washington* dated June 29, 2018 (accepted as final); the Washington State Department of Ecology (Ecology) has determined that the WA DOT Signals Maintenance site (Site) has met the substantive requirements for cleanup under the Model Toxics Control Act (MTCA) regulation Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively “substantive requirements of MTCA”).

The MTCA regulation sets strict cleanup standards for sites in Washington State to ensure that the quality of the cleanup is appropriate and is protective of human health and the environment. The cleanup criteria is selected based on the site circumstances and location. For this site Method A cleanup levels were selected. The Method A cleanup levels are protective, and if met, they allow the property to be used for unrestricted land use.

After a site meets the criteria for soil and groundwater (if applicable), the cleanup is considered to be complete and a “No Further Action” (NFA) letter can be issued. According to our records, you have conducted cleanup independently and the Site meets the applicable cleanup levels.



Norm Payton
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Based on this information, Ecology has determined that no further remedial action is necessary at the Site to clean up contamination associated with the LUST. This determination is made only for impacts associated to releases from LUST No. 707. Ecology has updated the status of remedial action at the Site on our database of Leaking Underground Storage Tanks and has completed the public notice and comment process for removing the Site from the Hazardous Sites List (HSL).

Please understand that this opinion does not settle liability with the state. Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion **does not:**

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70.105D.040(4).

In addition, this opinion does not constitute a determination of substantial equivalence. To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you proposed will be substantially equivalent. Courts make that determination. See RCW 70.105D.080 and WAC 173-340-545.

Lastly, 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 opinion. See RCW 70.105D.030(1)(i).

If you have any questions about this opinion, please contact me by e-mail at louise.bardy@ecy.wa.gov or by phone at (425) 649-7209.

Sincerely,



Louise Bardy
Voluntary Cleanup Unit Supervisor
Northwest Regional Office, Toxics Cleanup Program

By certified mail: 9171 9690 0935 0136 9548 23

Cc: Donna Musa, Ecology