



ATLAS GEOSCIENCES NW

January 27, 2023
Project No. 02-0099-E

Mr. Sean O'Neil
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Subject: Status Update Letter
Villa Element Property
12625 & 12629 NE Woodinville Drive
Woodinville, Washington

Dear Mr. O'Neil:

Atlas Geosciences NW (Atlas) is pleased to provide this letter updating the status of the Villa Element Property at 12625 and 12629 Northeast Woodinville Drive in Woodinville, Washington (subject property) with regard to recommendations made based on the results of previous environmental investigations. At the time of the previous investigations, the subject property consisted of two contiguous tax parcels totaling approximately 0.21 acre of land improved with an approximately 1,653-square-foot residence/office and associated gravel parking and landscaping (King County parcel nos. 9518100035 and 9518100045). Atlas understands that SYS, LLC (Client) has since redeveloped the subject property into a mixed-use apartment building.

Atlas prepared a Phase I Environmental Site Assessment (ESA) for the subject property, dated April 26, 2021. Based on the findings, the following Recognized Environmental Condition (REC) was identified relative to the subject property:

- Former Off-Site Gasoline Service Station: The east-adjointing property was formerly occupied by a service station from approximately the 1930s to 1976. Two 550-gallon underground storage tanks (USTs) formerly containing gasoline were removed from the right-of-way east of the subject property in 2015. A petroleum release to the soil was identified, and subsequent investigation activities confirmed adversely-affected soil and groundwater within 10 feet of the subject property boundary, the extent of which is currently not known. The presence of contaminated soil and groundwater within 10 feet of the subject property boundary constitutes a REC.

Atlas subsequently performed a Focused Phase II Subsurface Investigation (Focused Phase II) to evaluate the potential for the abovementioned REC to have adversely affected the subject property and to assess the extents of the on-property affected soils,

if encountered, in order to inform a rough estimate of the incremental costs associated with managing the contamination as part of the subject property redevelopment plans. Based on the findings of the Focused Phase II, the following conclusions were made:

- Soils on the northeastern portion of the subject property have been adversely-affected by the identified petroleum release originating from the east-adjointing property.
- Groundwater analytical results indicated significant petroleum-related impacts to the groundwater at the subject property, originating from the east-adjointing property. The extent of the identified groundwater impacts was not determined during the Focused Phase II.
- The contaminant concentrations detected in the groundwater suggest a potential vapor intrusion risk at the subject property. The future structure was considered potentially at risk based on a review of proposed plans that were provided at that time.

Atlas also provided recommendations in the Focused Phase II, which are presented below along with a discussion of their implementation at the subject property.

The identified adversely-affected soil and groundwater appear to be associated with a release from the former east-adjointing UST system, which has already been reported to Ecology. The Revised Code of Washington (RCW) expressly exempts from liability any person who owns or operates a property where hazardous substances have come to be located "solely as a result of migration ...through the groundwater from a source off the property" [RCW 70.105D.020(22)(iv)]. This exemption is generally referred to as the "Plume Clause." In order to qualify for this exemption, the person must demonstrate that the hazardous substance in question has not been used, placed, managed or handled on the property, the person has not performed any actions that could exacerbate the release, the person does not interfere with remedial actions that may need to occur on their property, and access is provided to the property to allow for remedial actions to occur.

Based on the fact that gasoline use has not been documented at the subject property and evidence of an on-property release of gasoline has not been identified, the subject property may qualify for the above-mentioned Plume Clause liability exemption.

Atlas also recommended that the Focused Phase II report be submitted to Ecology to ensure that cleanup efforts undertaken to address the off-property release at the adjoining property also address the identified adversely-affected media present on the subject property. Atlas submitted the Focused Phase II report to Ecology on January 27, 2023.

In order to avoid potential liability for cleanup of the identified contamination, Atlas recommended that design features for the new subject property building should avoid anything that might inhibit future cleanup efforts (e.g., building over previously-

accessible contaminated soils) or exacerbate existing conditions (e.g., constructing a stormwater infiltration gallery in the vicinity of the contaminated area).

The subject property has since been redeveloped, and the Client has provided as-built plans of the new structure for review, in order to evaluate whether this recommendation was implemented at the subject property. Based on a review of the plans, the building was not constructed above the adversely affected soil and groundwater on the northeastern portion of the subject property. Furthermore, the as-built plans indicate that stormwater falling onto the subject property is captured in various drains and catch basins that are tightlined to the municipal storm sewer. Excess irrigation water associated with the landscaped area on the northeastern corner of the subject property is conveyed to a footing drain that discharges to the municipal storm sewer.

Atlas also recommended that vapor mitigation measures be incorporated into the design of the planned structure to mitigate the vapor intrusion risk.

Although the new building does not appear to directly overly the impacted area, petroleum vapors have a lateral migration distance of 30 feet, which suggests that a vapor intrusion condition may still exist. Based on information provided by the Client, a Husky Yellow Guard vapor barrier (10-mil thickness) was installed beneath the concrete floor slab of the structure. Based on discussions with a Husky representative, the 10-mil vapor barrier would mitigate some, but not all, of the petroleum vapors. However, the entire bottom floor of the structure is used for parking, with no residential units, and is well ventilated. Furthermore, the northern portion of the garage rests above the existing grade. Given the minimal area potentially affected, the incorporation of a liner beneath the slab, the above grade and ventilated nature of the parking garage and the lack of residential units at ground level, the vapor intrusion risk to the building residents is considered negligible.

Based on the information provided by the Client, it appears that the recommendations presented by Atlas in the Focused Phase II have been implemented at the subject property.

This status update is based strictly on information provided by the Client regarding the redevelopment activities at the subject property. Subsequent changes to subject property conditions, such as subject property redevelopment or changes to ground cover, or changes in applicable regulatory requirements have the potential to materially affect the conclusions and/or recommendations of this status update. If any such changes are apparent, the Client should contact Atlas about reevaluating the findings of the Focused Phase II investigation and/or this status update to incorporate the new information. The conclusions and/or recommendations are not to be construed as legal interpretation or advice. No warranties, express or implied, are intended or made herein.

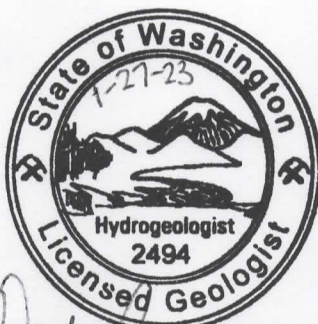
This letter report was prepared for the exclusive use of the Client, and its agents for specific application to the subject property and is subject to the agreed-upon terms and conditions included in our proposal for this scope of work. Atlas personnel performed this assessment in accordance with generally accepted standards of care that existed in the

State of Washington at the time of this study. Our findings and conclusions have been prepared in accordance with generally accepted professional practice in the area at this time. We make no other warranty, either express or implied.

We appreciate this opportunity to provide these services. Please do not hesitate to call if you have any questions.

Sincerely,

ATLAS GEOSCIENCES NW



Elizabeth Ann Rachman

Elizabeth Rachman, L.G., L.Hg.
Principal Hydrogeologist