

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

South Park Marina, LP; the Port of Seattle, and
the City of Seattle

FIRST AMENDMENT
TO AGREED ORDER

No. DE 16185

TO: Guy Crow, Agent
South Park Marina Limited Partnership
8604 Dallas Ave. S
Seattle, WA 98101

Stephen P. Metruck
Executive Director
Port of Seattle
P.O. Box 1209
Seattle, WA 98121-1209

Katie Wilson
Mayor
City of Seattle
600 4th Ave., Floor 7
Seattle, WA 98104

I. INTRODUCTION

Agreed Order No. DE 16185 (Agreed Order), entered into by the State of Washington, Department of Ecology (Ecology), South Park Marina Limited Partnership (South Park Marina), the Port of Seattle (Port) and the City of Seattle (City) on April 3, 2019, required that South Park Marina, the Port and the City (hereinafter collectively referred to as “PLPs”) conduct a Remedial Investigation (RI). Having satisfied the Agreed Order’s requirement to perform an RI and produce a fully compliant RI report, this Agreed Order Amendment (First Amendment) is now executed to perform a Feasibility Study (FS) and prepare a Draft Cleanup Action Plan (DCAP) to select a cleanup alternative.

Ecology and the PLPs hereby stipulate to the execution of this First Amendment of the Order. By this First Amendment to the Order, the Scope of Work (SOW) and Schedule (Exhibit

B) of the original Order is deemed to be complete and is supplemented by the attached Scope of Work and Schedule of Deliverables (Exhibit C).

II. JURISDICTION

This First Amendment to Agreed Order No. DE 16185 is issued pursuant to the authority of the Model Toxics Control Act (MTCA), RCW 70A.305.050(1).

III. AMENDMENT

This First Amendment does not attempt to recite all of the provisions of the Order. Provisions of the Order not specifically changed in this amendment remain in full force and effect. This First Amendment will be the subject of public notice and comment under WAC 173-340-600.

Agreed Order No. DE 16185 is hereby amended as follows:

- A. **The Order is hereby amended to add Exhibit C, attached hereto. Exhibit C is now an integral and enforceable part of the Order. All references to Exhibit B in the amended Order shall be construed as references to include Exhibit C.**
- B. **Work to be performed, Section VII.A is amended to add the following:**
 - 1. **PLPs will conduct a Feasibility Study (FS) and prepare a Draft Cleanup Action Plan (DCAP) in accordance with Scope of Work and Schedule of Deliverables (Exhibit C) and all other requirements of this Order.**
- C. **The Project Coordinator for Ecology is Priscilla Tomlinson.**

//
//
//
//
//
//
//
//
//
}

Effective date of this Amendment: _____

SOUTH PARK MARINA
LIMITED PARTNERSHIP

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

GUY CROW
Agent

KIM WOOTEN
Regional Manager
Northwest Regional Office
Toxics Cleanup Program

Dated: _____

Dated: _____

PORT OF SEATTLE

CITY OF SEATTLE

STEPHEN P. METRUCK
Executive Director

KATIE WILSON
Mayor

Dated: _____

Dated: _____