



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000
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July 9, 2020

Jeffrey D. Laveson
Carney Badley Spellman, P.S.
701 Fifth Avenue, Suite 3600
Seattle, WA 98104-7010

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

- **Site Name:** Seattle Times
- **Site Address:** 1120 John Street, Seattle, WA 98109
- **Cleanup Site ID:** 14495
- **Facility/Site ID:** 4377754

Dear Jeffrey Laveson:

On December 18, 2019, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that your client Onni John Street (Land) LLC (“Onni”) is a potentially liable person (PLP) for a release of hazardous substances at the Seattle Times (Site). On January 18, 2020, the 30-day comment period on our preliminary determination expired. On January 29, 2020, Ecology received your written comments.

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

Ecology will not agree to proceed with remedial investigations at the Site under Ecology’s Voluntary Cleanup Program (VCP), as Onni requested in your letter dated January 29, 2020. Under the VCP, Ecology provides informal site-specific technical consultations to persons conducting independent remedial actions at a hazardous waste site. Ecology’s VCP is designed for simpler sites with routine cleanups.

The Seattle Times site is located in the South Lake Union area where the regional groundwater flow is complicated and impacted by many dewatering activities occurred in recent years. The Site is surrounded by various known contaminated sites. In addition, more than one simple

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contaminant was found in soil and groundwater at the Site. Therefore, Ecology cannot agree to have the Seattle Times Site enter into the VCP. Rather, Ecology anticipates negotiating an Agreed Order for the Site with PLPs for the Site, pursuant to the Model Toxics Control Act (MTCA).

The purpose of MTCA is to identify, investigate, and cleanup facilities where hazardous substances have been released. 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 under an Agreed Order at this Site.

We thank you for your cooperation in this matter. If you have any further information about the release or questions about this notice, please contact Ecology's cleanup project manager for the Site, Sunny Becker, at sunny.becker@ecy.wa.gov or at (425) 649-7187.

Sincerely,



Robert W. Warren
Section Manager
Toxics Cleanup Program, NWRO

By Certified Mail: 9171 9690 0935 0214 2271 15

cc: Michael L. Dunning, Perkins Coie
John Level, Office of the Attorney General
Sunny Becker, Ecology
Site File