



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

June 16, 2023

Robert Bliss  
General Services Administration  
1301 A Street, Suite 310  
Tacoma, WA 98402

**Re: No Further Action opinion for the following contaminated Site:**

Site name: GSA Federal Center S – Building 1206  
Site address: 4735 East Marginal Way S, Building 1206, Seattle, WA 98134  
Facility/Site ID: 18866  
Cleanup Site ID: 12493  
VCP Project No.: NW2930

Dear Robert Bliss:

The Washington State Department of Ecology (Ecology) received your request on October 3, 2022 for an opinion regarding the sufficiency of your independent cleanup of the GSA Federal Center S – Building 1206 facility (Site) under the Voluntary Cleanup Program (VCP).<sup>1</sup> This letter provides our opinion and analysis. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter [70A.305](#) RCW.<sup>2</sup>

## Opinion

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

Ecology bases this opinion on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in Chapter 70A.305 RCW and Chapter [173-340](#) WAC<sup>3</sup> (collectively called “MTCA”).

---

<sup>1</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

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

<sup>3</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

## Site Description

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

- Diesel and oil in soil
- Oil in groundwater.

Enclosure A includes the site description and diagrams.

Please note that releases from multiple sites can affect a parcel of real property. At this time, Ecology has no information that other sites affect the parcel(s) associated with this Site.

## Basis for the Opinion

Ecology bases this opinion on the information contained in the following documents:

- EHS-International, *US General Services Administration Federal Center South Underground Storage Tank Assessment Final Report*, October 5, 2011
- Riley Group, *Underground Storage Tank Closure Report*, July 23, 2014
- Kane Environmental, *Groundwater Quarterly Monitoring Report # 4 Fall 2016 – Federal Center South Underground Storage Tank*, October 5, 2016, (contains data from Reports 1,2, and 3)
- Kane Environmental, *Federal Center South Groundwater Monitoring Summary Report*, December 8, 2017

You can request these documents by filing a [records request](#).<sup>4</sup> For help making a request, contact the Public Records Officer at [recordsofficer@ecy.wa.gov](mailto:recordsofficer@ecy.wa.gov) or call (360) 407-6040. Before making a request, check whether the documents are available on the [Site webpage](#).<sup>5</sup>

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

## Analysis of the Cleanup

Ecology has concluded that no further remedial action is necessary to clean up contamination at the Site. Ecology bases its conclusion on the following analysis:

### Characterizing the Site

Ecology has determined your completed Site characterization is sufficient for setting cleanup standards and selecting a cleanup action. Enclosure A describes the Site.

---

<sup>4</sup> <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

<sup>5</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/12493>

In September of 2011, an assessment of the three underground storage tanks was performed. Samples of the contents of each tank were collected and analyzed for diesel, oil, arsenic, barium, cadmium, chromium, lead, selenium, silver, semi-volatile compounds, and polychlorinated biphenyls. All three samples were primarily diesel or diesel and oil. Chromium was detected at a concentration below site cleanup level in one sample. No other metals were detected in any of the three samples. Naphthalene and phenanthrene were detected in all three samples at concentrations below site cleanup level while acenaphthene and fluorene were detected in one sample also at concentrations below site cleanup levels. No other semi-volatile organic compounds were detected in any of the three samples. Polychlorinated biphenyls were not detected in any of the three samples.

In November of 2015, four groundwater monitoring wells were installed on the site. The wells were sampled in December of 2015 and in March, June, and September of 2016. The samples were analyzed for diesel and oil. Diesel was not detected in any of the sixteen samples. Oil was detected in ten of sixteen samples, with all concentrations below the site cleanup level. It may be concluded that the site groundwater is not contaminated with diesel or oil.

### Setting cleanup standards

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

Contaminant	Method A Soil Cleanup Level (mg/kg)	Method A Groundwater Cleanup Level (µg/L)
Diesel plus Heavy Oil <sup>6</sup>	2,000	500

A standard horizontal point of compliance, the property boundary, was used for soil contamination.

A standard vertical point of compliance, fifteen feet, for soils was established in the soils throughout the Site from the ground surface to fifteen feet below the ground surface (ft bgs). Fifteen feet is protective for direct contact with the contaminated soil.

A standard vertical point of compliance, from the uppermost level of the saturated zone to the lowest depth that could potentially be affected, was used for groundwater contamination.

---

<sup>6</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/0409086.html>

### **Selecting the cleanup action**

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

The cleanup action selected was excavation of contaminated soil with transportation off-site to a permitted facility. This action meets the minimum requirements for cleanup actions by providing a permanent solution, immediate restoration time frame, confirmation monitoring, and protects human health and the environment.

### **Implementing the cleanup action**

Ecology has determined your cleanup meets the standards set for the Site.

In March of 2014, the three underground storage tanks and 47 tons of petroleum contaminated soil were excavated and taken off-site to a permitted facility. Thirteen confirmational soil samples were collected and analyzed for diesel and oil. Diesel was not detected in any of the thirteen samples. Oil was detected in one of thirteen samples at a concentration exceeding the site cleanup level. The sample area was further excavated and two samples from the same excavation wall both had non-detectable concentrations of oil. It may be concluded that all petroleum-contaminated soil has been removed from the site.

In March and May of 2014, a grab sample of water present in the excavation was collected. In March, the excavation water sample was analyzed for gasoline, diesel, oil, benzene, ethylbenzene, toluene, xylene, and other volatile organic compounds. Gasoline, benzene, ethylbenzene, toluene, xylene, and other volatile organic compounds were not detected in the sample. Diesel and oil were both detected at concentrations exceeding the site cleanup level. Following a silica gel cleanup, both concentrations were below the site cleanup level. In May, the groundwater sample was analyzed for diesel, oil, and carcinogenic polycyclic aromatic hydrocarbons. Carcinogenic polycyclic aromatic hydrocarbons were not detected in the sample. Diesel and oil were both detected at concentrations exceeding the site cleanup levels.

The groundwater samples were grab samples, which are frequently unreliable. A silica gel cleanup of the March and May grab samples had concentrations of diesel and oil below the site cleanup level.

Subsequent installation of four groundwater monitoring wells – described above at the end of the Site Characterization section of this letter – and four quarterly rounds of groundwater monitoring found no detections of diesel and all detections of oil were below the site cleanup level. Therefore, Ecology concluded that the groundwater was not contaminated by diesel and oil above site cleanup standards.

You must decommission [resource protection wells](#)<sup>7</sup> installed as part of the remedial action that are not needed for any other purpose at the Site. Wells must be decommissioned in accordance with WAC [173-160-460](#).<sup>8</sup>

## **Listing of the Site**

Based on this opinion, Ecology will update the Site status on the Confirmed and Suspected Contaminated Sites List and the Leaking Underground Storage Tanks List].

## **Limitations of the Opinion**

### **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 [70A.305.040](#)(4).<sup>9</sup>

### **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 [70A.305.080](#)<sup>10</sup> and WAC [173-340-545](#).<sup>11</sup>

### **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 [70A.305.170](#)(6).<sup>12</sup>

---

<sup>7</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-410>

<sup>8</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-460>

<sup>9</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

<sup>10</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

<sup>11</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

<sup>12</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

Robert Bliss  
June 16, 2023  
Page 6

## **Termination of Agreement**

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing VCP Project No. NW 2930.

## **Questions**

If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (360) 407 - 7223 or email at [christopher.maurer@ecy.wa.gov](mailto:christopher.maurer@ecy.wa.gov).

Sincerely,



Christopher Maurer, P.E.  
Headquarters Cleanup Section  
Toxics Cleanup Program

Enclosure: A – Site Description and Diagrams

cc: Eric Nassau, Kane Environmental  
Fiscal, VCP Fiscal Analyst  
TCP, Operating Budget Analyst

# Enclosure A

---

Site Description and Diagrams



INDUSTRIAL ADD ALL POR BLK 23 INDUSTRIAL ADD TGW POR TRS 1 & 2 - 14  
THRU 17 - 35 & 53 KELLOGS TRS TGW POR VAC ST ADJ TGW LOTS C-D-E-F  
UNION PACIFIC ADD TGW BLK 382 SEATTLE TIDE LDS EXT #1 TGW POR VAC ST  
ADJ TGW POR VAC EXT DIAGONAL AVE S LESS CWW #1 DAF BEG 88.78 FT  
NWLY OF SE COR LOT 15 BLK 23 AS MEAS ALG E LN SD BLK 23 TH S 70-24-06 W  
244.26 FT TO SW COR LT 15 TH N 39-15-20 W TO N LN SLIP #1 DAWSON ST  
WATERWAY TH N 79-35-39 W 611.50 FT TO ELY MGN CWW #1 TH NWLY ALG SD  
E MGN TO NXN C/L OF EXT DIAGONAL AVE S TH NELY ALG SD C/L TO NLY COR  
OF VAC DIAGONAL AVE S VAC ORD 99555 TH SLY ALG ELY LN OF VAC TO SLY  
MGN OF SD AVE THOF TH NELY & ELY ALG SD MGN TO E LN OF SD BLK 23 TH  
SLY ALG SD E LN TO POB

**PLat Block:** 23

**Plat Lot:** POR



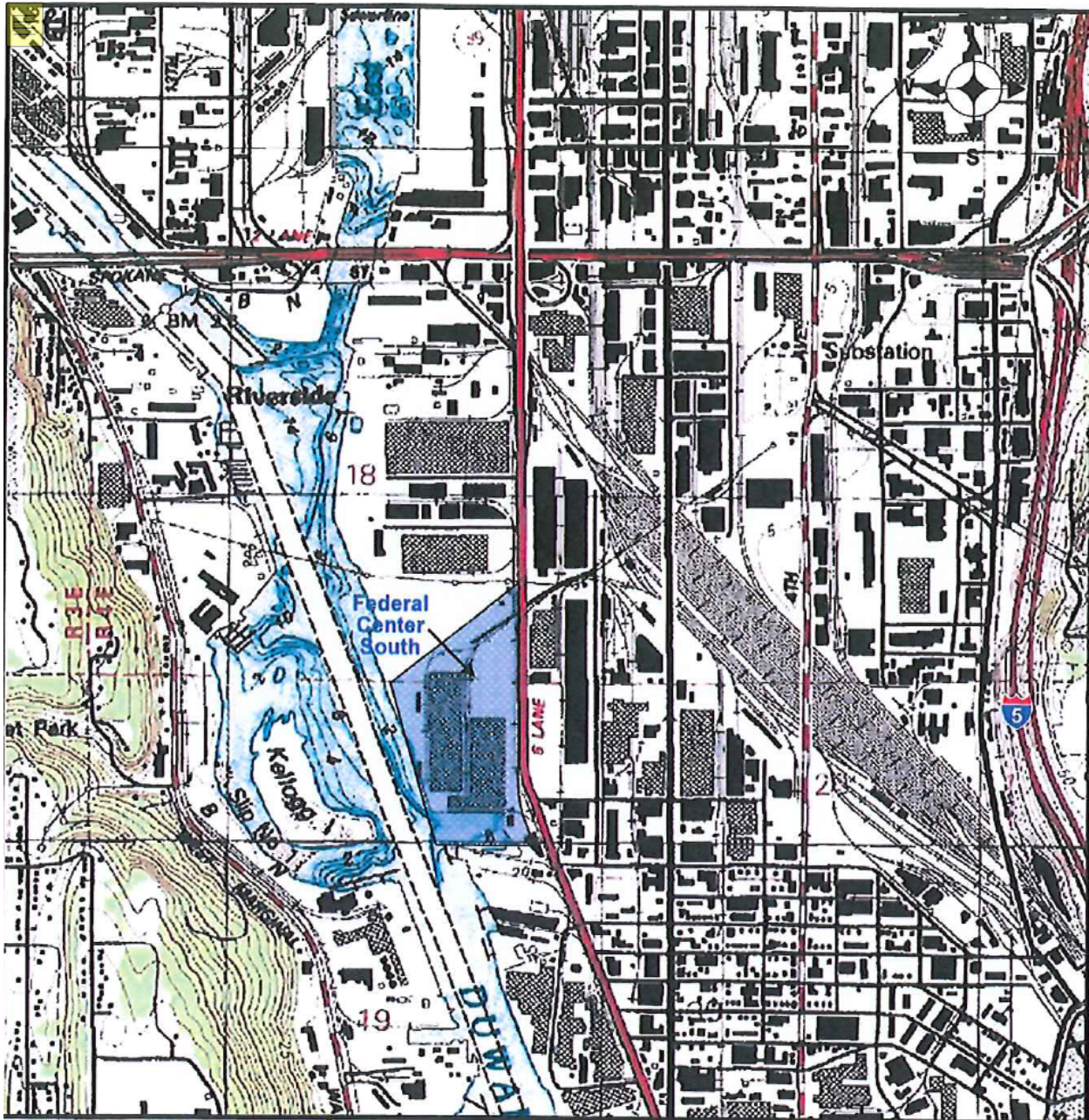


FIGURE 1

US GENERAL SERVICES ADMINISTRATION  
 FEDERAL CENTER SOUTH  
 UNDERGROUND STORAGE TANK ASSESSMENT  
 4735 E. MARGINAL WAY SOUTH  
 SEATTLE, WASHINGTON 98134

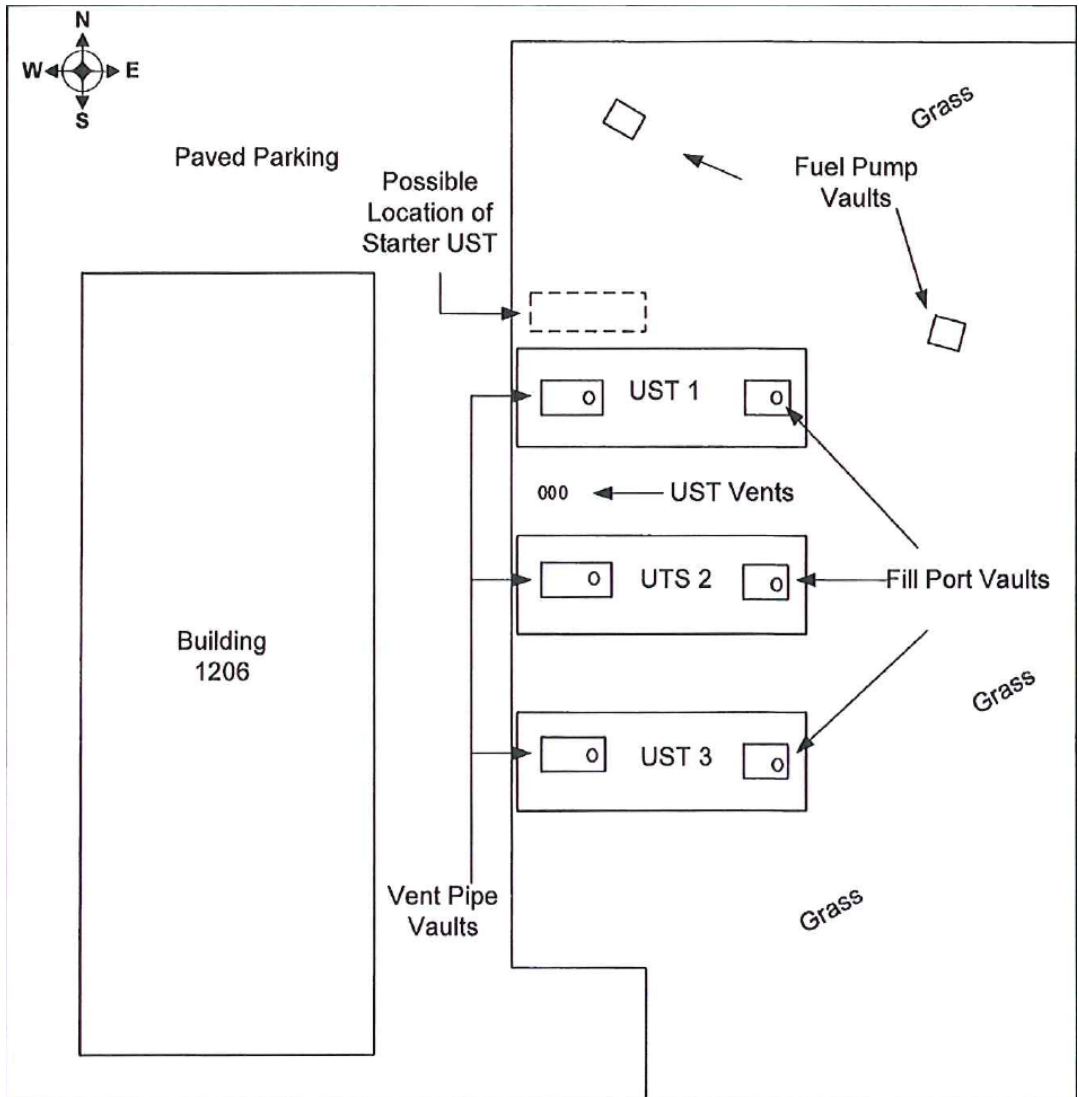
SITE LOCATION MAP


Reference: US Geological  
 Survey Seattle,  
 Washington 7.5-Minute  
 Quadrangle Map  
 Photo revised 1983

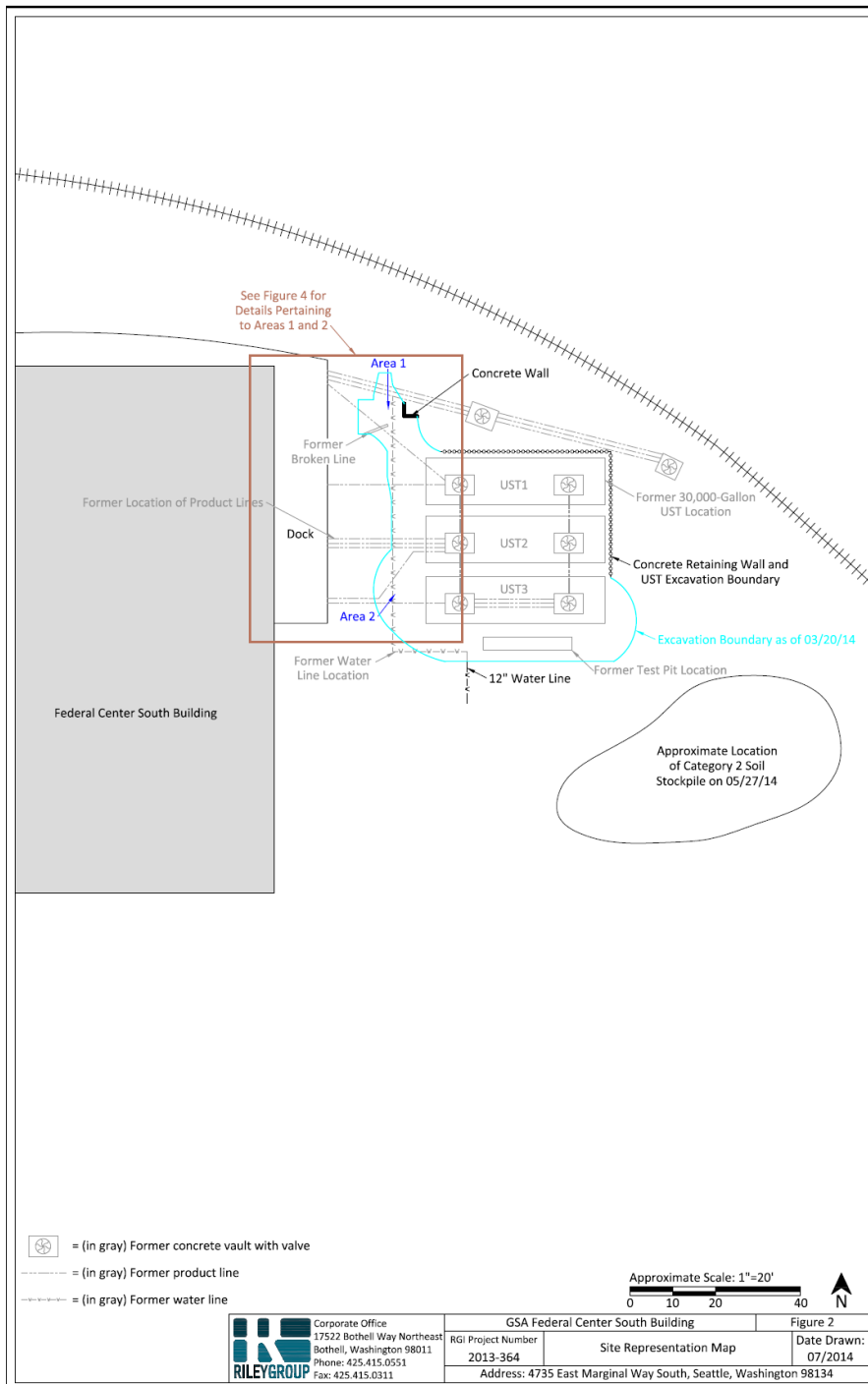
October 2011



EHS-International, Inc.

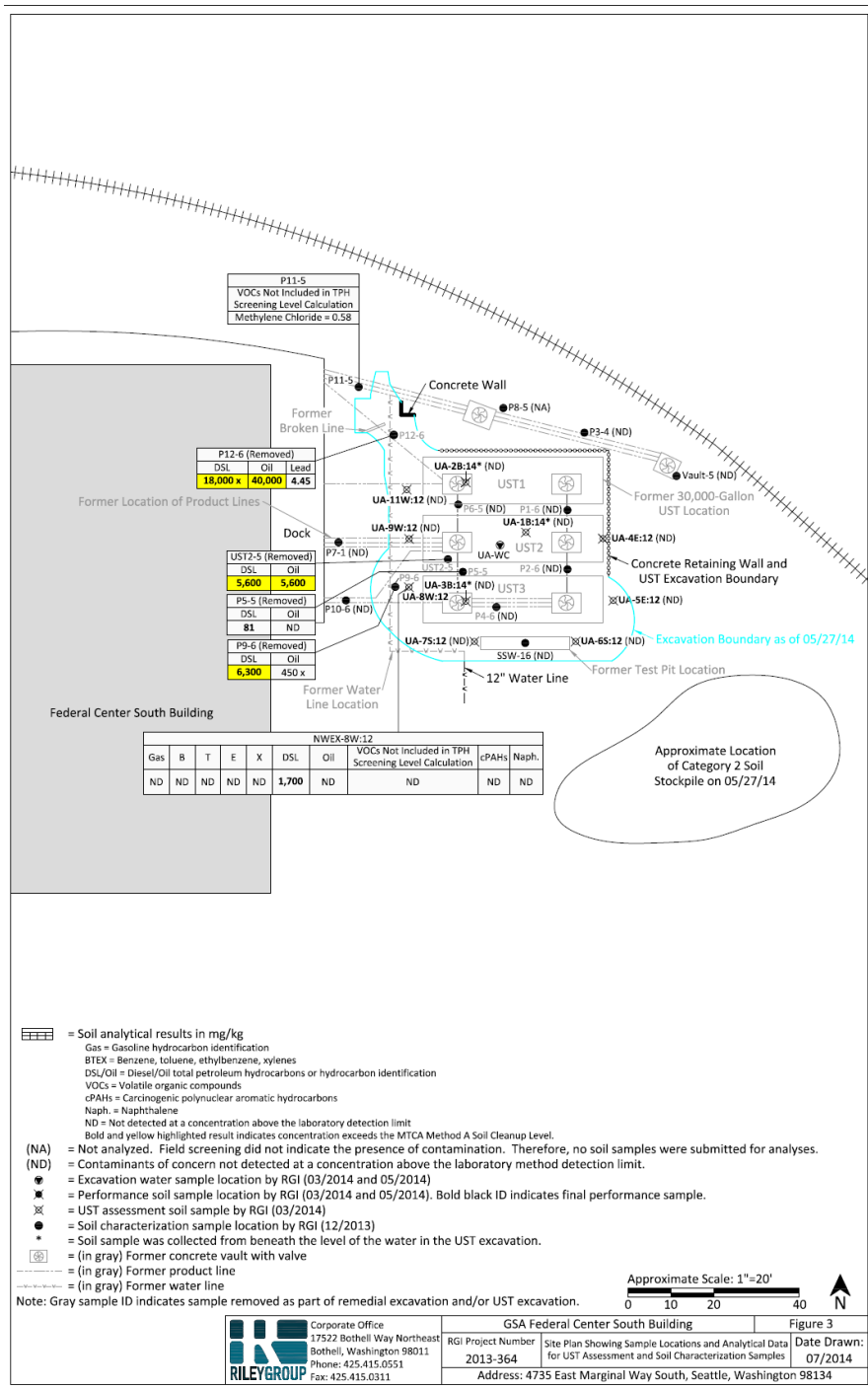


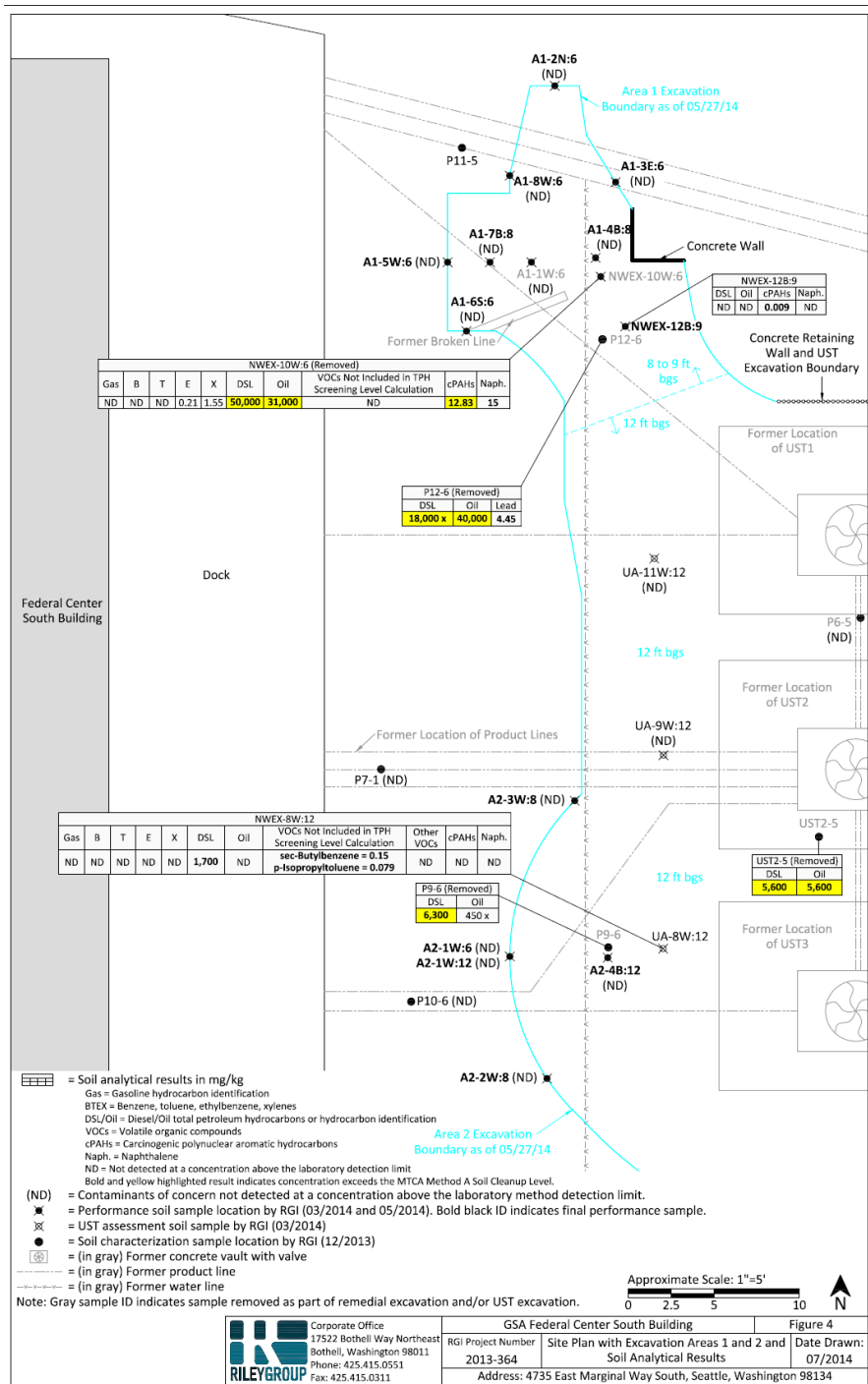
<p><b>EXPLANATION</b></p>	<p align="center"><b>FIGURE 2</b></p> <p align="center"><b>US GENERAL SERVICES ADMINISTRATION FEDERAL CENTER SOUTH UNDERGROUND STORAGE TANK ASSESSMENT 4735 E. MARGINAL WAY SOUTH SEATTLE, WASHINGTON 98134</b></p> <p align="center"><b>SITE PLOT PLAN</b></p>	
<p><b>NOT TO SCALE</b></p>	<p align="center">October 2011</p>	 <p align="center"><small>EHS-International, Inc.</small></p>



**RILEYGROUP**  
 Corporate Office  
 17522 Bothell Way Northeast  
 Bothell, Washington 98011  
 Phone: 425.415.0551  
 Fax: 425.415.0311

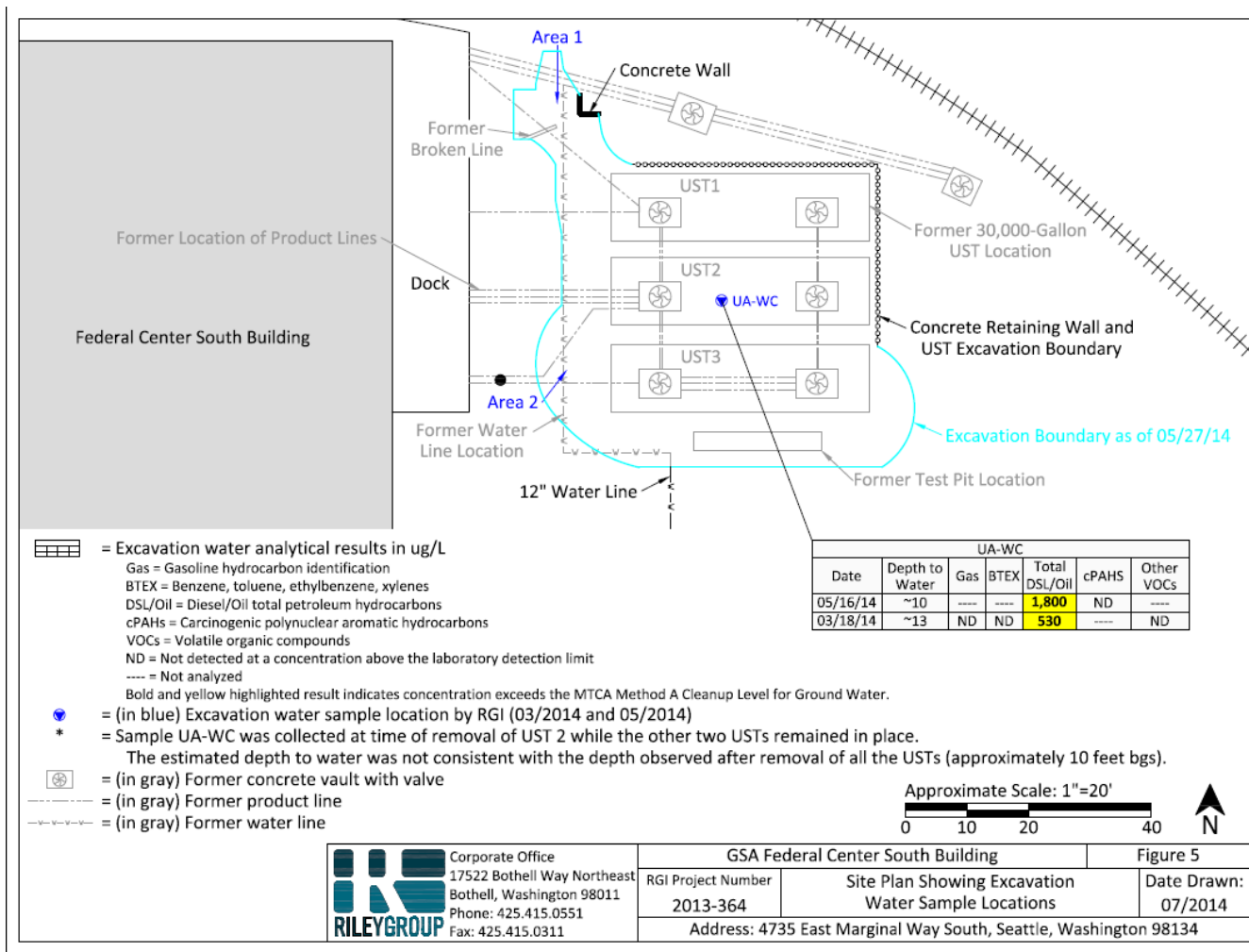
GSA Federal Center South Building		Figure 2
RGI Project Number	2013-364	Date Drawn: 07/2014
Site Representation Map		
Address: 4735 East Marginal Way South, Seattle, Washington 98134		





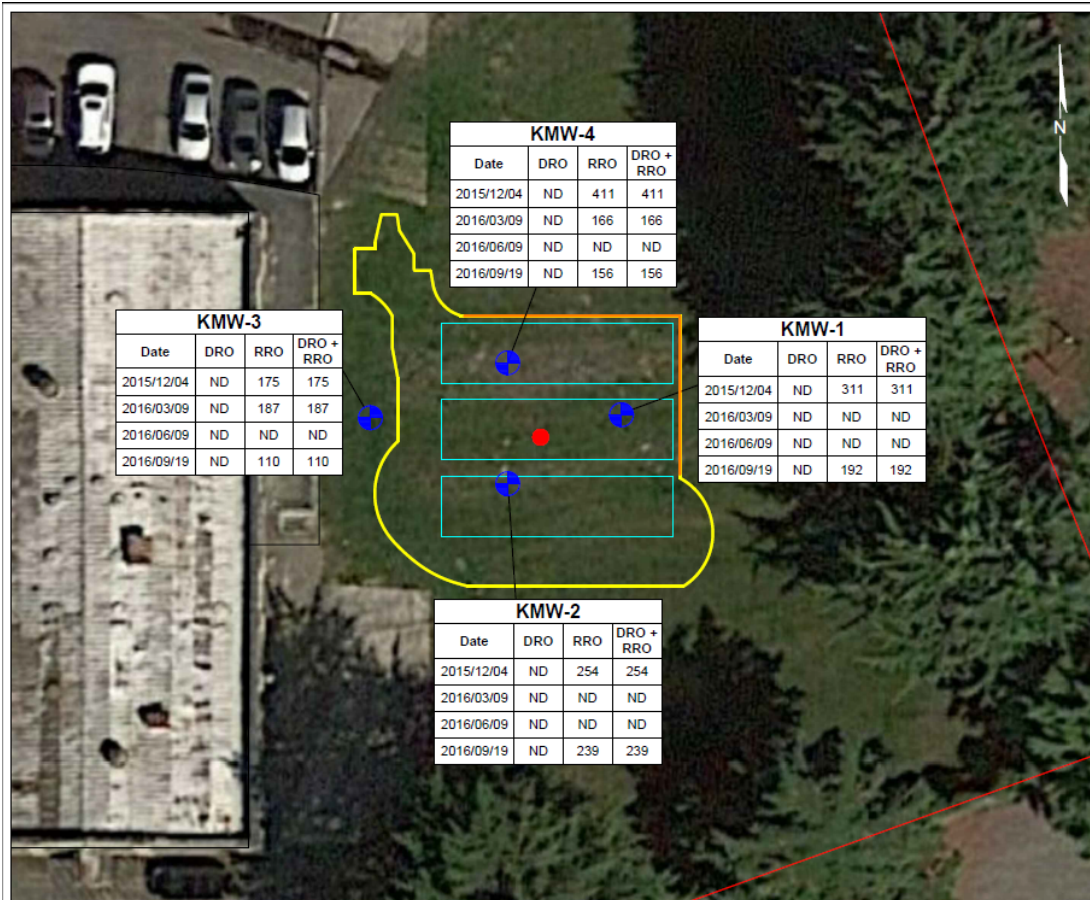
**RILEYGROUP**  
 Corporate Office  
 17522 Bothell Way Northeast  
 Bothell, Washington 98011  
 Phone: 425.415.0551  
 Fax: 425.415.0311

GSA Federal Center South Building		Figure 4
RGI Project Number	Site Plan with Excavation Areas 1 and 2 and	Date Drawn:
2013-364	Soil Analytical Results	07/2014
Address: 4735 East Marginal Way South, Seattle, Washington 98134		



**RILEYGROUP**  
 Corporate Office  
 17522 Bothell Way Northeast  
 Bothell, Washington 98011  
 Phone: 425.415.0551  
 Fax: 425.415.0311

**GSA Federal Center South Building** Figure 5  
 RGI Project Number 2013-364 Site Plan Showing Excavation Water Sample Locations Date Drawn: 07/2014  
 Address: 4735 East Marginal Way South, Seattle, Washington 98134



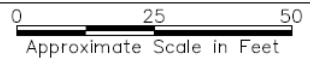
KMW-3			
Date	DRO	RRO	DRO + RRO
2015/12/04	ND	175	175
2016/03/09	ND	187	187
2016/06/09	ND	ND	ND
2016/09/19	ND	110	110

KMW-4			
Date	DRO	RRO	DRO + RRO
2015/12/04	ND	411	411
2016/03/09	ND	166	166
2016/06/09	ND	ND	ND
2016/09/19	ND	156	156

KMW-1			
Date	DRO	RRO	DRO + RRO
2015/12/04	ND	311	311
2016/03/09	ND	ND	ND
2016/06/09	ND	ND	ND
2016/09/19	ND	192	192

KMW-2			
Date	DRO	RRO	DRO + RRO
2015/12/04	ND	254	254
2016/03/09	ND	ND	ND
2016/06/09	ND	ND	ND
2016/09/19	ND	239	239

LEGEND



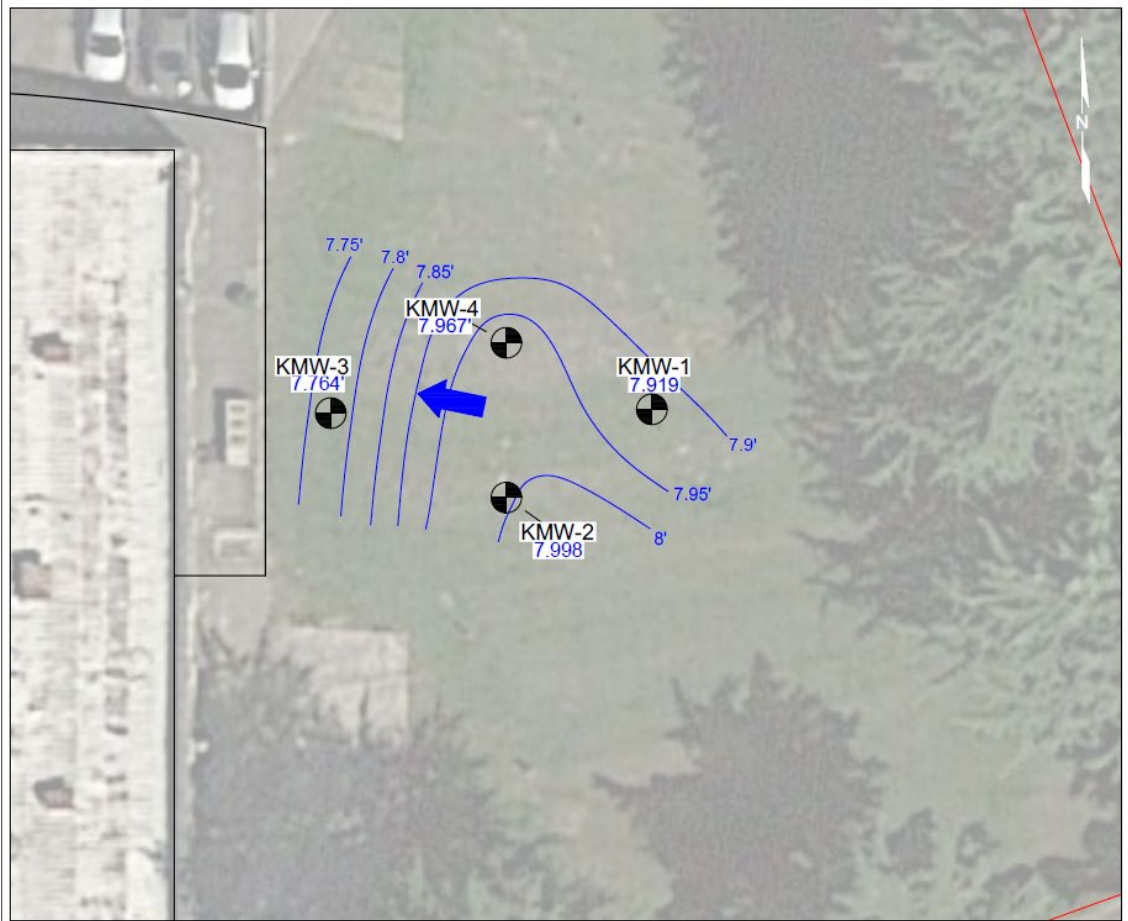
- Property Boundary
- Extent of 2014 Riley Group UST Excavation
- Retaining Wall
- Groundwater Monitoring Well
- Heavy Oil Exceedance, Groundwater, 2014 Riley Group
- Former UST

All locations are approximate.

**KANE**  
ENVIRONMENTAL INC  
Project No. 78901


**Federal Center South**  
4735 East Marginal Way South  
Seattle, Washington

**Figure 3**  
Quarterly Monitoring  
Analytical Results



*LEGEND*

0 20 40  
Approximate Scale in Feet

- Property Boundary
- ~ Estimated Groundwater Elevation Contour
-  **KMW-1**  
7.919' Approximate Location of Groundwater Monitoring Well and Groundwater Elevation (12/4/2015)

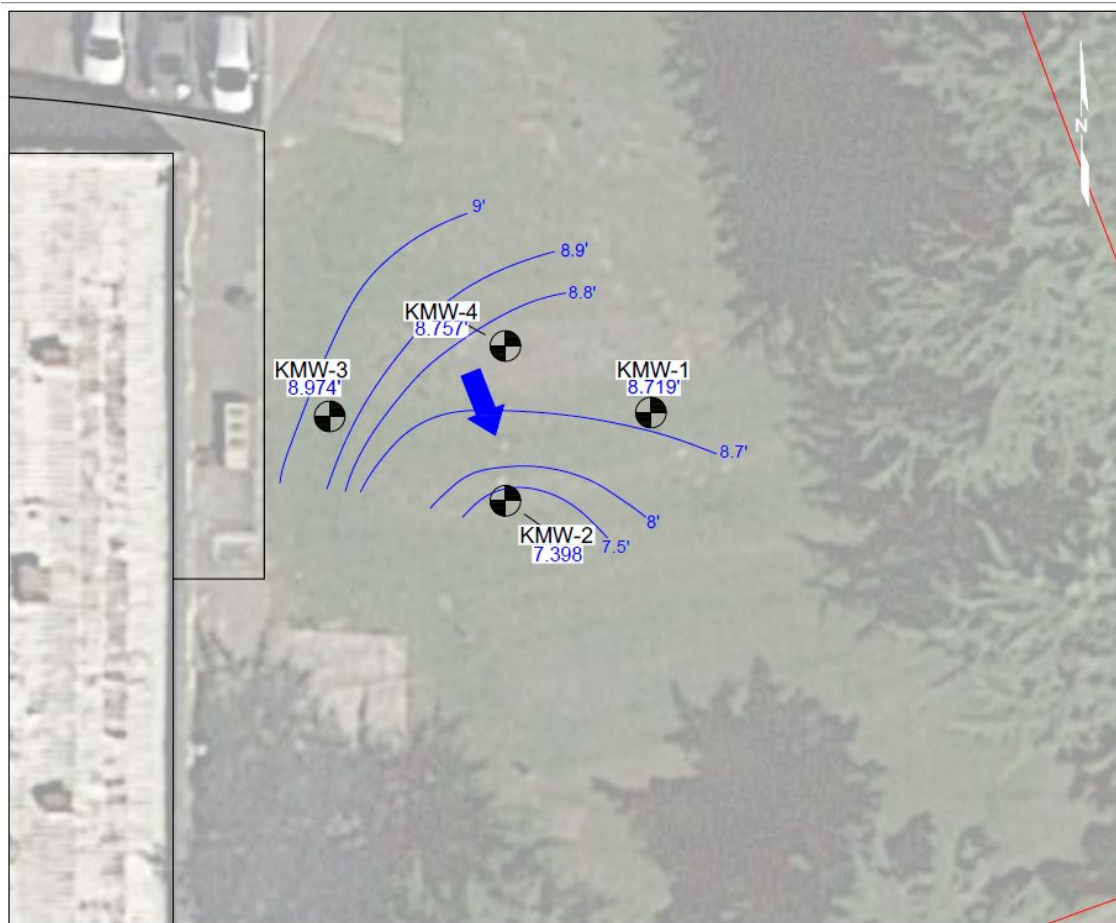
*All locations are approximate.*



Project No. 78901


**Federal Center South**  
4735 East Marginal Way South  
Seattle, Washington

**Figure 4**  
Groundwater Elevation  
December 2015



*LEGEND*

0 20 40  
Approximate Scale in Feet

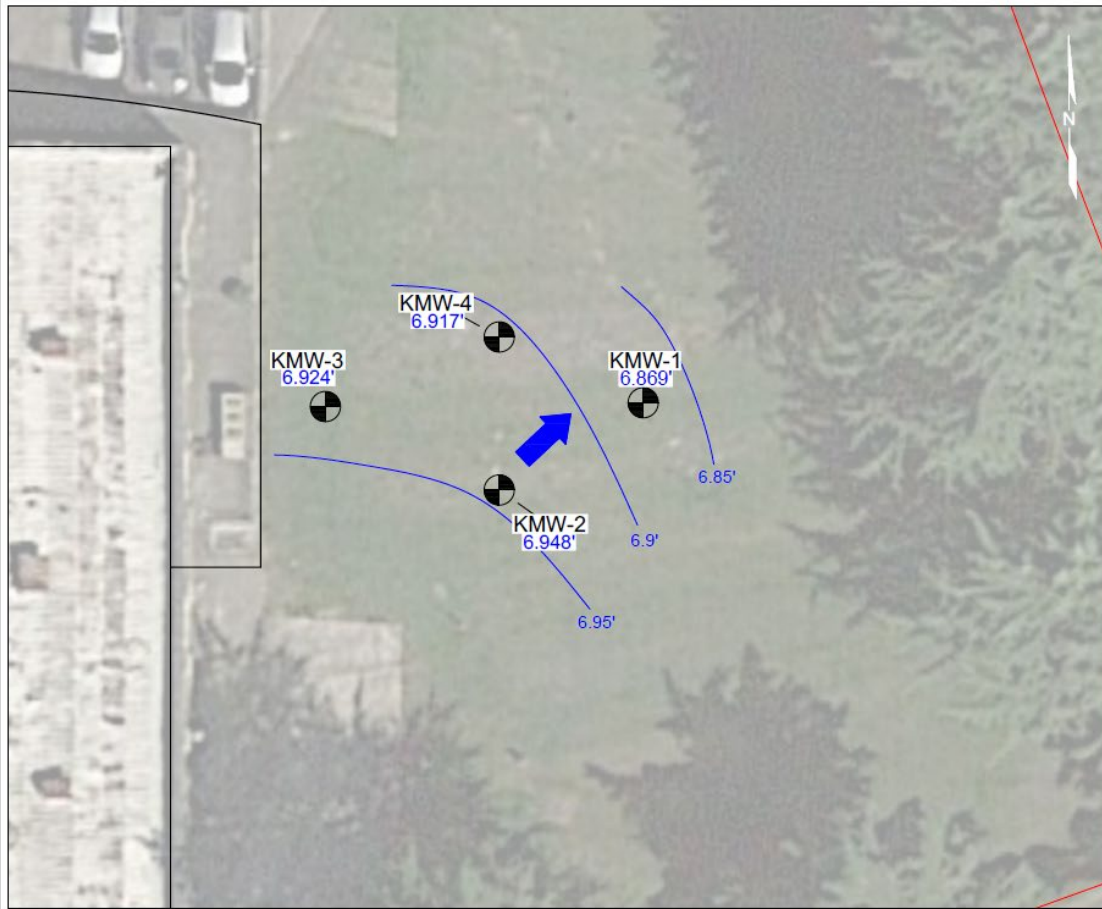
- Property Boundary
- ~ Estimated Groundwater Elevation Contour
-  **KMW-1**  
8.719' Approximate Location of Groundwater Monitoring Well and Groundwater Elevation (3/9/2016)

*All locations are approximate.*

**KANE**  
ENVIRONMENTAL INC  
Project No. 78901




**Federal Center South**  
4735 East Marginal Way South  
Seattle, Washington

**Figure 5**  
Groundwater Elevation  
March 2016



LEGEND

0 20 40  
Approximate Scale in Feet

-  Property Boundary
-  Estimated Groundwater Elevation Contour
-  Approximate Location of Groundwater Monitoring Well and Groundwater Elevation (6/9/2016)

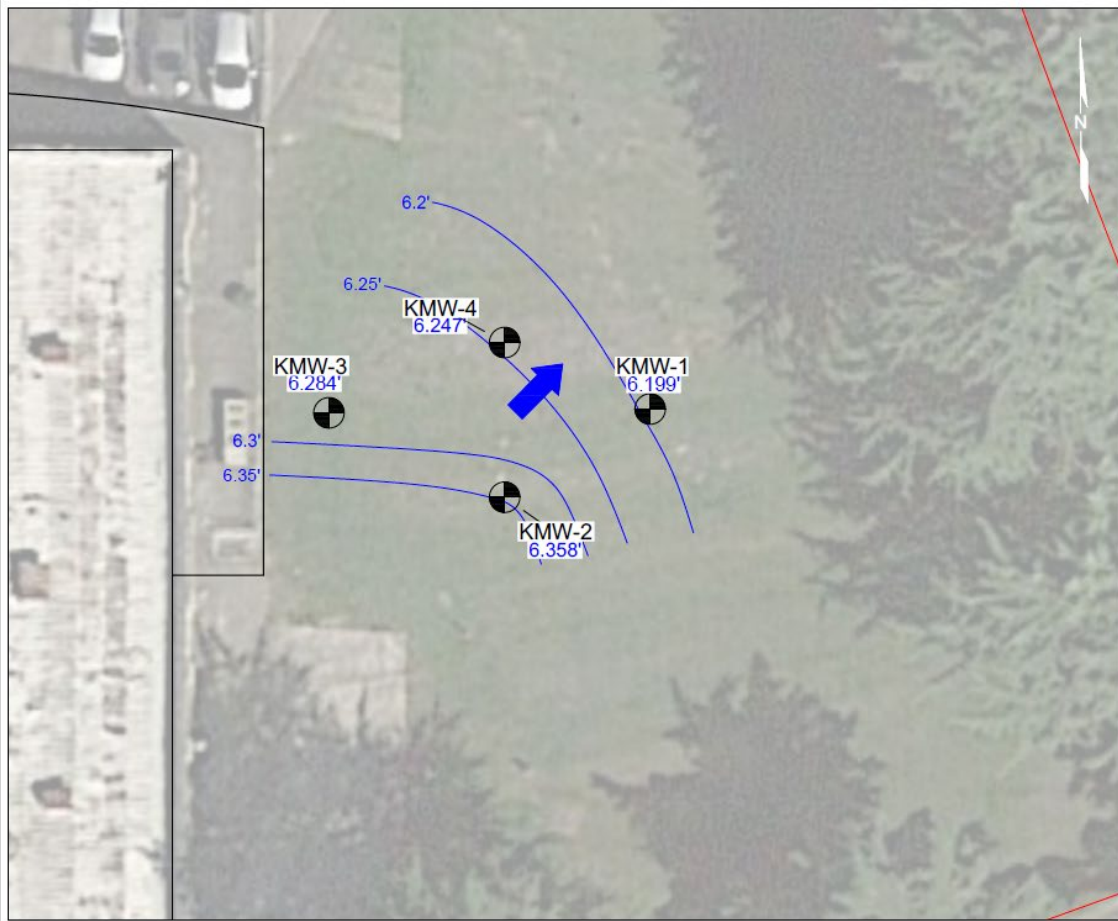
All locations are approximate.



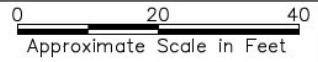
Project No. 78901


Federal Center South  
4735 East Marginal Way South  
Seattle, Washington

**Figure 6**  
Groundwater Elevation  
June 2016



*LEGEND*



- Property Boundary
- ~ Estimated Groundwater Elevation Contour
-  **KMW-1**  
6.199' Approximate Location of Groundwater Monitoring Well and Groundwater Elevation (9/19/2016)

*All locations are approximate.*

**KANE**  
ENVIRONMENTAL INC  
Project No. 78901

**Federal Center South**  
4735 East Marginal Way South  
Seattle, Washington

**Figure 7**  
Groundwater Elevation  
September 2016