



April 4, 2023

Rachel Caron, Ecology Site Manager
Washington State Department of Ecology
1250 West Alder Street
Union Gap, WA 98903

**Re: Request for Consent Decree Negotiations
New City Cleaners Site, Facility Site ID: 327, Cleanup Site ID: 4894**

Dear Ms. Caron:

This letter is submitted on behalf of HLH, Inc. c/o Beveridge & Diamond P.C., and Landye Bennett Blumstein, LLP, for the purpose of initiating Consent Decree negotiations for the New City Cleaners Site (Site). Working with the Washington State Department of Ecology (Ecology) on behalf of HLH, Aspect Consulting, LLC (Aspect) prepared a Remedial Investigation and Feasibility Study (RI/FS) and draft Cleanup Action Plan (dCAP) for the Site under Agreed Order No. DE 6558. The RI/FS characterizes the nature and extent of contamination at the Site. The dCAP selects a cleanup action that has been demonstrated to be effective for Site conditions and will achieve cleanup standards within a reasonable restoration time frame. In its May 10, 2021 letter, Ecology determined that HLH satisfied the requirements of the Agreed Order and indicated HLH will implement the CAP under a Consent Decree.

The Site is well characterized and the plan for remedial action defined, making Consent Decree negotiations appropriate for CAP implementation. This letter provides information in accordance with Washington Administrative Code (WAC) 173-340-520(1)(a) and references the final RI/FS and dCAP for more detailed Site information.

Property and Site Description

The New City Cleaners Site is at 747 Stevens Drive in Richland, Washington (Property). The Property is a 0.5-acre parcel (Benton County Parcel ID Number 110981020600018) containing an approximately 4,300-square foot, single-story, slab-on-grade cinder-block building. The Property is bordered to the east by Stevens Drive, to the north by a vacant lot used for parking, to the south by a vehicle maintenance facility owned by the Richland School District, and to the west by a former railroad spur, reportedly identified as the Hanford Works Railroad. Benton County currently owns the former railroad spur. A surface water swale owned by the City of Richland is located west of the Benton County property. The Site is listed with Ecology under Facility Site ID No. 327 and Cleanup Site ID No. 4894.

Summary of Historical Use

The Property was developed as early as the late 1940s as a dry cleaning facility. Since then, it has been used for commercial dry cleaning operations. The use of tetrachloroethylene (PCE) was initiated in 1974. The dry cleaning operation ceased the use of PCE in 2014, and the current New City Cleaners operation uses a non-chlorinated/non-fluorinated "EcoSolv" safety solvent.



Environmental Conditions, Releases, and Potential Impacts of Releases

PCE was reportedly stored in 55-gallon drums on a rack in the southwest corner of the Property until 1975, when an apparent act of vandalism caused a release of an unknown quantity of PCE to the ground. Between 1974 and the early 1980s, wastes from dry cleaning operations were reportedly placed in a dumpster(s) situated in various locations on the western undeveloped portion of the Property. Environmental investigation data also indicate that potential releases to a floor drain inside the building entering a side sewer may have occurred.

Environmental investigations conducted between 1997 and 2017 identified PCE and its degradation products trichloroethylene, cis-1,2-dichloroethylene, and vinyl chloride in Site soil, groundwater, and soil gas exceeding applicable Model Toxics Control Act (MTCA) cleanup and screening levels. Diesel-range total petroleum hydrocarbon (TPH) occurs in soil at concentrations exceeding the MTCA Method A cleanup level. The completed investigations characterized the nature and extent of contamination at the Site as described in the RI/FS.

The Site is defined by the extent of Site constituents of concern (COCs) concentrations in groundwater exceeding cleanup levels, which extends to adjacent properties described in the RI/FS. The fate and transport of Site COCs consists of:

- Leaching of COCs from soil to groundwater
- Dissolved-phase COCs transport in groundwater
- Volatilization of COCs present in unsaturated zone soil and groundwater, and subsequent vapor-phase migration in soil gas

HLH has conducted numerous interim cleanup actions at the Site, as reported in the RI/FS. A soil removal action in 2000 removed 5,100 tons of PCE-contaminated soil to the maximum practicable extents. In 2014, HLH implemented another interim cleanup action, which used enhanced anaerobic bioremediation (EAB) at a pilot scale to evaluate the remediation technology at the Site and begin treatment of groundwater. Groundwater monitoring at the Site demonstrated natural attenuation mechanisms are occurring in the groundwater plume. The pilot test successfully demonstrated the effectiveness of the EAB technology at reducing the highest groundwater concentrations at the New City Cleaners building.

Other Potentially Liable Persons

Paul and Bettie Haverluck and HLH Inc. (collectively, "HLH") are the potentially liable persons (PLPs) who entered into Agreed Order No. DE 6558 and are the PLPs for the Site. The current owners, Choon Kun Cha, Bok N. Cha, Hong Min Park, and Geum Soo Park, are also PLPs for the Site.

Proposed Remedial Action and Schedule

As described in the dCAP, the selected cleanup action for the Site consists of the EAB technology for groundwater treatment, monitored natural attenuation of groundwater, and institutional controls. The implementation of EAB will enhance the natural attenuation of groundwater and accelerate the

restoration time frame. The institutional controls are necessary to prohibit the use of groundwater until groundwater cleanup levels are achieved.

The CAP work schedule will be as follows:

CAP Implementation	Schedule
Public Comment Period for dCAP, SEPA Determination, and Consent Decree (CD)	30-day duration
Finalize CAP	Within 30 days of public comment period ending
Draft Pre-Design Investigation (PDI) Work Plan	Within 60 days of effective date of CD
Final PDI Work Plan	Within 30 days of Ecology comments
Implement PDI Work Plan	Within 45 days of Ecology approval of PDI Work Plan
Draft Engineering Design Report (EDR) and Groundwater Compliance Monitoring Plan (CMP)	Within 180 days of effective date of CD
Cleanup Completion Report	Within 60 days of completing remedy implementation
Annual Compliance Monitoring Reports	Due annually 30 days after CD effective date until groundwater cleanup levels are achieved

Special Scheduling Considerations

HLH will need to closely coordinate the work on the Property with the current Owners to minimize disruption to their operations. Off-Property groundwater monitoring requires access agreements with numerous property owners.

Date for Detailed Proposal

HLH can prepare a detailed proposal at any time to facilitate the consent decree negotiations and development. It intends to work with Ecology to find a mutually agreeable date for the detailed proposal required under WAC 173-340-520(1)(a)(vi).

Public Participation Plan

HLH will conduct the work in accordance with an Ecology Public Participation Plan. Ecology will respond to any public comments received during the public comment period. If determined necessary by Ecology, the final CAP will incorporate any public comments.

Expeditious Cleanup

HLH has conducted numerous interim cleanup actions at the Site to improve the environmental conditions and address exposure pathways at the Site. The completed RI/FS and dCAP allow

Ecology to determine the nature, extent, and sources of contamination at the Site, apply appropriate cleanup standards, and assess whether the proposed remedial action will achieve standards within a reasonable timeframe. Additionally, Ecology can make other determinations regarding the adequacy or suitability of the selected remedial action and its compliance with regulatory requirements based on the completed technical work. HLH will implement compliance monitoring to ensure protectiveness of the cleanup.

To date, HLH has worked successfully with Ecology in complying with and satisfying the requirements of the Agreed Order. HLH is ready, willing, and able to complete the cleanup action in a timely fashion.

WAC 173-340-510(1) encourages PLPs to initiate negotiations with Ecology that may lead to an agreement on the remedial action. The Site meets the criteria and characteristics for Ecology oversight and justifies the dedication of Ecology and Attorney General resources to negotiate a consent decree. To fully address Site needs, it is necessary to execute a Consent Decree with a covenant not to sue and contribution protection. We believe the public, the environment, and both parties will benefit from CAP implementation under the Consent Decree.

Conclusion

The above information demonstrates that a consent decree will lead to a more expeditious cleanup. Therefore, HLH requests that Ecology initiate Consent Decree negotiations for the Site.

Limitations

Work for this project was performed for HLH (Client), and this letter was prepared in accordance with generally accepted professional practices for the nature and conditions of work completed in the same or similar localities, at the time the work was performed. This letter does not represent a legal opinion. No other warranty, expressed or implied, is made.

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Sincerely,

Aspect consulting, LLC



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cc: Tracy Williams, Beveridge & Diamond PC