



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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October 4, 2021

John Waters
Gerrity Group
973 Lomas Santa Fe Drive
Solana Beach, CA 92075

Re: No Further Action at the following Site:

- **Site Name:** Amy's Cleaners
- **Site Address:** 3377 Bethel Road SE, Port Orchard, WA
- **Facility/Site No.:** 28514228
- **VCP Project No.:** NW3125

Dear John Waters:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Amy's Cleaners 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 further remedial action necessary to clean up contamination at the Site?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

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:

- Tetrachloroethene, trichloroethene, cis 1,2-dichloroethene, trans 1,2-dichloroethene, and vinyl chloride into the soil and groundwater

Enclosure A includes a detailed description and 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(s) associated with this Site are affected by other sites.

Basis for the Opinion

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

1. Limited Subsurface Investigation Report – Amy’s Cleaners – 3377 Bethel Road Southeast – Port Orchard, Washington by EnviroBusiness and dated July 14, 2000
2. Limited Subsurface Investigation Report – Amy’s Cleaners – 3377 Bethel Road Southeast – Port Orchard, Washington by EnviroBusiness and dated June 17, 2001
3. Draft Subsurface Investigation Report – Amy’s Cleaners – 3377 Bethel Road Southeast – Port Orchard, Washington by EnviroBusiness and dated October 30, 2001
4. Supplemental Subsurface Investigation Report – Amy’s Cleaners – 3377 Bethel Road Southeast – Port Orchard, Washington by EnviroBusiness and dated January 7, 2003
5. Summary of Focused Vapor Intrusion Assessment – Amy’s Dry Cleaners Tenant Space – Bethel Junction Shopping Center – 3377 Bethel Road SE – Port Orchard, Washington by Landau Associates and dated February 4, 2014
6. Summary of Air Sampling Results – Former McBrides Hallmark Suite – Bethel Junction Shopping Center – Port Orchard, Washington by PES Environmental and dated June 9, 2015

7. Limited Phase II Assessment and Focused Cleanup Action Evaluation – Amy’s Drycleaners – Bethel Junction Shopping Center – Port Orchard, Washington by PES Environmental and dated December 23, 2015
8. Cleanup Action Plan - Amy’s Drycleaners – Bethel Junction Shopping Center – Port Orchard, Washington by PES Environmental and dated March, 2017
9. Cleanup Action Report - Amy’s Drycleaners – Bethel Junction Shopping Center – Port Orchard, Washington by PES Environmental and dated March, 2021

A number of these documents are accessible in electronic form from the Site webpage [Site Information \(wa.gov\)](#)¹. The complete records are stored in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Visit our [Public Records Request](#)² page 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 of the Cleanup

Ecology has concluded that no further remedial action is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A**.

In July of 2000, three soil borings were installed at the site, one boring inside the drycleaners and two borings outside of the drycleaners. Two soil samples were collected from inside the drycleaners and three soil samples from each of the outside soil borings.

1
2

The eight soil borings were analyzed for volatile organic compounds. There were no detections of any analyte in any of the six soil samples from the exterior soil borings.

Naphthalene was detected in one interior soil boring, with a concentration below the MTCA Method A standard. Tetrachloroethene was detected in both interior soil samples, with one of two concentrations exceeding the MTCA Method A standard. No groundwater samples were collected.

In November of 2000, three additional soil borings were installed at the site, two interior soil borings and one exterior soil boring. Four soil samples were collected from one interior boring, two soil samples from the second interior boring, and two soil samples were collected from the exterior boring. All soil samples were analyzed for volatile organic compounds. There were no detections of any analyte in the exterior boring samples. In the interior soil boring with two samples, toluene was detected in one sample and cis 1,2-dichloroethene in both samples, with all three concentrations below their respective MTCA Method A standards. Cis 1,2-dichloroethene was detected in all four soil samples from one boring, with all concentrations below the MTCA Method A standard. Trichloroethene was detected in one of the four soil samples, with a concentration below the MTCA Method A standard. Chlorobenzene was detected in one of the four soil samples, with a concentration exceeding the MTCA Method B standard. Tetrachloroethene was detected in three of the four soil samples, with all three concentrations exceeding the MTCA Method A standard. Meta, ortho, and para-dichlorobenzene were detected in two of four soil samples, with all concentrations exceeding the MTCA Method B standard. Ethylbenzene was detected in one of four soil samples, with the concentration below the MTCA Method B standard. Xylenes were detected in two of four soil samples, with both concentrations below the MTCA Method A standard. No groundwater samples were collected.

In August of 2001, two additional exterior soil borings were installed at the site. No soil samples were collected but one grab groundwater sample was collected and analyzed for volatile organic compounds. No volatile organic compounds were detected in the groundwater sample.

In December of 2002, three additional interior soil borings were installed. A soil sample was collected from each of the soil borings and analyzed for volatile organic compounds. Volatile organic compounds were not detected in any of the three soil samples.

In October of 2013, a sub-slab soil gas sampling was performed. Sub-slab vapor samples were collected at three locations within the building and analyzed for tetrachloroethene, trichloroethene, trans 1,2-dichloroethene, and vinyl chloride. Vinyl chloride was not detected in any of the three soil vapor samples. Trans 1,2-dichloroethene was detected in all three soil vapor samples, with all three concentrations below the soil vapor screening level. Tetrachloroethene and trichloroethene were detected in all three soil vapor samples, with all six concentrations exceeding their respective soil vapor screening levels.

In January of 2014, an indoor air vapor sampling was performed. Two indoor air samples and one outdoor air sample were collected and analyzed for tetrachloroethene, trichloroethene, trans 1,2-dichloroethene, and vinyl chloride. Trans 1,2-dichloroethene and vinyl chloride were not detected in any of the six air samples. Tetrachloroethene and trichloroethene were detected in all six air samples. When the outside air concentrations were subtracted from the indoor concentrations, all four indoor concentrations of tetrachloroethene and trichloroethene were below their respective MTCA Method B screening levels.

In May of 2015, a sub-slab soil vapor sample, an indoor air sample, and an outdoor air sample were collected from the business suite adjoining the site and analyzed for volatile organic compounds. Benzene, carbon tetrachloride, chloroform, cis 1,2-dichloroethene, ethylbenzene, xylene, naphthalene, hexane, tetrachloroethene, toluene, trans 1,2-dichloroethene, and trichloroethene were detected in the sub-slab soil vapor sample, with the concentrations of chloroform, naphthalene, tetrachloroethene, and trichloroethene exceeding their respective MTCA Method B commercial indoor air cleanup level. Benzene, carbon tetrachloride, chloromethane, hexane, tetrachloroethene, toluene, and trichloroethene were all detected in the indoor air sample. When corrected for the concentrations in the outdoor air sample, all seven concentrations were below their respective MTCA Method B commercial indoor air cleanup levels.

In June of 2015, eleven additional soil borings were installed within the site and the adjoining business suite. Twenty-eight soil samples were collected from the site and nine soil samples from the adjoining business suite. The soil samples were analyzed for tetrachloroethene, trichloroethene, cis 1,2-dichloroethene, and trans 1,2-dichloroethene. In the adjoining business suite, trichloroethene and trans 1,2-dichloroethene were not detected in any of nine soil samples while cis 1,2-dichloroethene was detected in three of nine soil samples, with all three concentrations below the MTCA Method B standard. Tetrachloroethene was detected in three of nine soil samples, all shallow, with one of three concentrations exceeding the MTCA Method A standard. In the drycleaning business suite, trans 1,2-dichloroethene was not detected in any of the twenty-eight soil samples. Cis 1,2-dichloroethene was detected in fourteen of twenty-eight soil samples, with all concentrations below the MTCA Method B standard. Trichloroethene was detected in twelve of twenty-eight soil samples, with eight of twelve concentrations exceeding the MTCA Method A standard. Tetrachloroethene was detected in twenty-one of twenty-eight soil samples, all detections at nine feet or less in depth, with seventeen of twenty-one concentrations exceeding the MTCA Method A standard. Seven temporary wells were installed in seven of the soil borings, with a groundwater sample collected from each well and analyzed for tetrachloroethene, trichloroethene, cis 1,2-dichloroethene, trans 1,2-dichloroethene, and vinyl chloride. Trichloroethene and trans 1,2-dichloroethene were not detected in any of the seven groundwater samples. Tetrachloroethene was detected in one of seven groundwater samples, with the concentration below the MTCA Method A standard. Vinyl chloride was detected in two of seven groundwater samples, with both concentrations exceeding the MTCA Method A standard. Cis 1,2-dichloroethene was detected in all seven groundwater samples, with three of the seven concentrations exceeding the MTCA Method B standard. A trench was dug below the drycleaning business suite for the possible installation of a soil vapor extraction system, with five soil samples collected from the trench and analyzed for tetrachloroethene, trichloroethene, cis 1,2-dichloroethene, trans 1,2-dichloroethene, and vinyl chloride. Trans 1,2-dichloroethene and vinyl chloride were not detected in any of the five soil samples. Cis 1,2-dichloroethene was detected in two of the five soil samples, with both concentrations below the MTCA Method B standard. Trichloroethene was detected in three of five soil samples, with all three concentrations exceeding the MTCA Method A standard. Tetrachloroethene was detected in two of five soil samples, with both concentrations exceeding the MTCA Method A standard.

In July of 2016, six additional soil borings were installed in the business suites adjoining the site. Three soil samples were collected from each boring and analyzed for tetrachloroethene, trichloroethene, cis 1,2-dichloroethene, trans 1,2-dichloroethene, and vinyl chloride. Trichloroethene, trans 1,2-dichloroethene, and vinyl chloride were not detected in any of the eighteen soil samples. Cis 1,2-dichloroethene was detected in one of eighteen soil samples, with a concentration below the MTCA Method B standard. Tetrachloroethene was detected in three of eighteen soil samples, with two of three concentrations exceeding the MTCA Method A standard. Grab groundwater samples were collected from two of the soil borings and analyzed for the same analytes. There were no detections of any of the analytes in either of the groundwater samples.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

Soil

Tetrachloroethene – 0.05 mg/Kg

Trichloroethene – 0.03 mg/Kg

Cis-1,2-dichloroethene – 160 mg/Kg

Trans-1,2-dichloroethene – 1,600 mg/Kg

Groundwater

Tetrachloroethene – 5 µg/l

Trichloroethene – 5 µg/l

Cis – 1,2-dichloroethene – 16 µg/l

Trans 1,2-dichloroethene – 160 µg/l

A standard horizontal point of compliance, the property boundary, was used for soil contamination.

A standard vertical point of compliance, fifteen feet, for soils was established in the soils throughout the site from the ground surface to fifteen feet below the ground surface. Fifteen feet is protective for direct contact with the contaminated soil.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

The method selected – use of soil vapor extraction – meets the minimum requirements for cleanup actions by providing a permanent solution, a short restoration time frame, provides for confirmation monitoring, and protects human health and the environment.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

In 2004, as the contamination above State standards remained beneath the building, a restrictive covenant was placed on the property deed.

In October of 2018, a soil vapor extraction system was installed and connected to previously installed horizontal pipes installed in 2015 and 2017. The system was operated from December of 2018 to August of 2020. In September of 2019, eighteen soil samples and two groundwater samples were collected from six soil borings to evaluate the system's performance. The soil borings were in the drycleaning suite and the business suite on either side of the drycleaning suite. The soil and groundwater samples were analyzed for tetrachloroethene, trichloroethene, cis 1,2-dichloroethene, trans 1,2-dichloroethene, and vinyl chloride. Trans 1,2-dichloroethene and vinyl chloride were not detected in any of the soil samples. Cis 1,2-dichloroethene was detected in two of nine soil samples from the drycleaners suite, with both concentrations below the MTCA Method B

standard. Cis 1,2-dichloroethene was not detected in soil samples from either of the adjoining business suites. Trichloroethene was detected in four of nine soil samples from the drycleaning business suite, with three of four concentrations exceeding the MTCA Method A standard. Trichloroethene was not detected in soil samples from either of the adjoining business suites. Tetrachloroethene was detected in four of nine soil samples from the adjoining business suites, with all four concentrations below the MTCA Method A standard. Tetrachloroethene was detected in six of nine soil samples from within the drycleaning business suite, with four of six concentrations exceeding the MTCA Method A standard. The two groundwater samples were analyzed for the same analytes. None of the analytes were detected in either of the groundwater samples with the exception of the detection of cis 1,2-dichloroethene in one groundwater sample at a concentration below the MTCA Method B standard.

In August of 2020, three additional soil borings were installed in the drycleaning suite. Five soil samples were collected from the three soil borings and analyzed for tetrachloroethene, trichloroethene, cis 1,2-dichloroethene, trans 1,2-dichloroethene, and vinyl chloride. Trans 1,2-dichloroethene and vinyl chloride were not detected in any of the five soil samples. Cis 1,2-dichloroethene was detected in one of five soil samples, with a concentration below the MTCA Method B standard. Trichloroethene was detected in two of five soil samples, with both concentrations exceeding the MTCA Method A standard. Tetrachloroethene was detected in three of five soil samples, with two of three concentrations exceeding the MTCA Method A standard.

Although the site meets the MTCA Method B standards for direct contact, groundwater, and indoor air, it is recommended that if the business suite is significantly remodeled or demolished, the soil beneath it be characterized, and if necessary, excavated.

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List.

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.

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (NW 3125).

For more information about the VCP and the cleanup process, please visit our VCP webpage³. If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at 360-407-7223 or e-mail at christopher.maurer@ecy.wa.gov.

Sincerely,



Christopher Maurer, P.E.
HQ - Toxics Cleanup Program

Enclosure: A – Site Description and Diagrams
B – Public Comment Response Letter

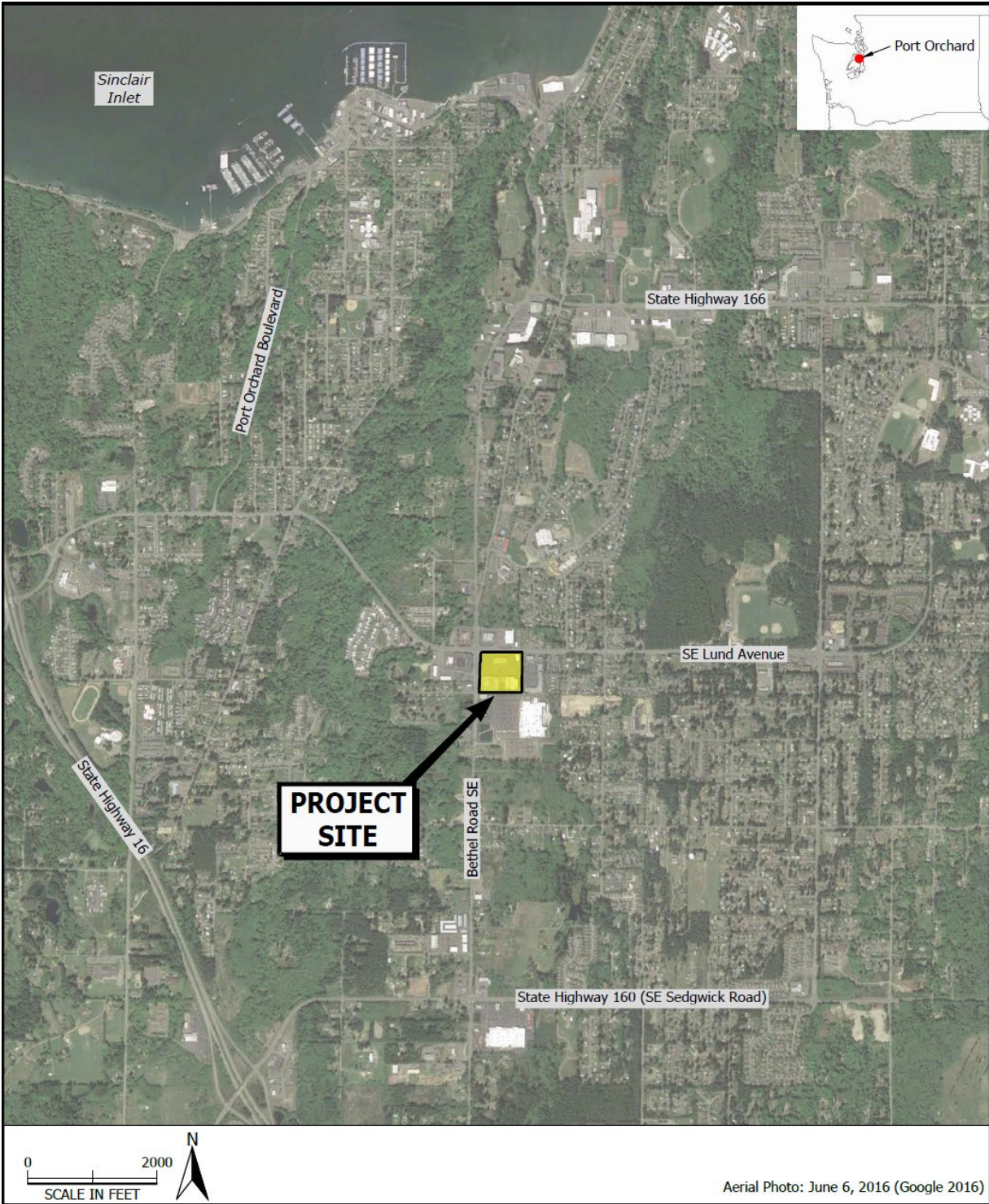
cc: Brian O'Neal, PES Environmental
Tra Thai, Ecology

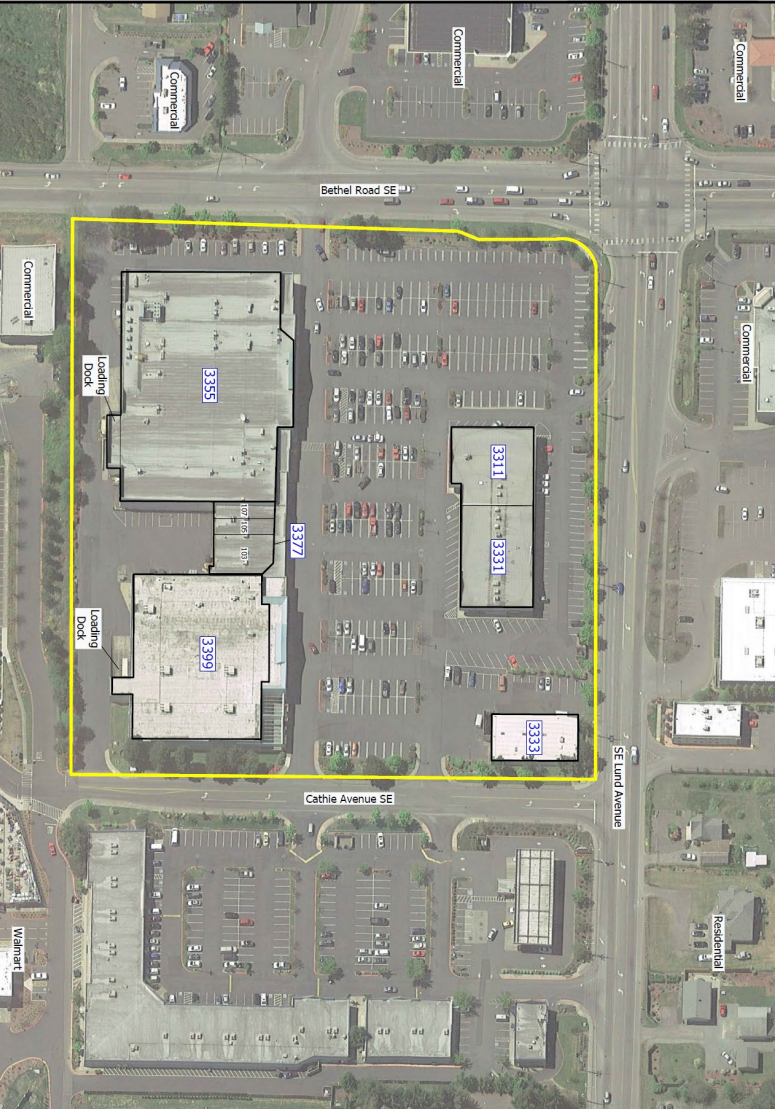
³ <http://www.ecy.wa.gov/vcp>

Enclosure A

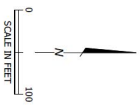
Site Description and Diagrams

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE ALONG THE NORTH LINE THEREOF 40 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF BETHEL ROAD WITH SAID NORTH LINE; THENCE SOUTH 01°53'41 W ALONG SAID EAST RIGHT-OF-WAY LINE 45.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°53'41 WEST 614.06 FEET; THENCE SOUTH 88°26'52 EAST 650.02 FEET; THENCE NORTH 01°43'03 EAST 330.00 FEET; THENCE NORTH 01°53'41 EAST 290.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LUND AVENUE BEING 40.00 FEET NORMAL DISTANCE SOUTH OF THE NORTH LINE OF SAID SECTION 1; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE AND PARALLEL TO SAID NORTH SECTION LINE NORTH 88°26'52 WEST 634.34 FEET; THENCE SOUTH 69°31'54 WEST 15.86 FEET TO THE POINT OF BEGINNING; SITUATE IN KITSAP COUNTY, WASHINGTON. EXCEPT THAT PORTION CONVEYED TO KITSAP COUNTY FOR BETHEL ROAD UNDER AUDITOR'S FILE NO. 9411170159.



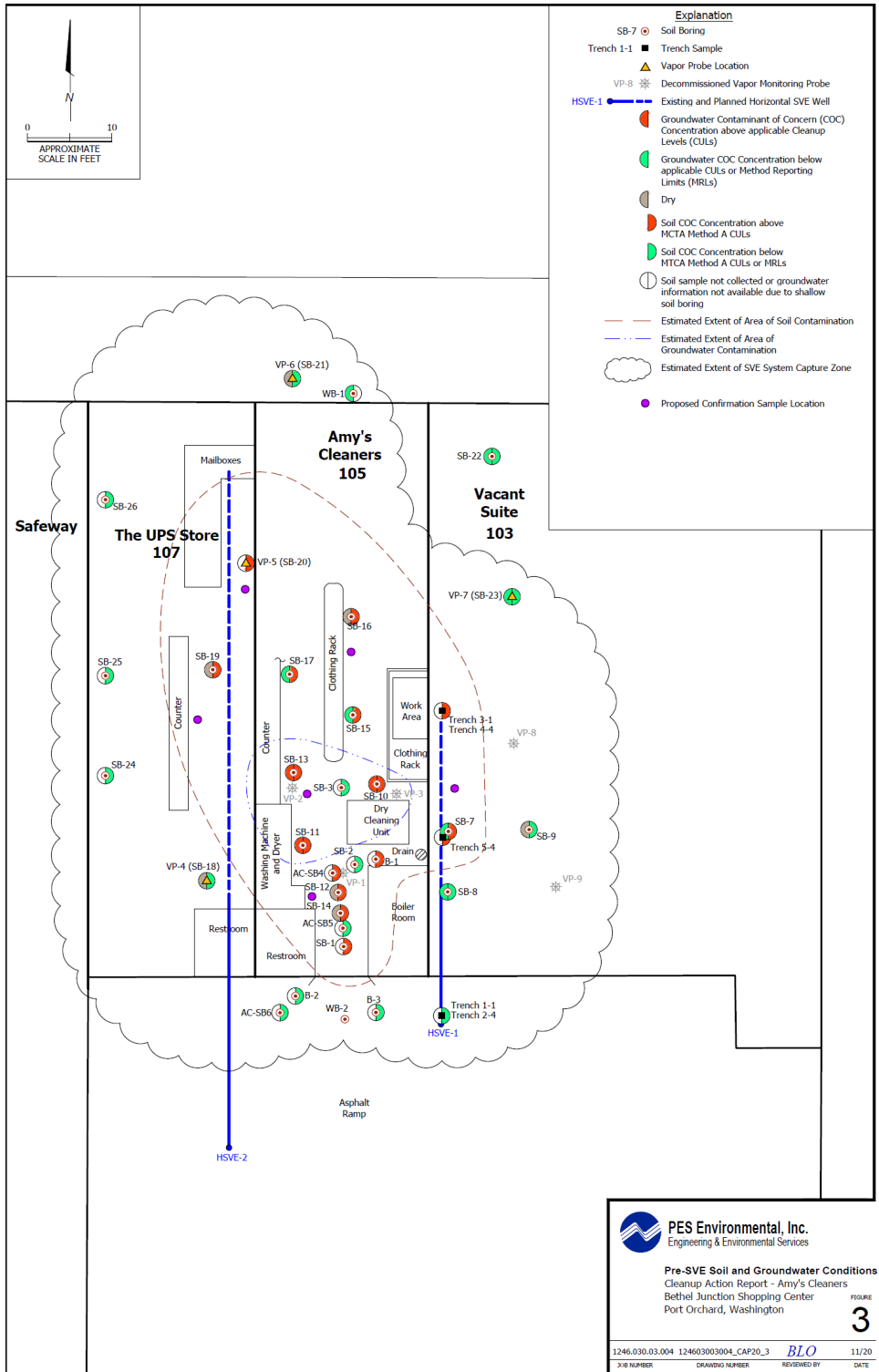


- Explanation**
- Approximate Property Boundary
 - 3333 Building Address on Bethel Road SE
 - 110 Building Site Number



Aerial Photo: Nov. 4, 2013 (Google 2014)

Site Plan and Vicinity
 Cleanup Action Report - Amy's Cleaners
 Bethel Junction Shopping Center
 Port Orchard, Washington

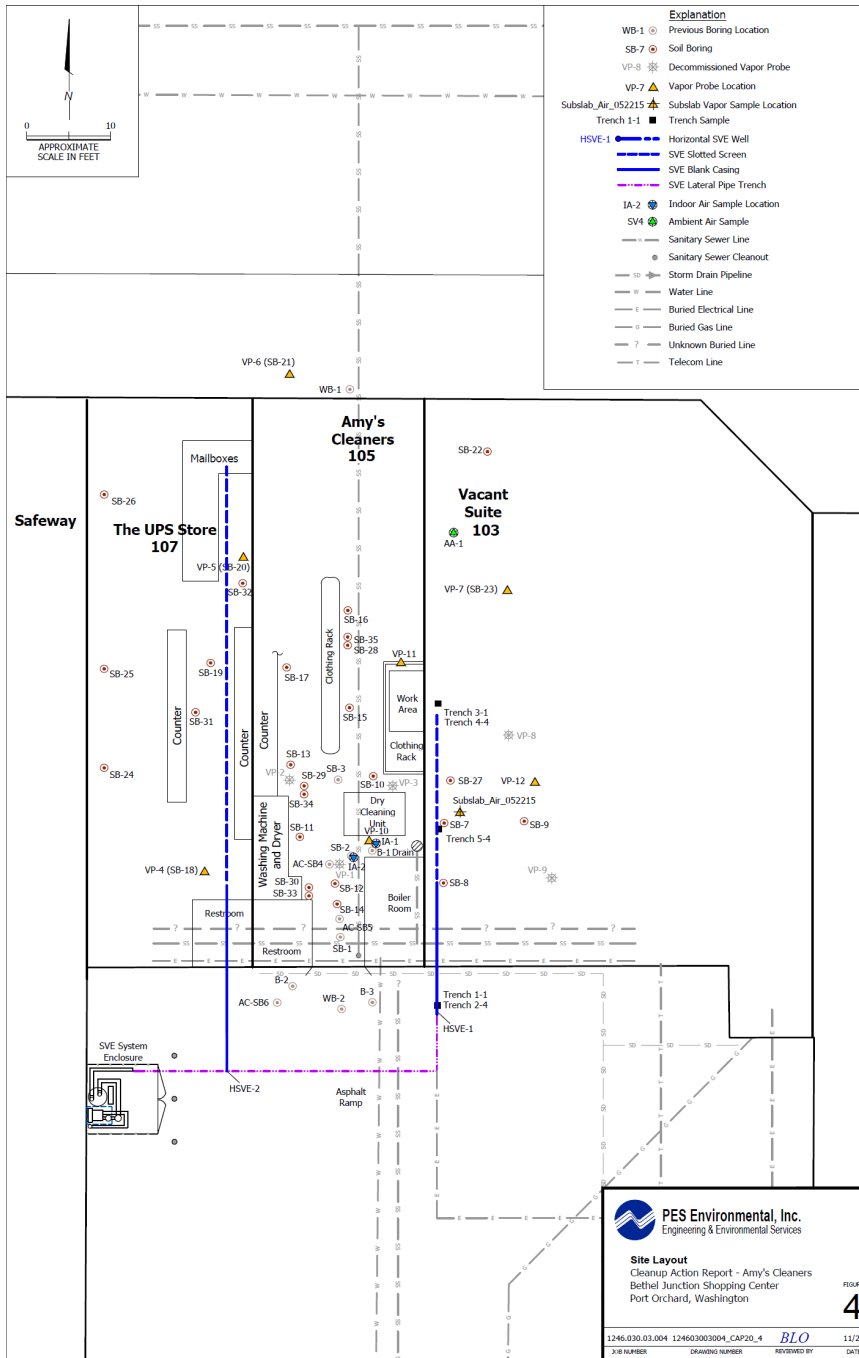


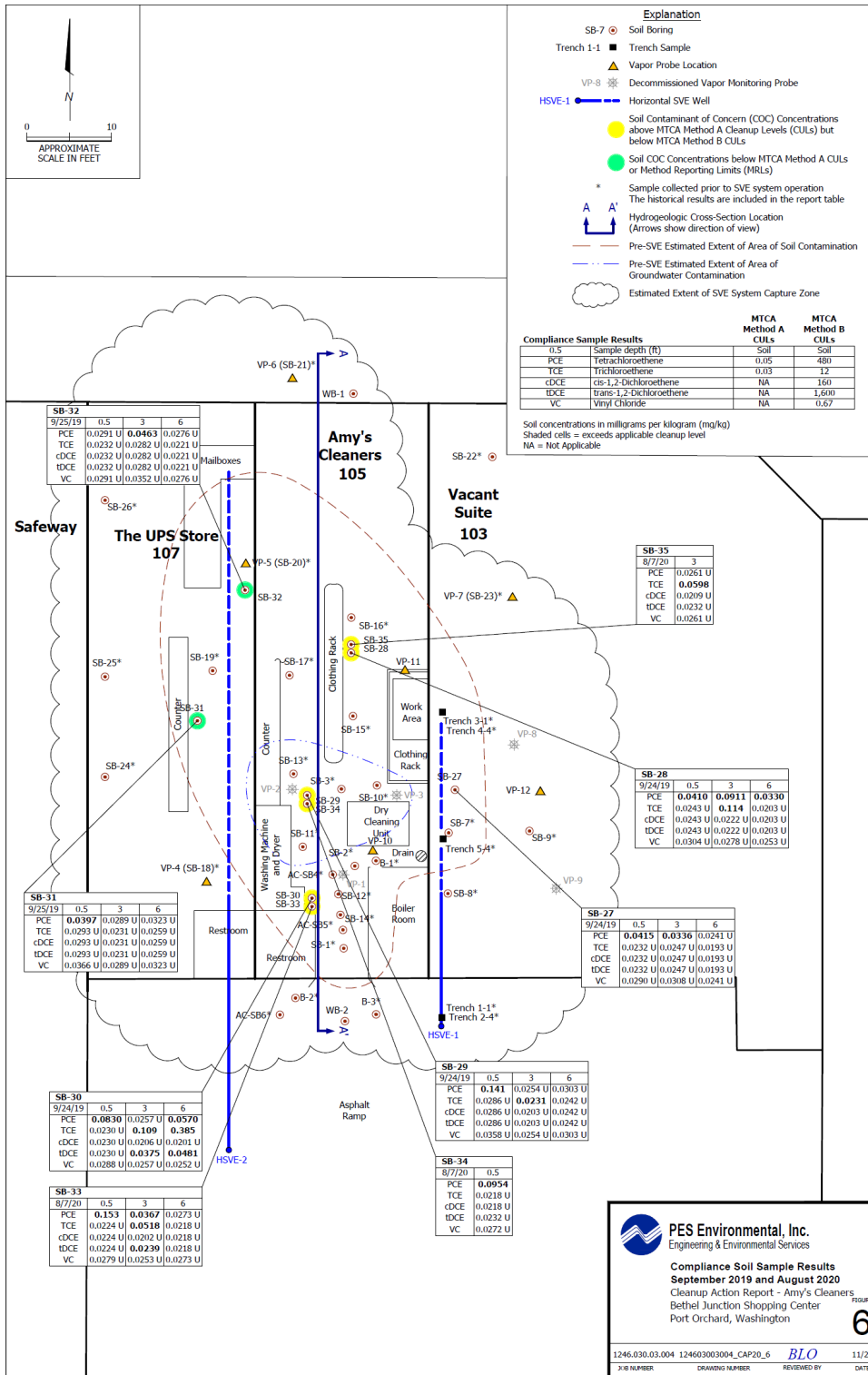
PES Environmental, Inc.
Engineering & Environmental Services

Pre-SVE Soil and Groundwater Conditions
Cleanup Action Report - Amy's Cleaners
Bethel Junction Shopping Center
Port Orchard, Washington

FIGURE
3

1246.030.03.004 124603003004_CAP20_3 BLO 11/20
3/19 NUMBER DRAWING NUMBER REVIEWED BY DATE



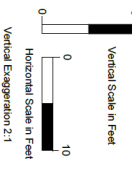
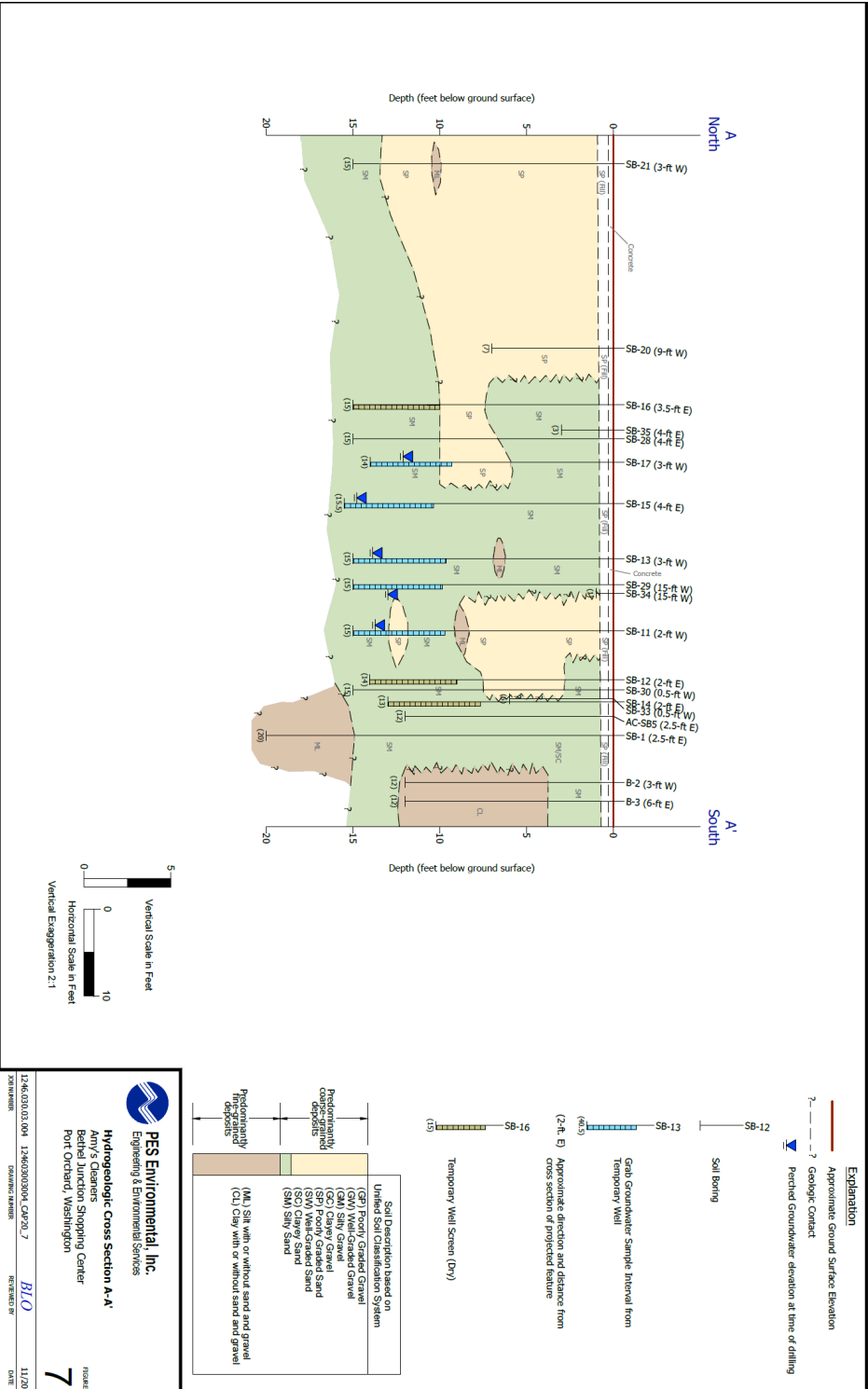


PES Environmental, Inc.
Engineering & Environmental Services

Compliance Soil Sample Results
September 2019 and August 2020
Cleanup Action Report - Amy's Cleaners
Bethel Junction Shopping Center
Port Orchard, Washington

FIGURE
6

1246.030.03.004 124603003004_CAP20_6 BLO 11/20
JOB NUMBER DRAWING NUMBER REVIEWED BY DATE



- Explanation**
- Approximate Ground Surface Elevation
 - - - - - Geologic Contact
 - ▲ Porewater Groundwater elevation at time of drilling
 - Soil Boring
 - Geotechnical Sample Interval from Temporary Wall
 - (2-ft. E) Approximate direction and distance from cross section of projected feature
 - Temporary Wall Screen (TW)

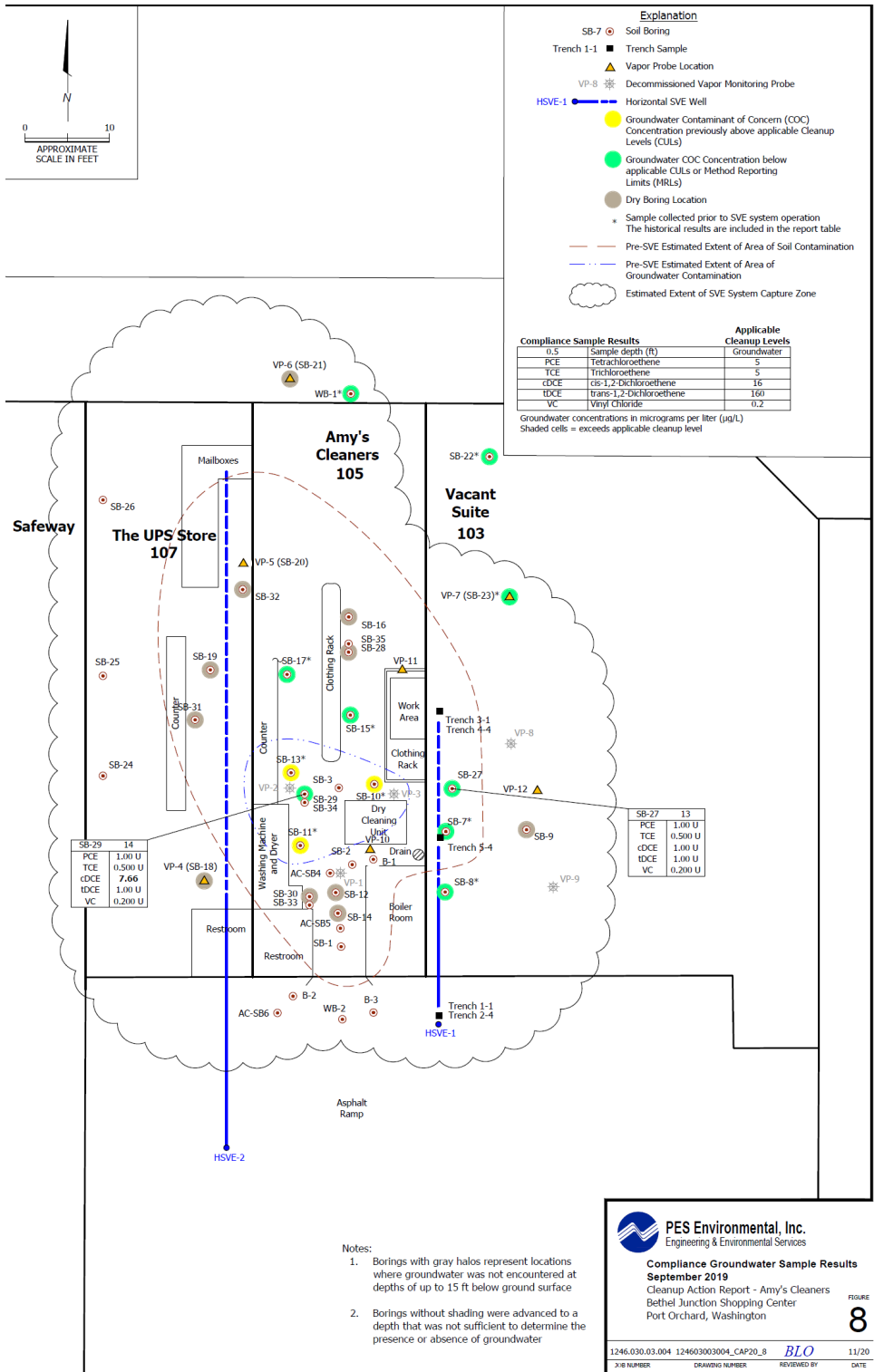
Soil Description based on Unified Soil Classification System
(GP) Poorly Graded Gravel
(GM) Well-Graded Gravel
(GM) Silty Gravel
(GC) Clayey Gravel
(SP) Poorly Graded Sand
(SM) Well-Graded Sand
(SC) Clayey Sand
(SU) Silty Sand
(ML) Silty silt with or without sand and gravel
(CL) Clay with or without sand and gravel
(MH) Predominantly fine-grained deposits
(SH) Predominantly coarse-grained deposits

PES Environmental, Inc.
 Engineering & Environmental Services

Hydrogeologic Cross Section A-A'
 Amy's Cleaners
 Bethel Junction Shopping Center
 Port Orchard, Washington

DATE: 11/20
 SCALE: 7'

1246.03103.004 1246030304_CSP20_7
 DRAWING NUMBER: REFERENCED IN DOCUMENT NUMBER



PES Environmental, Inc.
Engineering & Environmental Services

Compliance Groundwater Sample Results
September 2019
Cleanup Action Report - Amy's Cleaners
Bethel Junction Shopping Center
Port Orchard, Washington

FIGURE
8

1246.030.03.004 124603003004_CAP20_8 BLO 11/20
3/16 NUMBER DRAWING NUMBER REVIEWED BY DATE

Enclosure B

Comment Received During the Public Comment Period and Ecology Response



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

September 13, 2021

Michael Church
1935 SE Lund AVE
Port Orchard, WA 98366

Re: Response to comment for the following site:
Site Name: Amy's Cleaners
Site Address: 3377 Bethel Rd SE Suite 105 Port Orchard, WA 98366
Site FSID: 28514228
Site CSID: 970

Dear Michael Church:

Thank you for submitting your comment to the Department of Ecology regarding the cleanup at Amy's Cleaners in Port Orchard. Please see our response below.

Comment from Michael Church

I am concerned with this proposal. The majority of Port Orchard's water is obtained from underground aquifers that could be affected by this PCE leakage. The most concerning issue is that this proposal to remove the environmental covenant is based on only 2 soil and ground water test at only 3 locations conducted over a two year period. This is insufficient, the leaks of an unknown quantity of PCE occurred over a 13 year period at this site. The soil vapor extraction system was only used for 2 years and 8 months and that was 16 years after the last known use of the PCE on this site. PCE could have leached to a wider and possibly deeper areas. I believe that additional soil and groundwater samples over a larger area be conducted for a longer period of time. I do not agree with removing the environmental covenant at this time.

Ecology Response

The commenter raises an important point. However, at depths greater than fifteen feet below the site, the soil is glacial till. This is a dense clay which is difficult for liquids to penetrate.

Further, the Port Orchard public supply wells draw their water from depths from 250 feet to 1,500 feet below the surface. Groundwater samples collected above the clay layer over a three-year period had no exceedances of State groundwater standards.

Michael Church
Page 2
September 13, 2021

The five soil samples collected after the treatment confirmed the treatment results that contamination in the soil was below State standards. Indoor air samples collected after the soil treatment had only one contaminant in them at a concentration below State standards. Shallow groundwater was attempted to be collected from six soil borings after the soil treatment. Only two of the six borings had enough water in them to be sampled. These results confirmed the results from the soil treatment system and earlier sampling that showed that the contamination was limited to a small area beneath the dry cleaners.

If you have any questions please feel free to contact me Chris Maurer, Site Manager, at christopher.maurer@ecy.wa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Christopher Maurer".

Christopher Maurer P.E.
Toxics Cleanup Program
Headquarters