

Block 38 West Cleanup Site



Block 38 West (February 2023)

Comments accepted:

November 18, 12:00 am –
December 19, 11:59 pm, 2024

Submit comments:

Online: [www.go.ecology.wa.gov/
Block38WestComments](http://www.go.ecology.wa.gov/Block38WestComments)

By mail:

Tena Seeds, Site Manager
WA Department of Ecology
PO Box 330316
Shoreline, WA 98133-9716
Phone: 425-457-3143
Email: Tena.Seeds@ecy.wa.gov

Document review:

[http://www.go.ecology.wa.gov/
Block38West](http://www.go.ecology.wa.gov/Block38West)

Seattle Public Library
Central Branch, 1000 4th Ave
Seattle, WA 98104
Phone: 206-386-4636

Site info:

Facility Site ID: 62773
Site Cleanup ID: 15008

Public Outreach Contact:

Kristen Forkeutis,
Outreach Specialist
Kristen.Forkeutis@ecy.wa.gov
Phone: 425-240-4353

Documents ready for public review and comment

The Department of Ecology (Ecology) is overseeing the cleanup of the Block 38 West Site (Site) in Seattle's South Lake Union neighborhood. City Investors IX L.L.C. (City Investors IX) is the Potentially Liable Person (PLP) cleaning up the Site. We invite you to review and comment on the following documents:

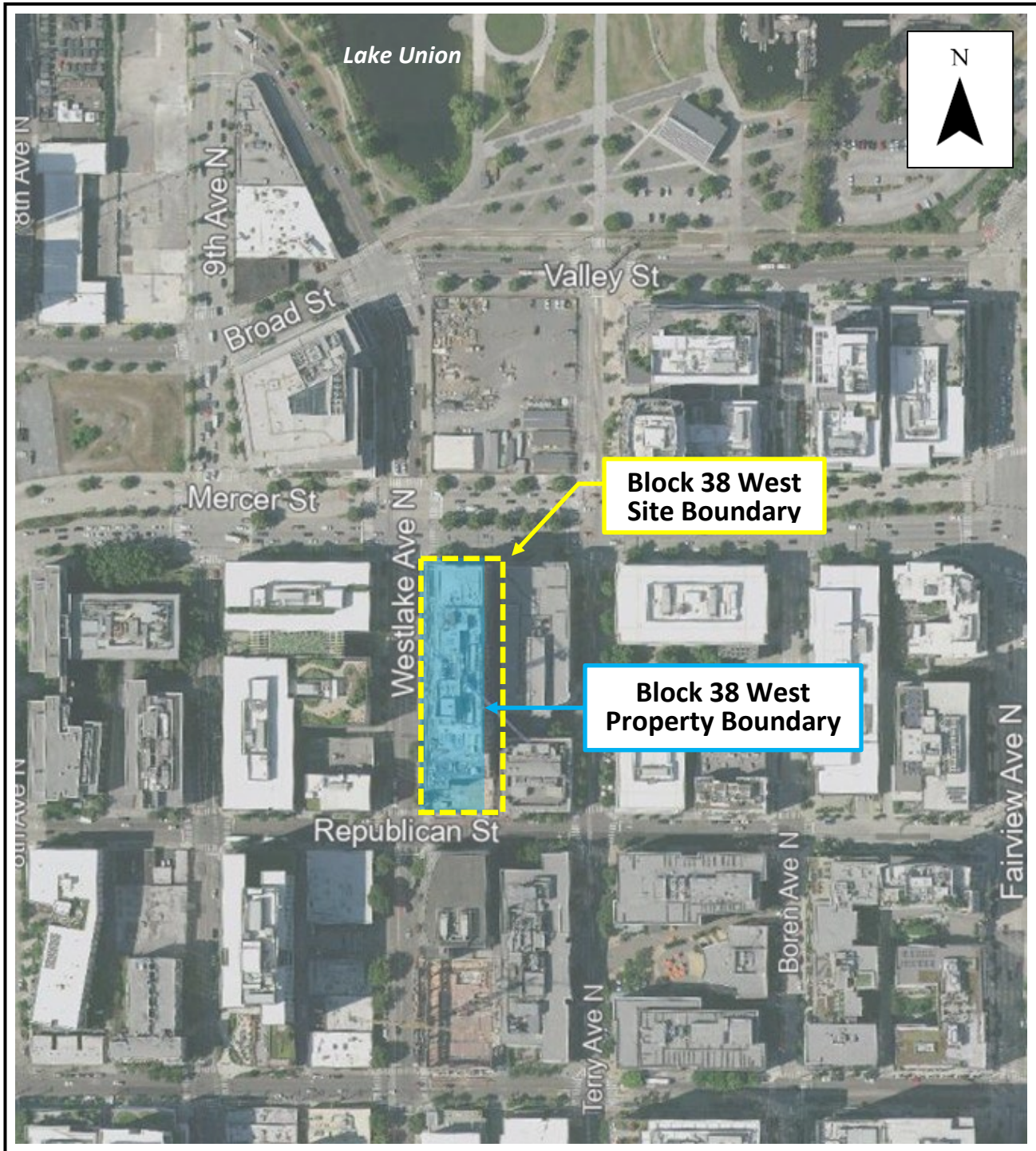
- **Remedial Investigation and Focused Feasibility Study:** describes contamination at the Site and evaluates and recommends a preferred cleanup action.
- **Draft Cleanup Action Plan:** describes the cleanup work to address contamination at the Site.
- **Consent Decree:** a legal agreement between Ecology and City Investors IX, that requires City Investors IX to implement the cleanup action plan for the Site.

View these documents and provide comments by using the links on the left side of this page.

中文信息：请访问网页www.go.ecology.wa.gov/Block38West，或前往西雅图公共图书馆中心分馆（1000 4th Ave）查阅，或拨打 425-240-4353 并等待翻译人员加入通话。

Site Location

The Block 38 West Site is located in the South Lake Union neighborhood of Seattle. The Site includes the Block 38 West Property, a portion of the Westlake Avenue North right of way, and a north-south-trending alley (City of Seattle public right-of-way) east of the Block 38 West Property.



Block 38 West cleanup Site and property boundaries

Site Background

Historical operations and placement of contaminated fill at the Block 38 West Property resulted in contaminated soil and groundwater at the Site.

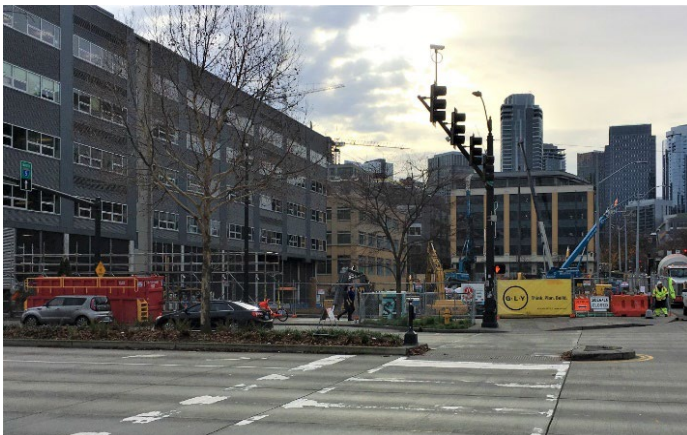
From October 2019 through July 2021, substantial cleanup of the Block 38 West Site was performed through interim actions (early partial cleanups) on the Block 38 West Property and east-adjacent alley. These interim actions included removal and disposal of contaminated soil and were implemented in conjunction with the redevelopment of the Block 38 West Property.



Aerial Image South Lake Union in 1949. Photo Courtesy of Ron Edge.

Recent Redevelopment

Redevelopment of the Block 38 West Property began in late October 2019. The former structures were demolished and a multi-story mixed-use building with 12 stories above street level and 4 levels of underground parking was constructed. Construction of the new building required mass excavation across the entire Block 38 West Property to approximately 30 to 35 feet below ground level.



Construction progress at Block 38 West Property, December 2019



New construction at Block 38 West Property, February 2023

Remedial Investigation and Focused Feasibility Study (RI/FFS)

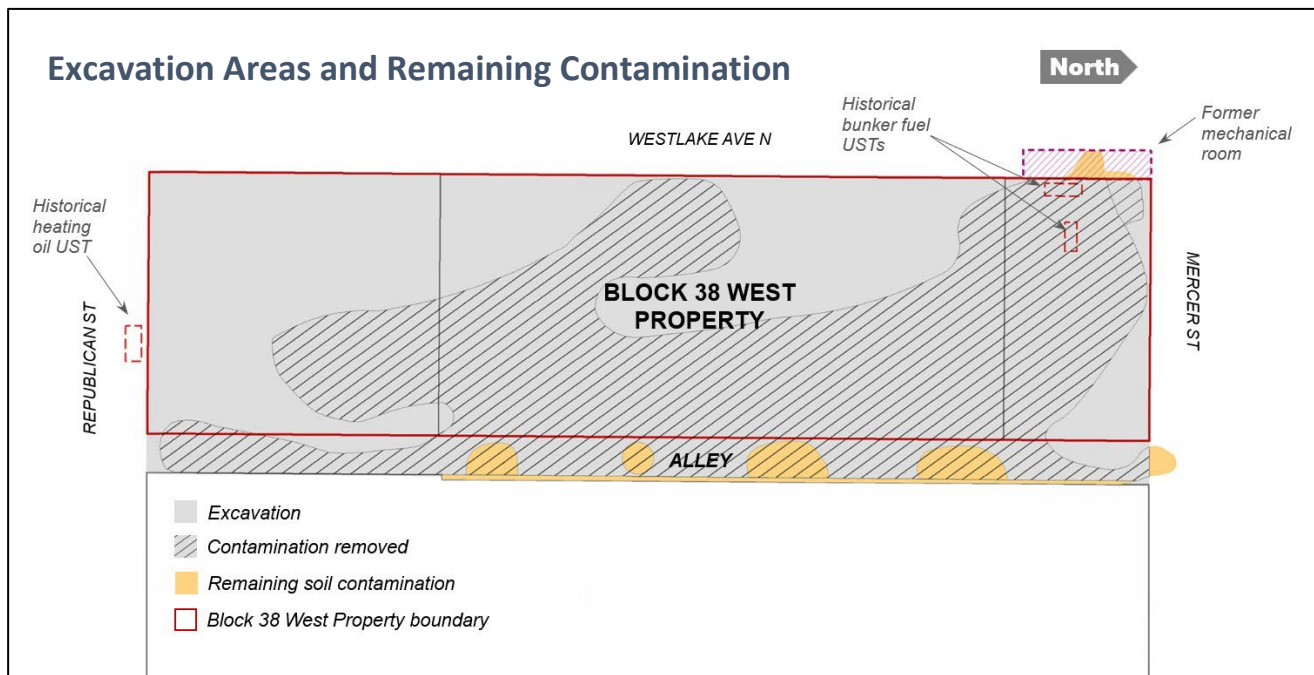
Between 1994 and 2024 multiple phases of the RI were executed to assess the Site for contaminants of concern and to establish cleanup levels. Investigations found the following contaminants in soil and/or groundwater:

- Petroleum hydrocarbons as diesel-range organics (DRO), oil-range organics (ORO), and gasoline-range organics (GRO)
- Benzene
- Naphthalenes, including 1-methylnaphthalene and 2-methylnaphthalene
- Carcinogenic polycyclic aromatic hydrocarbons (cPAHs), including benzo(a)pyrene
- Metals (barium and mercury)

Toxics Cleanup Program

These contaminants were present at levels that exceeded standards under the state’s cleanup law, the [Model Toxics Control Act \(MTCA\)](#).¹ Most of the contamination was removed during the interim actions.

Investigations from 2023 to 2024 identified isolated areas of cPAHs and total DRO+ORO remaining in soil surrounding the Block 38 West Property at concentrations exceeding cleanup levels (see graphic below). Groundwater is no longer a concern based on monitoring conducted between May 2023 and February 2024 showing all contaminant concentrations either less than the cleanup levels or non-detectable.



Based on the results of the RI/FFS and the interim actions, a permanent cleanup action was selected for the Site. This includes the measures taken during the interim actions to permanently remove contaminated soil and groundwater and contain remaining contamination beneath impervious surfaces installed during property improvements. The interim actions constitute a permanent cleanup action to the maximum extent practicable in accordance with MTCA and current and future land use.

Draft Cleanup Action Plan

The selected cleanup action for the Site consists of the following elements:

- Excavation of contaminated soil from the Block 38 West Property and adjacent alley.
- Hauling the excavated contaminated soil to an off-site facility for disposal.
- Installation of a protective cap over remaining soil contamination, consisting of new pavement within the alley and surrounding the new building.
- Performance of compliance monitoring.
- Implementation of institutional controls (site use restrictions) to protect and maintain the cap and prevent direct contact with remaining contamination.

¹ <https://ecology.wa.gov/mtca>

Toxics Cleanup Program

Removal and disposal of contaminated soil to the maximum extent practicable and installation of the protective cap have been completed as a result of the interim actions. Compliance monitoring was also completed during the interim actions and the RI.

With the interim actions complete, only the implementation of institutional controls remains. This will require an environmental covenant on the Site. The environmental covenant is a legal mechanism used to impose certain restrictions on the activities and uses of the Block 38 West Property and surrounding right-of-way. It protects human health, the environment, and the integrity of the cleanup actions completed to date at the Site. The covenant will remain in place until concentrations of DRO, ORO, and cPAHs decrease to meet cleanup levels. Inspections and maintenance of the protective cap will be conducted annually.

State Environmental Policy Act (SEPA) Evaluation

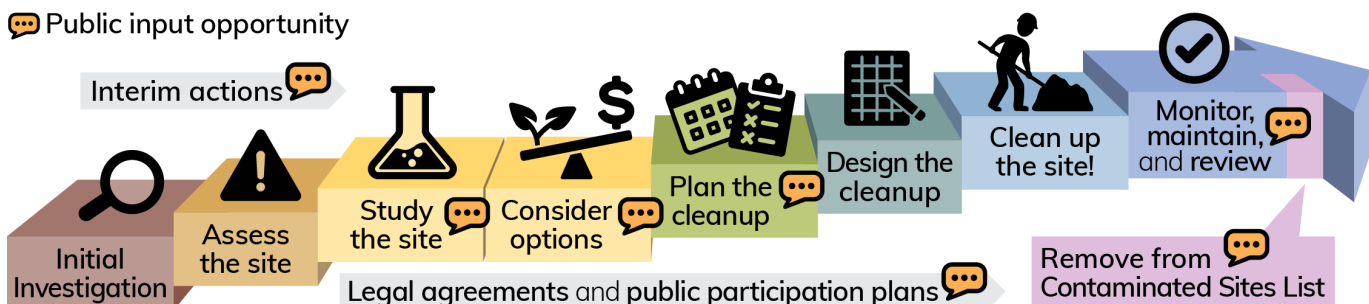
Environmental impacts and mitigation measures associated with the proposed interim action were evaluated in an Addendum to the City of Seattle’s 2012 Final Environmental Impact Statement (EIS) for the South Lake Union Height and Density Alternatives. The City of Seattle issued a notice of decision in July 2019 and determined that the project would not have a significant adverse impact on the environment.

What happens next?

Ecology will consider all comments received during this public comment period and may amend the documents based on the comments. If the documents require significant changes, we will hold another public comment period. If no significant changes are made, Ecology will finalize the documents.

Ecology’s cleanup process

The Model Toxics Control Act ([MTCA](https://ecology.wa.gov/mtca)²) is Washington’s environmental cleanup law. It provides requirements for contaminated site cleanup and sets standards that protect human health and the environment. Ecology enacts MTCA and oversees cleanups. The [MTCA cleanup process](https://ecology.wa.gov/mtca-process)³ is completed in steps (see graphic below) over a variable timeline.



Washington’s formal cleanup process

² <https://ecology.wa.gov/mtca>

³ <https://ecology.wa.gov/mtca-process>

Toxics Cleanup Program
PO Box 330316
Shoreline, WA 98133-9716

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中文 (页1)

Public comment period

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Block 38 West cleanup Site location

ADA accessibility

To request an ADA accommodation, contact Ecology by phone at 425-240-4353 or email at kristen.forkeutis@ecy.wa.gov, or visit ecology.wa.gov/Accessibility. For Relay Service or TTY call 711 or 877-833-6341.