



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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July 9, 2019

Sam Zimbabwe
Director
City of Seattle, Department of Transportation
PO Box 34996
Seattle, WA 98124-4996

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

- **Site Name:** Seattle DOT Mercer Parcels
- **Site Address:** 800 Mercer St, Seattle WA 98109
- **Cleanup Site ID:** 14784
- **Facility ID:** 27913
- **County Assessor's Parcel Numbers:** 224900-0006, -0040, -0055, and 0080

Dear Sam Zimbabwe:

On March 26, 2019, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that City of Seattle, Department of Transportation (City) is a potentially liable person (PLP) for a release of hazardous substances at the Seattle DOT Mercer Parcels (Site). On April 26, 2019, the 30-day comment period on our preliminary determination expired. As of July 8, 2019, Ecology had not received any written comments from you.

Based on available information, Ecology finds that credible evidence exists that the City is liable for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that the City of Seattle, Department of Transportation is a PLP with regard to the Site.

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and cleanup 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 City 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



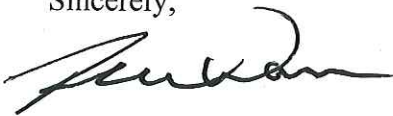
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limited to, the issuance of an administrative order. Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70.105D.050(1)).

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, Ching-Pi Wang, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Sandra Matthews at 425.649.7206 or smat461@ecy.wa.gov.

Sincerely,



Robert W. Warren
Section Manager
Toxics Cleanup Program, NWRO

By certified mail:9171 9690 0935 0214 2153 96

cc: Sandra Matthews, Ecology
Allyson Bazan, Office of the Attorney General
Ecology Site File