UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

Reply To
Attn Of: ECL-111

SEP 17 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Susan Ridgley
Port of Seattle
P.O. Box 1209
Seattle, WA 98111

Re: General Notice of Potential Liability Pursuant to Section 107(a) and Request for Information Pursuant to Section 104(e) of CERCLA for the Lower Duwamish Waterway Superfund Site, Seattle, Washington

Dear Representative of the Port of Seattle:

This letter notifies you of your potential liability at the Lower Duwamish Waterway Superfund site located in King County, Washington ("Superfund Site"). Under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), commonly known as the "Superfund" law, EPA is responsible for responding to the release or threat of release of hazardous substances, pollutants or contaminants. EPA has documented that such a release has occurred at the Superfund Site. Based on information presently available, EPA has determined that you may be responsible under CERCLA for the cleanup of the Superfund Site or costs incurred to clean up the Superfund Site.

This letter also requires you to provide information and documents relating to the property(ies) referenced at the top of the enclosure, and the environmental conditions at, and cleanup of, the Superfund Site.

NOTICE OF POTENTIAL LIABILITY

EPA has documented the release or threatened release of hazardous substances at the Superfund Site. EPA has spent public funds on actions to investigate and control such releases or threatened releases at the Superfund Site.

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), a Potentially Responsible Party ("PRP") or parties may be required to perform response actions deemed necessary by EPA to protect the public health, welfare, or the

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environment, and may be responsible for the costs incurred by the government in responding to any release or threatened release at the Superfund Site. Such actions and costs may include, but are not limited to, a preliminary assessment and site investigation in order to gain an understanding of any risks posed by releases or threatened releases for the Superfund Site to human health and the environment, conducting a removal response action at the Superfund Site, expenditures for conducting a Remedial Investigation/Feasibility Study ("RI/FS"), conducting a Remedial Design/Remedial Action ("RD/RA"), and other investigation, planning, response, oversight, and enforcement activities. In addition, PRPs may be required to pay for damages to, destruction of, or loss of natural resources, including the costs of assessing such damages.

EPA has evaluated information in connection with the investigation of the Superfund Site performed to date and believes that you may be a PRP with respect to this Superfund Site. PRPs under CERCLA include current owners or operators of the Superfund Site; former owners or operators of the Superfund Site at the time of disposal of any hazardous substances; persons who arranged for disposal, treatment or transport of hazardous substances at the Superfund Site; or persons who accepted hazardous substances for transport to the Superfund Site. EPA is notifying you that you may be a PRP based on presently available information. Over the next several months, EPA will send similar notices and requests for information to other parties. The order in which these letters are sent merely staggers the flow of information we hope to receive and does not assign any particular significance or priority to the property(ies) or degree of potential liability.

In accordance with CERCLA, EPA has already undertaken certain actions and incurred certain costs in response to conditions at the Superfund Site.

REQUEST FOR INFORMATION

Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), requires you to respond to the Information Request set forth in the Enclosure to this letter.

Failure to provide a complete, truthful response to this Information Request within sixty (60) days of your receipt of this letter, or to adequately justify such failure to respond, may subject you to an enforcement action pursuant to Section 104(e) of CERCLA. The statute permits EPA to seek the imposition of penalties of up to thirty-seven thousand five hundred dollars ($37,500) for each day of non-compliance.

Due to the scope and potential volume of responsive documents, EPA requests that you initiate contact with our office after reviewing the Information Request. A discussion of the review and submittal process and possible sub-divisions or exceptions to your response may be mutually beneficial to you and the EPA and avoid unnecessary efforts and expenditures. Please initiate contact with EPA within at least fifteen (15) days of receipt of this letter, and before beginning the bulk of your review, in order to discuss potential options.

Information submitted to EPA may be made available to the public through the Freedom of Information Act. If records submitted in response to this information request are otherwise only available upon payment of a fee authorized by statute, EPA may, pursuant to 40 C.F.R. 2.107(k), respond to a FOIA request for such records by informing the requester of the steps to obtain the fee-based records. If you believe any of the records responsive to this information request may be subject to 40 C.F.R. 2.107(k), please note this in your cover letter and clearly identify all such records.

Please note that responses which are incomplete, ambiguous, or evasive may be treated as non-compliance with this Information Request. Provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

Your response to this Information Request should be mailed to:

United States Environmental Protection Agency, Region 10
Claire Hong, Remedial Project Manager
Environmental Cleanup Office, ECL-111
1200 Sixth Ave. Suite 900
Seattle, Washington 98101

If you have questions concerning this letter or the Superfund Site, please contact Claire Hong (206) 553-1813. Any communication by any attorney on your behalf should be directed to Alexander Fidis, EPA Office of Regional Counsel, at (206) 553-4710.

Thank you for your cooperation in this matter.

Sincerely,

Sheila Eckman, Unit Manager
Site Cleanup Unit #3
Office of Environmental Cleanup

Enclosures:
- Information Request
- Definitions
- Instructions
- Declaration

cc: Kathy Bahnick, Port of Seattle
Stephanie Jones Stebbins, Port of Seattle
Dan Cargill, Ecology/NWRO

U.S. EPA

CERCLA SECTION 104(e)

INFORMATION REQUEST

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Respondent: Port of Seattle

Site: Lower Duwamish Waterway (LDW) Superfund Site
Seattle, Washington

Scope of Information Request: Unless otherwise noted, the physical location covered by this Information Request is the area bounded by SW Spokane Street on the north, South 112th Street on the south, and a distance one (1) mile east and one (1) mile west of the respective banks of the LDW.

Property: This Information Request requires Respondent to identify all real property, facilities, and locations within the Scope of the Information Request where it held or holds any ownership interest or leasehold, or where it conducted or conducts any business activity. The terms "property" or "properties" shall hereinafter be used to refer collectively to all real property, facilities, and locations from the preceding sentence.

Relevant Time Period: First involvement with the property to the point in time when that involvement ended or to the present if that involvement is ongoing.

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Note: this Information Request includes instructions for responding to this request and definitions of words such as "real property," "property," "Respondent," and "identify" used in the questions.

INFORMATION REQUEST QUESTIONS

1. <u>Respondent Information</u>

a. Provide the full legal name and mailing address of the Respondent.

b. For each person answering these questions on behalf of Respondent, provide:

i. Full name;

ii. Title;

iii. Business address; and

iv. Business telephone number and fax machine number.

c. If Respondent wishes to designate an individual for all future correspondence concerning this Site, indicate here by providing that individual's name, address, telephone number, and fax number.

d. Provide a table with a complete listing of each property (see heading and definitions). Identify each listed property by a unique name or identifier. If the identifiers are too broad or unclear EPA may request that Respondent further separate properties, facilities, or locations into more manageable identifiers. These unique identifiers will also be used when structuring your response and creating the document index as required in the Instructions. The table shall include the following information for each uniquely named or identified property:

i. The dates when Respondent held any interest in, or conducted any business activity at the property;

ii. A brief narrative description of the property and Respondent's primary activities;

iii. The current King County Parcel Numbers for the property;

iv. The approximate river mile along the LDW and the side of the LDW on which the property is situated (*e.g.* 0.1 East or 4.3 West);

v. An indication of whether the property is or has been subject to any ongoing or past environmental cleanup or remedial actions and a brief description of any such actions;

vi. An indication of whether there are any remaining environmental concerns at the property and a brief description of any such concerns; and

vii. An indication of whether Respondent currently or in the past has used, generated, or stored or disposed of any hazardous substances at the property.

2. Activities and Conditions

Provide a separate response to all requests in this section (2) for each uniquely named or identified property identified by Respondent in question 1.d. above.

a. Provide all relevant documents and information regarding ownership or interests in the property including, but not limited to, copies of deeds, sales contracts, leases, easements, and /or licenses as appropriate.

b. Provide all relevant documents and information concerning the condition of the property at the beginning of the relevant time period including existing structures (e.g. buildings, paving, seawalls, wharves, docks, marine ways), services (e.g. water, power, sewer), and drainage systems. Include plans, blueprints, "as-builts" and photographs.

c. Provide all relevant documents and information concerning any subsequent developments of the property including structures (new, remodeled, or demolished), services, and drainage systems. Include plans, blueprints, "as-builts" and photographs.

d. Describe the source, volume, and content of any fill material placed on the property prior to and during the Relevant Time Period. Respondent's period of use and occupancy of the property. Provide all relevant documents and information, including copies of any permits, pertaining to past dredging or filling on or adjacent to the property. Include all documentation and data from any sampling of dredged or fill materials obtained prior to, during, or subsequent to dredging or filling, as well as any other sediment sampling adjacent to the property.

e. Provide a detailed description of the activities conducted on the property during the Relevant Time Period Respondent's period of use and occupancy including the locations where those activities were carried out. Include process diagrams or flow charts of the activities.

f. Provide a list identifying all hazardous substances or wastes (See Definition 13) including, but not limited to, raw materials, commercial products, building debris, and other wastes which were used, generated, stored or disposed of at the location during the Relevant Time Period. Respondent's period of use and occupancy.

g. Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used for facility operations.

h. Provide all documents pertaining to sale, transfer, delivery, storage, and disposal of any hazardous substances, scrap materials, and/or recyclable materials. This may include, but not be limited to invoices, manifests, receipts, and bills of sale, showing delivery to or from the property, and use or presence on the property.

i. Provide copies of all permits (current and past) relating to hazardous wastes, underground injection, air emissions, and water discharges including discharges to surface waters, storm drains, and sanitary sewers. Such permits include, but are not limited to any permit required or issued under the authority of the Clean Air Act, 42 U.S.C. §§ 7401 *et seq.*, the Clean Water Act, 33 U.S.C. §§ 1251 *et seq.*, the Safe Drinking Water Act, 42 U.S.C. §§ 300f *et seq.*, the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 *et seq.*, and any authorized or comparable state program.

j. Provide all information on equipment which contains, contained or potentially contained polychlorinated biphenyls (PCBs), including, but not limited to, transformers or other electrical and/or hydraulic equipment that may have contained PCBs. Further, provide all information on any additional PCB containing materials (including, but not limited to, hydraulic fluids, sealants, compressor oils, paints, calking, etc.) used or in use. which have been used. Include documents relating to and a description of the materials, management of these materials, disposal methods, and any investigations, reports, and sampling regarding the materials. Also include any additional documents, data, or communications related to the sources of PCBs found in storm drains, catch basins, sediment traps, and any other media. Include all documents or other information identifying specific Aroclors and/or congeners.

k. Provide a description and any documentation of all past and present Underground and Above-ground Storage Tanks (USTs and ASTs) at the property including storage tank capacities, materials stored, means of transportation of materials to and from the storage tanks, any spills, leaks, or other releases related to the storage tanks and transfer of materials, and all information on the removal of storage tanks, s and any contamination and remediation related to storage tanks.

l. Provide all relevant documents and information regarding environmental conditions including information related to soil, sediment, water (ground and surface), and air quality, including, but not limited to:

    i. Any spill, leak, release, or discharge of waste, useful product, hazardous substance, pollutant, or contaminant at, from, or near the property, or to the Lower Duwamish Waterway. If Respondent has any knowledge of such occurrences at the property, identify each occurrence, the date(s) of the occurrence, and provide a short narrative description of the occurrence. If not, Respondent shall provide a statement that it has no information or knowledge of any such occurrences at the property;

    ii. Occurrences of violations, citations, deficiencies, and/or accidents concerning the property. If Respondent has any knowledge of such occurrences at the property, identify each occurrence, the date(s) of the occurrence, and provide a short narrative description of the occurrence. If not, Respondent shall provide a statement that it has no information or knowledge of any such occurrences at the property;

iii. Remediation or removal of contaminated soils, sediments, or other media from, at, near the property, or from the adjacent area of the Lower Duwamish Waterway. If Respondent has any knowledge of such activities at the property, identify each activity, the date(s) or the activity, and provide a short narrative description of the activity. If not, Respondent shall provide a statement that it has no information or knowledge of any such activities at the property; and

iv. Investigations, inspections, sampling, and reports generated by Respondent and/or others regarding the property and surrounding area. If Respondent has any knowledge of such activities at the property, identify each activity, the date(s) or each activity, and provide a short narrative description of the activity. If not, Respondent shall provide a statement that it has no information or knowledge of any such activities at the property.

m. Provide a detailed description and all documentation of the events leading to and the outcome of all enforcement actions, litigation, and settlements regarding environmental conditions at the property.

n. Provide a description of property drainage and stormwater flow and/or conveyance, stormwater flow, and conveyance including any changes to drainage, flow, and/or conveyance which may have occurred during the Relevant Time Period of Respondent's use and occupancy of the property. Include a description of, and any plans or maps containing information about, storm drainage which includes but is not limited to any systems, above or below surface piping, ditches, catch basins, manholes, collection points, roof drains, bioswales, and treatment/detention or related structures including outfalls. Also include dates of construction and operation of any structures or systems and information about connections to systems managed by Respondent or any other entities including but not limited to sanitary sewers, storm drain lines, and combined sewers.

o. With respect to current and past activities, provide copies of any stormwater or drainage studies prepared for the property and, including data from any sampling and any infiltration and inflow studies, conducted at the property. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, Spill Plans, discharge monitoring reports, and any stormwater, process water, process wastewater, or any other discharge permits that may have been developed or obtained for different operations during the Relevant Time Period. Respondent's occupation of the property.

3. <u>Additional Activities and Conditions</u>

The response to this request in section (3) need not be connected to a property as identified by Respondent in question 1.d. above.

a. Provide all information regarding and a description of all in-water, over-water, and any other activities and operations, whether carried out by Respondent or another entity, but known of by Respondent, occurring within the boundaries of the areal Scope of Information Request which may have or have had potential effects on the environmental condition of the LDW and sediments. Information provided should include but not be limited to any spill, leak, release, or discharge of a hazardous substance, waste, or material.

4. Information About Others

Provide a separate response to all requests in this section (4) for each uniquely identified location as identified by Respondent in question 1.d. above.

a. Describe any business relationship you may have had regarding the property or operations thereon with any other entities.

b. Provide the names and last known address of any tenants, lessees, and operators, the dates of their tenancy, and a description of the activities and exact locations of the activities they conducted while operating on the above mentioned property.

c. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous materials to or from, the property.

5. Compliance with This Request

a. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

   i. The name and current job title of all individuals consulted; and

   ii. The location where all documents reviewed are currently kept.

INSTRUCTIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject the Respondent to the penalties set out in the cover letter.

2. Response Index. Provide the responses to this Information Request and at least one copy of all requested documents electronically (except for the declaration and oversized documents as noted in the Response Format Instruction below). Your submission must include an index that lists all the responsive documents provided. Clearly identify and segregate any information you determine to be Confidential Business Information (CBI) or personal privacy information in a separate index. Your index(es) must include the following fields of information regarding each document:

    a. A unique document identification number, range of page numbers, or range of bates numbers;
    b. The number of pages in the document;
    c. The date of the document (if there is no date for the document, leave the field blank);
    d. Indication of whether the document is releasable, personal privacy information, or confidential, using the designator REL for releasable, PPI for personal privacy information, or CBI for Confidential Business Information respectively;
    e. Identification of where each document is referenced in the written response, and to which question, sub-question, or questions each document is responsive (*i.e.* 3.b; 2.a.ii; 3.a, 3.b; etc.);
    f. A descriptive title, file name, or short description indicating the contents of the document not to exceed 200 characters when added to the field length of the property, facility, or area identifier;
    g. Identification of the property, facility, or area for which the document is responsive (as uniquely indentified by Respondent in response to question 1.d. above);
    h. The name of the entity that authored the document (leave this field blank if the author is unknown or there is no author);
    i. The name of the organization the author belongs to if applicable (leave this field blank if the information is unknown or not applicable);
    j. The name of the entity that received the document if applicable (leave this field blank if the information is unknown or not applicable); and
    k. The name of the organization the recipient belongs to if applicable (leave this field blank if the information is unknown or not applicable).

3. Response Format. Provide the response and all requested documents on a compact

disc(s) or other electronic media in Portable Document Format (PDF) and comply with the following requirements:

a. CBI and personal privacy information should be provided on separate media (e.g., a separate CD) and marked as such to ensure information is appropriately handled and physically separated from the other response information in EPA's files.
b. The declaration must be provided in hard copy with an original signature.
c. Electronic PDF files must be compatible with Adobe Acrobat version 8.0.
d. Electronic PDF files must be text-searchable e.g. converted to text using Optical Character Recognition (OCR).
e. If any submitted documents are not converted to text using OCR, they must be separated and clearly denoted as such.
f. The document index must clearly identify any single electronic document which has been separated into multiple electronic files (because of size limitation or otherwise) and each component file that comprises the full document.

4. Geographic Information System (GIS). Provide GIS files (*i.e.* shape files, metadata, etc.) in response to any of the questions outlined in this Information Request for which Respondent possesses responsive GIS information. If GIS information possessed by respondent is responsive to a question, also provide in the submitted data, all files pertaining to the area within the Lower Duwamish Waterway (LDW) engineered drainage basin as defined in the LDW RI/FS. Please provide the following format type which meets EPA's system and software requirements: ArcGIS geodatabase ("file" or "personal" geodatabase), or shapefile format. Include information needed for understanding and use of the GIS data, such as definitions of data elements, and map projection information. Also include any spreadsheet or non-GIS database format files which may have been assembled or used in association with GIS data.

5. Fee-Based Records. Information submitted to EPA may be made available to the public through the Freedom of Information Act. If records submitted in response to this information request are otherwise only available upon payment of a fee authorized by statute, EPA may, pursuant to 40 C.F.R. 2.107(k), respond to a FOIA request for such records by informing the requester of the steps to obtain the fee-based records. If you believe any of the records responsive to this information request may be subject to 40 C.F.R. 2.107(k), please note this in your cover letter and clearly identify all such records.

6. Number Each Answer. Number each answer with the number of the question to which it corresponds.

7. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered noncompliance with this

Information Request.

8. Identify Information Sources. For each question, identify all persons and documents relied upon for the answer.

9. Confidential Information. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or trade secrets. The Respondent may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. § 2.203(b). All information claimed to be CBI should be contained on separate sheet(s) or media and should be clearly identified as "trade secret" or "proprietary" or "company confidential." A confidentiality claim should be supported by the submission of information consistent with 40 C.F.R. Part 2. Information covered by a confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311. **If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice.**

10. Disclosure to EPA Contractor. Information submitted in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.310(h), even if the Respondent asserts that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If submitting information and asserting it is entitled to treatment as confidential business information, the Respondent may comment on EPA's intended disclosure within 14 days of receiving this Information Request.

11. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from responses, included on separate sheet(s), and marked as "Personal Privacy Information". Note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice.

12. Objections. The Respondent must provide responsive information notwithstanding objections to certain questions. To object without providing responsive information may subject Respondent to the penalties set out in the cover letter.

13. Provide Documents in the "Public Domain". Respondent must submit documents and provide information that responds to this Information Request even if such responsive documents and information may already be available in the "public domain" and accessible to EPA.

14. Privilege. If a privilege is asserted for any document responsive to this Information Request, identify (see Definitions) the document and provide the basis for assertion. If a privilege exists for only a portion of a document, provide the portion of the document that

is not asserted be privileged, identify the portion that is asserted to be privileged, and provide the basis for asserting privilege. **Note that regardless of the assertion of any privilege, any facts contained in the document which are responsive to the Information Request must be disclosed in your response.**

15. Declaration. The Respondent must complete the enclosed declaration, certifying the accuracy of all statements in your response.

DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Section 101 of CERCLA, 42 U.S.C. § 9601, *et seq.*, or Volume 40 of the Code of Federal Regulations (CFR), in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The term **"business activities"** shall mean, but is not limited to, all retail and commercial activities, manufacturing, production, storage, loading and unloading, construction, remodeling, grading, demolition, disposal, and any other operations, endeavors, ventures, or arrangements related in any manner whatsoever to the use and development of the property.

2. The terms **"document" and "documents"** shall mean any method of recording, storing, or transmitting information. "Document" shall include, but not be limited to:

    a. writings of any kind, including, but not limited to, any of the following:

        i. letters, memoranda, fax transmittals;

        ii. meeting minutes, telephone records, notebooks;

        iii. agreements and contracts;

        iv. reports to shareholders, management, or government agencies;

        v. transportation manifests;

        vi. copies of any document.

    b. any film, photograph, or sound recording on any type of device;

    c. any blueprints or drawings;

    d. attachments to, or enclosures with, any document.

3. The term **"identify"** means, with respect to a natural person, to set forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.

4. The term **"identify"** means, with respect to a corporation, partnership, business trust, or

other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.

5. The term **"identify"** means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. **Alternatively,** Respondent may provide a complete copy of the document.

6. The term **"leasehold"** shall mean a possessory estate in land or premises.

7. The term **"material" or "materials"** shall mean any and all raw materials, commercial products, wastes, chemicals, substances, or matter of any kind.

8. The term **"ownership interest"** shall mean use, enjoyment, or possession, whether actual, adverse, or constructive, and regardless of any actual or constructive control. Ownership interests include, but are not limited to, all freehold estates, easements, licenses, and permits.

9. The term **"property"** shall mean all real property, facilities, and locations within the Scope of the Information Request where Respondent held or holds any ownership interest or leasehold, or where it conducted or conducts any business activity.

10. The term **"real property"** shall mean land and anything on, attached to, or erected on it, and shall include, but not be limited to, soil, submerged land, sediments, groundwater, paving, buildings, and structures.

11. The **"Relevant Time Period" and "period being investigated"** shall mean the time between date of Respondent's first involvement with a property, facility, or location, to the point in time when that involvement ended or to the present if that involvement is ongoing.

12. The term **"Respondent"** shall mean the addressee of this Request, together with the addressee's agents, employees, and contractors.

13. The term **"waste" or "wastes"** shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, dangerous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including, but not limited to, building debris and asbestos-containing material.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on _____, 2010.

_____
Signature

_____
Type or Print Name

_____
Title

Mailing Address:

Susan Ridgley
Port of Seattle
P.O. Box 1209
Seattle, WA 98111