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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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February 8, 2022

Cristi Acuna
Sunset Chevrolet
910 Traffic Ave
Sumner, WA 98390
cacuna@sunsetchev.com

Re: No Further Action opinion for the following contaminated Site

Site name: Sumner National Auto Parts
Site address: 16008 60th Street East, Sumner, Pierce County, WA 98390
Facility/Site ID: 1304
Cleanup Site ID: 3653
VCP Project No.: SW1729

Dear Cristi Acuna:

The Washington State Department of Ecology (Ecology) received your request for an opinion on the sufficiency of your independent cleanup of the Sumner National Auto Parts facility (Site) under the Voluntary Cleanup Program (VCP)[1] on May 19, 2021. Your opinion request, including upload and acceptance of electronic data, was complete on October 20, 2021. This letter provides our opinion and analysis. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), chapter 70A.305 RCW.[2]

Opinion

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

Ecology bases this opinion on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in chapter 70A.305 RCW and chapter 173-340 WAC[3] (collectively called "MTCA").

[1] https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program
[2] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305
[3] https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340

As the Site is ranked a 1 (highest risk), a 30-day public notice and comment period is required to meet WAC 173-340-600 and delist the Site from Ecology's hazardous sites list (HSL). Ecology's Toxics Cleanup Program (TCP) completes the public notice and comment period. Ecology's TCP also responds to any comments received. At Ecology TCP's discretion, should public comments be substantive, the no further action determination provided in this opinion letter may be rescinded and additional Site cleanup may be required.

Site Description

This opinion only applies to the Site described below. This opinion is limited to those known releases reported for the Site. The Site is defined by the nature and extent of contamination associated with the following release(s):

- Total petroleum hydrocarbons (TPH) in the gasoline (TPH-G) diesel (TPH-D) and oil-ranges (TPH-O) into the soil and potentially groundwater.
- Benzene, toluene, ethylbenzene, and total xylenes (BTEX) into soil and potentially groundwater.
- Naphthalenes into soil and potentially groundwater.
- Volatile organic compounds into the soil and potentially groundwater.
- Tetrachloroethylene (PCE) into the soil and potentially groundwater.
- Polycyclic aromatic hydrocarbons (PAHs) and carcinogenic PAHs (cPAHs) into soil and potentially groundwater.
- Metals (arsenic, barium, cadmium, chromium, lead, mercury, nickel, silver, and zinc) into the soil and potentially groundwater.
- Caustic corrosives (pH) into the soil and potentially groundwater.

Enclosure A includes a Site description, history, and pertinent diagrams. Galloway Environmental, Inc.'s (GEI's), *Independent Remedial Action Report*, dated September 3, 2020, (revised May 19, 2021) is herein referred to as the Report.

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. The Site is wholly contained within Pierce County parcel 0520198006 (Property). The Property is 1.58 acres in size.

Basis for the Opinion

Ecology bases this opinion on information in the documents listed in **Enclosure B**. You can request these documents by filing a records request.[4] For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check whether the documents are available on Ecology's cleanup site search page.[5]

This opinion is void if any of the information contained in the 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. Ecology bases its conclusion on the following analysis:

Characterizing the Site

Ecology has determined your completed Site characterization is sufficient for setting cleanup standards and selecting a cleanup action. **Enclosure A** describes the Site.

Site Delineation and Characterization

Soil and groundwater sampling results from 2002 to present, whether by Site investigations or through interim actions, have adequately characterized and delineated the Site. Those contaminants identified in Ecology's 1991 soil sampling and Site inspection were sampled as part of the remedial investigation and associated cleanup. The Site appears to be delineated and adequately characterized to meet the requirements of WAC 173-340-350(7).

List of Site Hazardous Substances

Sampling has focused on petroleum hydrocarbons, metals, volatile organic compounds (VOCs), and corrosive caustics (pH). The sampling list has been modified over time as Site hazardous substances have been eliminated based on field data collected after Ecology's initial Site inspection on February 7, 1991. Sampling has been completed to meet the requirements of Table 830-1 under WAC 173-340-900 for waste/unknown oil.

Over time, interim actions have focused on reducing the remaining Site hazardous substances list by removing contaminated soils, eventually narrowing down the list to lead exceedances in soil. Both the Report and Environmental Corporation's (EnCo's) *Independent Remedial Action Work Plan* provide a comprehensive list of Site hazardous substances used to evaluate the releases after Ecology's initial February 7, 1991, sampling results reported to the Property owner at the time (Robert Suss).

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[4] https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests
[5] https://apps.ecology.wa.gov/gsp/CleanupSiteDocuments.aspx?csid=2120

The Report reviews the list of Site hazardous substances evaluated at the Site. By the time of the April 2021 excavations (completed as an interim action), lead was the last remaining Site hazardous substance in soil requiring cleanup.

Pathways Analysis

The Report correctly considers the pathways for the Site prior to the interim cleanup actions performed. The Report also provides a detailed review of Site pathways based on the post-remediation results. Ecology's opinion regarding implementation of the cleanup and related results are discussed in section 4 of this letter. In this section, Ecology evaluates Site pathways prior to remediation to show why cleanup was necessary.

Soil (Direct contact): The historical releases were related to cleaning and refurbishing engines on a concrete pad formerly adjacent to the eastern wall of the Property building. These fluids tended to pool and infiltrate into the soils east and south of the concrete pad. As the contamination came to be located within the top fifteen feet of soil, contaminated soils had to be addressed through cleanup. The soil direct contact pathway is complete.

Soil (Leaching to Groundwater/Protection of Groundwater): Prior to remediation, the Phase II ESA sampling completed in 2002 confirmed contaminated soils were present. Groundwater is shallow at the Site. Site surfaces are gravel; there are no hard surfaces (such as concrete) which would have prevented rain water infiltration. The east side of the Property building was dirt and gravel. Therefore, the leaching to groundwater pathway for soil is complete. As with the direct pathway, contaminated soils had to be addressed through cleanup.

Groundwater: Monitoring well MW-1 (the source area well) was installed in 2015. Monitoring wells MW-2 through MW-7 were installed in August 2018. Groundwater flow direction is reported in the Report as approximately to the northwest (azimuth bearing at 305 degrees). The monitoring well network is constructed at the Site to provide downgradient control (MW-3 and MW-4) for the source area (MW-1), cross-gradient control outside of the contaminated soils area (MW-2, MW-5, and MW-6) and upgradient control of Site groundwater (MW-7). Ecology concurs with the sufficiency of the installed monitoring well network.

Air: Concentrations of volatile compounds in soil have been reduced to less than the MTCA Method A cleanup levels (or the most stringent MTCA Method B cleanup levels). This is sufficient evidence to determine that the air (including soil vapor) pathway is more likely than not incomplete.[6]

Terrestrial Ecological Evaluation (TEE) – Ecological Pathway: The Report presents a simplified TEE, using Table 749-1, as allowed under WAC 173-340-7492(2)(a)(ii). Ecology did not observe the Table 749-1 attached to the TEE form submitted in the Report, so we verified the Table 749-1 result. The result is included as **Enclosure C**. Ecology concurs that the Site can be excluded from further TEE based on the simplified TEE result.

[6] See section 5.2, Ecology Publication No. 17-09-043, *Petroleum Vapor Intrusion (PVI): Updated Screening Levels, Cleanup Levels, and Assessing PVI Threats to Future Buildings*, January 10, 2018.

Surface water and Sediment: Per the Report, there is no surface water or sediment at the Site. Groundwater monitoring results confirm there is no contaminated groundwater leaving the Property which might threaten surface water. Salmon Creek is the nearest surface water to the Site at 0.4 miles away, and the Puyallup River is located approximately 5,100 feet upgradient of the Site. The White River is located approximately 1.4 miles northwest of the Site (downgradient of the Site). Ecology concurs that the surface water and sediment pathways are incomplete.

Historical Toxicity Characteristic Leaching Procedure (TCLP) Results

In order to determine if any concentrations of Site hazardous substances might be classified as dangerous waste under Table 1, WAC 173-303-090, TCLP analysis was performed for barium, cadmium, and lead. No exceedances of the Table 1 values were reported for any contaminant analyzed by TCLP. Additionally, pH concentrations in soil and groundwater sampled were less than 12. No confirmed dangerous waste appears to have ever been present at the Site.

Site Ranking Comments

Ecology determined the Site was ranked a 1, highest risk, based on the May 31, 1991, Site Hazard Assessment (SHA) worksheet result. The ranking result was communicated to the former Property owner in a letter from Ecology dated February 11, 1992. The ranking is designed to be conservatively protective of human health and the environment. At the time of the February 1991 inspection and sampling, the extent of soil contamination and Site groundwater conditions were unknown. Additionally, drinking water supply wells and surface water were observed in the topographically and likely downgradient direction to the north and northwest, and these sensitive receptors had to be protected.

Water Well Evaluation

The Property building is connected to municipal water and sewer service. The Report analyzed the presence of domestic and public water supply wells within a one mile radius of the Site. To verify the Report conclusions, Ecology also reviewed our internal well log database to evaluate any potential drinking water wells which might be impacted by the Site. No drinking water well is present at the Site, nor is installation of a drinking water well planned at the Property. The City of Sumner's two public supply wells are located over 0.5 miles north of the Site, and are screened at least 278 feet below top of casing (TOC). Soil and groundwater results at the Site comply with the cleanup levels. Therefore, domestic and public water wells are not likely to have been impacted by the Site.

Ecology's Environmental Information Management System (EIM) Database

Site data have been uploaded in accordance with WAC 173-340-840(5) and Ecology's Toxics Cleanup Program Policy 840. Site data uploaded in accordance with regulation and policy were from October 2015 through April 2021, were accepted into EIM on October 20, 2021. Those data collected prior to August 1, 2005, are not required to be uploaded. The VCP cleanup project manager has reviewed and approved these Site data.

Setting cleanup standards

Ecology has determined the cleanup levels and points of compliance you set for the Site meet the substantive requirements of MTCA. Cleanup levels are established for those complete Site pathways (prior to cleanup) – soil and groundwater. Contaminants which have never been detected at the Site are not included in the cleanup levels listed below (for example, polychlorinated biphenyls [PCBs]).

For soil and groundwater, MTCA Method A cleanup levels were established. If no MTCA Method A cleanup level existed for a Site hazardous substance, the most stringent MTCA Method B cleanup level was established, based on Ecology's February 2021 update to its CLARC tables. Values for pH were evaluated in terms of whether or not they exceeded the dangerous waste threshold value of 12.[7] Cleanup levels are established based on unrestricted land use.

Site Hazardous Substance	MTCA Method Cleanup Level	Soil Cleanup Level (mg/kg)	Groundwater Cleanup Level (µg/L)
TPH as gasoline	A/A	30	800
TPH as diesel and heavy oil	A/A	500	500
Benzene	A/A	0.03	5
Toluene	A/A	7	1,000
Ethylbenzene	A/A	6	700
Total Xylenes	A/A	9	1,000
Arsenic	A/A	20	5
Barium	B/B	1,600	3,200
Cadmium	A/A	2	5
Chromium	A/A	2,000	50
Lead	A/A	250	15
Mercury	A/A	2	2
Silver	B/B	400	80
Zinc	B/B	6,000	600
cPAHs (as benzo[a]pyrene)	A/A	0.1	0.1
Anthracene	B/B	2,300	4,800
Fluoranthene	B/B	630	NE
Pyrene	B/B	650	480
PCE	A/A	0.05	5

The Report recommends the use of dissolved metals concentrations as representative of Site groundwater conditions, as total metals in groundwater concentrations can be greater than expected because of sample turbidity. Ecology agrees that consideration of both total and dissolved metals concentrations in groundwater for determining compliance with cleanup levels is appropriate at this Site. As MTCA Method A is used to establish Site cleanup levels for petroleum, naphthalene is included in the TPH cleanup value.

[7] WAC 173-303-090.

Standard points of compliance were established for complete Site pathways. Ecological receptors, air, surface water, and sediment have been shown to be incomplete Site pathways.

Media	Points of Compliance
Soil-Direct Contact	Based on human exposure via direct contact, the standard point of compliance is throughout the Site from ground surface to fifteen feet below the ground surface. *WAC 173-340-740(6)(d)*
Soil- Protection of Groundwater	Based on the protection of groundwater, the standard point of compliance is throughout the Site. *WAC 173-340-747*
Groundwater	Based on the protection of groundwater quality, the standard point of compliance is throughout the site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the site. *WAC 173-340-720(8)(b)*

To meet the requirements of WAC 173-340-700(6)(a), EnCo considered applicable state and federal laws for the proposed cleanup in its work plan. Ecology also reviewed applicable laws to determine if any impact to cleanup levels proposed for the Site in the Report might be required. A list of those laws we reviewed are provided in **Enclosure D**. No additional adjustments to the established cleanup levels for the Site are necessary.

Selecting the cleanup action

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA. EnCo completed a feasibility study.[8] Ecology commented on the work plan in our opinion letter dated July 12, 2017.

Excavation and off-Site disposal of contaminated soils was selected as the cleanup alternative. Ecology concurred with the excavation approach, and notes that other potential cleanup alternatives were 1) disproportionately costly to implement over excavation at the Site; 2) excavation could and was taken as a series of interim actions at the Site; and 3) excavation represented the permanent cleanup solution to meet those requirements under WAC 173-340-360. The EnCo report also correctly determined that a model remedy is not applicable for this Site.

The Report summarizes the implementation of the excavations to clean up the Site. Over time, contaminated soils were removed and the focus of cleanup was reduced to removing lead in soil. Contaminated soils were disposed of under approved disposal authorization at Pierce County's Recycling, Composting, and Disposal (LRI) landfill. The full suite of Site hazardous substances were sampled for in groundwater to evaluate any potential contaminants present. Arsenic and barium were detected in groundwater and are discussed in the section below.

[8] Section 22.0 in EnCo's *Independent Remedial Cleanup Action Work Plan*, May 23, 2017.

Implementing the cleanup action

Ecology has determined your cleanup meets the standards set for the Site. Ecology supports the excavations taken as the needed cleanup action for the Site. Lead contamination was the most extensive Site hazardous substance in soil, and several excavations were needed to fully remove all concentrations in excess of the MTCA Method A cleanup level. Pertinent figures are included in Enclosure A.

Interim Cleanup Action Summary

For details of the interim actions taken at the Site, please review the Report. A total of 512.78 tons of contaminated soil have been properly disposed of off-Site at a permitted landfill, specifically through authorization by Pierce County to disposal of at their regional landfill (LRI). The maximum depth to excavation was up to three feet bgs. After the October 2015 sampling data were reviewed, the main remaining contaminants in soil requiring remediation were lead and cadmium in soil.

In summary, Site contaminated soils removed by excavation:

Remediation Phase	Excavation Dates	Tons of Soil Removed	Permitted Disposal Facility
GEI Phase I	October 2017-January 2018	262.92	LRI
GEI Phase II	April 2021	249.86	LRI

Performance Soil Sampling Results

The Report summarizes performance soil sampling results. GEI collected performance soil samples as each excavation progressed to ensure contaminated soils were removed. Final excavation extent samples confirmed that applicable contaminants were removed. Based on the results of the final confirmation excavation extent soil sampling from the 2017-2018 and the 2021 excavations, the remaining contaminants in soil met cleanup standards. Lead was the final Site hazardous substance to meet the established Site cleanup levels for soil.

Performance Groundwater Sampling Results

Groundwater has been sampled from seven monitoring wells at the Site, MW-1 through MW-7. MW-1 is the source area well, installed in 2015, in the approximate location where Ecology noted heavy oil on the soil surface in February 1991. Low flow groundwater sampling methodology has been used at the Site. Groundwater flow direction has been generally to the northwest. Based on groundwater parameter results obtained during the groundwater monitoring events, pH in groundwater is not a concern at the Site.

Ecology determines that it is more likely that concentrations of Site hazardous substances in groundwater associated with the known historical releases comply with cleanup standards. The vast majority of Site hazardous substances have not been detected in groundwater for at least four consecutive quarterly groundwater monitoring events. Sufficient groundwater sampling has been completed at the Site in order to meet the guidelines provided under section 10.3 in Ecology Publication No. 10-09-057, *Guidance for Remediation of Petroleum Contaminated Sites.*[9]

Arsenic and Barium in Groundwater

Total and dissolved arsenic concentrations in groundwater exceeded the MTCA Method A cleanup level during the August 31, 2018 sampling event, at monitoring wells MW-3, MW-5, and MW-7. The concentration of total arsenic in groundwater exceeded the MTCA Method A cleanup level in groundwater sampled at MW-6 for the July 1, 2019, sampling event.

Except for at MW-6, total and dissolved arsenic in groundwater wells have complied with cleanup levels for at least four consecutive quarterly sampling events. At MW-6, there are four quarters of dissolved arsenic concentrations in groundwater in compliance with cleanup levels. No arsenic in groundwater exceedances has been identified at monitoring well MW-1, which is located in the source area. The limited arsenic contaminated soils identified in 1991 have been removed from the Site. Based on the overall total and dissolved arsenic in groundwater sampling results, it appears more likely that arsenic in groundwater at the Site complies with the cleanup standards.

Barium has been detected in Site groundwater. Per the August 31, 2018, groundwater monitoring results, barium in groundwater was not detected at MW-1. Barium concentrations in groundwater approximated the laboratory reporting limit at all other Site monitoring wells. The concentrations of barium in soil identified in 1991 and 2002 (at concentrations less than the cleanups levels) have been removed from the Site. Though ideally more barium in groundwater data would have been collected and submitted for Ecology's review, we concur that barium in groundwater is more likely in compliance with the Site cleanup level.

The cleanup performed at the Site meets the threshold requirements under WAC 173-340-360(2), and:

- Is protective of human health and the environment.
- Complies with cleanup standards.
- Complies with applicable state and federal laws.
- Used permanent solutions to the maximum extent practicable.
- Provides for a reasonable restoration timeframe.

[9] Revised June 2016.

- Sufficiently considers public concerns.
- Does not require institutional controls or compliance monitoring.
- Meets the cleanup action requirements under WAC 173-340-360(2)(d).

You must decommission resource protection wells[10] installed as part of the remedial action that are not needed for any other purpose at the Site. Resource protection wells (aka monitoring wells) must be decommissioned in accordance with WAC 173-160-460.[11] Well decommissioning must be overseen by a driller licensed in Washington State. **Ecology recommends delaying any needed well decommissioning until after the public notice and comment period and any needed comment resolution are complete.**

To meet the requirements under WAC 173-340-600, a 30-day public notice and comment period is necessary to delist a Site from Ecology's Hazardous Site List (HSL).

If any investigation derived waste remains at the Site, please dispose of it at a permitted facility, in accordance with all applicable local, state, and federal laws.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from its lists of contaminated sites, including the:

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.

That process includes providing public notice and the opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or rescind this opinion.

[10] https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-410
[11] https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-460

Limitations of the Opinion

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).[12]

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[13] and WAC 173-340-545.[14]

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).[15]

[12] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040
[13] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080
[14] https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545
[15] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170

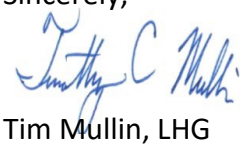
Termination of Agreement

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing VCP Project No. SW1729.

Questions

If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at 360-999-9589 or email at tim.mullin@ecy.wa.gov.

Sincerely,



Tim Mullin, LHG
Toxics Cleanup Program
Southwest Regional Office

TCM/tam

Enclosures: A – Site Description, History, and Diagrams
B – Basis for the Opinion: List of Documents
C – Table 749-1 for TEE
D – List of Applicable State and Federal Laws

cc by email: Phil Mitchell, Phil's Speed Shop LLC, philmitchell@sunsetchev.com
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Fiscal, VCP Fiscal Analyst
TCP, Operating Budget Analyst
Ecology Site File

Enclosure A

Site Description, History, and Diagrams

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Site Description

The Site is located on the parcel located at 16008 60th Street East, Sumner, Pierce County, Washington. According to the Pierce County-Assessor Treasurer's website, the Site is associated with parcel 0520198006, which totals 1.58 acres in size (Property). The Site is at an approximate elevation of 61 feet above mean sea level.

Property History and Current Use: According to the Pierce County Assessor-Treasurer's office, the Property is occupied by a single 9,300 square foot metal frame, metal sided, and metal roof building, which was constructed in 1979. A lean-to consisting of an awning and a concrete slab used to be attached to the east side of the center portion of the building. This was where some engine cleaning and refurbishing occurred prior to the lean-to being removed in the mid-1990s. An engine refurbishing operation and machine shop use to occupy the southern portion of building, which had been converted for automobile parts storage by Ecology's Site visit in January 9, 2017. A parts showroom, office, and sales area occupied the northern portion of the building at the time of the Site visit. Re-development plans for the Property are believed to be for a new commercial warehouse and car storage.

Property Vicinity: The Property is in an area of mixed residential, commercial, and undeveloped properties.

Soils and Geology: Site soils are fill covering predominantly sand with silts and gravels. Site lithology has been evaluated to a maximum depth of 15 feet bgs.

Groundwater: Based on sampling of the Site monitoring wells, depth to Site groundwater ranges from approximately 3.4-5.5 feet below TOC. Seven monitoring wells (MW-1 through MW-7) is present at the Site. Groundwater flow direction is inferred to the north (following topography). Monitoring well MW-1 is in the source area. The City of Sumner maintains two drinking water supply wells located approximately 2,600 feet north of the Site. Each supply well is screened from approximately 200-220 feet below TOC. The Site is located in the 5-year wellhead protection zone (5-year travel time frame).

Surface/Storm Water/Septic Systems: On-Property, a low area east of the building reportedly collected water into a pool up to 20 feet by 40 feet in size. Salmon Creek, located approximately 2,200 feet north of the Site is the nearest surface water. The Puyallup River is located approximately 5,100 southwest of the Site. The White River is located approximately 1.4 miles northwest of the Site (downgradient of the Site). Storm water catch basins are present in the parking lot. The building at the Property is connected to public water and sewer. No septic system is present.

Source of Contamination & Contamination Extent: Releases were related to periodic dumping of hot caustic wash water in the soils east of the former lean-to. The former lean-to consisted of an awning over a small concrete pad (16 feet long by 18.5 feet wide) were some fluid storage and engine cleaning occurred. Automobile engines were also reportedly spray cleaned on bare soil to the east of the concrete slab. In response to anonymous complaints, Ecology identified

these releases in an inspection on February 7, 1991. It is not known how long the improper disposal activities occurred at the Property; however, the engine refurbishing operation at the Site is believed to have started in 1979.

Cleanup History: Ecology conducted initial Site sampling in February 1991, and completed a Site Hazard Assessment (SHA). The result of the SHA was to rank the Site #1, to ensure protection of the nearby City of Sumner water supply wells were adequately considered. In 2002, a Phase II ESA was completed at the Site to further evaluate the scope of the problem. In 2015, further soil sampling was performed to better delineate and characterize the Site. Monitoring well MW-1 was also installed in the source area to a depth of 10 feet bgs. Initial groundwater sampling results did not show the presence of Site hazardous substances in groundwater. A work plan proposing excavation of contaminated soils with disposal at Pierce County's LRI landfill was submitted to Ecology in early 2017. Ecology provided comment on this work plan in an opinion letter dated July 12, 2017. In August 2018, monitoring wells MW-2 through MW-7 were installed at the Site, to a maximum depth of 15 feet bgs. Monitoring well screens were 10 feet in length at all monitoring wells, but the depth to top of the monitoring well varied between 3 and 5 feet below TOC. Excavations to remove Site contaminated soils were completed from October 2017-January 2018 and in April 2021. A total of approximately 513 tons of contaminated soil were properly disposed of at LRI.

Enclosure B

Basis for the Opinion: List of Documents

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List of Documents

1. Galloway Environmental, Inc. (GEI), *Independent Remedial Action Report*, September 3, 2020, (revised May 9, 2021).

2. GEI, *Independent Remedial Action Report*, September 3, 2020.

3. GEI, *Groundwater Monitoring Report for the National Auto Parts Property at 16008 60th Street East, Sumner, Washington 98390; WA Ecology Site ID #1304, Cleanup Site #3653, VCP Project #SW1547*, August 18, 2019.

4. GEI, *Groundwater Monitoring Report for the National Auto Parts Property at 16008 60th Street East, Sumner, Washington 98390; WA Ecology Site ID #1304, Cleanup Site #3653, VCP Project #SW1547*, April 28, 2019.

5. GEI, *Groundwater Monitoring Report for the National Auto Parts Property at 16008 60th Street East, Sumner, Washington 98390; WA Ecology Site ID #1304, Cleanup Site #3653, VCP Project #SW1547*, January 16, 2019.

6. GEI, *Groundwater Monitoring Well Installation, Sampling, and Analysis Report for the National Auto Parts Property at 16008 60th Street East, Sumner, Washington 98390*, November 7, 2018.

7. Ecology, Re: *Further Action at the following Site*, July 12, 2017.[16]

8. GEI, *Groundwater Monitoring Report*, January 16, 2019.

9. Environmental Corporation (EnCo), *Independent Remedial Cleanup Action Work Plan*, May 23, 2017.

10. City of Sumner, *SEPA Determination of Non-Significance*, March 6, 2017.

11. Beyler Consulting, *Drainage & Erosion Control Report*, September 7, 2016.

12. EnCo, *Limited Phase II Site Assessment*, January 17, 2003.

13. Ecology, RE: *Hazard Ranking Letter to Robert Suss*, February 11, 1992.

14. Ecology, RE: *Sumner National Auto Parts Site*, *16008 Daniels Road, Sumner*, June 12, 1991.

15. Ecology, *Site Hazard Assessment (SHA) scoring worksheet*, May 31, 1991.

16. Ecology, *Complaint Investigation Report*, April 3, 1991.

[16] Drafted and issued when cleanup was under VCP project SW1547.

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Enclosure C

Table 749-1 for TEE

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Table 749-1
Simplified Terrestrial Ecological Evaluation – Exposure Analysis Procedure under WAC 173-340-7492(2)(a)(ii).[a]

Estimate the area of contiguous (connected) undeveloped land on the site or within 500 feet of any area of the site to the nearest 1/2 acre (1/4 acre if the area is less than 0.5 acre). "Undeveloped land" means land that is not covered by existing buildings, roads, paved areas or other barriers that will prevent wildlife from feeding on plants, earthworms, insects or other food in or on the soil.	
1) From the table below, find the number of points corresponding to the area and enter this number in the box to the right.	
Area (acres) / Points 0.25 or less / 4 0.5 / 5 1.0 / 6 1.5 / 7 2.0 / 8 2.5 / 9 3.0 / 10 3.5 / 11 4.0 or more / 12	8
2) Is this an industrial or commercial property? See WAC 173-340-7490(3)(c). If yes, enter a score of 3 in the box to the right. If no, enter a score of 1.	3
3) Enter a score in the box to the right for the habitat quality of the site, using the rating system shown below[b]. (High = 1, Intermediate = 2, Low = 3)	3
4) Is the undeveloped land likely to attract wildlife? If yes, enter a score of 1 in the box to the right. If no, enter a score of 2. See footnote c.	2
5) Are there any of the following soil contaminants present: Chlorinated dioxins/furans, PCB mixtures, DDT, DDE, DDD, aldrin, chlordane, dieldrin, endosulfan, endrin, heptachlor, benzene hexachloride, toxaphene, hexachlorobenzene, pentachlorophenol, pentachlorobenzene? If yes, enter a score of 1 in the box to the right. If no, enter a score of 4.	4
6) Add the numbers in the boxes on lines 2 through 5 and enter this number in the box to the right. If this number is larger than the number in the box on line 1, the simplified terrestrial ecological evaluation may be ended under WAC 173-340-7492 (2)(a)(ii).	12

Footnotes:

a It is expected that this habitat evaluation will be undertaken by an experienced field biologist. If this is not the case, enter a conservative score (1) for questions 3 and 4.

b **Habitat rating system.** Rate the quality of the habitat as high, intermediate or low based on your professional judgment as a field biologist. The following are suggested factors to consider in making this evaluation:

Low: Early successional vegetative stands; vegetation predominantly noxious, nonnative, exotic plant species or weeds. Areas severely disturbed by human activity, including intensively cultivated croplands. Areas isolated from other habitat used by wildlife.

High: Area is ecologically significant for one or more of the following reasons: Late-successional native plant communities present; relatively high species diversity; used by an uncommon or rare species; priority habitat (as defined by the Washington Department of Fish and Wildlife); part of a larger area of habitat where size or fragmentation may be important for the retention of some species.

Intermediate: Area does not rate as either high or low.

c Indicate "yes" if the area attracts wildlife or is likely to do so. Examples: Birds frequently visit the area to feed; evidence of high use by mammals (tracks, scat, etc.); habitat "island" in an industrial area; unusual features of an area that make it important for feeding animals; heavy use during seasonal migrations.

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Enclosure D

List of Applicable State and Federal Laws

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List of Applicable State and Federal Laws.

1. Model Toxics Control Act (chapter 173.105D RCW), and Model Toxics Control Act Regulation (chapter 173-340 WAC).

2. Sediment Management Standards (chapter 173-204 WAC).

3. State Water Pollution Control Act (chapter 90.48 RCW).

4. Water Quality Standards for Surface Waters of the State of Washington (chapter 173-201A WAC).

5. The Washington State Waste Discharge General Permit Program (WAC 173-226).

6. State Environmental Policy Act (chapter 43.21C RCW and chapter 197-11 WAC).

7. Washington Hydraulic Code (chapter 220-660 WAC).

8. Washington State Hazardous Waste Management Act (chapter 70.105 RCW).

9. State Dangerous Waste Regulation (chapter 173-303 WAC).

10. Hazardous Waste Operations (chapter 296-843 WAC).

11. Solid Waste Management-Reduction and Recycling (chapter 70.95 RCW);

12. Solid Waste Handling Standards (chapter 173-350 WAC)

13. Municipal Solid Waste Landfills (chapter 173-351 WAC).

14. Minimum Standards for Construction and Maintenance of Wells (chapter 173-160 RCW).

15. Washington State Clean Air Act (chapter 70.94 WAC).

16. Construction Stormwater General Permit, Substantive Requirements.

17. Puget Sound Regional Clean Air Agency Regulations.

18. Federal Clean Water Act and the Surface Water Quality Criteria promulgated hereunder (33 U.S.C 1251 et. Seq).