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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
Southwest Region Office

PO Box 47775 • Olympia, Washington 98504-7775 • 360-407-6300

March 28, 2023

Pam Skillman  
Alpine Plating  
1551 Center St  
Tacoma, Washington 98409  
[pam.skillman@decibelsinc.com](mailto:pam.skillman@decibelsinc.com)

**Re: Notice of 3rd Periodic Review conducted at the following Hazardous Waste Site:**

- **Site name:** Alpine Plating
- **Site address:** 1551 Center St, Tacoma, Pierce County, Washington 98409
- **Facility/Site ID:** 1278
- **Cleanup Site ID:** 3258

Dear Pam Skillman:

This letter serves to inform you that the Department of Ecology (Ecology) conducted the 3rd Periodic Review at the Alpine Plating Site. The [Model Toxics Control Act \(MTCA\)](#),<sup>1</sup> chapter [70A.305](#)<sup>2</sup> Revised Code of Washington (RCW), which governs the cleanup of hazardous waste sites in Washington State, requires a periodic review of all sites with institutional controls and environmental covenants be conducted every five years.

The periodic review process includes the following steps:

- Confirmation that the environmental covenant is still active and recorded with the title to the property.
- A review of any monitoring data collected since the cleanup was completed or since the last review was conducted.
- A Site visit to confirm the institutional controls and conditions of the environmental covenant are being followed.

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<sup>1</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/9406.html>

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

- A 30-day public comment period on the draft periodic review report.

Based on the information collected during this 3rd periodic review, the Alpine Plating Site appears to meet the requirements of chapter 173-340 Washington Administrative Code (WAC), and the selected remedy continues to be protective of human health and the environment.

The 30-day public comment period on the draft periodic review report ended on June 19, 2022. We received 0 public comments on the draft periodic review report. Enclosed is the final periodic review report for your information.

A periodic review is performed every five years as long as institutional controls and/or an environmental covenant are required to protect human health and the environment. The next periodic review will be due in June of 2027.

If you have any questions or if you would like additional information on the cleanup of hazardous waste sites, please contact me at 360-485-3987 or [andrew.smith@ecy.wa.gov](mailto:andrew.smith@ecy.wa.gov). Thank you for your cooperation.

Sincerely,



Andrew Smith, P.E.  
Toxics Cleanup Program  
Southwest Region Office

Enclosure(s): Third Periodic Review Report

By certified mail: 9489 0090 0027 6382 0424 29

cc (by email): Ecology Site File



# **THIRD PERIODIC REVIEW REPORT FINAL**

**Alpine Plating  
Facility Site ID#: 1278  
Cleanup Site ID#: 3258**

**1551 Center Street  
Tacoma, Washington 98409**

**Southwest Regional Office  
TOXICS CLEANUP PROGRAM**

**May 2022**

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## 1.0 INTRODUCTION

This document is the third periodic review conducted by the Washington State Department of Ecology (Ecology) of post-cleanup site conditions and monitoring data to assure that human health and the environment are being protected at the former Alpine Plating Site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA), Chapter 173-340 Washington Administrative Code (WAC). The second periodic review was completed in July 2016. This periodic review will evaluate the period from August 2016 through September 2021.

Cleanup activities at this Site were initiated under a United States Environmental Protection Agency (USEPA) Administrative Order. Ecology issued an opinion on remedial actions at the Site through the Voluntary Cleanup Program (VCP) in 2001 under VCP No. SW0284. The cleanup actions resulted in concentrations of chromium and lead remaining at the Site in soil that exceed MTCA Method C industrial cleanup levels for soil. The MTCA cleanup levels for soil are established under Chapter 173-340-745 WAC. As a result of residual contamination, institutional controls were required for the Site to be eligible for a No Further Action (NFA) determination. WAC 173-340-420(2) requires Ecology conduct a periodic review of a site every five years under the following conditions:

- Whenever the department conducts a cleanup action.
- Whenever the department approves a cleanup action under an order, agreed order or consent decree.
- Or, as resources permit, whenever the department issues a No Further Action (NFA) opinion.
- And one of the following conditions exists:
  - (a) Institutional controls or financial assurance are required as part of the cleanup.
  - (b) Where the cleanup level is based on a practical quantitation limit.
  - (c) Where, in the department's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site.
- (b) New scientific information for individual hazardous substances of mixtures present at the Site.

- (c) New applicable state and federal laws for hazardous substances present at the Site.
- (d) Current and projected Site use.
- (e) Availability and practicability of higher preference technologies.
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

## **2.0 SUMMARY OF SITE CONDITIONS**

### **2.1 Site History**

The Alpine Plating property is located at 1551 Center Street in the City of Tacoma in Pierce County, Washington. The Site consists of a small building facing Center Street to the south that contains office space and storage space for communications equipment. A secured, fenced parking area for service vehicles is located behind the building to the north. The Site is surrounded by a combination of residential, commercial and industrial properties. Upgradient to the north of the Site is a residential neighborhood, separated by a small greenbelt. To the east and west are commercial properties; and to the south is a lumber mill and other industrial facilities on the opposite side of Center Street.

The Site operated as a metal plating facility since 1966. It was sold in 1977, and again in 1985, but continued to operate as a plating facility until it was purchased in 2007 for use as a granite stonework office and showroom. The Site is currently owned and occupied by Decibels, Inc., a telecommunications service company.

The Site has a long regulatory history involving the City of Tacoma, the Tacoma Pierce County Health District, USEPA and Ecology.

A vicinity map is available as Appendix 6.1 and a Site plan is available as Appendix 6.2.

### **2.2 Site Investigations**

While operating as a plating facility, Alpine Plating had the capability to plate chrome, brass, nickel, cadmium, tin, copper, gold, and silver. The method of metal plating involved applying a metallic coating to another material.

The liquid that dripped from parts during transfer between tanks was referred to as "drag out" and was the main source of hazardous waste at the Site. Between dips into different plating baths and rinse tanks, the part was allowed to drip onto the floor of the shop. The liquid then accumulated in a trough in the floor. The trough, a concrete sump that runs the length of the concrete floor, is approximately one-foot deep by one-foot wide by thirty-feet long. Drag out from the cyanide plating bath solution released to the floor and trough is considered spent solution. An F007 waste is defined as spent cyanide plating bath solutions from electroplating operations (40.CFR 261.31). Therefore, drag out from APC is considered an F007 listed waste. F007 waste is co-mingled in the floor trough with drag out from rinse water from other plating (non-cyanide) and stripping (non-cyanide) tanks. All of the mixed wastes then meet the definition of an F007 waste.

### **2.3 Regulatory Actions Site**

The regulatory record for the Site began in 1977 when an Ecology inspection identified chemical spillage, concrete floor erosion, and suggested sampling of wastewater effluent. In 1981, the City of Tacoma Sewer Utility Division sampled effluent and issued a letter stating that

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wastewater effluent contained concentrations of copper, nickel, zinc and chromium that exceeded allowable limits. USEPA involvement at the Site began in 1985 when a potentially hazardous waste site preliminary assessment was conducted. It was determined that wastewaters were discharged to city sewers and the sludges were shipped to a landfill for disposal. However, the Site was not registered as a generator or handler of hazardous wastes. A USEPA inspection in 1987 also identified the storage of unidentified waste liquids on Site. At the time there was no evidence of spills or stressed vegetation outside the facility. In 1988, all sewer discharges were ceased by plugging their floor drains. Until 1988, the facility appeared to operate with reasonable care and cleanliness. Wastes were accumulating and stored improperly, but overall Site conditions were acceptable and appropriate permits were in place with the City of Tacoma Sewer Utility Division.

In 1990, an Ecology inspection revealed several deficiencies. Most importantly, the facility was in violation of the dangerous waste regulations (WAC 173-303) by storing solid and known dangerous wastes on Site for a period of several years. Continued inspections throughout 1990 revealed that waste handling and storage procedures were not improving and significant violations remained. In early 1991, following the threat of enforcement by Ecology, dangerous wastes were removed from the Site by ChemPro.

Between 1991 and 1994, Alpine Plating continued to violate permit requirements with the Tacoma Pierce County Health District (TPCHD) and the South Tacoma Groundwater Protection District. A 1994 inspection reported that the facility had 'significantly deteriorated'. At this time, Alpine Plating was notified that they were scheduled for a Site Hazard Assessment (SHA) by Ecology. The SHA was conducted by the TPCHD. Several soil samples and process samples were collected during the SHA Site inspection. Six of the seven soil samples that were collected revealed the presence of copper, cadmium, chromium, nickel or lead above MTCA Method A cleanup levels. The SHA resulted in a hazard ranking of "2" out of 5, with 1 being the highest hazard and 5 being the lowest hazard.

In early 1998, additional inspections were conducted by Ecology. Several violations were identified, and deadlines for completing tasks were listed. Subsequent inspections revealed that no attempt had been made to correct the violations and the deadlines had not been met. In January 1999, Ecology issued a penalty for \$57,000 to Alpine Plating for these violations.

In 1999, USEPA contracted Ecology and Environment, Inc. (E&E) to conduct a Removal Assessment (RA) at the Site. The RA was intended to evaluate soil contamination at the Site and determine whether a removal action was feasible. This assessment included four areas of sampling:

1. Surface soil samples – 13 surface soil samples were collected from 0 to 6 inches below ground surface (bgs). Samples were analyzed for metals, VOCs and cyanide. All 13 samples exceeded at least one of the industrial regulatory levels for one or more metals.
2. Subsurface soil samples – Seven subsurface samples were collected in two-foot intervals from 4-6 feet bgs and 8-10 feet bgs using a Geoprobe™ direct push sampler. Samples

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were analyzed for metals and cyanide. All seven of the samples exceeded at least one of the industrial regulatory levels for one or more metals.

3. Container samples – 73 samples were collected from chemical storage containers and submitted for Hazard Categorization analysis. Hazard Categorization results indicated that there were 182 gallons of flammable liquids, 55 gallons of flammable solids, 2,924 gallons of poisons, and 751 gallons of corrosives.
4. Wipe samples – five wipe samples were collected from building interior surfaces. Samples were analyzed for Toxicity Characteristic Leaching Procedure (TCLP). Arsenic, cadmium, chromium and lead were detected in all four wipe samples.

## 2.4 Remedial Activities

Ecology and Environment, Inc., (E&E) under the USEPA Superfund Technical Assessment and Response Team Contract completed a Removal Assessment Report in 1999. Subsurface soils surrounding the building contained chromium at a maximum concentration of 1650 milligrams per kilogram (mg/kg), which exceeds MTCA Method A cleanup level. It was determined that these soils could be left in place as long as a restrictive covenant (RC) was recorded for the property that restricted use to industrial activities.

Samples collected from borings through the floor of the building indicated the presence of chromium, cyanide and lead at concentrations exceeding MTCA Method C cleanup levels to a maximum depth of four feet bgs. Chromium was detected at a maximum concentration of 8500 mg/kg, cyanide was detected at a maximum concentration of 2100 mg/kg, and lead was detected at a maximum concentration of 21,000 mg/kg.

It was determined that efforts would be made to remediate soils beneath the building without removing the structure. Remediation of the building interior consisted of several steps, including: Removal of portions of the concrete floor, removal of portions of building walls and drywall, and pressure washing of building interior surfaces. Following remedial activities, additional soil samples were collected to determine the concentration of residual soil contamination, and additional wipe samples were collected to verify that remaining surfaces were clean. Chromium was detected in one sample at a concentration (405 mg/kg) exceeding the MTCA Method A cleanup level of 19 mg/kg.

A table containing sample results is available as Appendix 6.3.

## 2.5 Groundwater Contamination

Results from the subsurface soil samples collected beneath the plating shop floor exceeded MTCA Method A cleanup standards. The extent of this contamination, however, appeared to be localized to the first few feet beneath the plating shop floor and did not extend beyond four feet bgs. Groundwater is estimated to be located below 25 feet bgs at the Site. Therefore, this contamination does not likely pose a threat to groundwater and groundwater monitoring was not required for the Site.

## **2.6 Cleanup Levels and Point of Compliance**

WAC 173-340-704 states that MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used. MTCA Method B cleanup levels may be used for substances where a MTCA Method A table value is not available, or where specific exposure pathways can be eliminated.

MTCA Method A cleanup levels for unrestricted land use were determined to be appropriate for contaminants at this Site. The cleanup actions conducted at the Site were determined to be 'routine', few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance. Though the Site is zoned industrial, it is adjacent to residential properties and industrial cleanup levels are not appropriate.

For soil, the point of compliance is the area where the soil cleanup levels must be attained. For this Site, the standard point of compliance is established as soils throughout the Site.

## **2.5 Site Closure and Institutional Controls**

Following remedial actions at the Site in 2000, USEPA issued a letter of determination stating that groundwater and subsurface soil contamination at the Site did not need to be addressed further. USEPA also referred all other authority on these issues to Ecology.

Ecology determined that the Site would be eligible for a NFA determination if institutional controls were implemented in the form of an RC to prevent exposure to contaminated groundwater. In December 1999, a RC was recorded with Pierce County for the Site and Ecology issued a NFA letter in March 2000. The RC contains the following restrictions:

Section 1: The Property shall be used only for non-residential uses, as defined in and allowed under the City of Tacoma's zoning regulations. Chromium contaminated surficial soils remain above the Method A Residential Cleanup Level in limited locations under the parking areas in the rear of the present manufacturing facility. The property may be used for non-residential purposes only until further testing confirms that the Property meets all residential standards for chromium.

Section 2: Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3: Any activity that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4: The owner of the Property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without

adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5: The owner must restrict leases to uses and activities consistent with the RC and notify all lessees of the restrictions on the use of the Property.

Section 6: The owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of the RC. Ecology may approve any inconsistent use only after public notice and comment.

Section 7: The Owner shall allow authorized representatives of Ecology that right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

Section 8: The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this RC shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

The Restrictive Covenant is available as Appendix 6.4.

## **3.0 PERIODIC REVIEW**

### **3.1 Effectiveness of Completed Cleanup Actions**

#### **3.1.1 Site Conditions**

Based upon the Site visit conducted on April 14, 2021, the building and industrial use of the Site continue to eliminate the exposure to soils with concentrations of chromium that exceed residential cleanup standards. The Site surfaces appear in satisfactory condition and no repair, maintenance or contingency actions have been required. The Site continues to operate as a commercial building with limited public access.

A photo log is available as Appendix 6.5.

Soils remain at the Site with chromium concentrations that exceed MTCA Method A cleanup levels. The publically accessible areas are asphalt, which serves to further reduce human exposure to any residual contaminated soils, however the restrictive covenant does not require the maintenance of these structures and surfaces.

#### **3.1.2 Groundwater**

No groundwater samples were collected at the Site to determine whether or not the groundwater has been impacted by this contamination. However, based on the following information, it is Ecology's opinion that the groundwater is not of any concern at this Site:

- Soil contamination did not extend beyond five to six feet bgs.
- The majority of the contaminant source material was removed through excavation, and
- The depth of groundwater is below 25 feet bgs in the vicinity of the Site.

#### **3.1.3 Institutional Controls**

The restrictive covenant for the Site was recorded with Pierce County and remains active and enforceable. There is no evidence that another instrument has been recorded that limits the applicability or effectiveness of the covenant. The restrictive covenant prohibits the use of groundwater from the Site, as well as activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the covenant. This restrictive covenant serves to assure the long term integrity of the remedy.

### **3.2 New Scientific Information for Individual Hazardous Substances for Mixtures Present at the Site**

There is no new scientific information for the petroleum contaminants related to the Site.

### **3.3 New Applicable State and Federal Laws for Hazardous Substances Present at the Site**

There are no new relevant state or federal laws regarding hazardous substances known to be at the Site.

### **3.4 Current and projected Site use**

The Site is currently used for commercial and industrial purposes. There have been no changes in current or projected future Site or resource uses.

### **3.5 Availability and practicability of higher preference technologies**

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

### **3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels**

The analytical methods used at the time of the remedial action were capable of detection below MTCA Method A cleanup levels. However, analyses did not specify whether detected chromium was trivalent or hexavalent. The MTCA Method A cleanup level for trivalent chromium is 2,000 mg/kg, while the cleanup level for hexavalent chromium is 19 mg/kg. Post-remedial confirmation samples collected in 2001 indicated a maximum residual chromium concentration of 1,650 mg/kg; which is below MTCA Method A cleanup level for trivalent chromium, but exceeds the hexavalent chromium cleanup level.

## 4.0 CONCLUSIONS

This periodic review has resulted in the following conclusions:

- The cleanup actions completed at the Site appear to be protective of human health.
- Soil cleanup levels have not been met at the Site; however, the cleanup action for the Property is determined to comply with cleanup standards under WAC 173-340-740(6) (f), since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The restrictive covenant for the property is in place and continues to be effective in protecting public health and the environment from exposure to contaminated groundwater beneath the Site and protecting the integrity of the cleanup action.

Based on this periodic review, Ecology has determined that the requirements of the restrictive covenant continue to be met. No additional cleanup actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the remedy is maintained.

### 4.1 Next Review

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

## **5.0 REFERENCES**

Department of Ecology. Second Periodic Review report. February 2016.

Ecology and Environment. Trip Report, Alpine Plating Company. January 29, 1988.

Ecology and Environment. Alpine Plating Company Removal Assessment Report. September 1999.

Nowicki and Associates. Subsurface Soil Sampling Report. July 19, 2000.

United States Environmental Protection Agency. Alpine Plating Determination. August 7, 2000.

Smith Alling Lane Attorneys at Law. Restrictive Covenant. August 16, 2001.

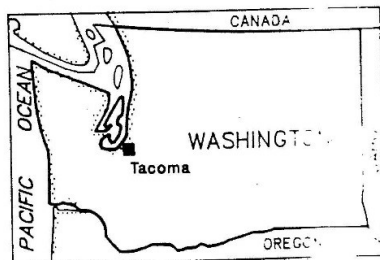
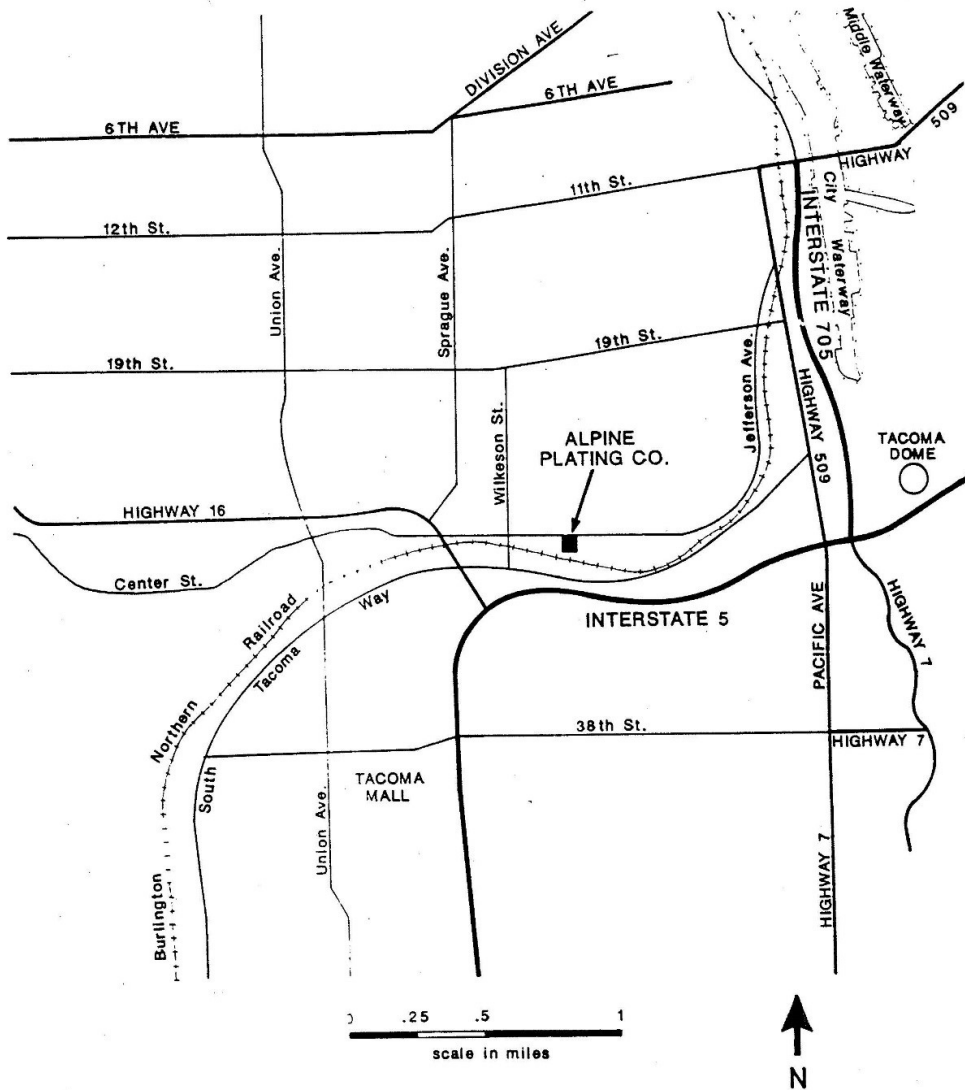
Department of Ecology. No Further Action Determination Letter. August 22, 2001.

Department of Ecology. Periodic Review Report. May 10, 2010.

Department of Ecology. Site Visit. April 14, 2021.

## **6.0 APPENDICES**

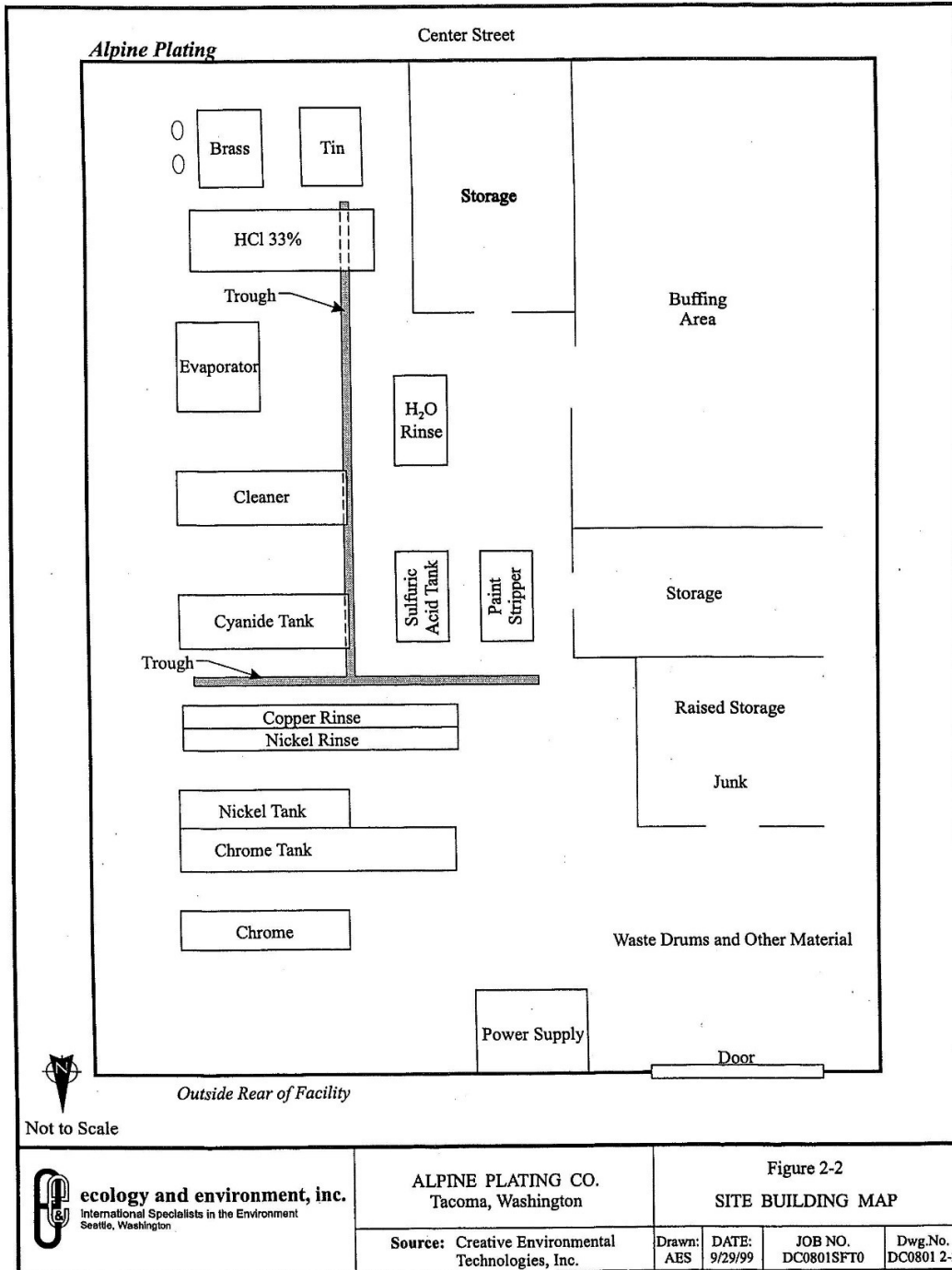
6.1 Vicinity Map



|                             |                     |
|-----------------------------|---------------------|
| ecology & environment, inc. |                     |
| Job: F10-8711-05            | Waste Site: WA 0055 |
| Drawn by: B.T.              | Date: Jan. 27, 1988 |

FIGURE 1  
 LOCATION MAP  
 ALPINE PLATING CO.  
 Tacoma, WA

6.2 Site Plan



### 6.3 Soil Boring Data

**Table 2 – Laboratory Data**  
Concentrations are expressed in mg/Kg (ppm) for soil and mg/L (ppm) for water (rinse).

| WA-MTCA A Standards<br>Industrial Soil | Lead<br>1000                  | Mercury<br>1.0                  | Chromium<br>500            | Arsenic<br>200                | Cyanide*<br>1,600             | VOC<br>20.0 Xylenes  |
|--|-------------------------------|---------------------------------|----------------------------|-------------------------------|-------------------------------|--|
| Soil Boring 1<br>Concrete              | 40                            | Nd                              | Nd                         | 46                            | 8.1                           | Nd   |
| 0' to 4'                               | 33                            | Nd                              | Nd                         | 31                            | 1.7                           | Nd   |
| 4' to 8'                               | 19                            | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| 8' to 12'                              | 7.5                           | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| 12' to 16'                             | 12                            | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| Soil Boring 2<br>Concrete              | 21000                         | Nd                              | 8500                       | Nd                            | 2100                          | 0.18 Xylenes   |
| 0' to 4'                               | 420                           | Nd                              | 510                        | Nd                            | 23                            | Nd   |
| 4' to 8'                               | 210                           | Nd                              | 200                        | Nd                            | 14                            | Nd   |
| 8' to 12'                              | 25                            | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| 12' to 16'                             | 5.5                           | Nd                              | Nd                         | Nd                            | 5.4                           | Nd   |
| Soil Boring 3<br>Concrete              | 11                            | Nd                              | Nd                         | 29                            | 28                            | Nd   |
| 0' to 4'                               | 17                            | Nd                              | Nd                         | Nd                            | 0.71                          | Nd   |
| 4' to 8'                               | 6.1                           | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| 8' to 12'                              | Nd                            | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| 8'-12' D (Field Duplicate)             | Nd                            | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| 12' to 16'                             | Nd                            | Nd                              | Nd                         | Nd                            | Nd                            | Nd   |
| Rinse Water                            | 0.00068                       | Nd                              | 0.0088                     | Nd                            | Nd                            | Nd   |
| Method Detection Limit                 | 5 (Soil)<br>0.0005<br>(Water) | 0.5 (Soil)<br>0.0002<br>(Water) | 20 (Soil)<br>0.001 (Water) | 20 (Soil)<br>0.006<br>(Water) | 0.2 (Soil)<br>0.05<br>(Water) | 0.05 (Soil)<br>0.25 - vinyl chloride (Soil)<br>0.001 (Water)<br>0.005 - vinyl chloride (Water) |

\* Method B Standard

### 6.4 Restrictive Covenant

08/17/01 10:41 FAX 253 027 0123

SMITH ALLING LANE

→ NOWICKI & ASS

002

200108160832 5 pg  
8-16-2001 03:47 PM \$12.00  
PIERCE COUNTY, WASHINGTON

|  |
|--|
| <b>Name &amp; Return Address</b><br>Edward G. Hudson<br>Smith Alling Lane, P.S.<br>1102 Broadway Plaza, #403<br>Tacoma, WA 98402 |
|--|

Please print legibly or type information

|   |
|---|
| <b>Document Title (Or transaction contained therein)</b><br>Restrictive Covenant  |
| <b>Grantor(s) (Last name first, then first name, middle name)</b><br>Richards, Ramona, Mae, Estate of, Verderico, Leland, John, Executor<br><b>Additional Names on Page</b> _____ <b>of Document</b>  |
| <b>Grantee(s) (Last name first, then first name, middle name)</b><br>The Public<br><b>Additional Names on Page</b> _____ <b>of Document</b>   |
| <b>Legal Description (Abbreviated: i.e., lot, block, plat or section, township, range)</b><br>East 1/2 of Lots 16, 17, 18, 19 and 20 of Block 1, E.L. Sawyer's Addition to Tacoma,<br>Pierce County, Washington<br><b>Complete Legal Description on Page</b> _____ <b>of Document</b> |
| <b>Auditor's Reference Number(s)</b>  |
| <b>Assessor's Property Tax Parcel/Account Number(s)</b><br>741500040  |
| <b>The Auditor/Recorder will rely on the information provided on this cover sheet. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.</b>   |

08/17/01 16:41 FAX 253 627 0123

SMITH ALLING LANE

→ NOWICKI & ASS

003

RETURN TO:

Edward G. Hudson  
Smith Alling Lane  
1102 Broadway, #403  
Tacoma, WA 98402

**RESTRICTIVE COVENANT**

Alpine Plating  
1551 Center Street  
Tacoma, WA

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by the estate of Ramona Mae Richards, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology") to the beneficiaries of the estate of Ramona Mae Richards, their heirs, successors and assigns.

An independent remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Restrictive Covenant. The Remedial Action conducted at the property is described in the following documents:

- **Alpine Plating Final Report**, dated November 22, 2000 as prepared by Nowicki & Associates, Inc. for the US Environmental Protection Agency
- **Notice of Completion of Removal Action**, Alpine Plating Inc., dated December 29, 2000 from Chris D. field, Unit Manager, Office of Environmental Cleanup, US Environmental Protection Agency Region X to Nowicki & Associates, Inc.

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- **Final Report** dated August 7, 2001 from Nowicki & Associates, Inc. to Washington State Department of Ecology.

THESE documents are on file at Ecology's Southwest Regional Office, SWRO.

This Restrictive Covenant is required because the Remedial Action resulted in residual concentrations chromium which exceed the Model Toxics Control Act Method METHOD A Residential Cleanup Level for SOIL established under WAC 173-340-900.

The undersigned, estate of Ramona Mae Richards, is the fee owner of real property (hereafter "Property") in the County of Pierce, State of Washington, that is subject to this Restrictive Covenant. The Property is legally described as follows, the East ½ of Lots 16, 17, 18, 19 and 20 of Block 1, E.L. Sawyer's Addition to Tacoma, Pierce County, Washington.

The estate of Ramona Mae Richards makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. The Property shall be used only for non-residential uses, as defined in and allowed under the City of Tacoma's zoning regulations.

Chromium contaminated surficial soils remain above the Method A Residential Cleanup Level in limited locations under the parking areas in the rear of the present manufacturing facility.

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The property may be used for non-residential purposes only until further testing confirms that the Property meets all residential standards for chromium.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) days advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to

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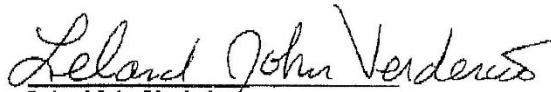
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take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.



Leland John Verderico  
Executor for the Estate of Ramona Mae Richards

DATED: August 10, 2001

6.5 Photo Log



Photo 1: Former Alpine Plating Facility – from the east



Photo 2: North Side of Facility - from the north

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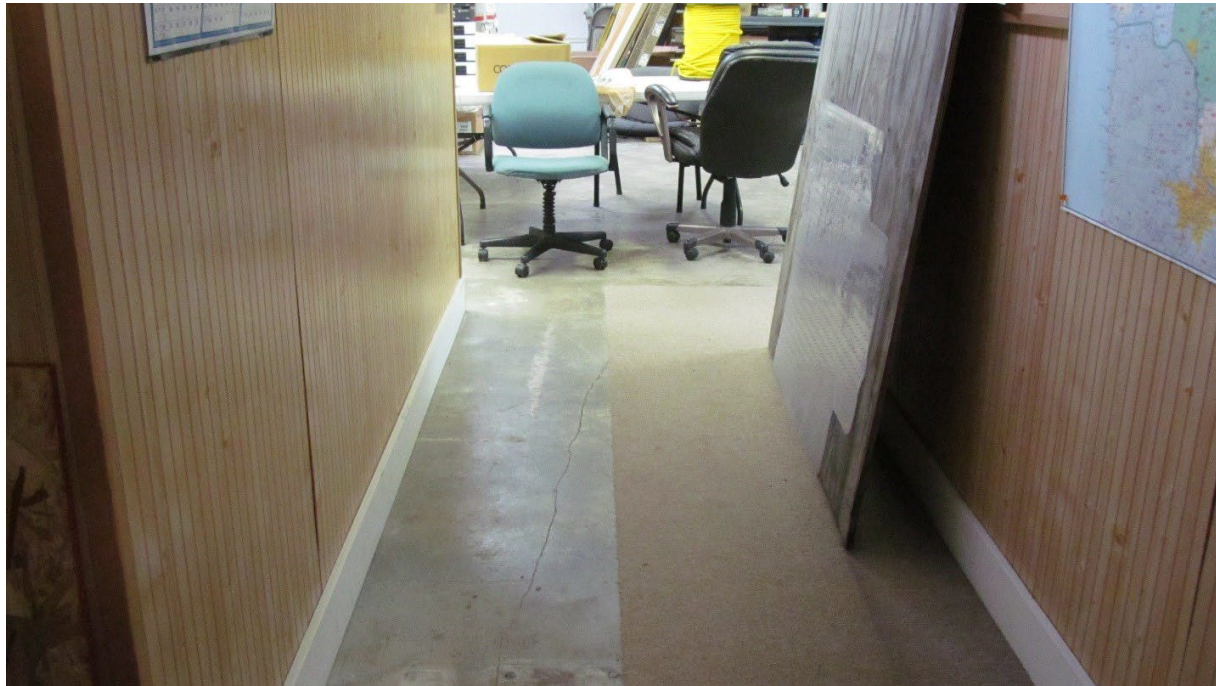


Photo 3: Interior Concrete Floor – from the south.



Photo 4: Rear of Building and Parking Area – from the west