



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
TTY 711 or 800-833-6388 (For the Speech or Hearing Impaired)

May 17, 2006

Mr. Robert Cugini, Vice President
Barbee Mill Company
4101 Lake Washington Blvd. North
Renton, Washington 98057

Re: Opinion pursuant to WAC 173-340-515(5) on Proposed Remedial Action for the following Hazardous Waste Site:

- Name: Barbee Mill
- Address: 4101 Lake Washington Blvd. N., Renton WA 98057
- Facility/Site No.: 76716221
- VCP No.: NW0182

Dear Mr. Cugini:

Thank you for submitting documents regarding your proposed remedial action for the Barbee Mill facility (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether your proposed remedial action is likely to be sufficient to meet the specific substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Arsenic in Ground Water

Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in



Mr. Robert Cugini
May 17, 2006
Page 2

accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding your proposed remedial action(s):

1. May 15, 2006, Supplemental Information to *Independent Remedial Action Plan Addendum, Upland Areas, Prepared for Barbee Mill Co., Inc.*, Aspect Consulting, LLC
 2. February 8, 2006 Draft, *Independent Remedial Action Plan Addendum, Upland Areas, Prepared for Barbee Mill Co., Inc.*, Aspect Consulting, LLC
 3. September 6, 2000, *Independent Remedial Action Plan, Upland Areas, Barbee Mill Company*, Hart Crowser, Inc.
 4. May 10, 1999, *Re: Review of Site History and Characterization Data and Proposed Additional Investigation Work, Barbee Mill Company*, letter report by Hart Crowser, Inc.
 5. January 25, 1999, *Re: Review of Facility Areas at Barbee Mill*, memorandum by Hart Crowser, Inc.
 6. December 17, 1998, *Re: Supplemental Report, Additional Site Data, Barbee Mill*, letter report by Hart Crowser, Inc.
 7. November 17, 1998, *Re: Waste Designation at the Barbee Mill Site, Renton, Washington*, letter report by Hart Crowser, Inc.
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8. November 17, 1998, *Updated Summary of soil and Groundwater Data, Barbee Mill, Renton, Washington*, letter report by Hart Crowser, Inc.

The reports listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact, Sally Alexander, at (425) 649-7239.

The Site is defined by the extent of contamination caused by the following release(s):

- Arsenic in Ground Water

Mr. Robert Cugini
May 17, 2006
Page 3

The Site is more particularly described in Enclosure A to this letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of your proposed remedial action and supporting documentation listed above, **Ecology has determined that the proposed remedial action is likely to be sufficient to meet the specific substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:**

- Arsenic in Ground Water

A remedial action addressing arsenic in soil was recently completed at the Site, reportedly in accordance with the September 6, 2000 Independent Remedial Action Plan referenced above. This plan, approved by Ecology by letter on September 12, 2000, focused on addressing soil with arsenic concentrations in excess of the MTCA Method A cleanup level to a depth of 15 feet below ground surface. The remedial action comprised soil excavation/offsite disposal and ground water extraction and treatment contemporaneous with the excavation work. The remedial action was completed in early May, 2006.

Arsenic currently remains in shallow ground water at the Site at concentrations above cleanup levels. The proposed remedial action as described in the February 8, 2006 draft addendum referenced above consists primarily of a subsurface wall ("passive attenuation zone") constructed so as to reduce arsenic concentrations in ground water passing through the wall and discharging into Lake Washington. A ground water extraction and treatment system (pump-and-treat) is also being proposed to reduce arsenic loading on the wall as necessary and provide an additional means to achieve site cleanup in the event that groundwater treatment by the attenuation zone alone is inadequate. The proposed remedy also includes appropriate institutional controls including a restrictive covenant. Ecology acknowledges the February 8, 2006 draft addendum as final and accepts the plan as proposed.

This opinion does not represent a determination by Ecology that the proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain either of these opinions, you must submit an independent remedial action report to Ecology upon completion of the remedial action and request such an opinion under the VCP. **This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.**

Mr. Robert Cugini

May 17, 2006

Page 4

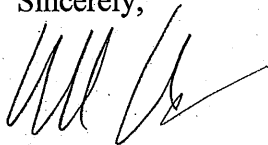
Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (425) 649-7107.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Adams', with a stylized flourish at the end.

Mark Adams
NWRO Toxics Cleanup Program

Enclosures: Attachment A

Cc: Timothy Flynn, Aspect Consulting, Inc.

ATTACHMENT A

Site Map – Barbee Mill
4101 Lake Washington Blvd. N., Renton, Washington

APPROXIMATE BOUNDARY OF SITE BARBEE MILL

Arsenic Concentrations in Groundwater

