Appendix A

Example letter to inquiries about environmental conditions of the landfill for real estate transactions.

Exhibit A.

City of Seattle

Gregory J. Nickels, Mayor

Seattle Public Utilities
Chuck Clarke, Director

Solid Waste Field Operations

April 14, 2005

[redacted]

Dear M[redacted]i:

RE: Status of Cleanup at the Midway Landfill Superfund Site in Kent, Washington.

I am pleased to provide this information regarding the status of cleanup activities at the Midway Landfill. I have also provided specific information with regard to your residence in the Midway vicinity. This information can be found on page 3 of this letter.

Background. The Midway Landfill, located about 15 miles south of Seattle within the City of Kent, was operated by the City of Seattle from 1966 through October 1, 1983. The site was used primarily for disposal of demolition debris, wood waste and yard waste, although there was also the disposal of some industrial wastes at the site.

Landfill Gas. In the summer of 1985 it was discovered that landfill gas had migrated away from the landfill through underground soils. As a result, about 140 gas probes were installed in the Midway vicinity. These probes, which allow us to monitor soil gas, showed that, although landfill gas was detectable on all sides of the site, the most significant migration had occurred to the east and south. Seattle also began a program of monitoring for homes and businesses in the Midway vicinity; at one time more than 300 homes were being monitored. Eleven families were evacuated from their homes between November 1985 and February 1986.

In response to the landfill gas problem, Seattle began the construction of a gas extraction system to prevent gas from leaving the site and to remove gas that had already migrated from the site. Construction of the first thirty wells at the site perimeter began in late 1985. Additional wells were constructed in the interior of the site and around the outside perimeter starting in late 1986.

Nineteen individual wells were also constructed in residential areas east of the site to remove off-site pockets of gas beginning in the spring of 1986. Gas from the on-site wells was burned off through two large temporary flares. Gas from off-site wells was vented to the air after passing through large carbon filters.

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The data indicate the gas extraction system was very effective in removing gas from soils in the Midway vicinity. The majority of shallow soils in the vicinity showed gas at or below background levels (200 to 400 ppm (parts per million)) by 1987. By August 1987, gas was no longer detectable in homes above the background level for ambient air (100 ppm). In fact, most homes showed 0 ppm of gas. Home monitoring was discontinued. Since that time we have continued to see significant improvements in the removal of gas from soils surrounding the site. At present, gas is above background levels in deeper levels (40 to 100 feet below ground surface) in only two off-site areas: about 1100 feet east of the southeastern side of the site and about 1000 feet east of the northeastern corner. Both areas are under the control of the gas extraction system. This means that the gas is under a vacuum and moving back towards the site rather than upwards. All of the nineteen off-site gas extraction wells have been shut down, and two are being used as gas probes. The gas pockets that these wells were constructed to evacuate have been eliminated.

Good Neighbor Program. In April 1986, Seattle established the "Good Neighbor Program" in response to citizen concerns about the value of their property. Through this program, the City guaranteed the fair market value of single family homes in a defined area around the landfill. The City agreed to maintain this program until at least 10 homes in the area had sold at fair market value or until two years after gas measured 100 ppm (0.01 percent) or less in nearby residences. The program ended in May 1988 when well over 10 homes had sold at or above fair market value. As stated above, gas in homes has been below 100 ppm since August 1987.

Participants in the program were required to actively list their homes for six months. If the City had not approved an offer on the home during that time period, the City then purchased the home at the agreed upon fair market value. During the course of the program, 349 homeowners participated, though 61 decided to drop out of the program. Of these residences, 122 sold within the six-month listing period with a City subsidy (to bring the total value up to the agreed upon fair market value), and the City purchased 166 homes. The homes purchased by the City were also listed and sold. By the end of 1988, only 22 homes remained to be sold. By December 1989, only one home remained, which was sold in 1990.

Superfund Status. In May 1986, the Midway Landfill was declared a federal "Superfund" site and listed on the National Priority List (NPL) for cleanup. As a result, Seattle conducted a detailed remedial investigation and feasibility study (RI/FS) under federal Superfund laws. Areas of investigation included geology and groundwater; surface water, seeps and soils; ambient air quality; and landfill gas. The RI was completed in September 1988.

Landfill gas was remediated by the measures described above. In regards to groundwater, the contamination extends up to about 2500 feet east/southeast of the site and about 1000 feet west at very deep levels (generally 300 to 400 feet below the ground surface). However, the contamination is at low levels (just above federal drinking water standards). No drinking water aquifers are affected by this contamination and no one comes into contact with this water. Residents in the vicinity get their water from a public supply system whose wells are several miles from the site.

The second part of the Superfund study, the Feasibility Study (FS), was completed in December 1990. The FS evaluated alternatives for cleanup of any existing or future contamination at the site. At this point in time, we are in the process of negotiating a "Cleanup Action Plan" (CAP) with the State Department of Ecology, which formalizes our cleanup/closure actions at Midway. The CAP is expected to be completed by the end of the year.

Remedial Actions. Thus far the following remedial actions have been completed at the site:

- Midway Landfill Temporary Landfill Gas Extraction System Construction

- Midway Landfill Onsite Grading and Drainage Construction (including the detention pond)
- Midway Landfill Permanent Flare Facility Construction
- Midway Landfill Downstream Drainage Improvement Project (surface water discharge pipeline to McSorley Creek and associated drainage improvements along Pacific Highway So.)
- Midway Landfill Upstream Drainage Improvement Project (I-5 pump station and associated stormwater conveyance pipeline to the Midway detention pond)
- Midway Landfill Final Cover and Permanent Gas Extraction System Project (including landfill capping and permanent gas system construction)

Specific Information. In an e-mail request to Jeff Neuner, specific information regarding the property delineated by shading on the enclosed map was requested. Enclosed are copies of the 2003/2004 monitoring data for the gas probes nearest this property. The data shows that the landfill gas in the soil zones near the property (Probe AO, probe AN, probe AQ, probe AR, and probe AW) is at zero parts per million.

The gas levels in the intermediate and deep levels of the probes also show no presence of landfill gas.

Levels of landfill gas in the vicinity of this property were never found to be above background levels. For that reason, off-site gas extraction wells were not located there. Also, no groundwater contamination has been found in this area as shown by the enclosed 2004 data for groundwater monitoring well MW-21. An extensive compilation of gas and groundwater data may be obtained at the Kent Public Library, in their public repository. These data are contained in the Remedial Investigation and Feasability Study Reports on the Midway Landfill. For more current information, you may call me at 684-7693.

The landfill gas extraction system at the Midway Landfill has been doing an excellent job of drawing off the combustible gas and harmlessly flaring it. Thus gas is no longer leaving the site. In addition, the amount of gas generated within the landfill has decreased dramatically over the last ten years. For these reasons, little gas has been detected in the surrounding neighborhoods for years. As a result, some of the gas probes that were used early in the program to establish the extent of the gas are no longer monitored because no gas has been detected in them. Because of this fact, the State Department of Ecology approved the removal of several of these old probes years ago. State law requires that abandoned wells/probes must be drilled out and sealed in a specific way, and that is the task that the City is undertaking at this time. Many probes remain in place to monitor the situation such as the two noted above. These will be monitored and studied for the foreseeable future.

The information provided in this letter, other than the gas monitoring and groundwater monitoring data, summarizes an extensive history relating to the closure of the Midway Landfill. Since this information is only general in nature, the City of Seattle does not intend that anyone reading this letter will rely solely on this information in forming a decision to purchase or finance real property. If you are concerned about the effect of the landfill closure on property values in the area of the Midway Landfill, you should contact a qualified appraiser or environmental consultant or independently review the scientific studies and other reports relating to the landfill. Further, this letter should not be construed or relied on by anyone as an endorsement or recommendation to invest, purchase or finance real property.

I hope that this information has been helpful. Please contact me at 206-684-7690 if you have any questions.

Sincerely,

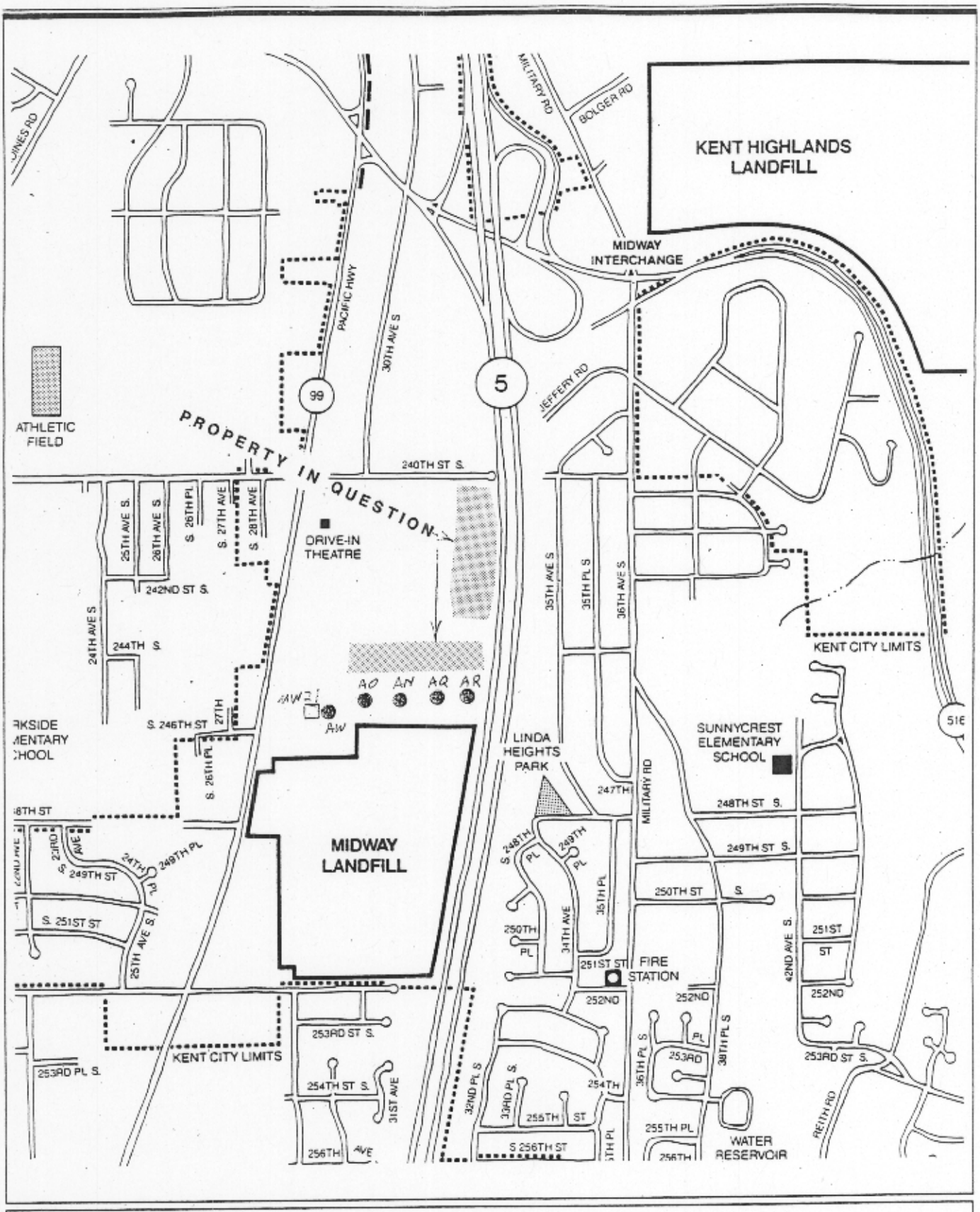
Philip R. Woodhouse //FOR//

Jeff Neuner
Landfill Manager

JHN/prw

Enclosures

cc: Sean McDonald
Jeff Neuner
Marya Silvernale
Midway Files



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April 14, 2005

Figure I-2.
Midway Landfill vicinity map.

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