



City of Bothell™

October 1, 2020

Jerome Cruz, Ecology Site Manager
Department of Ecology,
Northwest Regional Office Toxic Cleanup Program
3190 160th Avenue SE
Bellevue, Washington 98008-5452

Re: Quarterly Progress Report for Period Ending June 2020

Site Name: **WEXLER/ AL'S AUTO/ SCHUCKS O'REILLY**
Site Address: A portion of parcel 945720-0050, Bothell WA 98011
Parcel Numbers: 945720-0050
Facility/Site No.: **FSID# 63618231/ CSID# 6418**
Consent Decree No.: 18-2-02852-3 SEA First Amendment (Effective date October 31, 2019)

Reporting Period: July - September 2020

Summary:

City of Bothell (PLP) is making progress on work being performed for the Wexler site, in accordance with the First Amendment to the BSCSS Consent Decree (CD) with the Department of Ecology.

During this period the work continued on the implementation of the deliverables listed in the Amendment to BSCSS consent decree that incorporated the Wexler Settlement Area.

Per the requirements of Section XI of the Consent Decree "Progress Reports", the attached quarterly progress report has been prepared to satisfy the terms described in the Consent Decree. This report provides an update on work accomplished to date. Please contact me if you have any questions.

Sincerely,

Nduta Mbutia

Nduta Mbutia
Project Coordinator, City of Bothell

Public Works Department
18415 101st Ave NE
Bothell, WA 98011
425.806.6800
www.bothellwa.gov

Reporting Period: July - September 2020
Date submitted (electronically): October 1, 2020
Date mailed (certified w/return receipt): *(deferred due to COVID-19 Stay at Home Order)*
Prepared by: Nduta Mbutia, Project Coordinator
City of Bothell, Public Works Department
Phone: 425.806.6829
Email: nduta.mbutia@bothellwa.gov

CONTENTS

A. A list of on-site activities that have taken place during this quarter

- Completed Deliverable C3: Cleanup Action Report & As-built Drawings (due 60 days after construction completion per Exh. G)
 - Submitted Draft on July 9, 2020
 - Submitted Final on July 31, 2020
- Performed groundwater monitoring activities

B. Detailed description of any deviations from required tasks not otherwise documented in project plans or amendment requests:

None

C. Description of all deviations from the CAP (Exhibit C) and Schedule (Exhibit D) during the current quarter and any planned deviations in the upcoming quarter:

None

D. For any deviations in schedule, a plan for recovering lost time and maintaining compliance with the schedule:

None

E. All raw data (including laboratory analyses) received by Defendants during the past quarter and an identification of the source of the sample:

See attached

F. A list of deliverables for the upcoming quarter if different from the schedule:

Same as schedule.

Attachments

- Exhibit G from the CD – Wexler Schedule of Work and Deliverables
- Transmittals for Wexler Cleanup Action Report
- GW summary table

Exhibit G
Wexler Schedule of Work and Deliverables

Deliverables		Due (Calendar Days) ¹
A. Administrative		
A.1	File first amendment to Consent Decree with the King County Superior Court	Within 5 days of the execution by the Parties
A.2	Notification of selected contractor name and qualifications	Within 5 days of the effective date of First Amendment to Consent Decree
A.3	Progress Reports	Quarterly on the 10 th of the month beginning after the effective date of the First Amendment to Consent Decree
A.4	Financial Assurances – submit cost estimate for Ecology review and approval	Within 60 days of the effective date of First Amendment to Consent Decree
A.5	Financial Assurances - provide proof of financial assurances	Within 60 days after Ecology approves cost estimate (A.4)
B. Design		
B.1	Draft Project Plans(2) and EDR Report(3)	Within 30 days of the effective date of First Amendment to Consent Decree
B.2	Final Project Plans and EDR Report	Within 5 days of receipt of Ecology’s comments on the Draft EDR Report (B.1)
B.3	90 % Plans and Specs [per WAC 173-340-400(4)(b)]	Within 30 days of receipt of Ecology comments on Final EDR Report (B.2)
B.4	100 % Plans and Specs	Within 15 days of receipt of Ecology comments on 90 % plans and specifications (B.3)
C. Field Construction		
C.1	Complete Construction Procurement	Within 6 months of completion of the 100% plans and specifications (B.4) (weather-dependent)
C.2	Complete Construction	Within 9 months of the effective date of First Amendment to Consent Decree
C.3	Cleanup Action Report and As-Built Drawings and Report [per WAC 173-340-400(6)(b)]	Within 60 days of completing construction (C.2)
D. Post Construction Work		
D.1	Draft Environmental Covenant or Covenant Amendment (if required)	Within 30 days of receipt of Ecology request for Draft Environmental Covenant or Covenant Amendment
D.2	Record Final Environmental Covenant or Covenant Amendment with King County (if required)	Within 10 days after Ecology’s approval of the Draft Covenant or Covenant Amendment (if required)
D.3	Protection Monitoring, Quarterly Compliance Monitoring (Performance and Confirmation)	Per the Compliance Monitoring Plan and Contingency Response Plan

- 1) *Schedule is in calendar days. Deliverable due date may be modified with Ecology concurrence without amendment to the Consent Decree.*
- 2) *Project Plans include the following: Work Plan, Sampling and Analysis Plan, Quality Assurance Project Plan, and Health and Safety Plan, to be submitted for Ecology review and approval. All plans will include a schedule for implementation as applicable.*
- 3) *The Engineering Design Report includes: a Construction Quality Assurance Project Plan, a Compliance Monitoring and Contingency Response Plan, an Operation and Maintenance Plan, Proposed Best Management Practices, Water Quality Monitoring Plan, and Substantive Requirements of Procedurally Exempt Permits. Ecology will not approve the Final EDR until the required permits have been obtained.*

From: [Jeff Jensen](#)
To: [Cruz, Jerome \(ECY\)](#)
Cc: [John Kane](#); [Nduta Mbutia](#)
Subject: [EXTERNAL] RE: Wexler Cleanup Action Report - Draft (7/7/20)
Date: Friday, July 31, 2020 1:10:57 PM
Attachments: [image001.png](#)

Stop! Look! Think before you click! This message originated from outside the City of Bothell network. Use caution when clicking links or opening attachments.

Jerome,

Below is a link to the Final Cleanup Action Report for Wexler:

https://kaneenvironmental.sharepoint.com/:b/s/ActiveProjects/82305/Eam8faf0WtrKrtLVyEaMmFBY7CqE_UZ4xVyHan59nPdZA

Please let me know if you have any problems viewing the link or have any additional questions or comments.

Thanks,

Jeff Jensen, Project Geologist

Kane Environmental, Inc. | Environmental Issues. Business Solutions.

4015 13th Avenue West, Seattle, WA 98119

Direct: 206-673-5731 Cell: 425-344-3707 Toll Free 1-844-529-KANE

Jeff@kane-environmental.com www.kane-environmental.com

Seattle, WA | Tacoma, WA | Phoenix, AZ | Nationwide Services

From: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>

Sent: Wednesday, July 29, 2020 2:47 PM

To: Jeff Jensen <Jeff@kane-environmental.com>

Cc: John Kane <jkane@kane-environmental.com>; Nduta Mbutia (Nduta.Mbutia@bothellwa.gov) <Nduta.Mbutia@bothellwa.gov>

Subject: RE: Wexler Cleanup Action Report - Draft (7/7/20)

Thanks Jeff.



Jerome B. Cruz, Toxics Cleanup Program, Northwest Regional Office

Address: 3190 - 160th SE Bellevue, WA 98008

Phone: (425) 649-7094 **Cell:** 425-466-8732 **Fax:** (425) 649-7098

Email: Jerome.Cruz@ecy.wa.gov

Web: <http://www.ecy.wa.gov/programs/tcp/cleanup.html>

From: Jeff Jensen <Jeff@kane-environmental.com>

Sent: Wednesday, July 29, 2020 2:28 PM

To: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>

Cc: John Kane <jkane@kane-environmental.com>; Nduta Mbutia (Nduta.Mbutia@bothellwa.gov) <Nduta.Mbutia@bothellwa.gov>

Subject: RE: Wexler Cleanup Action Report - Draft (7/7/20)

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Jerome,

Excel spreadsheets for BSCSS and Wexler. Let me know if you need any additional info/data.

Thanks,

Jeff Jensen, Project Geologist

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Direct: 206-673-5731 Cell: 425-344-3707 Toll Free 1-844-529-KANE

Jeff@kane-environmental.com www.kane-environmental.com

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From: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>

Sent: Thursday, July 23, 2020 9:41 AM

To: John Kane <jkane@kane-environmental.com>; Nduta Mbuthia (Nduta.Mbuthia@bothellwa.gov) <Nduta.Mbuthia@bothellwa.gov>

Cc: Jeff Jensen <Jeff@kane-environmental.com>

Subject: RE: Wexler Cleanup Action Report - Draft (7/7/20)

I sent a redline file of the Wexler report with my questions/comments a while back (attached).

I am interested in evaluating the plume status of the site. I could use an Excel spreadsheet containing the comprehensive groundwater monitoring results from when groundwater was first investigated.

I've attached an excel spreadsheet I created a while back. It might not be current. I intend to use to graph results and use for plume maps. If you already have a master excel file, it would save me a lot of time.

For that matter, it would be good to have a similar spreadsheet of comprehensive analytical results of groundwater monitoring for Landing, Hertz, and Paint. That way, we can evaluate trends, plume status and after evaluating maybe modify the monitoring network, schedule, or make a decision on compliance monitoring.



Jerome B. Cruz, Toxics Cleanup Program, Northwest Regional Office

Address: 3190 - 160th SE Bellevue, WA 98008

Phone: (425) 649-7094 **Cell:** 425-466-8732 **Fax:** (425) 649-7098

Email: Jerome.Cruz@ecy.wa.gov

Web: <http://www.ecy.wa.gov/programs/tcp/cleanup.html>

From: John Kane <jkane@kane-environmental.com>

Sent: Thursday, July 23, 2020 9:11 AM

To: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>; Nduta Mbuthia (Nduta.Mbuthia@bothellwa.gov) <Nduta.Mbuthia@bothellwa.gov>

Cc: John Kane <jkane@kane-environmental.com>; Jeff Jensen <Jeff@kane-environmental.com>

Subject: Re: Wexler Cleanup Action Report - Draft (7/7/20)

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Jerome:

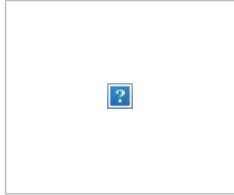
Received. Do you have any questions/comments now that we can prepare responses to prior to the meeting?

John

John Kane, CEO/President

Kane Environmental, Inc. | Environmental Issues. Business Solutions.

4015 13th Ave W., Seattle, WA 98119
D 206-691-0476 C 206-715-2779 Toll Free 1-844-529-KANE
jkane@kane-environmental.com www.kane-environmental.com
Seattle, WA | Tacoma, WA | Phoenix, AZ | Nationwide Services



From: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>
Sent: Thursday, July 23, 2020 9:07 AM
To: John Kane <jkane@kane-environmental.com>; Nduta Mbuthia (Nduta.Mbuthia@bothellwa.gov) <Nduta.Mbuthia@bothellwa.gov>; Jeff Jensen <Jeff@kane-environmental.com>
Subject: RE: Wexler Cleanup Action Report - Draft (7/7/20)

I will request a skype meeting on Thursday, July 30 from 2-4 pm.

Please reserve the time slot for now.

Thanks,

Jerome



Jerome B. Cruz, Toxics Cleanup Program, Northwest Regional Office

Address: 3190 - 160th SE Bellevue, WA 98008

Phone: (425) 649-7094 **Cell:** 425-466-8732 **Fax:** (425) 649-7098

Email: Jerome.Cruz@ecy.wa.gov

Web: <http://www.ecy.wa.gov/programs/tcp/cleanup.html>

From: John Kane <jkane@kane-environmental.com>
Sent: Thursday, July 23, 2020 8:54 AM
To: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>; Nduta Mbuthia (Nduta.Mbuthia@bothellwa.gov) <Nduta.Mbuthia@bothellwa.gov>; Jeff Jensen <Jeff@kane-environmental.com>
Subject: Re: Wexler Cleanup Action Report - Draft (7/7/20)

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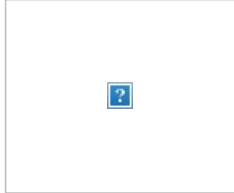
July 30 and 31 work best for me.

John

John Kane, CEO/President

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D 206-691-0476 C 206-715-2779 Toll Free 1-844-529-KANE
jkane@kane-environmental.com www.kane-environmental.com
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From: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>
Sent: Wednesday, July 22, 2020 11:31 AM
To: John Kane <jkane@kane-environmental.com>; Neuner, Jeff <Jeff.Neuner@seattle.gov>; Nduta Mbuthia <Nduta.Mbuthia@bothellwa.gov>
Subject: FW: Wexler Cleanup Action Report - Draft (7/7/20)

Hi everyone,

Can we schedule a skype meeting next week to discuss the Wexler Cleanup Action report comments, and also the HVOC plume status of BSCSS?

I am free all day on July 28, 30, and 31. Also free after 2pm on Monday July 27, and all afternoon Wednesday June 29.

Let me know your availabilities and I will schedule a Skype meeting (or you can do it if you want).

Thanks,

Jerome



Jerome B. Cruz, Toxics Cleanup Program, Northwest Regional Office
Address: 3190 - 160th SE Bellevue, WA 98008
Phone: (425) 649-7094 Cell: 425-466-8732 Fax: (425) 649-7098
Email: Jerome.Cruz@ecy.wa.gov
Web: <http://www.ecy.wa.gov/programs/tcp/cleanup.html>

From: Cruz, Jerome (ECY)
Sent: Monday, July 13, 2020 4:56 PM
To: 'Nduta Mbuthia' <Nduta.Mbuthia@bothellwa.gov>
Cc: Jeff Jensen <Jeff@kane-environmental.com>; John Kane <jkane@kane-environmental.com>
Subject: RE: Wexler Cleanup Action Report - Draft (7/7/20)

Hi Nduta,

I have just a few edits and comments that need further clarification. I consider these minor, so if you could have these addressed to Ecology's satisfaction, we can make final edits and call the report final.

Let me know if you have any questions.

Thanks,
Jerome



Jerome B. Cruz, Toxics Cleanup Program, Northwest Regional Office

Address: 3190 - 160th SE Bellevue, WA 98008

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Email: Jerome.Cruz@ecy.wa.gov

Web: <http://www.ecy.wa.gov/programs/tcp/cleanup.html>

From: Nduta Mbutia <Nduta.Mbutia@bothellwa.gov>

Sent: Thursday, July 9, 2020 5:02 PM

To: Cruz, Jerome (ECY) <JCRU461@ECY.WA.GOV>

Cc: Jeff Jensen <Jeff@kane-environmental.com>; John Kane <jkane@kane-environmental.com>

Subject: Wexler Cleanup Action Report - Draft (7/7/20)

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Hi Jerome,

Attached is a transmittal of the draft Wexler Cleanup Action Report - the link is in the transmittal letter, and Word doc is attached for your use in case you want to make edits. Thanks

Nduta

Please note: Email exchanges may be public records and subject to disclosure.



City of Bothell™

Public Works Department

City Hall
18415 – 101st NE
Bothell, WA 98011
Phone (425) 806-6800
Fax (425) 806-6130

LETTER OF TRANSMITTAL

Date: July 9, 2020

Company: Department of Ecology
NWRO Toxics Cleanup Program

Attn: Dr. Jerome Cruz

Address: 3190 - 160th SE
Bellevue, WA 98008

From: Nduta Mbuthia, Capital Project Engineer, Public Works

Please Click the link below to download a copy of the:

Wexler Cleanup Action report (DRAFT, 7/7/2020)
- *Deliverable C.3 on the CD Amendment list of Deliverables, Wexler Exh G*
https://cityofbothell-my.sharepoint.com/:b:/g/personal/nduta_mbuthia_bothellwa_gov/EVTkpSV36Z9LuKSJ6oafIMBD_vx9VRWgVB8yoXmciUPwQ?e=re6HRY

- | | |
|--|---|
| <input type="checkbox"/> For your information/files | <input type="checkbox"/> For your action |
| <input type="checkbox"/> At your request | <input type="checkbox"/> Approved as noted |
| <input checked="" type="checkbox"/> For your review & comments | <input type="checkbox"/> Please return all copies |
| <input type="checkbox"/> Other: | |

Comments: Report will be finalized after we receive and address Ecology's review comments

cc: Project File

Table 1
Summary of Petroleum Hydrocarbons, VOCs, and Lead in Groundwater
Wexler Site
Bothell, Washington
Project No. 82305

Sample ID	Depth to Groundwater (May, 2018)	Surveyed Well Casing Rim Elevation	Groundwater Elevation (May, 2018)	Screened Interval	Sample Date	Gasoline	Diesel	Heavy Oil	Benzene	Toluene	Ethylbenzene	Total Xylenes	Naphthalene	1,2-Dibromoethane (EDB)	1,2-Dichloroethane (EDC)	Methyl Tert-Butyl Ether (MTBE)	Tetrachloroethene (PCE)	Trichloroethene (TCE)	cis-1,2-Dichloroethene	trans-1,2-Dichloroethene	1,1-Dichloroethene	Vinyl Chloride	Polychlorinated Biphenyls (PCBs)	Pyrene	Benzo(g,h,i)perylene	Total Lead	Dissolved Lead	
	(ft bgs)	(ft amsl)	(feet)			(ft bgs)	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L	ug/L
S-MW-2:W-041318	5.02	41.50	36.48	5-15 ft	4/13/2018	210	<49.8	<99.6	<1.00	<1.00	<1.00	<2.00	<1.00	<0.00997	<1.00	<1.00	8.78	5.73	5.73	<1.00	<1.00	<0.200	---	---	---	<0.500	---	
S-MW-2R:W	5.43				7/28/2020	<100			<0.20	<1.00	<0.20	<0.60	<1.00															
S-MW-3R:W	5.99				7/28/2020	<100			<0.20	<1.00	<0.20	<0.60	<1.00															
S-MW-7:W-052218	4.91	41.31	36.40	4-14 ft	5/22/2018	880	<310	<410	<0.20	<1.00	10	37.4	11	<0.0097	<0.20	<0.20	1.8	3.4	2.4	<0.20	<0.20	<0.20	---	---	---	<1.1	---	
S-MW-7R:W	5.79				7/27/2020	<100			<0.20	<1.00	<0.20	<0.60	<1.00															
S-MW-8:W-052218	4.98	41.49	36.51	4-14 ft	5/22/2018	<100	<260	<420	<0.20	<1.00	<0.20	<0.60	<1.00	<0.0096	<0.20	<0.20	6.0	2.9	1.4	<0.20	<0.20	<0.20	---	---	---	<1.1	---	
S-MW-9:W-052218	5.49	42.64	37.15	4-14 ft	5/22/2018	<100	<250	<400	<0.20	<1.00	<0.20	<0.60	<1.00	<0.0097	<0.20	<0.20	19	1.8	1.1	<0.20	<0.20	<0.20	---	---	---	<1.1	---	
S-MW-10:W-052218	4.99	41.89	36.90	4-14 ft	5/22/2018	<100	<260	<410	<0.20	<1.00	<0.20	<0.60	<1.00	<0.0096	<0.20	<0.20	10	4.4	2.4	<0.20	<0.20	<0.20	---	---	---	<1.1	---	
S-MW-11:W-052218	4.88	41.44	36.56	4-14 ft	5/22/2018	<100	<260	<410	<0.20	<1.00	<0.20	<0.60	<1.00	<0.0096	<0.20	<0.20	3.8	2.2	1.4	<0.20	<0.20	<0.20	---	---	---	<1.1	---	
S-MW-11R:W	5.49				7/28/2020	<100			<0.20	12	<0.20	<0.60	<1.00															
MTCA Method A or Method B Groundwater Cleanup Level [^]						800/1,000*	500		5	1,000	700	1,000	160	0.01	5	20	5	5	(16) NC	(160) NC	(7.68) C	0.2	0.1	(480) NC	No CUL	15	15	

Notes:
ug/L = micrograms per liter [equivalent to parts per billion (ppb)].
- = not analyzed.
bgs = below ground surface
amsl = above mean sea level
Bold concentrations are detectable concentrations, below their Cleanup Level (if available).
Shaded and Bold concentrations are detectable concentrations, exceeding their Cleanup Level.
* = 800 ppb is MTCA Method A Cleanup Level for gasoline range organics when benzene is present or the total of benzene, toluene and total xylenes is greater than 1%; 1000 ppb otherwise.
[^] = Method A Cleanup Levels used where available. Method B Direct Contact Cleanup Levels (shown in parentheses) used if Method A Levels are not available. Cancer cleanup levels used when available. "NC" = non-cancer, "C" = cancer.
+ = Laboratory identified this detection as "diesel-range organics", "unresolved compounds eluting from dodecane to tetracosane (~C12-C24)".
x = A clear groundwater sample was not obtained from this well during sampling on 4/13/18, therefore, lead was not analyzed. This well was resampled on 5/22/18 and analyzed for total lead.

y = Laboratory identified this detection as "diesel range organics", and indicated that "chromatography demonstrates a continuation of gasoline." Therefore, this concentration is considered as a part of gasoline range hydrocarbons, and the heavy oil concentration is compared alone to the 500 ug/L cleanup level for diesel and heavy oil.