



Seattle Fire Department

Gregory M. Dean, Fire Chief

April 14, 2009

Joe McWilliams
Managing Director, Real Estate Div.
Port of Seattle
P.O. Box 1209
Seattle, WA 98111-1209

Dear Mr. McWilliams,

A Fire Marshal's Office inspection of the net shed buildings identified as N-3 – N-11 at Fishermen's Terminal, 1735 W. Thurman St., disclosed violations of the Seattle Fire Code and the Seattle Building Code that must be corrected as follows:

1. Each of the net shed buildings is classified in accordance with the Seattle Building Code as a warehouse or storage occupancy. Utilizing the structures for any purpose other than storage is a violation of the Seattle Building Code.

In that regard:

- a) Ensure that individuals who may be residing within the structures immediately vacate the premises. (2006 SBC Section 103.1)
- b) Ensure that any uses of the buildings for other than storage (e.g. shops engaged in fabricating cabinets or forms, hot work activities, etc.) be immediately discontinued. (2006 SBC Section 103.1)

If the Port of Seattle elects to modify the defined use of the buildings to allow for sleeping or activities other than storage, plans shall be submitted to the Department of Planning and Development (DPD) for a change of occupancy.

2. A variety of structural additions have been made inside the net shed buildings, such as the installation of loft spaces, mezzanines, solid floors, shelving, and other additions, without obtaining the requisite building permits. These additions do not necessarily provide adequate structural support or exiting and many prevent the existing sprinkler system from performing as designed.

In that regard:

- a) Remove all structural additions installed without building permits, or submit plans to the Department of Planning and Development for approval of the additions. (2006 SBC Section 103.1)



If the Port of Seattle proposes to allow for continued use of the structural additions, plans shall be submitted to the Department of Planning and Development for approval of such additions.

3. When material storage exceeding 12-feet in height occupies more than 500 square feet of floor area inside each building, the usage is classified as high-piled combustible storage and must be protected in accordance with Chapter 23 of the Seattle Fire Code. Chapter 23 may require additional controls including, but not limited to, increased sprinkler density, smoke and heat vents, draft curtains, and storage racks installed under permit from the Department of Planning and Development.

In that regard:

- a) Reduce and maintain the height of storage within each of the net shed buildings to not more than 12 feet above grade. (2006 SFC Section 2301.1)

If the Port of Seattle elects to allow for storage in the sheds in excess of 12 feet, plans shall be submitted to the Department of Planning and Development to allow for high-piled combustible storage.

4. As currently configured, each of the net shed buildings is considered to be a single control area. The Seattle Fire Code governs the storage, use, and handling of hazardous materials inside all buildings and establishes maximum quantities of hazardous materials that can be stored within each control area. Material amounts exceeding those maximum quantities require that adequate fire protection features be added to the building.

In that regard:

- a) Within each net shed building, reduce and maintain the quantities of hazardous materials to not more than the maximum allowable quantities (MAQ) specified in Seattle Fire Code Tables 2703.1.1(1) and 2703.1.1(2) for a single control area. Storage of such hazardous materials shall be in accordance with the Seattle Fire Code, including but not limited to, Chapters 27, 30, 34 and 38 as applicable. (2006 SFC Section 2703.1)
- b) Upon reduction of the hazardous materials, provide a completed Hazardous Materials Inventory Statement (HMIS) for each building and identify the type and quantity of hazardous materials stored. (2006 SFC Section.2701.5.2)

If the Port of Seattle elects to allow for quantities of hazardous materials in excess of the MAQ, plans for a change of use, including the creation of additional control areas or Group H occupancies, shall be submitted to the Department of Planning and Development. In addition, if hazardous materials continue to be allowed within the

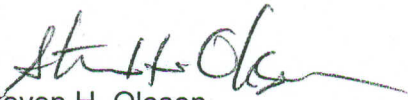
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buildings, even below the MAQ, the POS shall submit a written plan to the Seattle Fire Marshal detailing the procedures in place to manage and limit the quantities within the building in light of the multiple tenants.

Item 1(a) noted above shall be complied with within 24 hours of receipt of this letter. Item 1(b) shall be complied with within 30 days. A written response shall be submitted to the Fire Marshal within 30 days detailing how the POS intends to comply with each of the additional violations. Based on the information received, the City of Seattle will then work with the Port to establish reasonable compliance dates for the latter items.

I appreciate your sincere interest in fire and life safety and look forward to working together to resolve the existing violations. If you have any questions in the meantime please feel free to contact Lynne M. Kilpatrick, Special Hazards Unit Supervisor, at (206) 386-1373.

Very truly yours,



Chief Steven H. Oleson
Acting Fire Marshal

SHO:LK:an

cc: Kenneth Lyles
Manager, Fishing Vessels Services
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