



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 29, 2020

Susan Penoyar
Sound Transit
401 South Jackson Street
Seattle, WA 98104

Re: Response to Additional Information at the Following Cleanup Site:

- **Site Name:** Y Pay Mor Drycleaner
- **Site Address:** 2210 S 320th Street, Federal Way, Washington 98003
- **Facility/Site No.:** 2518
- **Cleanup Site ID:** 3180
- **VCP Project No.:** NW3265

Dear Susan Penoyar:

Washington Department of Ecology (Ecology) has received your *Additional Information* letter, dated April 13, 2020, for the Y Pay Mor Drycleaner facility (Site). The Site is located on King County parcel 2423200050, which covers 7.52 acres (Property). Currently the Property is a shopping center (Sea-Tac Plaza Shopping Center). The Site is a former dry cleaner (Y Pay Mor Cleaners), which operated between 1979 and 1994 in "Space A-6" on the northeastern portion of the Property (see Figure in **Enclosure A**)

Two restrictive covenants are in place for this Site: a 1998 restrictive covenant (King County Recording No. 9808101434), and a 1995 restrictive covenant (King County Recording No. 9510121424). The 1998 restrictive covenant is attached to Ecology's No Further Action determination letter dated October 22, 1998.

The 1998 restrictive covenant includes the following restrictions:

- The owner shall not alter, modify, or remove the existing structure(s) in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.
- Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

- Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

The legal description in the 1998 restrictive covenant is: “Space A-6, 2210 S. 320th Street, Federal Way, Washington”. Ecology issued an *Approval for Supplemental Characterization* letter on April 8, 2020. In this letter, Ecology requested “a map showing the historic “Space A-6” on the Property that matches the restrictive covenant description.”

In the April 13, 2020 *Additional Information* letter from Sound Transit, a 2014 floor plan was provided as Exhibit No. 3, which shows the “Space A-6” (**Enclosure B**). The letter also states that “the 1995 and 1998 restrictive covenants are only applicable to the extent of Space A-6/Former Y-Pay-Mor dry cleaner”. Furthermore, the letter requests “that construction activities can occur in areas of King County parcel 2423200050 that are outside of the easternmost portion of the building, as long as existing groundwater monitoring wells are not destroyed.”

Below is Ecology’s response to the April 13, 2020 *Additional Information* letter:

1. Based on review of the floor plan in Exhibit No. 3, and other supporting materials provided in the *Additional Information* letter, Ecology concurs that the “Space A-6” provided in **Enclosure B** matches the legal description in the 1998 restrictive covenant.
2. Based on the soil and ground water investigations provided in the *Cleanup Action Plan*, dated March 11, 2020, tetrachloroethene (PCE) was detected at concentrations above the MTCA Method A soil cleanup level in the soil samples collected north of the “Space A-6”, and at the western edge of the “Space A-6” (**Enclosure C**). PCE was also detected at a concentration above the MTCA Method A ground water cleanup level in the ground water sample collected at the western edge of the “Space A-6” (**Enclosure D**). The contaminated soil and/or ground water are present outside of the footprint of “Space A-6”.

A March 31, 2020 email from GeoEngineers on behalf of Sound Transit requested “confirmation that Ecology interprets both existing [restrictive covenants] to cover only the portion of parcel 242320-0050-00 (FL-358) that encompasses the former Y Pay Mor dry cleaner (space A-6) and associated contamination.” Ecology accepts this interpretation of the covenants. Within the scope of this interpretation and given the above investigations, Ecology does not concur that the restrictive covenants are “only applicable to the extent of Space A-6/Former Y-Pay-Mor dry cleaner.” The current investigations show that the extent of contamination goes beyond Space A-6 and that the extent of the impacted area has not been fully delineated.

3. Based on the above, Ecology does not approve the request that construction activities occur in areas outside of the “easternmost portion of the building” where Space A-6 is located. This is so that further remedial actions are not foreclosed before the remedial investigation is complete and the full extent of the presumed cleanup action for contaminated soils (excavation) is established. Based on Ecology’s current understanding of the Site contamination, Ecology approves construction work in the area illustrated in **Enclosure E**, which includes the central and western portions of the Property. The approved construction work could include:
- Demolition of the existing above-ground structures.
 - Removal of the existing asphalt and concrete pavement.
 - Disconnection of the existing utilities.
 - Limited soil excavation, not related to the contaminated soil in the easternmost portion.
 - Construction of new underground and above-ground structures and utilities.

Construction should be monitored during all times to ensure contaminated soil and/or ground water is not exposed or released to the environment, if encountered. If contaminated soil and/or ground water is discovered in the area illustrated in **Enclosure E**, work shall be stopped immediately, and Ecology shall be contacted immediately to decide the next steps for characterizing and cleaning up the contamination. In addition, all the existing ground water monitoring wells associated with the Site should be protected for future monitoring use, as best as possible.

4. The March 31, 2020 email from GeoEngineers requested the removal of the restrictive covenants for Parcel 242320005000. At this point, Ecology prefers to await the completion of the cleanup action before taking action on the existing covenants. By doing so, Ecology hopes to avoid multiple efforts at revising, terminating, and potentially re-establishing the covenants, depending on the status of the Property and contamination at the end of the cleanup action. In the interim, Sound Transit can request further Ecology approval(s) as needed for additional remedial actions on the Property.

Susan Penoyar
April 29, 2020
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Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). If you have any questions about this letter, please contact me by phone at (425) 649-7109 or by email at jing.song@ecy.wa.gov.

Sincerely,



Jing Song
Site Manager
NWRO Toxics Cleanup Program

Enclosures (4): A – Current Property Layout
 B – 2014 Tenant Layout with Space A-6 Labeled
 C – Site-Specific Soil Sample Results
 D – Site-Specific Groundwater Sample Results
 E – Approved Work Area

ecc: Tricia DeOme, GeoEnginners, Inc.
 Andy Fitz, Assistant Attorney General
 Louise Bardy, Ecology Toxics Cleanup Program
 Ecology Periodic Review Site File

Enclosure A

Current Property Layout

Current Property Layout



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Date: 4/22/2020

Department of Ecology



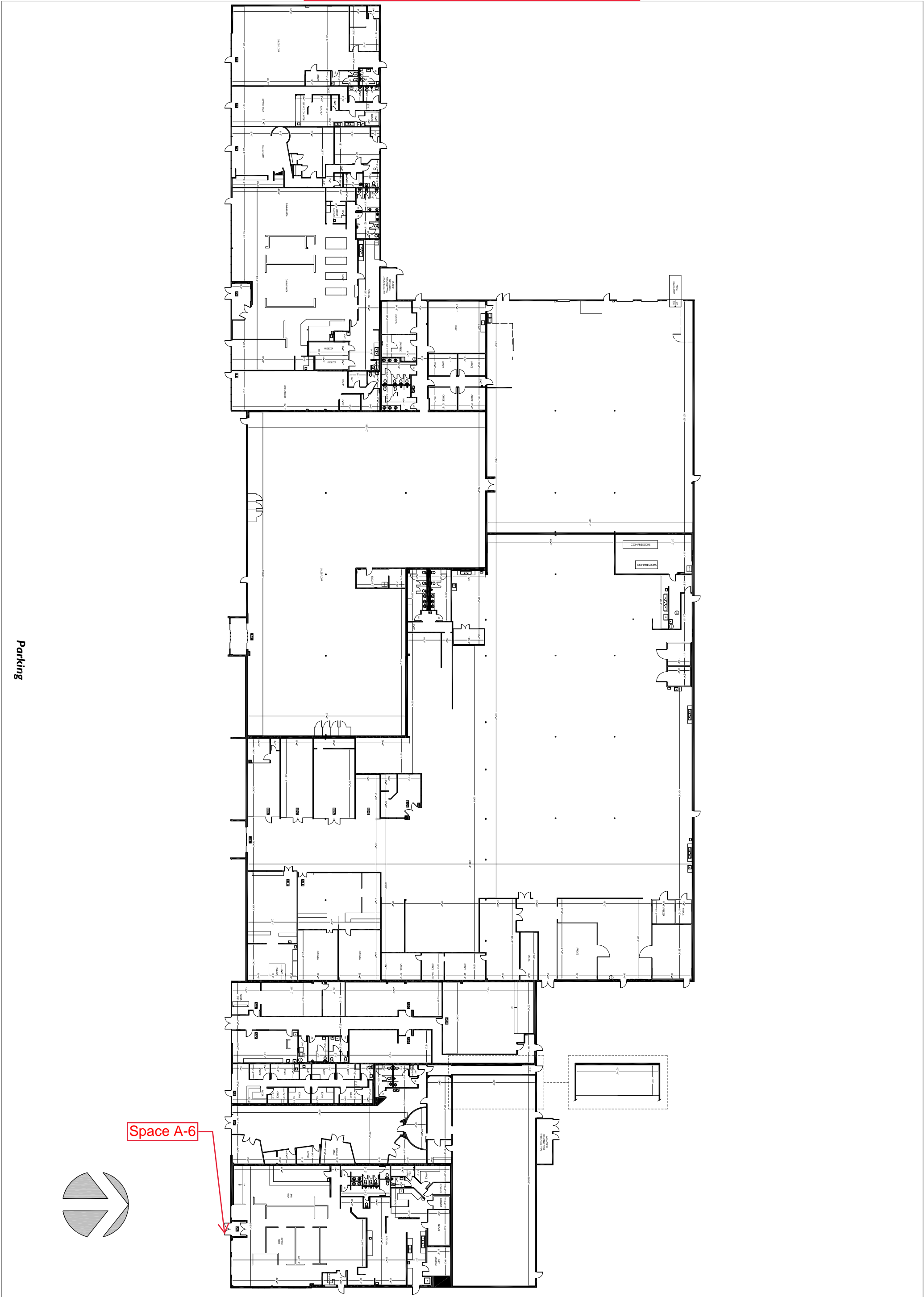
King County

Enclosure B

2014 Tenant Layout with Space A-6 Labeled

Exhibit No. 3

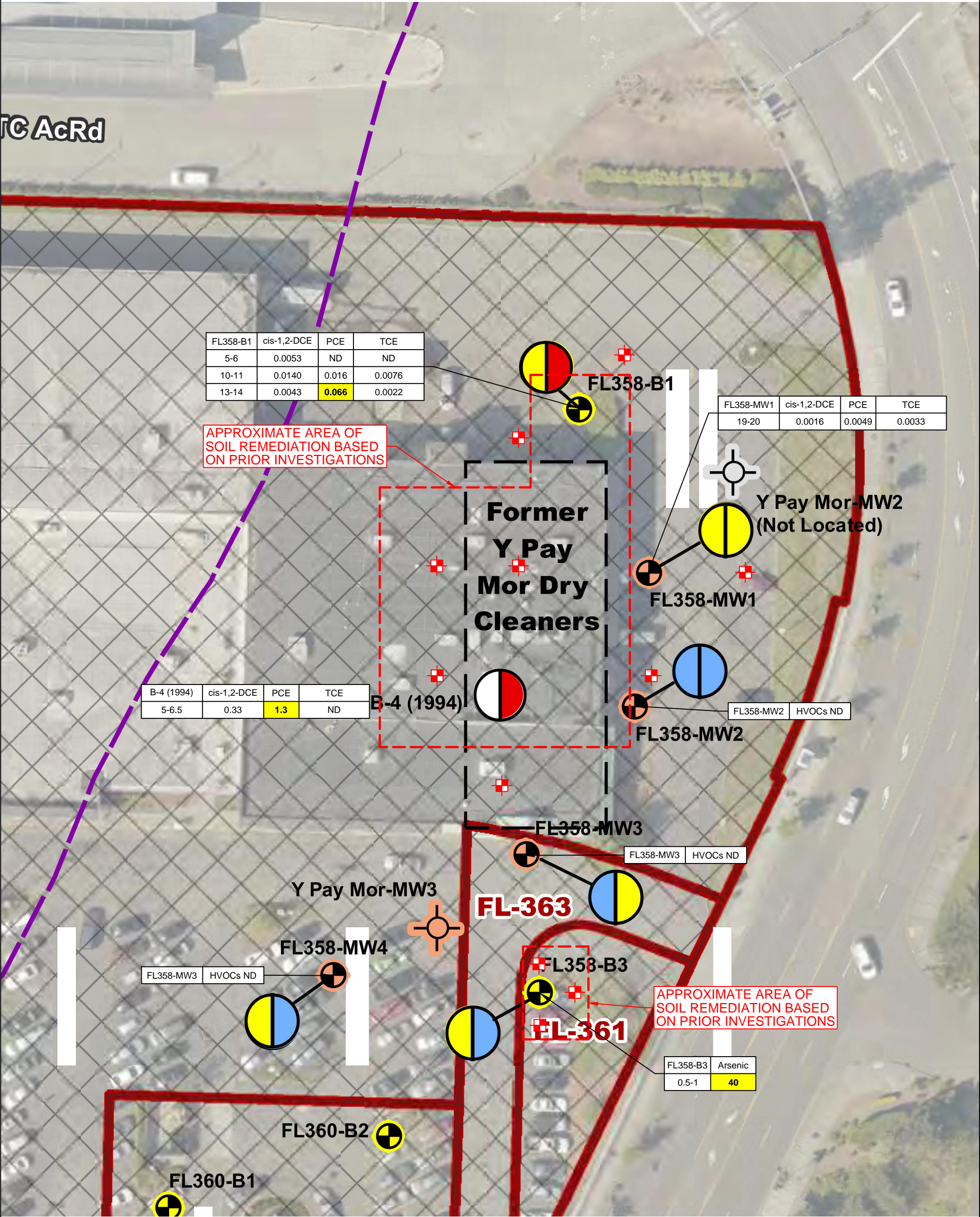
2014 Tenant Layout with Space A-6 Labeled



AGM Commercial Real Estate 2100 124th Ave NE Suite 100 Bellevue, WA 98005	Retail Building 2120 South 320th Street Federal Way, WA 98003	Floor Plan	<div>0102030405060</div>	<div>2-D</div> <div>AS-BUILT</div> <div>FLOOR PLANS</div>	2DFLOORPLANS.COM 206-328-7410 fax 206-328-4764 1700 21st Avenue South Suite 100 Seattle, WA 98144
		Floor			
		Floor			
Client	Subject	Floor	Scale	Measured: September 2014	Project: C14-560

Enclosure C

Site-Specific Soil Sample Results



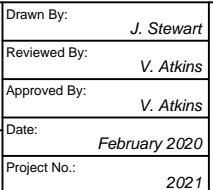
Enclosure D

Site-Specific Groundwater Sample Results



- | | |
|---------|-------------------------------|
| Well ID | Analyte |
| Date | Concentration,
ug/l |
| | Exceeds MTCA
Cleanup Level |

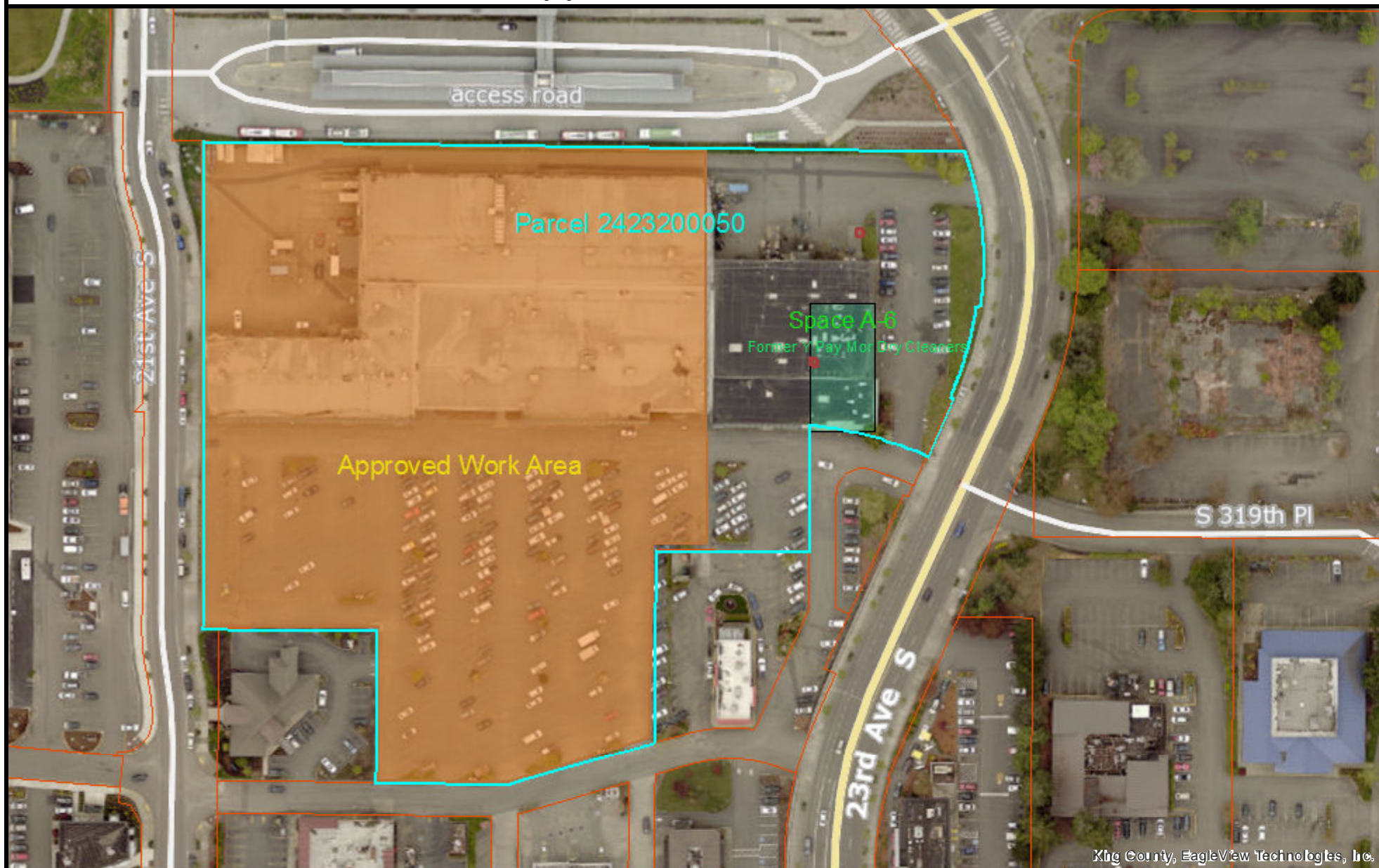
Reference: Base file Chemical Analytical Results Groundwater by GeoEngineers, dated 11-29-2017.



Enclosure E

Approved Work Area

Approved Work Area



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● Soil and Ground water samples with
PCE concentrations above the Method
A cleanup level

