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DEPARTMENT OF ECOLOGY

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July 15, 2021

Brett Richer
Georgetown Crossroads, LLC.
Pier 1, Bay 1
San Francisco, CA 94111
(bricher@prologis.com)

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

- **Site Name:** Consolidated Freightways Seattle
- **Site Address:** 6050 E. Marginal Way, Seattle, WA 98108
- **Facility/Site No.:** 54757868
- **Cleanup Site ID No.:** 6262
- **VCP Project No.:** NW3050

Dear Brett Richer:

The Washington State Department of Ecology (Ecology) received your request for an opinion on the *Technical Memorandum, Summary of Compliance Monitoring Wells Installation and Groundwater Compliance Monitoring Results (Technical Memo)* completed for the Consolidated Freightways Seattle 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.

Issue Presented and Opinion

Is the information presented in the April 2021, *Technical Memorandum, Summary of Compliance Monitoring Wells Installation and Groundwater Compliance Monitoring Results (Technical Memo)* sufficient to support a Site No Further Action (NFA) opinion?

NO. Ecology has determined that additional evaluation for the groundwater contamination status is necessary to document the request for a NFA opinion for the Site.

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 as gasoline (TPH-G), diesel (TPH-D), and oil (TPH-O) range organics, and benzene, ethylbenzene, toluene, and xylenes (BETX) in Soil.
- TPH-G, TPH-D, TPH-O, BTEX, and vinyl chloride (VC) in Groundwater.

Enclosure A includes a detailed description and diagrams of the Site as currently known to Ecology.

Please note the parcel(s) of real property associated with this Site are also located within the projected boundaries of the West of 4th facility (FSID # 47779679). At this time, we have no information that those parcel(s) are actually affected. This opinion does not apply to any contamination associated with the West of 4th facility.

Basis for the Opinion

This opinion is based on the information contained in the following documents:

1. Farallon Consulting, April 6, 2021, Technical Memorandum, Summary of Compliance Monitoring Wells Installation and Groundwater Compliance Monitoring Results
2. Department of Ecology, October 9, 2018, Opinion Letter on Cleanup Action Report
3. Farallon Consulting, July 25, 2018, Cleanup Action Closure Report
4. Department of Ecology, March 10, 2017, Opinion Letter on Environmental Media Management Plan
5. Farallon Consulting, February 11, 2016, Environmental Media Management Plan
6. Farallon Consulting, February 11, 2015, Remedial Investigation, Focused Feasibility Study, and Cleanup Action Plan

These documents are accessible in electronic form from the [Site web page](#)^[1]. The complete records related to this Site 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.

[1] <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6262>

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

Analysis and Opinion

Based on a review of the *Technical Memo*, Ecology has determined:

As follow up to Ecology's recommendations and concurrences stated in its prior opinion letter (October 9, 2018), sequential remedial actions at this Site were conducted between December 2018 and November 2020, which included:

1. Completion of Additional Monitoring Well Installations
Eight monitoring wells, MW-15 through MW-22, were installed at appropriate locations on December 13 and 14, 2018.
2. Groundwater Monitoring for the COCs
Between December 2018 and November 2020, seven monitoring events were performed. The data obtained from the field activities included measuring depth of the groundwater table and collecting water samples from all the existing monitoring wells for laboratory analysis.
3. Laboratory Results
Based on the analysis, chemicals of concern (COCs), TPH-D and TPH-O, were at concentrations below the MTCA Method A cleanup levels in all groundwater samples collected in the last four consecutive quarterly events in September and December 2019, and April and November 2020.

However, concentration of VC exceeded the MTCA Method A cleanup level in MW-15, MW-16 and MW-21 during the last four monitoring events.

4. Conclusions of the Site Cleanup Efforts
Concentrations of TPH-D and TPH-O in the groundwater at this Site were below the cleanup levels for four consecutive quarterly monitoring events, which meets MTCA requirements for these COCs.

VC is the only COC found in the three monitoring wells, MW-15, MW-16, and MW-21, at concentrations exceeding the MTCA Method A cleanup level. The presence of VC at this Site may be due to migration from an off-Property source, since the remedial investigations indicated there was no VC source found at this Site.

The adjacent property located to the north and northwest of the Site is called the West of 4th Site, which is a formal MTCA cleanup Site under an agreed order. Vinyl Chloride has been detected in the groundwater above the MTCA Method A cleanup level. The remedial cleanup action taken at the West of 4th Site is suspected to drive the VC plume to the neighboring areas, which includes the Consolidated Freightways Site.

Ecology considers the following requirements must be met prior to issuing a NFA determination:

1. All data tables and figures presented in the final Site report should be changed to reflect that the calculation for TPH-D and TPH-O requires adding concentrations of the two fractions and comparing the result to the applicable cleanup level. This requirement is referred to in Implementation Memorandum #4, Determining Compliance with Method A Cleanup Levels for Diesel and Heavy Oil, Publication No. 04-09-086, June 2004, and Guidance for Remediation of Petroleum Contaminated Sites, Publication No. 10-09-057, revised June 2016. Please update accordingly.
2. It is a reasonable assumption that the VC presenting the Site groundwater is migrating from an off-property source. However, detailed information regarding the neighboring MTCA cleanup Site needs to be documented in how it is impacting the Consolidated Freightways Site. The data can be retrieved and summarized from the feasibility study report: West of 4th; CSID 12260; Feasibility Study Site Unit 2, 8/11/2016.
3. Contents (narratives and figures) in the final cleanup action report shall conclude that the presence of VC at the Site not only originates from the off-property source, but the contamination plumes of TPH-D/TPH-O and VC are currently not comingled together as well.
4. An analysis shall be conducted to evaluate if there is a contamination pathway from the groundwater to surface water. The result shall conclude that the cleanup levels applied for TPH-D/TPH-O in the groundwater can protect the surface water (Duwamish River) from the contamination plume.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liabile 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.

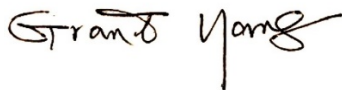
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70A.305.170(6).

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/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (206) 594-0103 or email at grant.yang@ecy.wa.gov.

Sincerely,



Grant Yang, VCP Site Manager
Toxics Cleanup Program, NWRO

Enclosures A: Description and Diagrams of the Site

cc: Pete Kingston, Farallon Consulting (pkingston@farallonconsulting.com)
Sonia Fernandez, VCP Coordinator, Ecology (sonia.fernandez@ecy.wa.gov)

Enclosure A

Description and Diagrams of the Site

Site Description

This enclosure provides Ecology's understanding and interpretation of Site conditions and forms part of the basis for the opinion expressed in the letter.

Site: The Site is located at 6050 East Marginal Way South in Seattle, Washington (the Property, **Figure 1**) and consists of TPH-G, TPH-D, TPH-O, and BTEX in Soil, and TPH-G, TPH-D, TPH-O, and VC in Groundwater. The Property covers King County tax parcel number 536720-4646.

Area and Property Description: The Site is classified as an industrial area (**Figure 2**) with an area of 13.67 acres. The vicinity surrounding the Property is also located within the King County's Industrial Zone.

Property History and Current Use: The Property was constructed as a military barracks-type facility in 1943. In 1956, the facility was transferred to a construction-trucking business center. The trucking business was operated until early 2017. A proposed land redevelopment project began in June 2017, that included building a three-floor industrial warehouse and the associated construction.

Sources of Contamination: The Site investigations confirmed that petroleum contaminants in soil and groundwater originated from releases due to the twelve leaking USTs and operations of the former construction-trucking business. In addition, VC in groundwater at the Site may originate from the adjacent a MTCA's cleanup site: West of 4th, to the north (**Figure 3**). The TPH and VC are not co-mingled.

Physiographic Setting: The Site is located in the Puget Sound Lowland, which is characterized as a broad, low-lying region situated between the Cascade Range to the east and the Olympic Mountains and Willapa Hills to the west. The Site is relatively level at elevation 15 feet above mean sea level, with a slight slope toward the west.

Surface/Storm Water System: The nearest surface water body is the Lower Duwamish Waterway (LDW). Slip 1 of the LDW is approximately 350 feet west of the Property, and the main river body is about 600 feet away to the west. Surface water and storm water runoff on and in the vicinity of the Site disperse via sheet flow to King County's storm water drainage-treatment system.

Ecological Setting: The Site is surrounded by developed land occupied by office buildings, workshops, storage facilities, paved areas, and other physical barriers. Therefore, the urban environment prevents wildlife from feeding on plants, earthworms, insects, or other food sources in or on the soil affected by the Site.

Geology: The materials at the Site mainly consist of the Vashon recessional outwash deposits, silty clay, sand and gravel. The thickness of the glacial sediments ranges from 1 foot to 24 feet below ground surface (bgs).

Groundwater: Groundwater was encountered approximately from 6 to 9 feet bgs at the Site. The regional groundwater flow direction is generally to the west toward the LDW.

Water Supply: A public water supply is currently provided to the Property by the City of Seattle. According to Ecology's well log database, there are no private drinking water wells located within approximately 1,000 feet of the Property.

Releases and Cleanup of Contamination: Soil and groundwater were contaminated due to releases from the twelve USTs and the business operation at the former construction-trucking facility. Since 1988, various phases of investigations and cleanup actions were conducted at the Site, which included characterization of the Site contamination, removal of the USTs, over-excavation and off-site disposal of the contaminated soil, soil cleanup confirmation sampling, application of chemical agents to treat the impacted groundwater, and groundwater monitoring.

Eight monitoring wells were proposed for installation at the Site in February 2016, which was concurred by Ecology in March 2017 (**Figure 2**). Based on the monitoring data collected between September 2019 and April 2020, TPH-D and TPD-O were detected in the groundwater samples from all the monitoring wells at concentrations below the MTCA Method A cleanup levels in four consecutive quarterly sampling events (**Figure 4**).

However, VC was the only COC at concentrations exceeding the MTCA Method A cleanup levels in MW-15, MW-16 and MW-21 during the monitoring period (**Figure 5**). Presence of VC at this Site was suspected to be originating from the VC plume at the neighboring MTCA cleanup Site, West of 4th (**Figure 3 and Figure 5**).

Prior to Ecology issuing a NFA determination, more information needs to be documented regarding how the groundwater contamination from the West of 4th cleanup site has impacted the Consolidated Freightways Site and how their cleanup actions will remediate the VC plume

SITE DIAGRAMS

Figure 1 Location of the Site

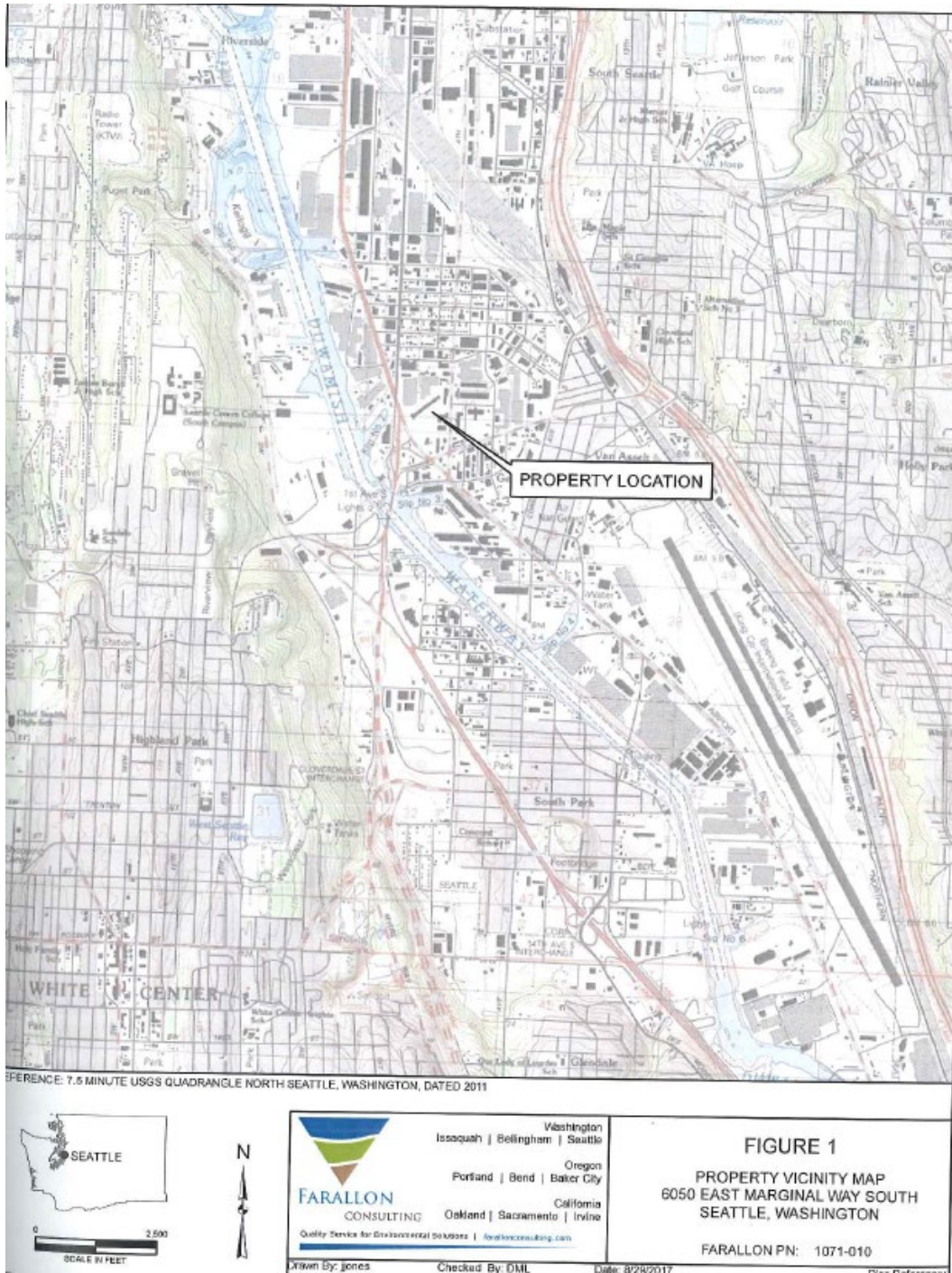


Figure 2 Site Plan and Monitoring Well Locations

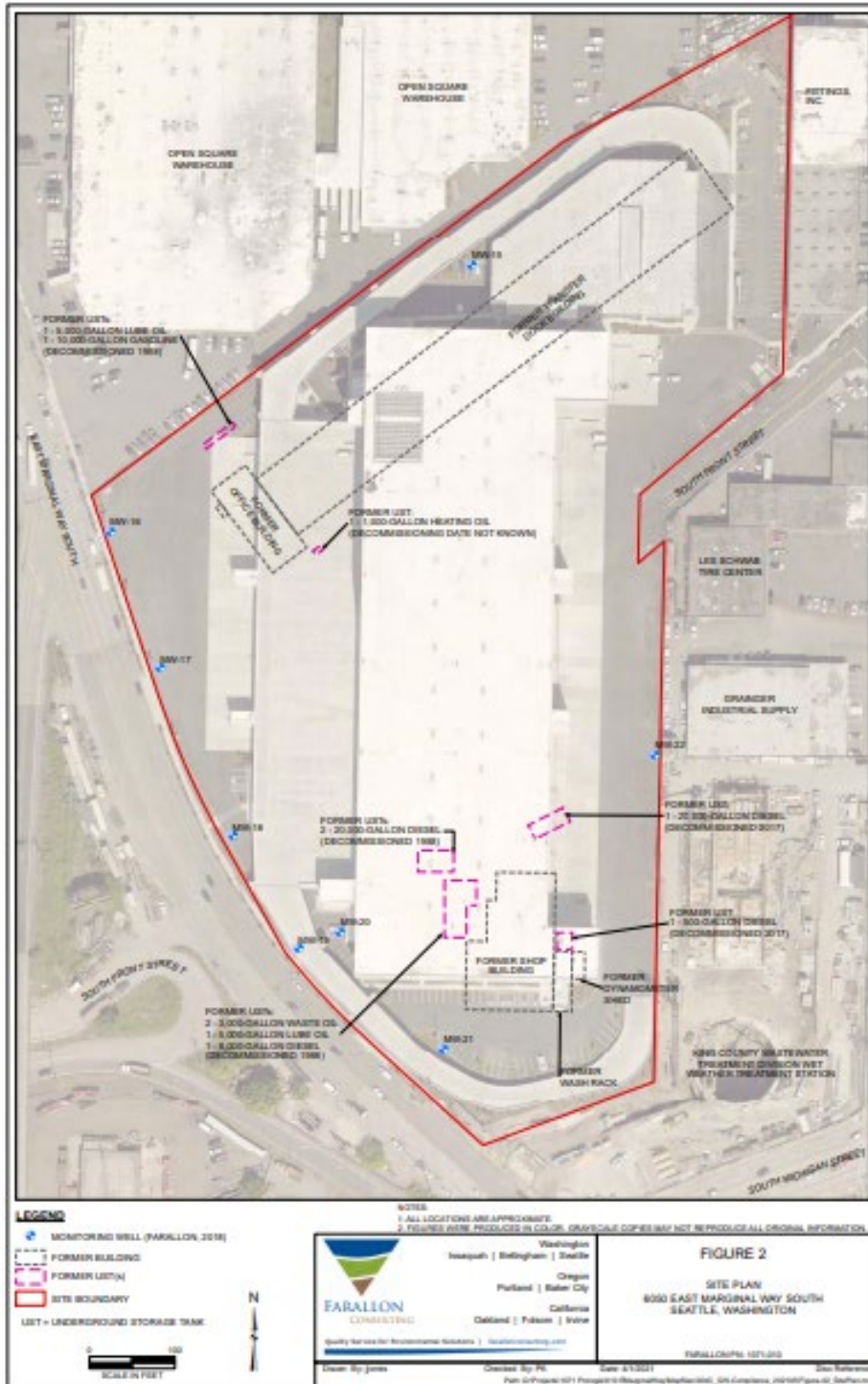


Figure 3 Groundwater Flow Direction

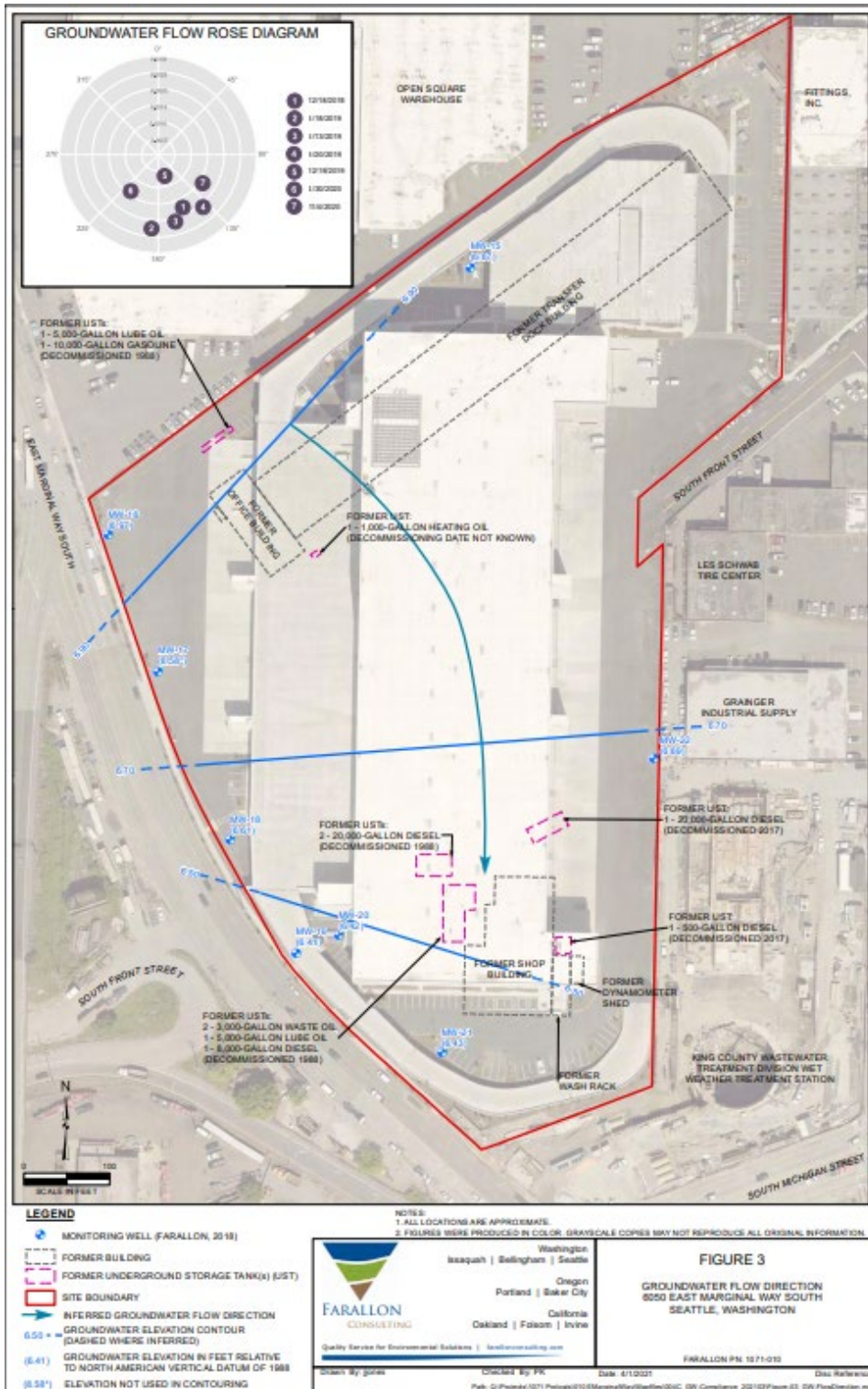


Figure 4 TPH-D and TPD-O in Groundwater Samples

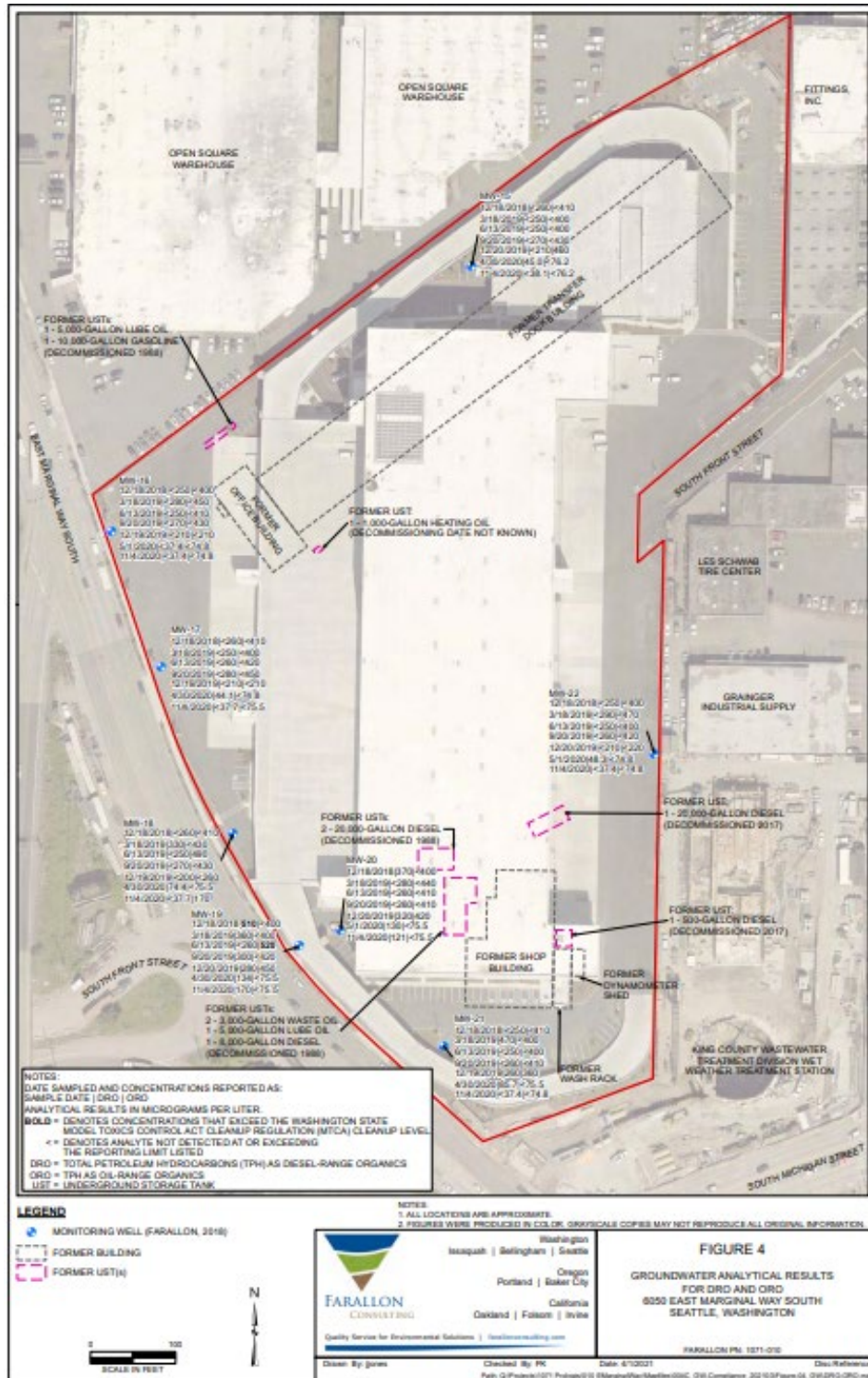


Figure 5 VC in Groundwater Samples

