

# Swinomish Indian Tribal Community

Office of the Tribal Attorney

11404 Moorage Way, La Conner, WA 98257

P: 360.466.1134 F: 360.466.5309

A Federally Recognized Indian Tribe Organized Pursuant to 25 U.S.C. § 5123

Washington State Department of Ecology  
Toxic Cleanup Program  
Attn: Bob Warren  
P.O. Box 330316  
Shoreline, WA 98133  
bob.warren@ecy.wa.gov

May 24, 2022

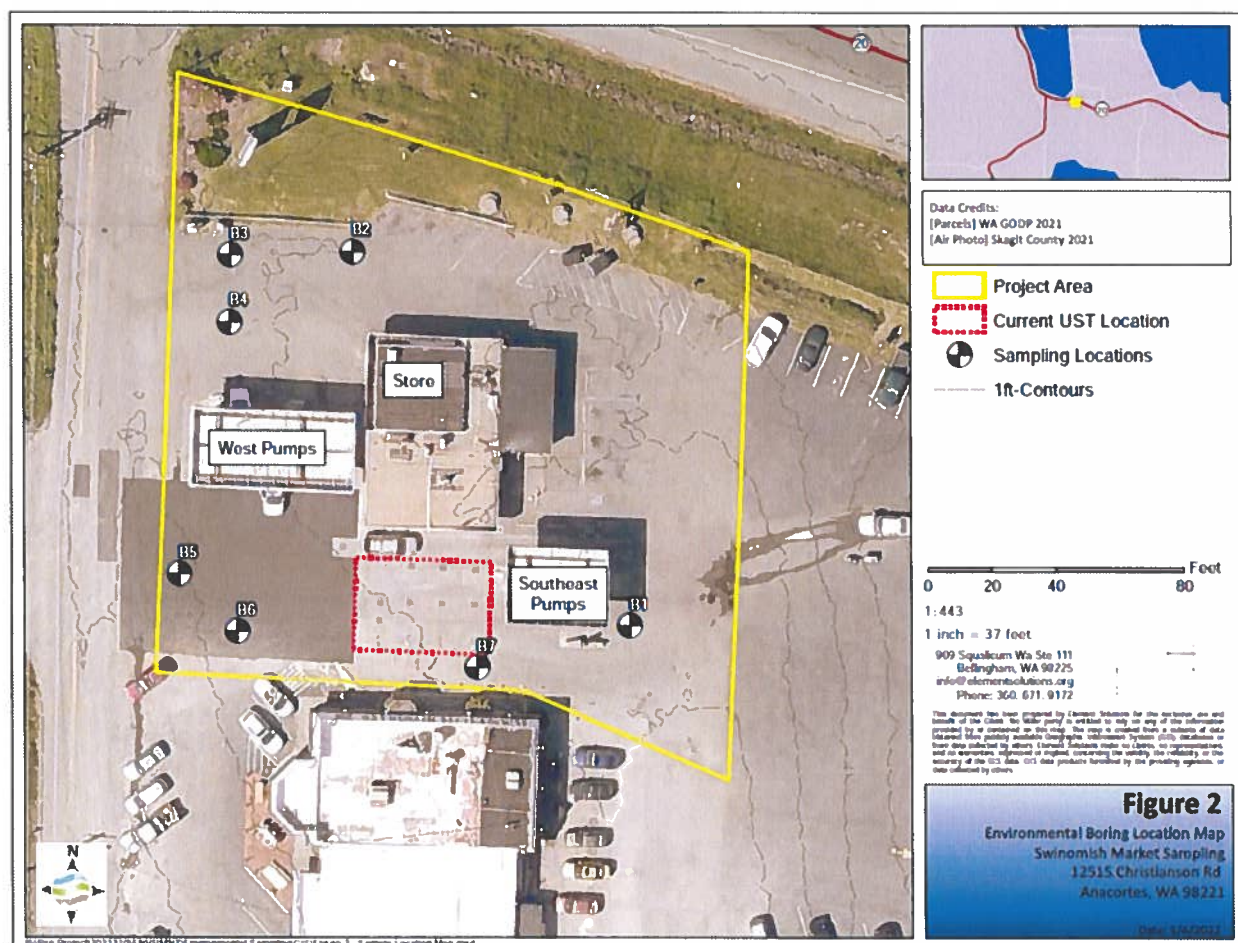
**RE: 12515 Christianson Road, Anacortes, WA – Release Report**

Dear Mr. Warren,

This letter is to inform you and the Department of Ecology of the findings indicating possible release of hazardous substances at the real property commonly known as 12515 Christianson Road, Anacortes, Washington 98221 (the “Property”). A gas station currently operates on the Property. The Property is owned by the Swinomish Indian Tribal Community (the “Tribe”), who engaged Element Solutions, LLC to complete a Phase 1 Environmental Assessment. During the completion of the ESA, subsurface and groundwater samples were taken and submitted to a lab by Element Solutions. The applicable lab reported detections of potentially hazardous substances in some of these samples, which we are now reporting to you.

Below is a map of the seven (7) locations Element Solutions extracted soil samples using push-probe borings. Temporary groundwater sampling well inserts were used at three (3) locations on the map, specifically at the B3, B6, and B7 locations. We would like to highlight that the samples that reported detections of potentially hazardous substances are from extraction locations furthest away from the USTs currently in use at the Property, and there are not known abandoned USTs on the Property.

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Element Solutions provided the samples to ALS Laboratory Group for laboratory testing. The following tables include information on samples containing potentially hazardous substances at levels that may require cleanup under the Washington Model Toxins Control Act, as reported by Element Solutions. ALS Laboratory Group’s results also indicated that some of the samples are “weathered”.

#### Soil Sampling NWTPH Analysis

Sample	TPH-Volatile Range	Benzene	Ethylbenzene
Units	mg/kg	mg/kg	mg/kg
B2-4.5	Not detected	0.032	Not detected
B2-7	4.4	0.088	Not detected
B3-4.5	4000	4.9	33
B3-11	15	0.16	0.11
B4-6	8.5	0.082	Not detected

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**Groundwater Sampling NWTPH Analysis**

Sample	TPH-Volatile Range	Methyl T-Butyl Ether	Benzene	TPH-Diesel Range	TPH-Oil Range
Units	µg/L	µg/L	µg/L	µg/L	µg/L
B3-GW	5300	96	4100	4600	2000
B6-GW	Not detected	12	Not detected	990	620
B7-GW	400	Not detected	2.1	4400	500

These initial results were received by the Tribe on February 24, 2022 and are the extent of the Tribe's knowledge of contamination at the Property. The Tribe is preparing for further investigation into the contaminated areas and options for remediation. In furtherance thereof, the Tribe is currently searching for a consultant to assist in the investigation and remediation.

This letter meets the criteria set forth at WAC 173-340-300 for report of a potential release under the Washington State Model Toxics Control Act, Chapter 70A.305 RCW. The Tribe provides this information in the interest of transparency and comity. Notwithstanding the delivery of this letter or the contents herein, it shall not be construed as or deemed a waiver of the sovereign immunity of the Tribe, which is expressly retained. Similarly, the Tribe does not concede to the jurisdiction of Washington state or the Department of Ecology despite the submittal of this information.

If you have any questions or require additional information, please contact me at the mailing address on the first page or the e-mail address below.

Sincerely,



Elissa Kalla  
ekalla@swinomish.nsn.us