



Electronic Copy

STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

December 29, 2022

Duane Mesznanos  
Director of Development  
Russel Square Consulting, Inc.  
700 Waterfront Way, Suite 301  
Vancouver, Washington 98660  
([duane@russellsquareconsulting.com](mailto:duane@russellsquareconsulting.com))

**RE: No Further Action opinion for the following contaminated Site**

**Site name:** Seitz Property  
**Site address:** Brian Lane NW, Silverdale, Washington 98383  
**Facility/Site ID:** 6865393  
**Cleanup Site ID:** 1472  
**VCP Project No.:** NW3313

Dear Duane Mesznanos:

The Washington State Department of Ecology (Ecology) received your request on July 11, 2022 for an opinion regarding the sufficiency of your independent cleanup of the Seitz Property facility (Site) under the Voluntary Cleanup Program (VCP).<sup>1</sup> 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.<sup>2</sup>

## 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<sup>3</sup> (collectively called "MTCA").

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<sup>1</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

<sup>2</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

<sup>3</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

## Site Description

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

- Total petroleum hydrocarbons as diesel and heavy oil (TPHd and TPHo), carcinogenic polycyclic aromatic hydrocarbons (cPAHs), arsenic, and lead in soil.

**Enclosure A** includes Site description, history, and diagrams.

Please note that releases from multiple sites can affect a parcel of real property. At this time, Ecology has no information that other sites affect the parcel(s) associated with this Site.

## 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](#).<sup>4</sup> For help making a request, contact the Public Records Officer at [recordsofficer@ecy.wa.gov](mailto:recordsofficer@ecy.wa.gov) or call (360) 407-6040.

Before making a request, check whether the documents are available on the [Site Webpage](#).<sup>5</sup>

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.

Improperly disposed wastes were confirmed to be the contamination sources at the Site. These wastes were removed from the Site from 1997 to 2005. Site investigations were conducted from 2005 to 2022 at all historic waste disposal locations, and adequately defined the lateral and vertical extent of the contamination.

Contamination consisting of TPHd and TPHo, cPAHs, arsenic and lead was confirmed in soil in the upper 2 feet at three different waste disposal areas. Remedial excavations were conducted in these three areas, and removed approximately 36.5 cubic yards of contaminated soil. Confirmation soil sampling indicated remaining soil at the Site is in compliance with the soil cleanup levels.

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<sup>4</sup> <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

<sup>5</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/1472>

Six groundwater monitoring wells were installed at or near the waste disposal locations. Groundwater sampling indicates Site groundwater is in compliance with the MTCA Method A groundwater cleanup levels.

### **Setting cleanup standards**

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

### **Soil**

#### ***Cleanup levels***

The Site does not meet the MTCA definition of an industrial property; therefore, soil cleanup levels suitable for unrestricted land use are appropriate. For unrestricted land use, the MTCA Method A cleanup levels are appropriate for soil at the Site. These Method A soil cleanup levels are based on protection of groundwater and are available in WAC 173-340-900, Table 740-1.

A Terrestrial Ecological Evaluation (TEE) has been completed for the Site. Based on the TEE, soil screening levels were adjusted for the upper 15 feet per WAC 173-360-900, Table 749-2, during Site characterization. Following the completion of Site characterization and cleanup, the Site qualifies for a simplified TEE exclusion per WAC 173-340-7492(2)(a). The total area of soil contamination at the Site is less than 350 square feet. Therefore, adjustment of soil cleanup levels for TEE is not necessary.

#### ***Points of Compliance***

The point of compliance for protection of groundwater is soils throughout the Site.

### **Groundwater**

#### ***Cleanup levels***

The highest beneficial use for groundwater under MTCA is considered to be as a drinking water source, unless it can be demonstrated that the groundwater is not potable. MTCA Method A groundwater cleanup levels are protective of potable use and are appropriate for the Site. These Method A groundwater cleanup levels are available in WAC 173-340-900, Table 720-1.

#### ***Points of Compliance***

The standard point of compliance for groundwater is throughout the Site, from the uppermost level of the saturated zone extending vertically to the lowest depth that could potentially be affected.

### **Selecting the cleanup action**

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA. The cleanup meets the minimum cleanup requirements and does not exacerbate conditions. The selected cleanup action included the following:

- Removal of contamination sources;
- Excavation and off-Site disposal of contaminated soil; and
- Confirmational sampling of soil and groundwater to document compliance with cleanup levels.

### **Implementing the cleanup action**

Ecology has determined your cleanup meets the standards set for the Site.

- The following wastes have been removed from the Site:
  - In 1997, one 55-gallon drum containing petroleum product was removed from the former house area.
  - In 2005, eighteen 55-gallon drums containing various unknown content were removed from the northwestern portion of the Site.
- Remedial excavations were completed at the Site:
  - In 2015, approximately 5.5 cubic yards of soil contaminated with cPAHs and arsenic were removed from the northwestern portion of the Site (former drum storage area).
  - In 2021, soil contaminated with lead was removed from the former debris pile area. Soil contaminated with TPHd plus TPHo was removed from the former house area (1997 drum location). Approximately 31 cubic yards of contaminated soil were removed from these two areas.
  - Confirmation soil samples were collected at the final limits of the excavation to document compliance with soil cleanup levels. These excavations were not backfilled.
- Soil samples were collected in each historic waste disposal area from ground surface to 25 feet below ground surface (bgs) to confirm compliance with soil cleanup levels.
- Groundwater samples were collected in six groundwater monitoring wells that are present within or near the waste disposal areas, to confirm compliance with groundwater cleanup levels.
- Site data has been uploaded to the Ecology Environmental Information Management (EIM) database.

## **Decommissioning of Site monitoring wells**

You must decommission [resource protection wells](#)<sup>6</sup> installed as part of the remedial action that are not needed for any other purpose at the Site. Wells must be decommissioned in accordance with WAC [173-160-460](#).<sup>7</sup>

## **Listing of the Site**

Based on this opinion, Ecology initiated 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. Ecology held a public comment period from October 28 to November 28, 2022. Ecology did not receive significant comments during the public comment period. Therefore, Ecology will remove the Site from the applicable lists.

## **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).<sup>8</sup>

### **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](#)<sup>9</sup> and WAC [173-340-545](#).<sup>10</sup>

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<sup>6</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-410>

<sup>7</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-460>

<sup>8</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

<sup>9</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

<sup>10</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

## 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).<sup>11</sup>

## Termination of Agreement

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing VCP Project No. NW3313.

## Questions

If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (425) 229-2565 or email at [jing.song@ecy.wa.gov](mailto:jing.song@ecy.wa.gov).

Sincerely,



Jing Song  
VCP Site Manager  
Toxics Cleanup Program, NWRO

### Enclosures (2):

- A – Site Description, History, and Diagrams
- B – Basis for the Opinion: List of Documents

### cc:

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<sup>11</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

# Enclosure A

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Site Description, History, and Diagrams

## Site Description

**Site:** The Site is defined as TPHd, TPHo, cPAHs, arsenic, and lead released to soil. The Site is located east of Brian Lane NW in central Kitsap County, northwest of Silverdale, Washington (**Figure 1**).

The Site is located on two contiguous north-south adjacent Kitsap County tax parcels (**Figure 2**). The northern parcel, with a parcel number 08250140262000, is designated as “Parcel A” and “Lot 026”; the southern parcel, with a parcel number 08250140252001, is designated as “Parcel B” and “Lot 025”. These two parcels cover approximately 9.78 acres of undeveloped land, and are referred to as the Property in this opinion letter and Site Description. No street address or number has been assigned to the Property.

**Area and Property Description:** The Property is located in a rural residential area in Kitsap County. The Property is currently heavily vegetated with overgrown blackberry bushes, weeds, tall grasses, and other dense underbrush. An approximately 1-acre area on the western portion of the Property was cleared around 2005.

A primitive road crosses the Property tracking southwest to northeast. Access to the Property is via a 30-foot-wide easement from Brian Lane NW, which is located west of the Property. No utilities are provided to the Property. The Property is bounded with undeveloped land to the north, south, and west, and single-family residences to the east and southwest.

The Property is zoned for commercial use with the Kitsap County comprehensive plan. The Property is planned to be developed into a mixed-use neighborhood community consisting of multiple apartment buildings, a recreational clubhouse, and a commercial building.

**Property History and Current Use:** The Property was undeveloped land since as early as 1891. A 1981 aerial photograph shows that the central portion of the Property was cleared at the time, with a building structure and a primitive road entering from the west. Aerial photographs from 1990 to the present show that the southwestern portion of the Property was cleared.

A historic report indicated that three abandoned building structures, including a house, a chicken coop, and a shed, were present on the Property in 1997. These building structures were deteriorated and removed from the Property in June 2005. The Property has been vacant since that time, and remains as undeveloped land to the present day. The locations of the former building structures are depicted on **Figure 2**.

**Sources of Contamination:** Contamination appears to be associated with wastes that were historically disposed of at the Site. These wastes included the following (**Figure 2**):



- In 1997, one 55-gallon drum, reportedly containing petroleum product, was discovered near the former house on Parcel B. This drum was subsequently removed from the Property.
- A total of eighteen 55-gallon drums were discovered and removed from Parcel B in 2005. Several of these drums were labeled with “Roybond Primer”; but the exact content of the drums were unknown.
- A few debris piles were discovered on Parcel A, and appeared to have been removed from the Property at an unknown time. These debris piles reportedly contained solid waste such as tires, trash, and vehicles.

**Physiographic Setting:** Land surface on the Site gently slopes to the east-northeast from an elevation of approximately 230 feet to 175 feet above mean sea level (amsl).

**Surface/Storm Water System:** The nearest surface water body is a tributary to Clear Creek that runs northwest to southeast approximately 1,000 feet northeast of the Site. Based on the topography, storm water runoff on the Property flows to the east toward Clear Creek.

**Ecological Setting:** The Property and nearby properties to the north, south, and west are currently undeveloped, with heavy vegetation and bushes that is likely to attract wildlife. The properties to the east and southwest are developed with single-family residences.

**Geology:** The Site is in the region of the Puget Lowlands, an elongated topographic and structural depression filled with complex sequences of glacial and non-glacial sediments that overlie bedrock. Continental ice sheets up to 3,000 feet thick covered portions of the Puget Lowlands several times during the Quaternary period. Retreating ice carved new landscapes, rechanneled rivers, drained or formed lakes, and deposited glacial drift including till and outwash. According to the [Geologic Map of Kitsap County](#), the Property and vicinity area are underlain by Pleistocene-aged continental glacial till<sup>1</sup>.

Based on field observations during test pit and monitoring well installation at the Site, subsurface soil consists of dense to very dense glacial till to a depth ranging from 11.5 to 21.5 feet bgs. The upper few feet typically consist of a looser ablation till. The till layer was underlain by a dense to very dense, medium- to coarse-grained sand with gravel, to the total explored depth of 26.5 feet bgs.

**Groundwater:** A total of six groundwater monitoring wells (MW-1 through MW-6) were installed to a total depth of 26.5 feet bgs at the Site (**Figure 3**). These monitoring wells are screened at 10- or 15-foot intervals between 10 and 26.5 feet bgs. Groundwater is present in Site monitoring wells at approximately 10 to 22 feet bgs and flows to the east.

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<sup>1</sup> Kitsap County Department of Community Development, *Geologic Map Units, Kitsap County, Washington*, April 11, 2017; [https://www.kitsapgov.com/dcd/DCD GIS Maps/Geologic Map Units.pdf](https://www.kitsapgov.com/dcd/DCD%20GIS%20Maps/Geologic_Map_Units.pdf).

More than 20 water supply wells are located within a 1/2-mile radius of the Site. Two water wells were identified that are closest to the Site (**Figure 4**):

- A Landsworth Creek water system well: This well is located approximately 500 feet east of the Site at an approximate elevation of 150 feet amsl. This well was completed to a total depth of 168 feet bgs<sup>2</sup>.
- A Brianwood water system well: This well is located approximately 700 feet southwest of the Site at an approximate elevation of 250 feet amsl. This well was completed to a total depth of 125 feet bgs and screened from 91 to 101 feet bgs, with a static water level at 55 feet bgs<sup>3</sup>.

**Water Supply:** No water is currently provided to the Property. Drinking water for the nearby residential and commercial properties is supplied by multiple water supply systems, including:

- Group A water supply systems: the Silverdale Water District #16, the Alleva water system, the Brianwood water system, the Crystal Creek water system, the Clear Creek Baptist Church water system, and the Silverdale Pee Wees water system.
- Group B water supply systems: the Landsworth Creek water system, the Collins Water system, and the Frontier water system.

The southwestern portion of the Property is located within the 10-year time-of-travel wellhead protection zone of the Crystal Creek water system and Brianwood water system wells. The eastern portion of the Property is located within the wellhead protection zone of the Landsworth Creek water system well<sup>4</sup>.

**Release and Extent of Contamination:** Environmental assessments and remedial actions were conducted at the Site since 1997, and were listed in the following in chronological order:

- Allegations of illegal dumping on the Property were reported to the Kitsap County Health District (KCHD) in 1985 and 1986, and to the U.S. Environmental Protection Agency (EPA) in 1997. In 1997, a geophysical survey was conducted, and three trenches were completed to a maximum depth of 11 feet bgs (**Figure 2**). The geophysical survey and trenching did not find buried drums and cylinders. One 55-gallon drum was discovered west of the former house (**Figure 2**). Drum sampling indicated the drum contained a diesel or heating oil type of petroleum product. The drum was recycled at the time.

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<sup>2</sup> Washington State Department of Health, *Office of Drinking Water database, Sentry Internet*; <https://fortress.wa.gov/doh/eh/portal/odw/si/Intro.aspx>

<sup>3</sup> Ecology, *Water Well Report, Well Tag #ACD356*, June 9, 1980.

<sup>4</sup> Washington State Department of Health, *Source Water Assessment Program (SWAP) database map*; [SWAP Map](#)

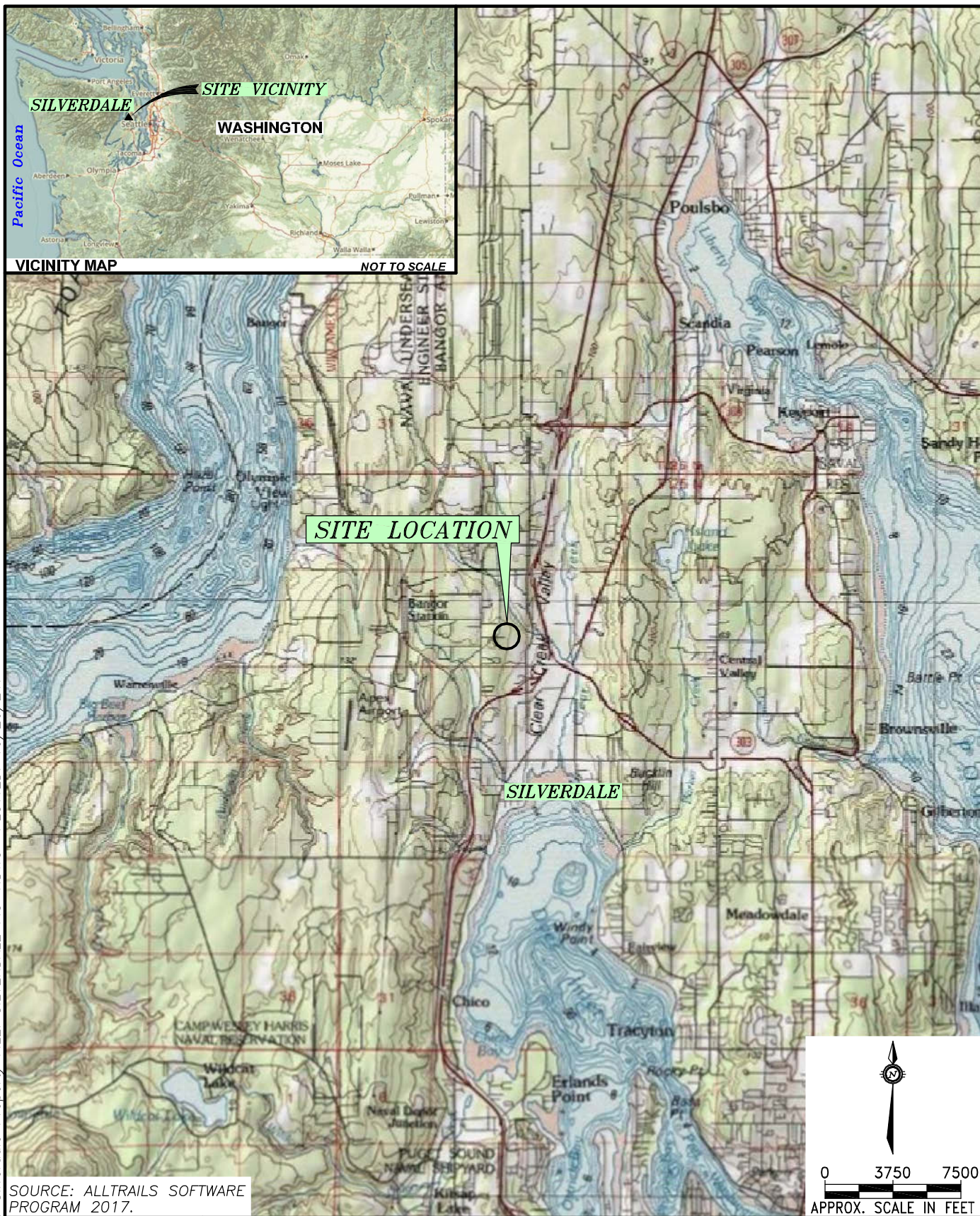
- 2005 initial Site investigation:
  - KCHD confirmed the presence of several debris piles during a site visit in March 2005.
  - Eighteen 55-gallon drums were discovered in a 10- by 10-foot area on the northwestern portion of the Property in March 2005 (**Figure 2**). Four of the drums reportedly showed signs of leakage or spillage. Several drums were labeled with “Roybond Primer.” The drums were removed from the Site in August 2005, and the building structures were demolished in June 2005.
  - Ecology listed the Site on the Confirmed and Suspected Contaminated Sites List in April 2005.
- 2006 Site Hazard Assessment (SHA):
  - A ground-penetrating radar and magnetic survey was conducted in August 2005 (**Figure 2**). No buried metallic objects and no signs of excavation were found.
  - Five soil samples (SP1 through SP5) were collected at 1 foot bgs in areas of the former drums, debris piles, and former house (**Figure 2**). Soil sample SP2, collected from the former drum storage area, contained cPAHs concentration above the soil cleanup level.
  - Two groundwater samples were collected from the two closest drinking water wells (**Figure 4**). The water sample collected from the Landsworth Creek water system well contained arsenic and cPAHs concentrations above the groundwater cleanup levels. Please note the cPAH concentration in a blank water sample also exceeded the groundwater cleanup level. Therefore the cPAH result from the well was not considered an accurate representation of conditions in the well water.
  - In February 2006, Ecology listed the Site on the Hazardous Sites List, with a hazard ranking of 2 (moderate to high risk).
- 2015 soil sampling and remedial excavation:
  - Soil samples were collected at five locations (SL-1, S1-SL-1.5, SL-2, SL-3, and SL-4) in the former drum storage area from the ground surface to 1.5 feet bgs (**Figure 2**). The surface soil samples collected from SL-1 and SL-2 contained arsenic concentrations above the soil cleanup level.
  - A 10-foot by 10-foot excavation was subsequently completed to a depth of 1.5 feet bgs in the former drum storage area (**Figure 2**). Approximately 5.5 cubic yards of contaminated soil were removed from the Site. Two soil samples (DSA-S5 and DSA-S6),

collected at the bottom of the excavation did not contain detectable cPAHs. Nine soil samples (CS-1 through CS-9) collected in November 2020, at ground surface to 1.5 feet bgs, did not contain detectable arsenic (**Figure 2**).

- 2021 to 2022 soil sampling and remedial excavation:
  - Fourteen surface soil samples (2021-SS-1 through 2021-SS-14) were collected from the two former debris piles, the former house and drum area, and the former drum storage area in June 2021 (**Figure 5**).
  - One surface soil sample (2021-SS-02) from former debris pile area contained a lead concentration above the soil cleanup level. A 10-foot by 10-foot excavation was completed to 2 feet bgs to remove soil. Lead concentrations were below the soil cleanup level in confirmation soil samples (2021-SS-47 through 2021-SS-49; **Figure 5**).
  - Two surface soil samples (2021-SS-10 and 2021-SS-11) contained concentrations of TPHd plus TPHo above the soil cleanup level. A 10-foot by 10-foot excavation was completed to 2 feet bgs to remove soil. TPHd plus TPHo concentrations were below the soil cleanup level in confirmation soil samples (2021-SS-50 through 2021-SS-52; **Figure 5**). A total of approximately 31 cubic yards (46.53 tons) of soil was excavated from the two areas. Excavations were not backfilled.
  - In July 2021 and March 2022, six monitoring wells (MW-1 through MW-6) were installed at the Site (**Figure 3**). Soil samples were collected from each monitoring wells between 2.5 and 25 feet bgs. Contaminant concentrations in these soil samples were below soil cleanup levels.
- Groundwater Sampling:
  - In March 2018, a direct-push soil boring was advanced to 20 feet bgs in the former drum storage area. One groundwater sample collected from the boring contained concentrations of TPHg and BTEX below the groundwater cleanup levels.
  - Groundwater samples were collected from monitoring wells MW-1 through MW-5 in four quarters from July 2021 to April 2022. Groundwater samples were collected from monitoring well MW-6 in two quarters in April and July 2022. All groundwater samples contained contaminants concentrations below the groundwater cleanup levels.

## Site Diagrams

Enclosure A: Figure 1



21 D:\wgs\21 ESC\21 Silverdale Property FILE: SILVERDALE FIG 1.DWG PLOTTED: 10/20/21.

SOURCE: ALLTRAILS SOFTWARE PROGRAM 2017.

DATE: OCTOBER 2021  
 REV.: -  
 CHKD: K.L.W  
 DRAWN: C.E.H.  
 PROJ. No.: 104-21020



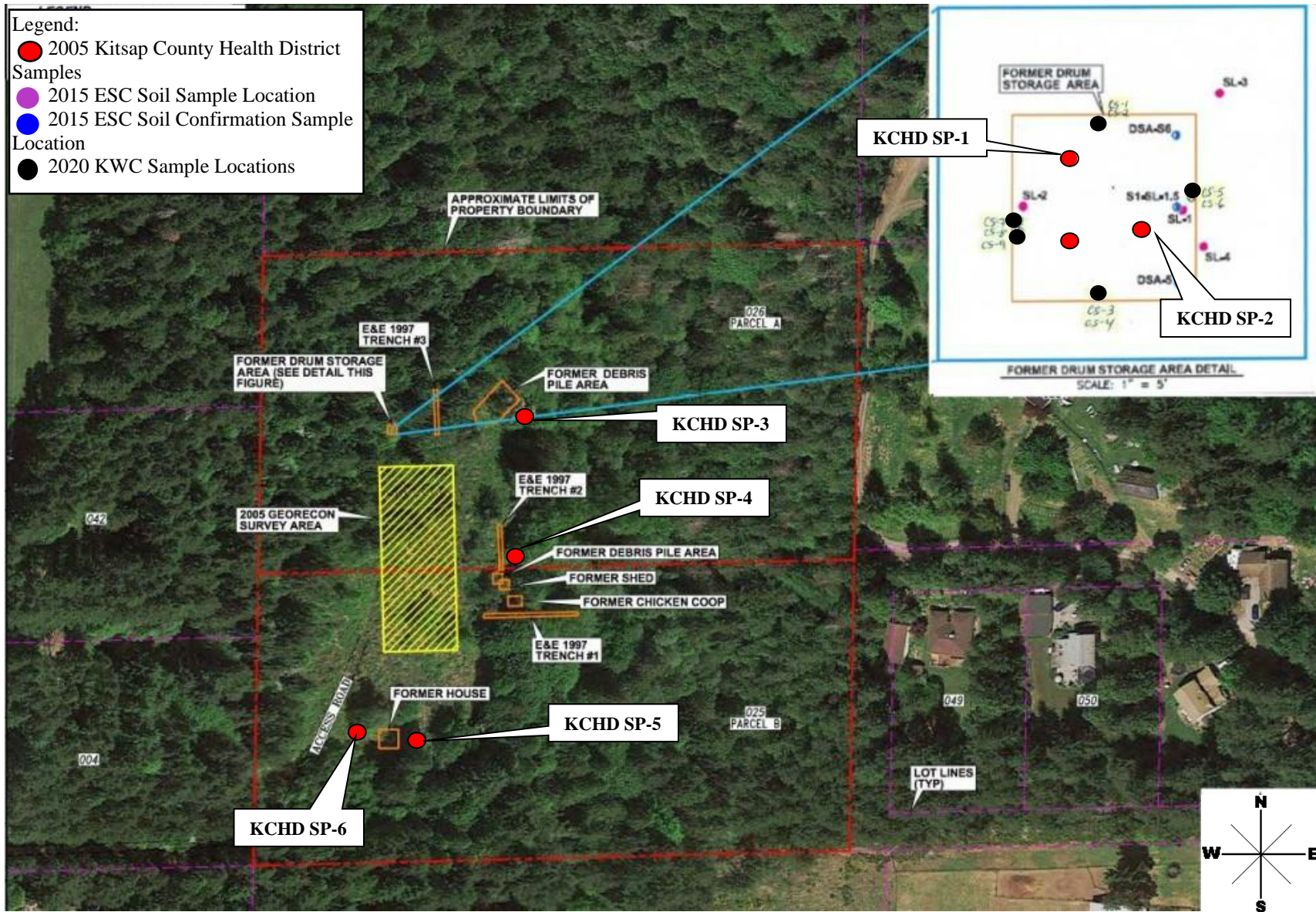
**SITE LOCATION MAP**

JSP SILVERDALE LOTS 24 AND 25  
 Silverdale, Washington


**FIGURE**

**1**

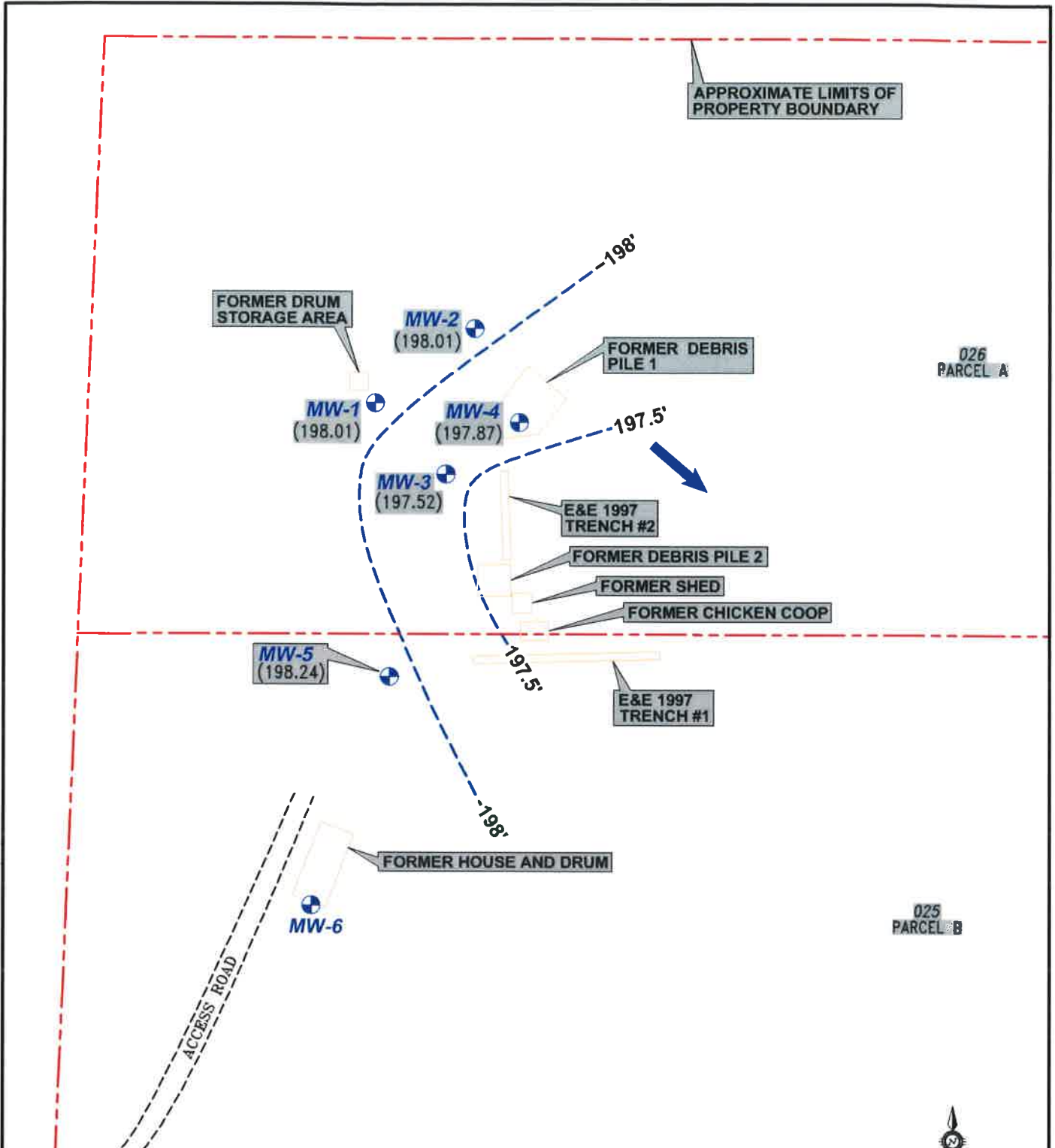
# Enclosure A: Figure 2



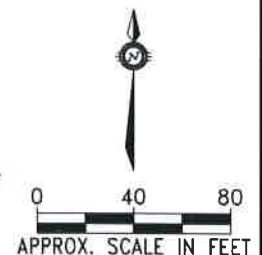
Source: Google Maps

<b>SITE MAP-Previous Sampling Locations</b>  Seitz Property – Lots 25 & 26 Sampling and Analysis Plan Brian Lane Silverdale, Washington	Scale: NTS	Date: April 2021	 <b>SITE DEVELOPMENT ENGINEERS</b> <i>Conducting Assessments Nationwide</i>
	Drawn by: CB	Approved by: SEW	
	Project No. 104-21018	Figure No. 3	

# Enclosure A: Figure 3



LEGEND	
<b>MW-1</b>	MONITORING WELL LOCATION
(198.01)	GROUNDWATER ELEVATION 1/21/22 (FEET)
<b>-198'</b>	GROUNDWATER CONTOUR (FEET)
	INFERRED DIRECTION OF GROUNDWATER FLOW



22\_D:\wps\22\_ESC\22\_Silverdale\_FIG\_3.DWG PLOTTED: 5/3/22

DATE: MAY 2022
REV.: -
CHKD: K.L.W.
DRAWN: C.E.H.
PROJ. No.: 104-21020



<b>SITE PLAN</b>
JSP SILVERDALE LOTS 25 AND 26 Silverdale, Washington


<b>FIGURE</b>
<b>2</b>



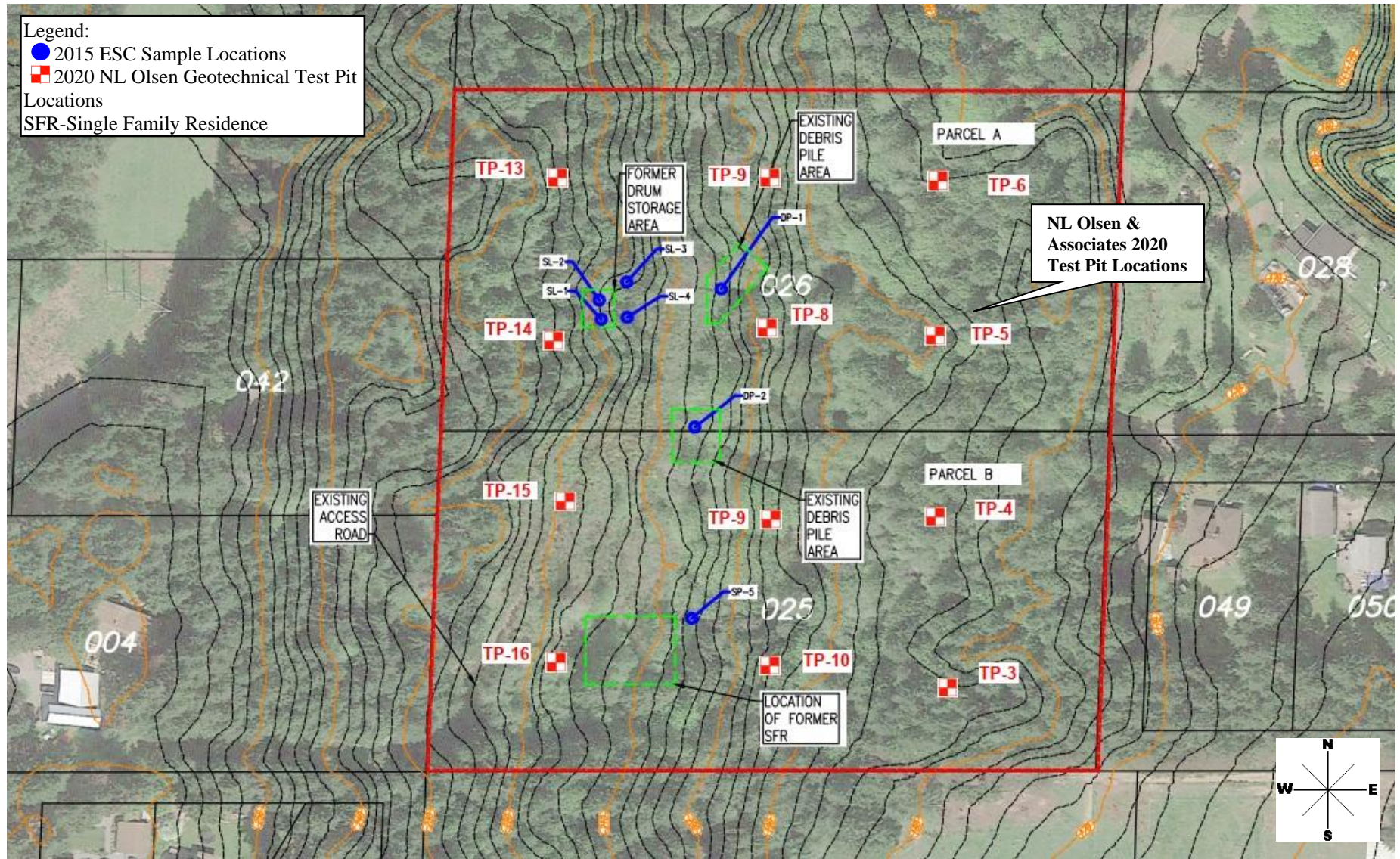
# Enclosure A: Figure 4



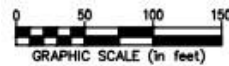
Source: Google Maps


<b>VICINITY MAP</b>  Seitz Property – Lots 25 & 26 Sampling and Analysis Plan Brian Lane Silverdale, Washington	<b>Scale:</b> NTS	<b>Date:</b> April 2021	 <b>SITE DEVELOPMENT ENGINEERS</b> <i>Conducting Assessments Nationwide</i>
	<b>Modified by:</b> CB	<b>Approved by:</b> SEW	
	<b>Project No.</b> 104-21020	<b>Figure No.</b> 1	

# Enclosure A: Figure 5

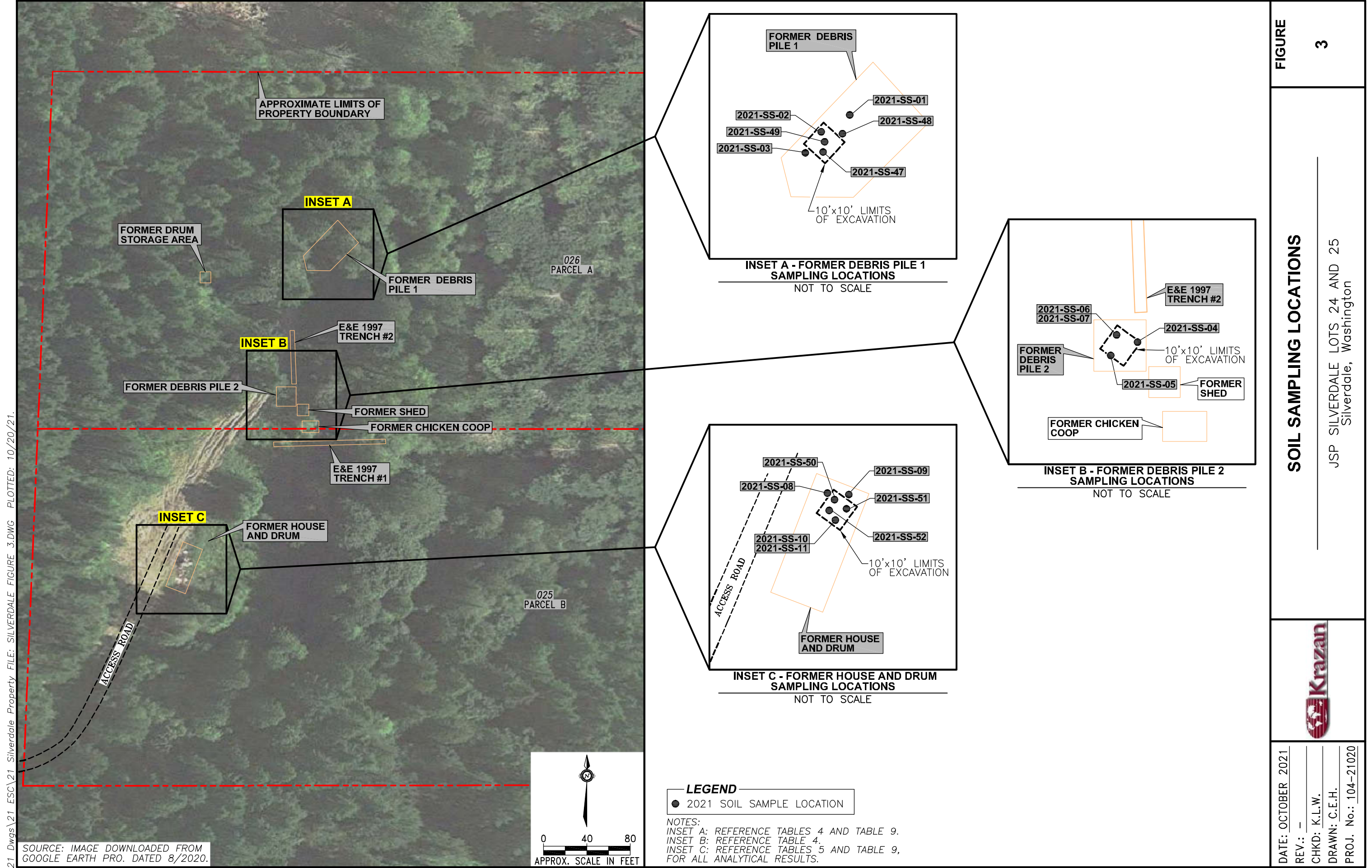


Source: Google Maps



<b>SITE MAP-Previous Sampling Locations</b>  Seitz Property – Lots 25 & 26 Sampling and Analysis Plan Brian Lane Silverdale, Washington	Scale: 1"=100'	Date: April 2021	 <b>SITE DEVELOPMENT ENGINEERS</b> <i>Conducting Assessments Nationwide</i>
	Drawn by: CB	Approved by: SEW	
	Project No. 104-21018	Figure No. 4	

# Enclosure A: Figure 6



21 Dws\21 ESC\21 Silverdale Property FILE: SILVERDALE FIGURE 3.DWG PLOTTED: 10/20/21.

SOURCE: IMAGE DOWNLOADED FROM GOOGLE EARTH PRO. DATED 8/2020.

**FIGURE**  
**3**

## SOIL SAMPLING LOCATIONS

JSP SILVERDALE LOTS 24 AND 25  
Silverdale, Washington



## Enclosure B

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Basis for the Opinion: List of Documents

1. Ecology and Environment, Inc., *Silverdale Dump Site Removal Site Assessment Trip Report*, October 30, 1997.
2. Washington State Department of Ecology (Ecology), *Environmental Report Tracking System (ERTS) #547121, Seitz Property, Brian Kane NW, Silverdale, Washington*, March 29, 2005.
3. Kitsap County Health District (KCHD), *Sampling and Analysis Plan, Seitz Property SHA, No Address, Kitsap County Tax Parcel ID# 082501-4-025-2001, Silverdale, Washington*, November 3, 2005.
4. KCHD, *Site Hazard Assessment, Seitz Property, off Brian Lane, Silverdale, WA*, February 7, 2006.
5. EnviroSound Consulting Inc., *Site Soil Investigation, Seitz Property, Silverdale, Washington*, November 30, 2015.
6. Ecology, *Re: Further Action at the following Site: Seitz Property, Brian Lane NW, Silverdale, WA 98383*, June 22, 2016.
7. Ecology, *Re: Request for Information on Status of VCP Project for the following Site: Seitz Property, Brian Lane NW, Silverdale, WA 98383*, January 16, 2018.
8. Ecology, *Resource Protection Well Report, Seitz Property, Silverdale, WA 98383*, March 8, 2018.
9. ESN Northwest Chemistry Laboratory, *Groundwater Sample Laboratory Analytical Results, Project Silverdale, Washington*, March 12, 2018.
10. ESN Northwest Chemistry Laboratory, *Groundwater Sample Laboratory Analytical Results, Project Silverdale, Washington*, March 13, 2018.
11. Ecology, *Re: VCP Customer Response to Ecology Request for Information on Status of VCP Project for the following Site: Seitz Property, Brian Lane NW, Silverdale, WA 98383*, June 25, 2018.
12. Ecology, *Re: Termination of VCP Agreement for the following Site: Seitz Property, Brian Lane NW, Silverdale, WA 98383*, December 3, 2018.
13. Letter from Andrew Seitz, *Seitz Property – Silverdale*, April 11, 2019.
14. Ecology, *Re: Seitz Property, Brian Lane NW, Silverdale, WA 98383*, April 25, 2019.

15. Associated Environmental Group, LLC, *Phase I Environmental Site Assessment, Seitz Property, Tax Parcels 08250140252001 and 08250140262000, Silverdale, Washington 98383*, July 19, 2020.
16. Krista Webb Consulting (KWC), *Letter Report, Seitz Property, Brian Lane NW, Silverdale, Washington, Kitsap County Parcel IDs: 082501-4-026-2000 and 082501-4-25-2001*, September 22, 2020.
17. KWC, *Letter Report, Seitz Property, Brian Lane NW, Silverdale, Washington, Kitsap County Parcel IDs: 082501-4-026-2000 and 082501-4-25-2001*, November 19, 2020.
18. Ecology, *Re: Further Action at the following Site, Seitz Property, Brian Lane NW, Silverdale, WA 98383, VCP #NW3293*, March 9, 2021.
19. Krazan & Associates, Inc., *Sampling and Analysis Plan, Soil and Groundwater Sampling, Lots 25 and 26, Seitz Property, Brian Lane NW, Silverdale, Washington*, April 26, 2021.
20. Ecology, *Opinion pursuant to WAC 173-340-515(5) on Remedial Action for the following Hazardous Waste Site, Seitz Property, Brian Lane NW, Silverdale, Washington 98383, VCP #NW3313*, June 7, 2021.
21. Krazan & Associates, Inc., *Sampling and Analysis Plan - Revised, Soil and Groundwater Sampling, Lots 25 and 26, Seitz Property, Brian Lane NW, Silverdale, Washington*, June 10, 2021.
22. Krazan & Associates, Inc., *Remedial Investigation Report, JSP Silverdale Lots 25 and 26, Brian Lane NW, Silverdale, Washington*, October 19, 2021.
23. Krazan & Associates, Inc., *Groundwater Quarterly Monitoring – Third Quarter Summary Letter, Lots 25 & 26 of the JSP Silverdale site, NW Brian Lane Silverdale, Washington*, February 22, 2022.
24. Ecology, *Opinion pursuant to WAC 173-340-515(5) on Remedial Action for the following Hazardous Waste Site, Seitz Property, Brian Lane NW, Silverdale, Washington 98383, VCP #NW3313*, February 24, 2022.
25. Krazan & Associates, Inc., *Response to Ecology Letter, Seitz Property (Lots 25 & 26), Brian Lane NW, Silverdale, Washington*, March 14, 2022.
26. Krazan & Associates, Inc., *Groundwater Quarterly Monitoring – Fourth Quarter Summary Letter Lots 25 & 26 of the JSP Silverdale site NW Brian Lane Silverdale, Washington*, April 29, 2022.

27. Krazan & Associates, Inc., *Groundwater Quarterly Monitoring – Monitoring Well MW-6 Second Quarter Summary Letter, Lots 25 & 26 of the JSP Silverdale site, NW Brian Lane Silverdale, Washington, July 11, 2022.*