



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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November 13, 2015

Mr. Aaron Thom
Exxon Mobil Environmental Service
2555 West 190th Street
Torrance, CA 90504

Re: Further Action at the Following Site:

- **Site Name:** Mobil 99BLV
- **Site Address:** 1500/1510 145th Place SE, Bellevue, WA
- **Facility/Site No.:** 36214799
- **Cleanup Site ID No.:** 8876
- **VCP Project No.:** NW2892

Dear Mr. Thom:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Mobil 99BLV facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

YES. Ecology has determined that further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

Description of the Site

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

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- Petroleum hydrocarbons: Total petroleum hydrocarbons – Gasoline Range Organics (TPH-GRO); -Diesel Range Organics (TPH-DRO), and Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX) in Soil and Ground Water.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel associated with this Site is affected by other sites.

Basis for the Opinion

This opinion is based on the information contained in the following documents:

1. Cardno ERI, May 28, 2015, Remedial Investigation and Soil Assessment Report.
2. Cardno ERI, January 26, 2015, Soil Assessment and Well Installation Data Transmittal.
3. Cardno ERI, June 25, 2014, Site Data Transmittal – 2nd Quarter 2014.
4. Cardno ERI, May 13, 2014, Voluntary Cleanup Program Application and Confirmation Boring Work Plan.

These documents are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. You can make an appointment by calling the NWRO resource contact at (425) 649-7235 or sending an email to nwro_public_request@ecy.wa.gov.

This opinion is void if any of the information contained in those documents is materially false or misleading.

Analysis of the Cleanup

Ecology has concluded that **further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Based on all the data collected from the Site, Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action.

The records showed that an initial site assessment conducted in 1991 at this former gas service station revealed that petroleum hydrocarbons was present in soil and ground water. As a result of a release incident reported in 1992, Ecology listed the Site in its leaking underground storage tank (LUST) list.

From 1991 to 2007, a total of eight site assessments were performed to characterize the nature and extent of contamination in soil and ground water at this Site. Cleanup efforts including installation of a soil vapor extraction (SVE) system and a ground water air sparging (AS) system were implemented in 2005 and 2007, respectively. In addition, ground water on the Site has been monitored since 2005.

2. Establishment of cleanup standards.

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

a. Cleanup levels.

Soil: Soil cleanup levels for unrestricted land use are suitable for the Site. For unrestricted land use, including the human direct contact and soil-to-ground water pathways, Method A cleanup levels defined in MTCA can be utilized.

Ground Water: This Site is also appropriate to utilize MTCA Method A ground water cleanup levels defined in MTCA for unrestricted land use at this Site.

b. Points of compliance.

Soil: The point of compliance for contaminated soil is based on the protection of ground water and it is applied Site-wide throughout the soil profile, which may extend below the water table.

Ground Water: The point of compliance for ground water is throughout the Site from the uppermost level of the perched zone to the lowest saturated aquifer which could potentially be affected by the Site.

3. Selection of cleanup actions.

Ecology has determined the cleanup action you are currently conducting at the Site does not meet the substantive requirements of MTCA for a no further action (NFA) determination.

Multiple investigative phases at the Site were conducted between 1991 and 2007 to assess the Site contamination. Based on the laboratory results of soil and ground water sampling, petroleum hydrocarbon contaminants were confirmed in soil and ground water at concentrations exceeding MTCA Method A cleanup levels. The contamination was confirmed to be the result of releases during operations of this former gasoline service facility.

While operations of the SVE and AS systems successfully cleaned up contamination in soil below the cleanup levels, exceedances in ground water remained in the ground water (at the well, MW13B). After operations of the SVE and AS systems were terminated, ground water monitoring was conducted on a regular basis. Based on the latest monitoring round in June, 2014, exceedances of Method A of petroleum contaminants are still present in ground water at MW13B.

To obtain a NFA determination for this Site, petroleum hydrocarbons in ground water at concentrations below Method A cleanup levels for a minimum of four consecutive quarterly monitoring events at all of the monitoring wells.

Limitations of the Opinion

1. 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 70.105D.040(4).

2. 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 70.105D.080 and WAC 173-340-545.

3. 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 70.105D.030(1)(i).

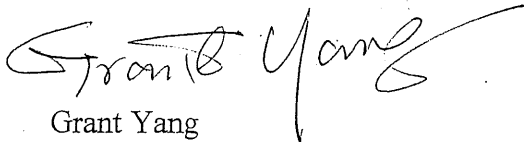
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Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion, please contact me by phone at (425) 649-7126 or e-mail at gyan461@ecy.wa.gov.

Sincerely,



Grant Yang
Site Manager
Toxics Cleanup Program

cc: Michael Miller, Cardno ERI