



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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(360) 407 6000 • TDD Only, (Hearing Impaired) (360) 407-6006

May 31, 2006

MARK BREARLEY
UNOCAL/CHEVRON
P.O. BOX399
EDMONDS WA 98020

**Re: Further Action Determination under WAC 173-340-515(5) for the following
Hazardous Waste Site:**

- Site Name: UNOCAL COUPEVILLE BULK PLANT
- Site Address: COVELAND & ALEXANDER ST
- Facility/Site No.: ECOLOGY ID 2008
- VCP No.: NW0152

Dear: MR BREARLEY

Thank you for submitting your independent remedial action report for the UNOCAL COUPEVILLE BULK PLANT facility (Site) for review by the State of Washington 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 further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. 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 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 the Site:

1. April 10, 2006 Notification of Pending Inactive Determination Status for the following Hazardous Waste Site enrolled in the Voluntary Cleanup Program by Ecology
2. May 31, 2006 Determination Status for the following Hazardous Waste Site enrolled in the Voluntary Cleanup Program by Ecology
3. Groundwater Monitoring reports May 3, 2005, August 23, 2005 & November 2, 2005 by ENSR

The documents 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 at (425) 649-7190.

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

- Petroleum Hydrocarbons as gasoline, BETX and diesel in the Soil and Groundwater;

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 the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) performed at the Site are not sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing any of the contamination at the Site.** Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **further remedial action is necessary** at the Site under MTCA.

Further Action is required at this site for the following reasons:

- Groundwater monitoring data of MW-5 above the state standards at the northern section of the site suggests that offsite contaminated groundwater plume migration is occurring at that section of the property.
- Lack of active cleanup for over 12 months.

This letter replaces the Ecology Interim NFA determination of 11/09/00.

Ecology's Interim NFA determination of 11/09/00 issued to this site is hereby rescinded while you conduct the necessary additional and final cleanup at this site to address the MTCA substantive requirements for the gasoline contamination in groundwater that has potentially migrated off the property limits.

Identify & Terminate Inactive Sites
Further Action Determination: Rescind Interim NFA
• VCPID#NW0152
May 31, 2006
Page 3 of 3

Ecology will re-consider an NFA determination at this site at a future date after you have determined the extent of the contaminated groundwater plume north of the site around MW-5 and have demonstrated that you have addressed the impact to the groundwater quality at that location and the analytical groundwater results for gasoline are below the state standards for four consecutive quarters. Four consecutive quarters are needed to evaluate the seasonal impacts on the fate and transport of any gasoline residual left behind as a result of the additional cleanup action at the site.

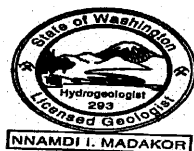
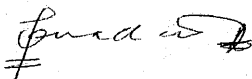
You may petition Ecology at a future date to amend the accompanying Restrictive Covenant filed at this site if the additional cleanup action for this site conflicts with any of the prohibitions contained in the restrictive covenant. Ecology will need enough advance notice of your need to modify the Restrictive Covenant to provide for public notice and comment, as required by WAC 173-340-440. Please do not delay in contacting Ecology if you need to modify the existing Restrictive Covenant on your property. Please, also note, that you are responsible for satisfying the requirements of WAC 173-340-440(10) regarding notifying the local government of the status of the Restrictive Covenant. Your site will be re-listed in the database of suspected and confirmed contaminated sites.

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 performed at the Site meet those requirements. If you have any questions you may reach me at (360) 407-7244.

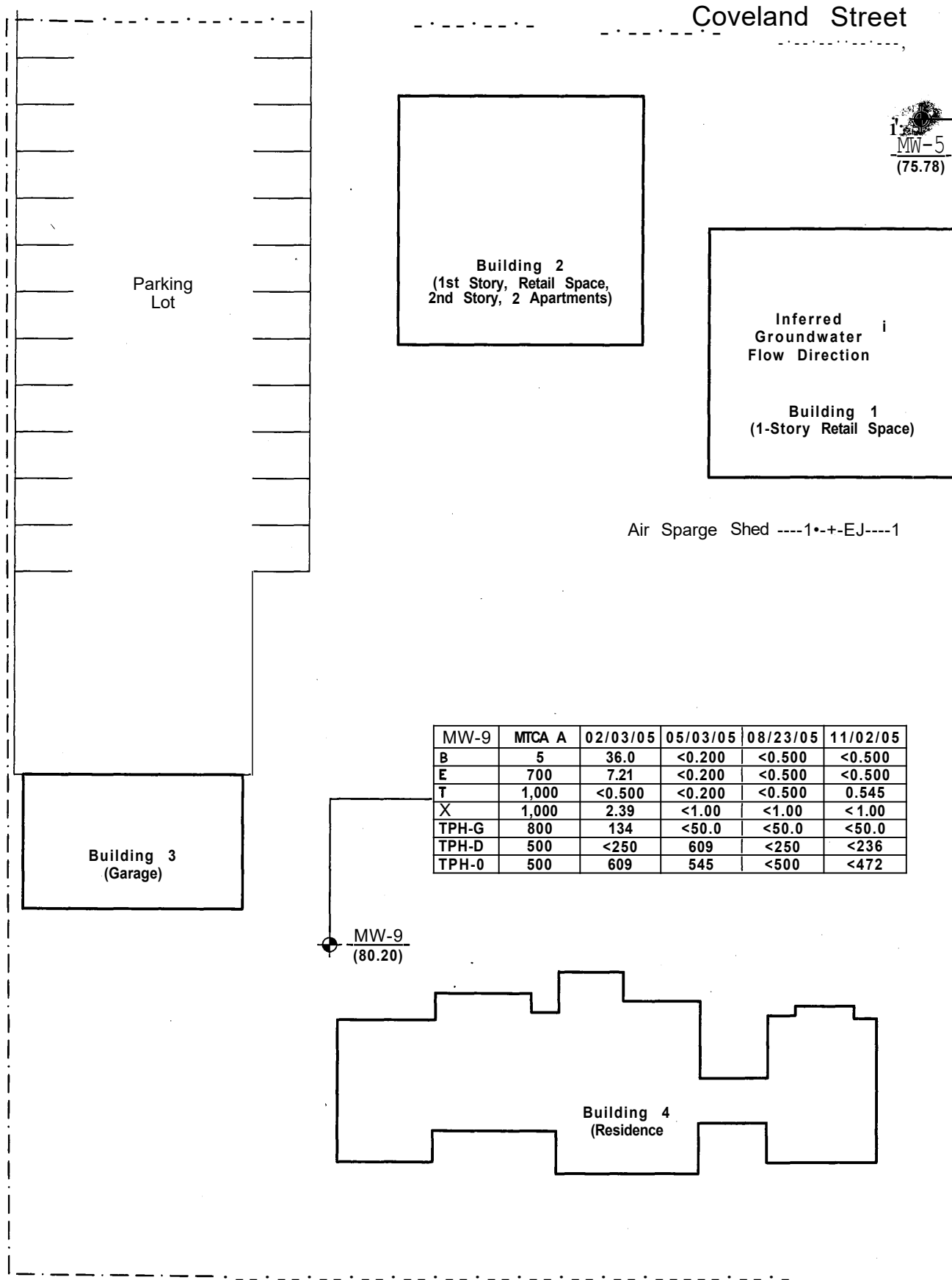
Sincerely



Nnamdi Madakor, VCP Coordinator
HQ - Toxic Cleanup Program

cc: Mark Edens, NWRO VCP Unit Manager.
Dale Myers, NWRO Data Coordinator
Trish Akana, Ecology (NW0152)

NM:nm



MW-5	MTCA A	02/02/05	05/03/05	08/23/05	11/02/05
B	5	3.32	<1.00	1.03	0.683
E	700	84.1	86.6	38.07	43.5
T	1,000	10.6	1.27	1.27	1.09
X	1,000	102	71.3	27.8	29.0
TPH-G	500	2,370	2,780	2,240	1,470
TPH-D	500	264	266	<250	<245
TPH-O	500	<500	<500	<500	<490

Legend

MW-5 A Groundwater Monitoring Well
(75.78) V Groundwater Elevation (Feet) on 11/02/05

----- Property Line

□ New Building Construction

TB Temporary Benchmark at Manhole Cover
T Assumed Elevation is 100.00'

AST Aboveground Storage Tank

UST Underground Storage Tank

B Benzene

E Ethylbenzene

T Toluene

X Total Xylenes

TPH-G Total Petroleum Hydrocarbons as Gasoline

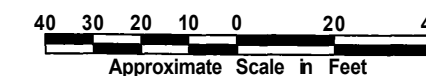
TPH-D Total Petroleum Hydrocarbons as Diesel

TPH-O Total Petroleum Hydrocarbons as Heavy Oil

All results given in micrograms per liter (µg/L)

Shading indicates a contaminant concentration that exceeds the MTCA Method A cleanup level

Note: All former bulk plant facilities have been removed.



Source: GeoEngineers, Inc.
File #916120500T8B-PPT, 11/04/03

Proposed building locations from Snyder, Hartung, Kane and Strauss Architects, Seattle Washington. North Cove House, Mixed Use Development, Permit Submittal Drawings, 03/09/05

SCALE: 1" = 40' @11x17

DESIGN: A. Cowburn

CHECKED: A. F. Kete

ENSR PROJECT NO:

FILENAME: 069402521202

DRAWN: K. Mongar

DATE: November 23, 2005

06940-252-130



FIGURE 2
GROUNDWATER ELEVATIONS AND
SUMMARY OF GROUNDWATER ANALYTICAL
DATA - NOVEMBER 2, 2005
Former Unocal Bulk Plant No. 0138
101 NW Coveland Street
Coupeville, Washington