



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000
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October 29, 2020

Johnny Limantzakis
LD II LLC
704 NE Northlake Way STE #100
Seattle, WA 98178
(johnny@lproperties.com)

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

- Name: Boathouse Inc. Renton Skyway
- Address: 12536 Renton Ave. S, Seattle, WA 98178
- County Assessor's Parcel Number: 0231000012
- Facility Site ID No.: 56652786
- Cleanup Site No.: 567

Dear Johnny Limantzakis:

On August 12, 2020, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that LD II LLC is a potentially liable person (PLP) for a release of hazardous substances at the Boathouse Inc. Renton Skyway facility (Site).

On September 9, 2020, Ecology received your written comments. The comment letter notes that concentrations of tetrachloroethene (PCE), trichloroethene (TCE), and vinyl chloride (VC) have dramatically reduced and that there are plans to continue investigations under Ecology's Voluntary Cleanup Program (VCP). A groundwater monitoring report prepared by The Riley Group Inc., dated August 23, 2013 was also provided.

The August 23, 2013 groundwater monitoring report documents that PCE in groundwater had decreased from prior concentrations, however it was still present in ranges from 160 micrograms per liter ($\mu\text{g/L}$) to 370 $\mu\text{g/L}$. TCE was present in groundwater ranging from 9.1 $\mu\text{g/L}$ to 17 $\mu\text{g/L}$, and VC noted as non-detect. The Ecology Model Toxics Control Act (MTCA) Method A cleanup level for TCE and PCE is 5 $\mu\text{g/L}$, and the cleanup level for VC is 0.2 $\mu\text{g/L}$. The data in this report documented that the concentrations were still exceeding the cleanup levels.

On January 17, 2019, Adapt Engineering prepared a more recent Limited Phase II Screen for Michael Majid, of Skyway Commercial Property, that can be downloaded from Ecology's Site webpage at <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=567>. This report documents PCE in groundwater at 770 µg/L, TCE at 150 µg/L, and VC at 1,900 µg/L.

In LD II LLC's response to Ecology's preliminary PLP Status letter, you stated that you would like to continue investigations under the VCP. We are pleased to know that there are plans to continue the investigations, however, Ecology has determined that the Site Remedial Investigation and cleanup should proceed under an Agreed Order due to the complicated nature of the Site as there are two adjacent properties with historic dry cleaning operations that may have comingled plumes, and potential environmental justice issues relating to the population on and around the sites.

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

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and clean up 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 LD II LLC 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 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 will assign a cleanup project manager for the Site in the near future who will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Louise Bardy by phone at (425) 649-7209 or by email at louise.bardy@ecy.wa.gov.

Sincerely,



Robert W. Warren
Section Manager
Toxics Cleanup Program, NWRO

cc: Thai Investments LLC
Allyson Bazan, Office of the Attorney General, (Allyson.Bazan@atg.wa.gov)
Louise Bardy, Ecology, (louise.bardy@ecy.wa.gov)
Ecology Site File