STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (206) 649-7000

April 12, 2001

COPY

Michael Mastro, Sr.
JM Investments
c/o Timothy A. Johnson
GEOTECH CONSULTANTS, Inc.
13256 Northeast 20th Street, Suite 16
Bellevue, WA. 98005

The Boeing Company
P.O. Box 3707
Seattle, WA. 98124
Attn: Environmental Remediation
MC 7A-XA

Re: Completion of Monitoring and Change in Use Restrictions
Garden Plaza and 5th & Park Property
Park Ave. N. at N. Sixth St., Renton, WA.

Dear Mr. Mastro and The Boeing Company,

Thank you (to Mr. Mastro) for submitting the results of the groundwater monitoring conducted at the Garden Plaza and 5th & Park facility. This monitoring was required by the Interim No Further Action letter issued by the State of Washington Department of Ecology (Ecology) on September 6, 1994.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the facility:

1. Report titled "Voluntary Cleanup Program Report: Garden Plaza and 5th & Park Property, Park Avenue North and North 6th Street, Renton, Washington", prepared for JM Investments, Seattle, WA., by GEOTECH CONSULTANTS, Inc., Bellevue, WA., and dated October 1, 1999.

The report(s) listed above will be kept in the Central Files of the Northwest Regional Office (NWRO) of Ecology for review by appointment only. Appointments can be made by calling Sally Perkins at the NWRO at (425) 649-7190.

Based upon the information in the report, Ecology has determined that the groundwater monitoring for total petroleum hydrocarbons (TPH), required by the Interim No Further Action letter, dated September 6, 1994, has been satisfactorily completed. No further groundwater

monitoring is required and the monitoring wells MW-4, MW-12 (replacement for MW-13), and MW-14 may be abandoned. Abandonment of the wells must be conducted in accordance with the requirements of Chapter 173-160 Washington Administrative Code (WAC), *Minimum Standards for Construction and Maintenance of Wells*. Also, TPH contaminated soil at the site is in compliance with the *Interim TPH Interpretive and Policy Statement: Cleanup of Total Petroleum Hydrocarbons (TPH)*, Ecology Publication #ECY97-600, 1/97. Thus, no further restrictions apply to TPH in soil at the site.

This letter addresses only the actions and restrictions required by the Interim No Further Action letter regarding TPH. The Restrictive Covenant may be modified to reflect these changes in required actions and restrictions regarding TPH. Ecology authorizes The Boeing Company to replace the Restrictive Covenant recorded in King County Records on September 2, 1994 under Recording Number 9409020504 with a replacement Restrictive Covenant in the form attached to this letter. The new Restrictive Covenant continues to be required in order to restrict the use of groundwater due to the presence of vinyl chloride and arsenic which exceed the Model Toxics Control Act (MTCA) Method A limits. Ecology understands that the vinyl chloride and arsenic in groundwater may have a source that is not related to past or present operations at this site, and that it is being monitored as part of remediation activities being conducted at the PACCAR, Inc. facility, located adjacent and to the east. Further action may be required to remediate groundwater contamination at this site.

Please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology. 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 determination.

If you have any questions, please contact me at 425-649-7185.

Sincerely,

Ronald W. Timm

Ronald W. Timm
Hydrogeologist III
Toxics Cleanup Program

Attachment: Replacement Restrictive Covenant

RWT