



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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September 26, 2022

Jan Thompson
Wilbur-Ellis Holdings II
345 California Street, 27th Floor
San Francisco, CA 94101
jthompson@wilburellis.com

RE: UIC Site 37010 – Well Registration and Authorization with the Underground Injection Control (UIC) Program, Voluntary or Independent Cleanup Sites, Nachurs Alpine Solutions (Site), 101 N 1st St, Sunnyside, WA

Jan Thompson:

Ecology's UIC Program has reviewed your UIC registration application for the above-mentioned Site. Based on the information provided in the registration and the additional information provided per Ecology's request, the UIC wells are **Conditionally Rule-Authorized** and a State Waste Discharge Permit is not required to operate the wells under WAC 17-218 authorities.

The UIC registration number is 37010. The Site is undergoing independent remedial cleanup activities under Ecology's Voluntary Cleanup Program (VCP). That remedial cleanup work may be evaluated by the VCP to determine if the substantive requirements of the Model Toxics Control Act (MTCA) have been met; the VCP Project Number is CE0510, Facility Site Identification Number is 29243.

Nitrate and metals groundwater contamination occurring at the Site is attributed to former Nachurs Alpine Solutions operations. Groundwater constituents of concern (COCs) are nitrate and remobilized metals including arsenic, cobalt, and molybdenum. The remedial action work

plan¹ (RAWP) describes one round of injections that will utilize emulsified vegetable oil (EVO) and sodium lactate. The EVO and sodium lactate mixture will be injected into 25 direct push locations. A total of 1,060 gallons of EVO and 208 gallons of lactate will be blended with water during injections.

There are inherent environmental risks associated with injecting compounds into groundwater. It is incumbent upon the owner and their representative to carefully characterize, manage, and monitor the Site surface and subsurface conditions to minimize risk and prevent unforeseen degradation of groundwater quality and other environmental risks.

Conditional Rule-Authorization - Conditions of Use

Ecology will Rule-Authorize a UIC registration to operate when the two basic UIC Program requirements for Rule Authorization are met:

1. Registration of UIC wells (prior to use), and
2. The UIC well must meet the nonendangerment standard (WAC 173-218-080).

This Site does not meet the nonendangerment standard for Rule Authorization. Additional conditions are needed to allow for Rule-Authorization and the remedial work to proceed.

The following Site-specific UIC Program requirements for **Conditionally Rule-Authorization** include:

- Onsite groundwater is not approved for use to mix with the remediation products for injection into the subsurface;
- Nitrate, mobilized metals or other hazardous substances, injected chemicals, or hazardous bi-products, are not allowed to migrate beyond the site property boundary.
- The injection activities must follow the RAWP. Any deviations from RAWP are not allowed unless the VCP Site Manager has approved those changes;
- The injections should not cause a further degradation to groundwater quality criteria at the down-gradient monitoring points per state or federal applicable criteria. If such groundwater degradation occurs, the injection activities shall cease and Ecology shall be notified no later than 24-hours from the groundwater degradation discovery;

¹ Corrective Action Engineering Design and Implementation Work Plan, Former Nachurs Alpine Solutions Facility, Sunnyside Washington, Wilbur-Ellis Holdings II, Inc., by Geosyntec Consultants, Inc., dated September 2, 2022.

- Notification to Ecology's UIC Program of any change in UIC well status is a required element to this registration;
- The planned start date is for October 2022.

The Site will be **Conditionally Rule-Authorized** for as long as the Groundwater Quality Standards continue to be met and the above items have been completed. Failure to capture any of the performance data required or cause a violation of the applicable cleanup standards may result in a denial, modification, or termination of the UIC registration.

The Ecology Toxics Cleanup Program VCP Site Cleanup Manager will have final authority to determine if the cleanup actions described in your UIC registration have met the substantive requirement of the MTCA.

At any time, Ecology may require you to apply for, and obtain, a Waste Discharge Permit for the continued use of these compounds. You would need to obtain a formal waste discharge approval for this project through the Ecology's State Waste Discharge Permit Program or the Toxics Cleanup Program.

The owner is responsible to keep the UIC registration information current and retain all registration documents, plans, modeling, monitoring results, interim, and final reports. Upon Ecology request, the owner shall provide these documents to the UIC Program.

This UIC registration was evaluated under the presumptive approach, Ecology has presumed the conditions listed above, in the RAWP, and associated documents will be protective of Site groundwater quality and Ecology will presume the nonendangerment standard requirements of WAC 173-218-080 have been met.

Any material misrepresentations or omissions of fact supplied in this application may result in the denial or revocation of this registration authorization. Ecology's UIC Program has the authority to rescind a rule authorization if Ecology determines the system no longer meets the nonendangerment standard.

Please contact Eugene Radcliff at UICwells@ecy.wa.gov if you have any questions. You can find additional information on the UIC Program can at our website:

<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Underground-injection-control-program>

Sincerely,

A handwritten signature in blue ink that reads "Eugene Radcliff". The signature is fluid and cursive, with the first name "Eugene" and last name "Radcliff" clearly distinguishable.

Eugene Radcliff, LG, LHG
Statewide UIC Program Coordinator
Water Quality Program

Cc:

Luke Smith, Geosyntec Consultants, luke.smith@geosyntec.com
Frank Winslow, Department of Ecology (VCP), fwin461@ECY.WA.GOV
Department of Ecology - Internal UIC Database
Department of Ecology - UIC Resource Mailbox