



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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January 18, 2013

Mr. Brian Duquaine  
PO Box 266  
Burlington, WA 98233

**Re: Opinion Pursuant to WAC 173-340-515(5) on Proposed Remedial Action for the Following Site:**

- **Site Name:** Skagit Farmers Supply-Mount Vernon
- **Previous Names:** Wolfkill Feed & Fertilizer
- **Address:** 205 West Fir Street, Mount Vernon, WA
- **Facility Site Number:** 4755451
- **VCP Number:** NW2651
- **ISIS Number:** 4567

Dear Mr. Duquaine:

Thank you for submitting documents regarding your proposed remedial action for the **Skagit Farmers Supply – Mount Vernon facility** (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding a review of submitted documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Gasoline- range petroleum hydrocarbons (GRPH) in soil and ground water
- Benzene, toluene, ethylbenzene, and xylenes (BTEX) in soil and ground water

Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(b) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.



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Ecology's Toxics Cleanup Program has reviewed the following information regarding your proposed remedial action:

1. November 19, 2011. **Ground Water Status Results, February 15, 2011.** AMEC Environment & Infrastructure, Inc. (AMEC).
2. May 31, 2002. **Groundwater Status Report, May 2, 2002.** AMEC.
3. February 16, 1999. **Groundwater Status Report, January 28, 1999.** AGRA Earth & Environmental, Inc. (AGRA).
4. March 9, 1990. **Subsurface Petroleum Hydrocarbon Evaluation, February 1990.** Rittenhouse-Zeman & Associates, Inc.

The reports listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7235 or emailing a request to [nwro\\_public\\_request@ecy.wa.gov](mailto:nwro_public_request@ecy.wa.gov).

Based on a review of supporting documentation listed above, pursuant to requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following releases at the Site, Ecology has determined:

You, through your consultant, AMEC Environment & Infrastructure, Inc. (AMEC) have requested that Ecology review the status of the cleanup at the Site. AMEC asks if the concentrations in the ground water in the two remaining wells at the Site meet current cleanup levels for four consecutive quarters, could Ecology reclassify the status of the Site to No Further Action.

In February 1990, AGRA installed three (MW-1, MW-2 and MW-3) ground water monitoring wells at the Site. All three wells were sampled in February 1990, January 1999, and May 2002. In February 2011, only two of the three wells could be located. The missing well, MW-3, only had detectable concentrations of the contaminants of concern since the initial sampling in 1990. Groundwater elevation data collected in 1990, 1999 and 2002 suggest that MW-3 is up-gradient or cross-gradient to the Site. In 2002, only the benzene concentration in MW-1 exceeded the Method A cleanup level for ground water. In 2011, the results in both MW-1 and MW-2 were non-detectable for gasoline-range petroleum hydrocarbons as TPH-G and for BTEX.

Ecology assumes this Site can be remediated to meet the MTCA Method A cleanup levels for soil and ground water. This Site is not an industrial property; therefore, either MTCA Method A or Method B Cleanup levels are appropriate for this Site. The points of compliance would be throughout the Site.

Considerable time has elapsed between sampling events but with each measurement, the concentrations of TPH-D, TPH-G and benzene in ground water have decreased. The results from February 2011 are consistent with declining concentrations.

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The most recent (2011) ground water concentrations indicate that any residual soil concentrations are not adversely impacting ground water.

Consistently and minimally, Ecology does require four consecutive quarters of ground water monitoring to issue a No Further Action opinion letter. For this Site and its sampling history, Ecology suggests sampling the existing wells, MW-1 and MW-2, one additional time perhaps in January or early February 2013 to model February 1990 and January 1999 and to verify the 2011 results. Based on these results and assuming non-detection, Ecology is willing to consider issuing a No Further Action determination for this Site. However, based on the results of the additional sampling round, Ecology still retains the option of requiring at least four consecutive quarters of contaminant levels below MTCA Method A cleanup levels.

**This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action.** To obtain either of these opinions, you must submit appropriate documentation to Ecology and request such an opinion under the VCP. This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.

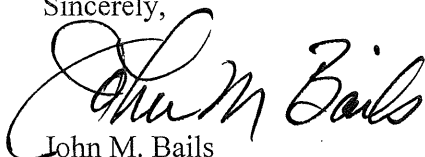
Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (425) 649-7099 or by email at [jbai461@ecy.wa.gov](mailto:jbai461@ecy.wa.gov).

Sincerely,



John M. Bails  
VCP Site Manager  
Toxics Cleanup Program

cc: Leah R. Vigoren, AMEC