



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

LAND, CHEMICAL &
REDEVELOPMENT
DIVISION

January 5, 2021

Mr. Shimon Mizrahi
Managing Partner
Rainier Commons, LLC
918 South Horton, Suite #1018
Seattle, Washington 98134

Subject: Amendment 9 to the 40 C.F.R. §§ 761.61(c) and 761.62(c) Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, Phase III, 3100 Airport Way South, Seattle, WA., EPA ID No. WAD 05123 9994

Dear Mr. Mizrahi:

This letter addresses Phase III of paint removal work planned in accordance with the Risk-Based Disposal Approval issued by the EPA on December 18, 2013, and amended April 13, 2020 (RBDA), see Enclosure 3¹. Pursuant to Condition 2 of the RBDA Rainier Commons (Rainier) submitted a request for approval of the Phase III Individual Phase Work Plan (IPWP) to remove and dispose of PCB contaminated paint at the Old Rainier Brewery located at 3100 Airport Way South, Seattle, WA (the Site). The submitted documents listed below comprise the Phase III IPWP and are hereby incorporated by reference into the RBDA and are enforceable requirements of the RBDA:

1. Rainier Commons Individual Phase Work Plan for Phase III, dated January 27, 2020, including as separate attachments Set-Ups 1-39 and Exhibits 40-49. Several revisions to individual exhibits were subsequently made. Exhibit 43 was revised and Exhibit 43c submitted on December 2, 2020. Exhibit 5 was revised on December 4, 2020. Exhibits 33, 37, and 38 were revised on December 7, 2020.
2. Rainier Commons Supplement No. 1 to Individual Phase Work Plan for Phase III, dated September 10, 2020, including as separate attachments: Revised Set-Up 39, Revised page 7 of Exhibit 40 and page 2 of the Spill Control Plan in Exhibit 40, Revised Exhibit 49, Exhibit 50, Summary of 6th floor substrate data, 6th floor substrate lab reports, and Response to EPA's Questions dated July 27, 2020.

Final versions of the Phase III IPWP documents are included in Enclosure 4.

The EPA has reviewed the Phase III IPWP and determined that the proposed plan for PCB sampling, cleanup and disposal will not pose an unreasonable risk of injury to health or the environment pursuant to 40 C.F.R. §§ 761.61(c) and 761.62(c). Therefore, the Phase III IPWP is approved, subject to the conditions below, and those of the RBDA. This approval constitutes Amendment 9 to the RBDA

¹ While reviewing the RBDA in preparing Amendment 9, EPA identified a typographical error which had erroneously split Condition 20 into two conditions. EPA has included a copy of the RBDA here as Enclosure 3, with that error corrected. No other changes have been made to the RBDA.

providing the basis for sampling, cleanup, decontamination, storage, and disposal of PCB remediation waste and PCB bulk product waste at the locations listed in Condition 1 below. The Phase III IPWP and Amendment 9 are hereby incorporated by reference into the RBDA and are enforceable requirements of the RBDA.

Conditions:

1. Rainier shall remove PCB-contaminated paint at Set-Ups 1-39 (Reference 2, Set-Ups 1-38 as revised, and Reference 3, Set-Up 39), clean-out the storm and sanitary sewers (Reference 3, Exhibit 50), and characterize and remediate soils on site (Reference 3, Exhibit 49) in accordance with the conditions of the RBDA, as amended herein. If the Phase III IPWP differs from the Conditions, the Conditions shall govern. The location descriptions are provided in the Work Plan. These locations comprise the remaining locations of known or potential PCB contamination. No abatement activity for any other area of the subject property, except that previously approved by the RBDA as amended, is approved at this time.
2. Rainier shall initiate work on the exterior paint removal project for Phase IIb and Phase III within one hundred and eighty (180) calendar days following receipt of this approval.
3. Rainier shall install sticky mats at the entrances to all Phase IIb building entrances to prevent track-in of any PCB contaminated material.
4. All personnel entering the interior or exterior containment structures or conducting any inspection of the containment structure, cleaning, sample collection, or removal of interior or exterior primary or secondary containment shall do so wearing appropriate PPE as documented in Reference 2, Exhibit 40 PAS Safety Plan as revised by Supplement 1 and Reference 2, Exhibit 45 NVL Health and Safety Plan to protect against PCB exposure.
 - a. All personnel conducting blasting shall be HAZWOPER certified and shall don full body disposable suits with hoods and booties, full face supplied air pressure demand respirators, hard hats, safety vests, cut resistant gloves, eye protection, protective footwear, and hearing protection. There shall be first aid and CPR trained employee on site as well.
 - b. Personnel entering the interior containment structure do not require supplied air respirator or Tyvek coveralls, unless there is an active breach.
5. Roof mounted HVAC equipment shall be protected following the checklist contained in Reference 2, Exhibit 48b – Inventory of Set-Up Specific Conditions. Specifically, Rainier shall remove and properly dispose of inoperable or decommissioned heat exchange units. Any furnace concentric vents and operable heat exchange units shall be mechanically and electrically locked-out and covered with 2 layers of 6-mil polyethylene film fastened with duct tape and/or spray adhesive so that it is completely enclosed. Fresh air ducts shall be extended 12” beyond the containment enclosure with galvanized steel HVAC ducting. Every seam and joint of each vent pipe shall be sealed with Building Code approved duct sealant and duct tape. All ductwork running through containment shall also be protected with two layers of 6-mil poly fastened with duct tape and/or spray adhesive. Siding caulk shall be used to protect the concentric building penetration if needed.

6. Roof drains shall be protected with filter fabric over the roof inlets on roof drains near blasting activity. Filter fabric shall also be placed over the outlets of those roof drains.
7. Storm and sanitary inlets shall be protected in accordance with the plan in Reference 2, Exhibit 43c. At a minimum each catch basin and roof drain are provided with protection which includes two layers of filter cloth. The top layer is visually inspected daily and replaced at least every 7 days, while both layers are replaced at least every 21 days. Roof drain protection may be decreased to 1 layer of filter cloth if ponding during heavy rain requires a temporary emergency reduction. Manholes are sealed closed and protected with filter fabric. A licensed Professional Engineer (PE), or equivalent, shall determine if any inlet requires additional protection, and if so, design a specific filter style protection utilizing Washington State Department of Ecology's Stormwater Management Manual of Western Washington. Daily inspection shall include removing any visible debris on or adjacent to the filter cloth or other containment system. If the NPE is breached, all sewer inlets that may be at risk shall be physically blocked so that water cannot penetrate and any pooled water can not be traversed by pedestrians or motor vehicles. Once the breach is contained, the water shall be extracted and collected for proper disposal in accordance with 40 C.F.R. § 761.60(a) or (e) or decontaminated in accordance with 40 C.F.R. § 761.79. Surfaces shall be decontaminated in accordance with 40 C.F.R. § 761.79 prior to allowing drain inlet to return to functioning status. Plastic sheeting and material necessary to block inlets shall be kept on site by the contractor for this purpose and be readily accessible for immediate use.
8. Rainier shall conduct weekly vacuum truck cleaning of the parking surfaces, monitor the area for paint chip debris, and hand vacuum and hand collect paint chips.
9. Negative Pressure Enclosure (NPE) construction specifications detailed in Reference 2, Exhibit 40 as revised by Reference 3, shall be followed. Scaffolding shall be shrink-wrapped in poly sheeting. 6-mil poly drop cloth shall be used on each level of scaffolding and changed out periodically as waste builds up. At least two layers of "rip-stop" poly sheeting shall be placed beneath the NPE and shall run up to an adjacent straw waddle to contain any water within the NPE. At least two layers of cardboard shall be used on the ground between the layers of poly sheeting. Windows, doors or other penetrations within the enclosure shall be protected by one layer of 6-mil reinforced poly under a plywood sheet on the exterior of the window. Interiors of penetrations shall be protected by two layers of 6-mil reinforced poly. Any scaffolding tie-ins that must penetrate PCB paint shall be done by certified haz-mat personnel. The NPE for the interior stairwell shall follow specification provided in Reference 3, Set-Up 39.
10. The NPE shall be maintained under negative pressure of at least 0.02" of water by using 2,200 CFM Negative Air Machines (NAMs) fitted with HEPA filters during non-blasting periods, or by vacuum dust collection systems during blasting operations as described in Condition 11. At least 1 NAM and 1 back-up NAM shall be installed in each section of the NPE. The calculation used to determine the number of NAMs needed above this minimum in the work area(s) is in Reference 2, Exhibit 40. Exhibit 48c is a worksheet for conducting the calculation which shall be used for each work area and retained as part of the site records. A manometer sensor shall be used to ensure alarm identifies a reduction in differential pressure between outside the containment structure and inside greater than 0.02" of water.
11. Use of a dust collector with HEPA filter such as the Cyclone 12 DC shall be used during blasting activities to reduce the volume of air born dust throughout the containment and create negative pressure for the containment structure. The dust collector equipment and reusable parts are

subject to the decontamination requirements in 40 C.F.R. § 761.79 before being removed from site. The filters must be disposed of as PCB remediation waste.

12. Interior containment consists of fully enclosing the interior surface of the wall being blasted with 4- or 6-mil poly sheeting after plugging any through penetrations with caulk, spray foam, or other physical barrier. Reference 2, Exhibits 48a and 48b shall be used to document inspection for and sealing of any penetrations. Interior window protection shall consist of two layers of 6- mil reinforced poly secured. All interior sheeting shall be secured with duct tape and spray adhesive as needed. Splices in the poly sheeting shall be overlapped a minimum of 6 inches and secured with spray adhesive and duct tape. Secondary containment shall be constructed by hanging a single layer of 4- or 6-mil poly 2-3 feet away from the primary containment barrier, secured to the ceiling, walls and floor with duct tape and spray adhesive as necessary. Exhibit 48(e) shall be used to document installation of interior protection. Access inside of the secondary containment area is restricted to monitoring personnel and Contractor personnel conducting containment integrity inspections. Access to the remainder of the room outside of the contained area is limited to the same personnel until tenant entry is granted in accordance with Reference 2, Exhibit 48(d)- tenant entry decision tree). Access points shall remain closed and locked, with warning signs posted as described in Exhibit 48a. Interior containment and secondary containment shall remain in place until after exterior containment is removed.
13. The Building 12 chimney, Building 5a, 8 and 9 freight elevator shafts, Building 21 passenger elevator shaft, Building 7, 8 and 18 roof Doghouses and Skylights, the Red Silos, and Buildings 19 and 20 are not subject to interior containment requirements, due to either the technical impracticality of installation, or because the building is vacant.
 - a. When the NPE includes blasting any portion of the elevator shafts, the elevator shall be disabled during active blasting hours as part of pre-blasting activities. Pre-blasting activities for the Building 21 passenger elevator include activating the shaft pressurization system. Upon completion of daily blasting, clearance of the elevators for tenant use shall follow the same inspection protocol as all other affected spaces in accordance with Conditions 15, 16, 17, 23, and 26.
 - b. Skylights and Doghouses shall have one layer of 6-mil poly sheeting applied directly to the interior surfaces behind the abated areas. A secondary protective layer of 6-mil poly sheeting shall be applied horizontally, at the interior floor or base of the skylight or doghouse. Poly sheeting shall be attached with duct tape and/or spray adhesive.
 - c. Primary barrier and window protection shall be installed in Building 20 in accordance with Condition 12, but not secondary containment.
14. Paint abatement shall occur on roof flashing and caps on Building 14, and parapet walls on the roof of Buildings 3, 4, 5a, 7, 12 and 15. Flashing, caps, and parapets are entirely outside. Abatement of these structures shall occur by one of three methods: 1) remove and dispose of parapet flashing as PCB bulk product waste, 2) abate the roof-side of parapet walls when abating the opposite side elevation, or 3) abate the parapet surface separately from the opposite side. If options 2 or 3 are selected, abatement of the parapet flashing shall occur under NPE. If the parapet is abated concurrent with abatement of the opposite side elevation (option 2), the NPE for the opposite side elevation shall serve as primary and secondary containment for the side opposite the parapet abatement. If concurrent Set-Ups are not feasible on opposite sides of the parapet, and option 3 is implemented, Rainier shall install primary containment on the side opposite the parapet wall consisting of a single layer of 6-mil poly sheeting attached to the wall with duct tape or spay adhesive on all four sides. Rainier shall use a cherry picker/snorkel truck

or other means to attach the bottom of the poly-sheeting 1-foot below the base of the parapet wall. If the poly-sheeting containment cannot be safely attached on all four sides, Rainier shall submit a Set-Up specific containment plan to the EPA project manager and receive written approval prior to abating the parapet.

15. Daily housekeeping shall include pre-blasting visual inspection of all interior barriers to ensure seal integrity. Pre-blasting inspection shall also ensure that ventilation is turned off, windows are closed and all other controls are still in place. Daily housekeeping shall also include post-blasting visual inspection of all interior barriers and containment to ensure no visual evidence of a breach is detected. The Building 12 chimney, Red Silos, Building 7, 8, and 18 roof Doghouses and Skylights, and Building 19 are not subject to this condition.
16. Rainier shall conduct interior dust monitoring through the collection of wipe samples. Interior sample locations are provided in Reference 2, Set-Ups 1-38 as revised, and Reference 3, Set-Up 39. The wipe sampling plan is provided in Reference 2, Exhibit 44. The building 12 chimney, Red Silos, and Building 19 are not subject to this condition. Two types of samples, one using a hexane wipe to collect PCBs, and one using a ghost wipe to collect metals, shall be collected immediately adjacent to each other. Sample collection for PCBs shall be done pre- and post-abatement. Sample collection for metals shall be done post abatement and shall only be analyzed if PCBs are detected in settled dust $> 10\mu\text{g}/100\text{cm}^2$. Metal results shall be compared to the known metal profile of the blasting media (chromium, copper, nickel, zinc and lead) to evaluate if PCBs were introduced by blasting activity vs. tracked in. The action level for PCBs is $\geq 10\mu\text{g}/\text{wipe}$. If any PCB wipe sample exceeds the action level, Rainier shall follow the procedure in Condition 17(d).
 - a. For spaces determined to be “Residential” settled dust samples shall be collected:
 - i. At points of ingress within the interior containment (number of locations depends on how many points of ingress there are).
 - ii. Just outside secondary containment on the floor (1 location).
 - iii. Mid-way between secondary containment and farthest wall at waist and ground level (2 locations, where waist level opportunity exists). Set-Ups 1-39 only depict one sample location at the mid-way point for residential spaces, to simplify the drawing. Where a waist-level sampling location exists, Rainier shall collect 2 samples.
 - iv. Near or at the farthest wall away from secondary containment at waist and ground level (2 locations, where waist level opportunity exists). Set-Ups 1-39 only depict one sample location at the farthest point for residential spaces, to simplify the drawing. Where a waist-level sampling location exists, Rainier shall collect 2 samples.
 - b. For spaces determined to be “Commercial” settled dust samples shall be collected:
 - i. At points of ingress within the interior containment (number of locations depends on how many points of ingress there are).
 - ii. Just outside secondary containment on the floor (1 location).
 - c. The top of all elevator cars and just outside the entry or exit point to elevator cars on every floor of the affected elevator shaft shall be sampled.

- d. Wipe samples shall be collected on any flat surface that has 100cm² available in the Building 7 and 18 doghouses and skylights, most likely in corners of the floor.
 - e. Building 20, which is an unused staircase, is subject only to post-abatement PCB sampling. Samples shall be collected at each point of ingress, and at 20' vertical increments.
17. If at any time a breach of the containment structure is either observed by visual identification of dust, paint or blasting material; or if a manometer sensor identifies a drop in pressure below 0.02" of water, Rainier shall follow the procedures in their flow chart (Reference 2, Exhibit 48(d)). Specifically, Rainier shall:
- a. Mitigate the cause of the exceedance.
 - b. Report the exceedance to the EPA pursuant to RBDA Condition 20.
 - c. Collect wipe samples for metals and PCBs following the procedures in Reference 2, Exhibit 44 and pursuant to 40 C.F.R. § 761.243.
 - d. If PCBs are detected the material shall be cleaned up according to the PCB Spill Cleanup Policy, specifically 40 C.F.R. § 761.125(b)(1) and steps (c) and (d) of this paragraph shall be repeated until PCB concentrations are <10 ug/100cm². Tenants may be granted entry once sample results are <10 ug/100cm².
 - e. If the release occurred in the outdoor environment, Rainier shall follow steps (a)-(d) of this paragraph and also sample the aqueous and solid media in catch basins identified as sampling locations in the Reference 4, Supplement 5, Exhibit 5 following the next rain event with measurable flow.
18. Rainier is authorized to abate metal components identified in Phase III or Phase IIb through means other than sand blasting. Metal components shall be identified during pre-blasting visual inspection of the building surface within the NPE. Rainier may remove and dispose of components as PCB bulk-product waste, or use a chemical stripper to remove paint from the component. Removal of the component, and cutting to reduce the size of the component, shall be performed in the NPE. Any component designated for removal shall be wrapped in poly sheeting secured with duct tape prior to removal if feasible, or immediately upon removal. All window frames are subject to chemical stripping except those not painted at Buildings 21, 22, 24, and 25. Chemical stripping shall be conducted inside the NPE. After visual inspection and clearance window framing shall be treated with primer and topcoat prior to NPE breakdown.
19. Rainier shall sample onsite catch basins to verify that controls are effectively preventing releases of PCB contaminated dust and paint to the environment. Rainier shall sample one sampling location in each of 5 zones identified in Reference 2, Exhibit 43 and 43a, for a total of 5 sample locations every month of blasting activity. Additionally, Rainier shall collect samples from these locations in the month prior to blasting beginning and for 12 months after all blasting has ceased. Aqueous and sediment samples shall be collected from each sampling location as available. In the event that no significant rain events occur during the sampling period, samples shall be collected during the course of the next rain event, without waiting for the next monthly round. Samples shall be analyzed for PCBs. Samples shall also be collected for metals (chromium,

copper, nickel, zinc and lead). Metal samples may be held by the laboratory and analyzed only if PCB concentrations in the samples are identified above the action levels in Condition 6 of the RBDA. Analysis for metals shall occur within the appropriate hold time for accurate results.

20. Personnel and Material Decontamination shall take place in a dirty room work area space, shower & clean room space, and a clean room work area space, as described in Reference 2, Exhibit 40. These shall be constructed with PVC or steel piping wrapped in poly sheeting. A pop-up aluminum shower equipped with a water collection basin shall be used in the “shower room”. Water used for showering and any work shall be collected and contained in storage drums and tested for disposal in accordance with 40 C.F.R. § 761.60(a) or (e) or decontamination and off-site use or disposal in accordance with 40 C.F.R. § 761.79. No water shall be discharged out of the work area to the sanitary sewer or storm drain systems. A material load-in and load-out unit shall be constructed in the same manner as the three-stage decontamination unit and connected to the “dirty room”. A detailed checklist for scaffolding erection, NPE construction, NAM installation and the decontamination unit is provided in Reference 2, Exhibit 48e.
21. The storage of PCB waste on site shall comply with the storage regulations at 40 C.F.R. § 761.65(b) or 761.65(c), as detailed in Reference 2, Exhibit 47. All PCB waste generated during abatement activities shall be stored on-site in a temporary waste storage facility located in Building 6 on the 400 level. This location is constructed of concrete and structural steel, with a roof and no windows. Three man-doors and a freight elevator provide access to the unit, all doors are bolted from inside the unit and the freight elevator is controlled by a lockable garage door inside the unit. Eight-inch diameter straw waddles shall be installed and maintained under two layers of sealed, 6-mil rip-stop polyethylene sheeting to provide a continuous curbed storage area capable of containing 25% of the total volume of all PCB containers stored within. Containers shall be either sealed 55-gallon drums or one-cubic yard “Super-sacks” meeting DOT approved design requirements. Containers shall be labeled with the date out of service, project name, owner and haz-mat contractor in a site-specific identification number as provided in Reference 2, Exhibit 47. A running tally of containers with site ID in storage, date of shipment and manifest number shall be maintained at the storage area entrance. All waste container exteriors shall be decontaminated prior to transportation to the storage facility. The storage facility shall be inspected weekly by a HAZWOPER-trained person, documented in the weekly checklist in Reference 2, Exhibit 47.
22. Scaffolding shall be de-mobilized in a manner that shall not cause release of PCB contaminated dust or PCB contaminated paint from the NPE, as detailed in Reference 2, Exhibit 40. Prior to dismantling, the building surfaces shall be brushed down and HEPA vacuumed, and a protection and containment area shall be established at each designated staging area. The staging area shall consist of two layers of “rip-stop” poly sheeting layed over a straw waddle perimeter the size of which shall be able to accommodate the largest piece of scaffolding plus room for two workers. Scaffolding shall be cleaned using HEPA vacuums, brushes and wipes, and a lock-down agent shall be applied to the interior of the NPE to trap any dust or debris that was not collected by the cleaning/decontamination process. Breakdown of the NPE shall only take place on calm, dry days. All elements of scaffolding system shall be lowered to the protection and containment area for a final wipe down and/or inspection prior to loading onto trucks. The shrink wrap poly shall be cut into sections and rolled within itself and disposed. The protection and containment area for scaffolding shall be staged, inspected and cleaned during breakdown as documented in Reference 2.

23. Interior containment shall only be removed once the NPE is dismantled. Rainier shall follow the protocol in Reference 2, Exhibit 48(a). Specifically, with the secondary interior containment barrier in place the primary interior containment barrier shall be removed by carefully rolling the side exposed to the wall into itself. The wall shall then be inspected for any visual indication of a breach and if a breach is observed the wall shall be cleaned in accordance with the Spill Cleanup Policy at 40 C.F.R. §§ 761.125(b)(1), and 761.130 followed by removal of the secondary containment. If not, the secondary interior containment barrier shall be removed. The interior wall, floor and ceiling within the interior containment area shall be cleaned with a HEPA vacuum. Following cleaning, surfaces shall be wipe sampled in accordance with Condition 16.
24. Upon completion of all paint removal activities and breakdown and demobilization of the NPE and interior containment, all pervious surface areas adjacent to abated buildings shall be characterized for PCBs. Reference 3, Exhibit 49, provides the location of the adjacent pervious surfaces required to be characterized. Characterization sample locations, collection procedures, laboratory analytical procedures, and Quality Assurance/Quality Control shall follow the plans detailed in Reference 3, Exhibit 49. If any PCBs are detected > 1ppm, characterization shall continue until the extent of PCBs >1ppm is delineated and all other pervious surfaces on campus, identified as “remote locations” in Reference 3, Exhibit 49, shall be characterized. Soils shall be removed, handled as PCB remediation waste, and disposed in accordance with Reference 3, Exhibit 49. Verification samples shall be collected to confirm complete removal of all PCB contaminated soils with concentrations >1ppm, according to the verification sampling plan provided in Reference 3, Exhibit 49.
25. Upon completion of all paint removal activities, pervious surface characterization, and any pervious surface removal and verification sampling, Rainier shall clean out on-site storm and combined sanitary sewer conveyances in accordance with Reference 3, Exhibit 50. The clean out plan procedures are designed to prevent any release from the lines being cleaned to any other line or portion of the Site. If a release does occur, Rainier shall immediately notify King County, Seattle Public Utilities, and the EPA. Waste shall be stored in a secure location, within secondary containment in accordance with Exhibit 50 while waste profile samples are analyzed, until disposed of off-site. Aqueous and sediment material shall be decanted for seven days to allow for separate sampling of the aqueous and sediment phases. Samples shall be analyzed for PCBs, metals, pH and fecal coliform bacteria, in accordance with Exhibit 50, to determine the appropriate disposal pathway. Following final disposal of wastewater and sediment, equipment used during the cleaning and storage process shall be decontaminated in accordance with Reference 3, Exhibit 50.
26. Rainier shall use the checklists in Reference 2, Exhibit 48 (a) – (e), to ensure consistency in project management and create a record of activities. Rainier shall create daily field notes to describe project status. Elements that shall be included are: daily inspection results, any samples collected, any waste moved into the temporary storage location, any waste transported offsite for disposal, any tenant interactions regarding abatement activity, any changes in Set-Up stages (Mobilization, Abatement, Verification, and Demobilization), any activity that may impact sample results, NPE integrity, project schedule, any problems encountered and actions taken to mitigate problems, and pursuant to Condition 20 of the RBDA - any new information about site conditions. Rainier shall submit the daily field notes to the EPA every Monday for the work that proceeded the week prior and any updates or modifications for the upcoming week.
27. Rainier shall provide notice to tenants 30 days prior to Mobilization. Rainier shall provide weekly updates via email to each tenant occupying interior space opposite of the abatement

work. Rainier shall communicate more frequently, as needed, with any tenant. Rainier shall have access to each of the tenant spaces on a daily basis and in case of emergency. Rainier shall reiterate the need for and right to this access at least one week in advance of the work commencing.

28. Extraction Methods for samples shall be conducted using either the EPA Method 3500B/3540C or Method 3500B/3550B.

The terms and conditions of this approval are established pursuant to 40 C.F.R. §§ 761.62(c) and 761.61(c) and enforceable under the Toxic Substances Control Act (TSCA). Any actions which deviate from the terms and conditions of this approval may result in administrative, civil, or criminal enforcement in accordance with Sections 16 and 17 of TSCA, 15 U.S.C. §§ 2615 and 2616.

Should you have any questions or comments, please contact Michelle Mullin at (206) 553-1616 or mullin.michelle@epa.gov.

Sincerely,

Timothy B. Hamlin
Director

Enclosures:

1. References
2. Statement of Basis
3. 2013 Risk-Based Disposal Approval, Modified
4. Final Phase III IPWP

cc (email): Ms. Jo M. Flannery
Ryan, Swanson & Cleveland, PLLC

Mr. Doug Lansing
Rainier Commons, LLC

Mr. Richard Thomas
Washington Department of Ecology

Mr. Todd Gowing
King County

Ms. Beth Schmoyer
Seattle Public Utilities

Mr. Michael Jeffries
Seattle Public Utilities

Enclosure 1

References

RBDA:

1. Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated December 18, 2013.

Phase III IPWP Documents:

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Amendments 1-8:

3. Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated June 17, 2014.
4. Amendment to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, Washington, EPA ID No. WAD 05123 9994, dated June 24, 2014.
5. Amendment to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, Washington 98134, EPA ID No. WAD 05123 9994, dated August 12, 2014.
6. Amendment 4 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, Washington, EPA ID No. WAD 05123 9994, dated July 11, 2016.
7. Amendment 6 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated July 25, 2019.
8. Amendment 7 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA Phase IIa Completion, removal of concrete substrate sampling, and incorporation of Amendment 5, EPA ID No. WAD 05123 9994, dated November 14, 2019.
9. Amendment 8 to the the 40 C.F.R. §§ 761.61(c) and 761.62(c) Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, Phase IIb, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated April 13, 2020.

Phase I Completion Approval:

10. Phase I Completion Report for Rainier Commons, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated May 3, 2019.

2013 General Workplan (Work Plan):

11. Rainier Commons Work Plan dated March 25, 2013, revised July 25, 2013.