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DEPARTMENT OF ECOLOGY

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May 7, 2021

John Greene
King County Metro Transit
201 South Jackson St., MS KSC-TR-0431
Seattle, WA 98104-3856
(jgreene@kingcounty.gov)

Re: Opinion pursuant to WAC 173-340-515(5) on Remedial Action for the following Hazardous Waste Site:

- **Site Name:** King County Metro Transit S Annex
- **Site Address:** 11911 E Marginal Way S, Tukwila, WA 98168
- **Facility/Site ID No.:** 8422289
- **Cleanup Site ID No.:** 7790
- **VCP Project No.:** NW3301

Dear John Greene:

The Washington State Department of Ecology (Ecology) received your request for an opinion on *RI/FS Summary Report for Voluntary Cleanup Program Application, November 2020 (Summary Report)* regarding the King County Metro Transit S Annex facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.

Description of the Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following releases:

- Total petroleum hydrocarbons in the gasoline, diesel, and oil ranges (TPH-G, TPH-D, and TPH-O), and benzene, toluene, ethylbenzene, and xylenes (BTEX) into the Soil and Groundwater.

Enclosure A includes a diagram of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel associated with this Site is affected by other sites.

Basis for the Opinion

This opinion is based on the information contained in the documents listed in **Enclosure B**. A number of these documents are accessible in electronic form from the [Site web page](#)^[1]. The complete records are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Visit our [Public Records Request page](#)^[2] to submit a public records request or get more information about the process. If you require assistance with this process, you may contact the Public Records Officer at publicrecordsofficer@ecy.wa.gov or 360-407-6040.

This opinion is void if any of the information contained in those documents is materially false or misleading.

Analysis and Opinion

Based on a review of the *Summary Report*, Ecology has determined:

- Ecology appreciates the efforts of your project team to summarize prior investigations at the Site, upload Site data to the Ecology Environmental Information Management (EIM) database, and continue progress towards Site cleanup under the Voluntary Cleanup Program (VCP).
- Evaluation of compliance with the Method A soil and groundwater cleanup levels for TPH-D and TPH-O requires adding concentrations of the two fractions and comparing the results to the TPH-D and TPH-O cleanup level, per *Implementation Memorandum #4, Determining Compliance with Method A Cleanup Levels for Diesel and Heavy Oil*, Ecology Publication No. 04-09-086, June 2004, and *Guidance for Remediation of Petroleum Contaminated Sites*, Ecology Publication No. 10-09-057, revised June 2016. Please follow this procedure in future Site reports.
- The information provided in the *Summary Report* successfully documents the likely impacts of naturally occurring organic matter (peat and organic silts) on the TPH-D and TPH-O laboratory analyses of soil and groundwater samples. These impacts were evaluated at Site locations that have not been influenced by petroleum contamination, including uncontaminated background groundwater samples. Ecology concurs with the work plan element in the *Summary Report* to refine the assessment of natural biogenic materials in groundwater on the TPH analysis results, including continuation of sample analyses with and without silica gel cleanup.
- Assessment of potential impacts from the former 550-gallon engine oil underground storage tank (UST) requires analysis of soil and groundwater samples for the following

^[1] <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=7790>

^[2] <https://ecology.wa.gov/publicrecords>

additional chemicals (per Table 830-1 of the MTCA regulation): carcinogenic PAHs (cPAHs), naphthalenes, and polychlorinated biphenyls (PCBs). The work plan in the *Summary Report* includes analysis of naphthalene in groundwater, to assess the vapor intrusion pathway. Ecology recommends testing the soil and groundwater samples with the highest TPH concentrations for cPAHs and PCBs.

- Ecology concurs with the following elements of the work plan included in the *Summary Report*:
 - Investigate the status of the elevated historical TPH concentrations in boring SB-2, directly west of the former USTs, using push probes.
 - Conduct four consecutive quarters of groundwater level measurements and sampling of the two proposed and four existing monitoring wells.
 - Analyze water-level data from the quarterly monitoring events, and from an ongoing groundwater study on the South Annex part of the Property, to evaluate seasonal changes in groundwater flow directions, gradients, and potential interaction of groundwater with Riverton Creek. Ecology requests surveying of monitoring well elevations and elevations of the Riverton Creek channel relative to the North American Vertical Datum of 1988 (NAVD 88).
- Upon completion of the planned Site investigation work, Ecology recommends preparation and submittal of a RI Report addendum that includes:
 - Methodology and results of additional Site data collection
 - Boring logs and monitoring well construction diagrams for all Site explorations
 - A completed Terrestrial Ecological Evaluation (TEE) form to document the results of the TEE described in the *Summary Report*, including any supporting data and maps
 - Groundwater piezometric surface maps for quarterly monitoring events, with elevations relative to NAVD 88
 - Updated preliminary Site cleanup levels for soil, groundwater, soil vapor, and surface water
 - Maps showing the extent of Site soil and groundwater concentrations, with exceedances of preliminary Site cleanup levels clearly labeled, and an updated estimate of the Site boundaries
 - East-west and north-south hydrogeologic cross sections through the former UST area that include the following:

- Vertical scale with elevations relative to NAVD 88
 - Former USTs and UST removal excavation
 - Operating UST
 - Riverton Creek (east-west section)
 - Range of measured groundwater levels
 - Soil and groundwater concentrations, with exceedances of preliminary Site cleanup levels clearly labeled
- The following statements in the Summary Report could possibly become part of the cleanup action for the Site, but are premature and will depend upon successful completion of the Remedial Investigation:
 - The Property has met the eligibility criteria for Model Remedy 1; therefore, it is not necessary to conduct a Feasibility Study or Disproportionate Cost Analysis.
 - If soil contamination above MTCA cleanup levels remains near former boring SB-2, a restrictive covenant will be developed to enable a NFA determination.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion **does not**:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70A.305.040(4).

2. Opinion does not constitute a determination of substantial equivalence.

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you

performed is substantially equivalent. Courts make that determination. *See* RCW 70A.305.080 and WAC 173-340-545.

3. State is immune from liability.

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70A.305.170(6).

Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/vcp. If you have any questions about this opinion, please contact me by phone at (425) 324-1892 or email at michael.warfel@ecy.wa.gov.

Sincerely,



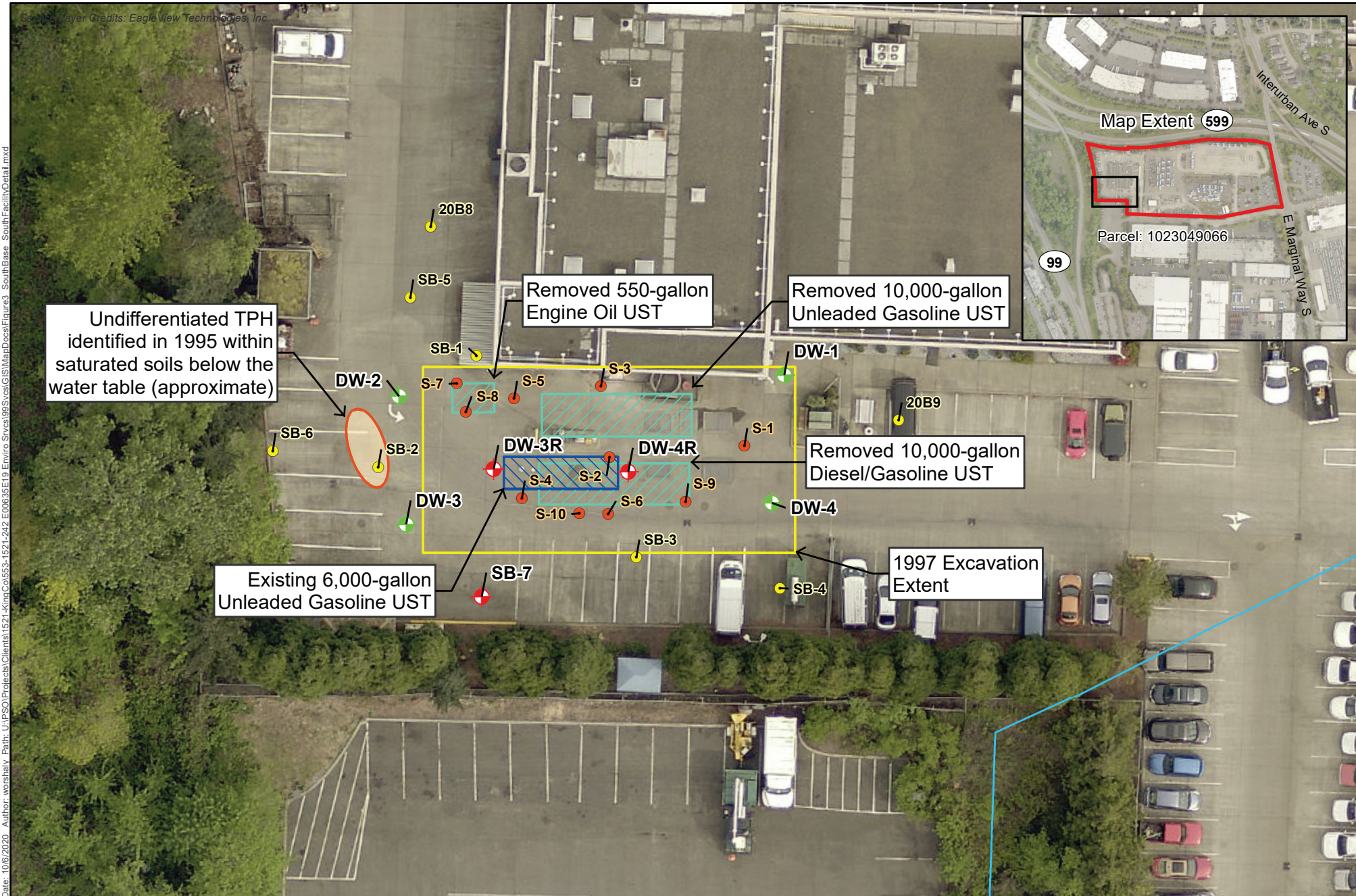
Michael R. Warfel
VCP Site Manager
Toxics Cleanup Program, NWRO

Enclosures (2): A – Diagram of the Site
 B – Basis for the Opinion: List of Documents

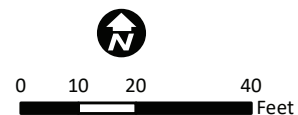
cc: Lisa Gilbert, Parametrix, Inc. (LGilbert@parametrix.com)

Enclosure A

Diagram of the Site



Source: King County



- Project Location
- Stream
- 1997 Excavation Extent
- Existing UST
- Removed UST
- Undifferentiated TPH below water table (approximate)
- Borehole
- Soil Sample
- ⊕ Monitoring Well (Existing)
- ⊕ Monitoring Well (Historical)

Figure 3
South Facility Area Detail
King County Metro Transit S Facilities/S Annex

Tukwila, WA

Enclosure B

Basis for the Opinion: List of Documents

1. Parametrix, *RI/FS Summary Report for Voluntary Cleanup Action Program, South Facilities, South Annex*, November 2020.
2. PBS, *Phase II Environmental Site Assessment Report, King County Metro South Annex Base*, May 21, 2020.
3. Parametrix, *South Facilities Push Probe Investigation Results*, April 21, 2020.
4. Parametrix, *South Base Facility Annex Status Update*, October 22, 2019.
5. PBS, *Groundwater Sampling at King County Metro South Base Facilities*, January 10, 2019.
6. Department of Ecology, *Site Hazard Assessment, Facility Site ID # 8422289, King County Metro Transit S Annex*, August 19, 2015.
7. AGI Technologies, *Underground Storage Tank Closure Assessment Report, Facilities Maintenance South UST Project*, June 18, 1997.
8. Woodward-Clyde, *Pre-Construction Site Assessment Report, South Operating Base Facility Annex*, January 1995.
9. Converse Consultants, *Report on Geotechnical Investigation, Proposed Metro Transit South Operating Base Annex*, April 27, 1984.