RESPONSIVENESS SUMMARY

CITY PARCEL SITE
ENFORCEMENT ORDER No. 2691

Prepared by:

WASHINGTON DEPARTMENT OF ECOLOGY

Eastern Regional Office
4601 N. Monroe Street
Spokane, WA 99205-1295

October 4, 2005

CITY PARCEL SITE
RESPONSIVENESS SUMMARY

The Washington Department of Ecology (Ecology) held a 30-day public comment period from August 18 through September 16, 2005 for the Enforcement Order (Order) that requires the past owners and current owner to implement cleanup actions at the City Parcel Site. The purpose of this Responsiveness Summary is to document Ecology's responses to comments sent to Ecology during the public comment period and to propose revisions to the Order to address public comments, if appropriate.

Ecology received the following two letters (listed in the order of receipt by Ecology) during the public comment period:

1. Letter from Robert and Melinda Hays received on August 22, 2005.

2. Letter from Mr. Robert Dunn (Attorney for Mr. Gisselberg, a party to the Enforcement Order) received on September 13, 2005.

Ecology would like to thank all those who provided comments.

As a result of comment 1.b in Mr. Dunn's letter (see attached letter and Ecology's response), statement no. 19 of Section II, Statement of Facts, of the Enforcement Order is being revised in order to present additional facts regarding the 2002 and 2003 groundwater monitoring at the site.

Statement no. 19 of Section II is being revised from:

> "Results of the RI confirmed extensive contamination of PCBs in soils in the parking lot and in the alleyway. Additional groundwater sampling was conducted by SAIC in 2003 to verify the 2002 groundwater results. Groundwater results collected in 2002 and additional data collected in 2003 showed no indication of PCB groundwater contamination at the monitoring wells during those sampling events."
>
> to:
>
> "Results of the RI confirmed extensive contamination of PCBs in soils in the parking lot and in the alleyway. In April 2002, PCBs above the Method A cleanup level were again detected in the monitoring well that was installed in 1997. The presence of the PCBs in groundwater during this sampling event may have been attributable to the nearby soil activities during the investigations that could have disturbed the soil column or influenced the movement of contaminants. PCBs were also detected at very low concentrations from two

other newly-installed wells during the April 2002 sampling. Groundwater sampling events conducted in July 2002, February 2003, and May 2003 did not indicate the measurable presence of PCBs in groundwater in all monitoring wells."

The Enforcement Order, as revised, is now final. The effective date of the Order is changed from August 16, 2005 to October 4, 2005.

LETTERS RECEIVED
AND
ECOLOGY'S RESPONSES TO COMMENTS

Aug 19TH

Mrs Johnnie Landa

1 A groundwater taken in 1997 showed PCB's were above acceptable state levels; However, follow-up sampling has not detected PCB's in groundwater

2 When has follow-up been done, and if no PCB's are now detected does the removal of building and other details still required.

3 However, if the PCB contamination still exists, why are there notices just out. This is the second notice we have recieved. The first notice seems more than 30 days ago.

4 How can property owners decline to conduct work requested by WA.

We live about 8 blocks away from CITY PARCEL SITE. Please force the clean up and elimination.

My wife and I have lung and throat (THROAT) and nose problems constantly; however Spokane air is said to be high in pollution.

If City Parcel site has caused health effects - Eliminate the site as a start to clean-up health problems.

Thank You

Bob Hays
1019 N. CRESTLINE #8
99202

and

Melinda Haight

5

Ecology's Responses to the Letter from Robert and Melinda Hays received on August 22, 1005.

1. A groundwater sample taken in a newly-installed well in 1997 showed PCBs above the level considered acceptable by the state. A subsequent follow up sampling of this same monitoring well in January 1998 did not detect PCBs in groundwater. The presence of the PCBs in this well was attributed to contaminated soils that may have been dragged down or mobilized into groundwater during the well installation.

Ecology conducted investigations at the Site in 2002 and 2003. Groundwater sampling in April 2002 showed PCBs in the 1997 well were again above the level considered acceptable by the state. The presence of PCBs in this well may have been a response to nearby soil activities during the investigations that could have disturbed the soil column or influenced the movement of contaminants. Very low detections of PCBs were found in two other newly-installed wells. PCBs were not detected in groundwater from all monitoring wells in July 2002, February 2003, and May 2003. The periodic detects demonstrate the importance of removing or appropriately isolating contaminated soils at the site.

Another round of groundwater sampling will be conducted after implementation of the cleanup actions.

2. There is extensive soil contamination at the Site. Soil cleanup of the Site requires the removal and off-site disposal of the soils with high PCB concentrations. Other actions include the removal of dry wells, and the removal of drain lines and an underground storage tank containing PCBs inside the building. Building demolition will allow for complete removal of all contaminated soils that are underneath the building. However, Ecology is giving the responsible parties the option to leave the building in place. This option, in addition to the required actions, requires testing and appropriate actions to make sure that PCBs in the floors and walls of the building will be cleaned up, if necessary. Ecology will require financial assurance that will provide cleanup of soils underneath the building when the building is removed or renovated.

3. Ecology has issued several notices in the form of Fact Sheets to inform the public about the progress of the cleanup at this Site. Fact Sheets were mailed to residents who live near the Site. They were also mailed to businesses, community leaders, elected officials and others who may have expressed interest in the cleanup. Legal notices were also posted in the Spokesman Review. These notices are required by the Model Toxics Control Act (MTCA), Chapter 70.105D RCW, which is the law that governs cleanup of hazardous waste in Washington state. The following Fact Sheets were issued for the City Parcel Site:

Remedial Investigation/Feasibility Study (RI/FS), October 2001
Project Update, March 2002

Remedial Investigation (RI) Report, January 2003
Draft Feasibility Study (FS) Report, February 2004
Draft Cleanup Action Plan (DCAP) and SEPA DNS, July 2004
Enforcement Order, August 2005

In addition, Ecology made a presentation and, with a representative from the Spokane Regional Health Office, answered questions during a neighborhood meeting on November 15, 2001. Written responses to the community questions raised during this meeting were mailed to interested parties on December 20, 2001.

4. Each of the responsible parties declined to negotiate with Ecology to voluntarily conduct site investigation and cleanup under MTCA. Ecology will consider other options that will bring about the cleanup of the Site.

5. The presence of the PCBs at this Site continues to present a threat to human health and the environment. Ecology's goal is to have this Site cleaned up. It is in the best interest of the public to move forward with the cleanup.

Dunn & Black

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September 12, 2005

Ms. Teresita Bala
State of Washington DOE
4601 N. Monroe St.
Spokane, WA 99205

Re: Spokane Transformer
Site – 708 N. Cook

Dear Ms. Bala:

This is to serve as the response of Mr. Paul Gisselberg regarding DOE's recent Notice of Enforcement Order and as his objection to DOE's Enforcement Order, including the Statement of Facts and Determinations therein.

First, Mr. Gisselberg objects to the recent Notice DOE issued concerning its Enforcement Order. It appears to be intentionally misleading insofar as it states that Mr.
1.a Gisselberg "did not respond to Ecology's request to negotiate." That is patently untrue and you and the State's lawyers know it.

Additionally, the Notice indicates that there was a groundwater sample taken in 1997 showing PCBs above acceptable levels. Yet, you know that sample was believed to
1.b be contaminated as a result of the drilling process, as borne out by all subsequent testing. Failure to apprise Notice recipients of this fact is intentionally deceiving and misleading. (See **Attachment 1, p. 9**).

Second, DOE by its own malfeasance/misfeasance failed to warn the public, including Mr. Gisselberg, as early as October 19, 1976 that the EPA had requested DOE
2 to initiate appropriate compliance actions on the subject site. Yet, DOE never did so, to the direct detriment of Mr. Gisselberg who several years later purchased the property unaware of the contamination and DOE's negligent response to EPA. (See **Attachment 2**).

Third, DOE on March 13, 1980 allowed the property to be placed on the market despite knowing that the property was contaminated. Yet, DOE did nothing to apprise unsuspecting property purchasers, such as Mr. Gisselberg, of the hazardous waste concerns. This too was malfeasance. (See **Attachment 3**). 3

Fourth, DOE has arbitrarily and capriciously targeted Mr. Gisselberg in its Enforcement Order as a PLP when in fact, in a final Baseline Report issued on behalf of DOE in March 1990, it was concluded that the primary potential responsible parties were the owners of Spokane Transformer Company – Boyce and Overton (p. 14). Further, the Baseline Report identified seven (7) electric/utility companies that had shipped PCB transformers to the Spokane Transformer site (pp. 15-20). The EPA conclusion was that they should be "investigated to determine the extent of their liability." DOE has at all times arbitrarily and capriciously elected not to do so in contravention of its statutory duties and responsibilities. (See **Attachment 4**). 4

Fifth, DOE's proposed remedial measures are arbitrary and capricious insofar as it has permitted the adjacent alleyway owners, the City of Spokane, to address its own PCB contamination by installing a "cover over the contaminated soils in the alleyway" and to actually bury PCB contaminated soils below grade and cap them with concrete. This is clearly arbitrary and discriminatory treatment at the expense of Mr. Gisselberg based on the remediation being imposed upon him. (See **Attachments 5 and 6**). 5

I trust based upon the foregoing, DOE will commence to pursue the previously EPA identified PLPs, and to reissue the Enforcement Order and Notice to fairly and accurately reflect the record in this matter and to amend its Remediation Plan. 6

Very truly yours,

DUNN & BLACK, P.S.

ROBERT A. DUNN

Enclosures
cc: Paul Gisselberg
Max Etter
Todd Reuter

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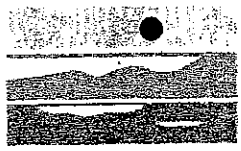
SIT 9.2.3

Final
Remedial Investigation Work Plan
City Parcel Site

Spokane, Washington

Prepared for:



Washington State Department of Ecology
Eastern Regional Office
Spokane, Washington

Under Ecology contract number C9800045
Work assignment SAI24

Prepared by:

Science Applications
International Corporation
An Employee-Owned Company

18706 North Creek Parkway, Suite 110
Bothell, Washington 98011

February 1, 2002

TITLE PAGE

Document Title:	Remedial Investigation Work Plan, City Parcel Site, Spokane, WA
Prepared by:	Science Applications International Corporation (SAIC)
Date Prepared:	February 1, 2002

		Signature
Program Manager:	**Marta Fowler**	for Marta Fowler
Project manager	**David Goodwin**	

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1. INTRODUCTION

This work plan provides background information and describes the activities planned for completion of a remedial investigation (RI) at the City Parcel Site, located at N. 708 Cook Street in Spokane, WA. The site was formerly occupied by Spokane Transformer, Inc., which operated at the location from 1961 through 1979. Spokane Transformer, Inc. was a transformer repair and recycling business performing repairs of electrical transformers and manufacturing new transformers at the site.

The purpose of the RI is to supplement existing data to determine the nature and extent of contamination by hazardous substances [as defined by RCW 70.105D.020(7)] at the City Parcel Site. The RI will collect data necessary to adequately characterize the site for developing and evaluating cleanup action alternatives.

The Washington State Department of Ecology (Ecology) has contracted with Science Applications International Corporation (SAIC) to complete the remedial investigation at the City Parcel Site. The work will be performed under Ecology contract number C9800045, work assignment SAI24.

Historic soil samples have been obtained from the site intermittently over the past 25 years. Two groundwater samples – associated with a monitoring well installed in 1997 – have been collected from the site for analysis. The chemical analysis data for the soil and groundwater samples is summarized later in this work plan. The historic soil sample data indicate that surface and subsurface soils at the site are contaminated with polychlorinated biphenyls (PCBs), chlorinated volatile organic compounds, and petroleum hydrocarbons. Existing groundwater sample data are inconclusive regarding the possibility of groundwater contamination at the site.

Concern over PCB toxicity and persistence in the environment led the U.S. Congress in 1976 to enact §6(e) of the Toxic Substances Control Act (TSCA). The legislation included, among other things, prohibitions on the manufacture, processing, and distribution in commerce of PCBs.

Polychlorinated biphenyls are mixtures of synthetic organic chemicals with the same basic chemical structure and similar physical properties ranging from oily liquids to waxy solids. Due to their non-flammability, chemical stability, high boiling point and electrical insulating properties, PCBs were historically used in hundreds of applications including serving as a heat sink in electrical equipment such as transformers. The production of PCBs was halted in the United States in 1977 (EPA 2001).

The work to be completed under this RI will include:

- A study of site physical features (storm water drainage patterns, floor drain discharge points, former underground tank locations, utility locations, etc.).
- A soil investigation to evaluate the nature and extent of PCB, TPH, and volatile organic compound contamination in surface and subsurface soils on the site and in an adjacent property. Data from a variety of other measurements (e.g., geotechnical soil tests and

soil/groundwater indicator parameters) will also be collected during the RI. This additional data will help serve the data needs during the selection of cleanup alternatives at a later date.

- A groundwater investigation to evaluate the nature and extent of PCB and TPH contamination in groundwater (if any) associated with soil contamination present at the site.

1.1 Regulatory Overview

The requirements for a remedial investigation are found in the Model Toxics Control Act (MTCA) Cleanup Regulation, WAC 173-340-350. This RI Work Plan conforms with the MTCA regulations (as appropriate to the site), and addresses the following RI requirements in WAC 173-340-350:

- General facility information is provided, including contact information for the Ecology site manager and contractor staff, facility location and dimensions, a legal description of the property, present and past owners, facility operational history, and other pertinent facility information.
- Information regarding present land use and zoning for the site is included.
- Existing data on the site is summarized. Results from the site hazard assessment and other site inspections are presented.
- A site conditions map is included to illustrate the relevant current site features and historic sample data results.
- A preliminary conceptual site model is included. The conceptual site model identifies potential or suspected sources of hazardous substances, types of hazardous substances, potentially contaminated media, and actual and potential exposure pathways and receptors. This information may be used in the future to plan site-specific risk assessment activities[1].
- A description of the field investigation activities to be completed during the RI is included. The methodologies described in this RI Work Plan will be followed during the onsite investigations (to be completed later). The field investigations include a study of the site's physical features (drainage patterns, drain line tracing, utility line locations, well locations), a soil investigation, and a ground water investigation.

The following items are not included or addressed in this RI Work Plan. The rationale for excluding the listed items is included in the discussion below.

- A detailed description of field sampling activities is not included in this work plan. The detailed sampling and analysis procedures are described in the Sampling and Analysis Plan

[1] Completion of a human health risk assessment and terrestrial ecological evaluation is not addressed in this RI Work Plan. A site-specific risk assessment may be completed in the future. The conceptual site model presents an overview of potential exposure pathways and receptors based on site observations and historical sample data only.

(SAP) – which includes the Field Sampling Plan (FSP) and Quality Assurance Project Plan (QAPP). The SAP is provided as a separate document.

- An evaluation of feasible cleanup alternatives is not addressed in this RI Work Plan. The development and review of cleanup alternatives (Feasibility Study) will be completed at a later date using the information gathered during the RI.

- A determination of appropriate cleanup levels is not addressed in this RI Work Plan. Site-specific cleanup levels may be determined later using information gathered during this RI. For the purpose of selecting laboratory detection limits for the contaminants of concern, this RI Work Plan assumes that MTCA Method A residential cleanup levels will apply.

1.2 General Facility Information and Land Use

The name and location of the City Parcel Site is as follows:

City Parcel, Inc.
708 N. Cook Street
Spokane, WA 99202

Latitude: 117° 22' 51.74"
Longitude: 47° 39' 23.62"

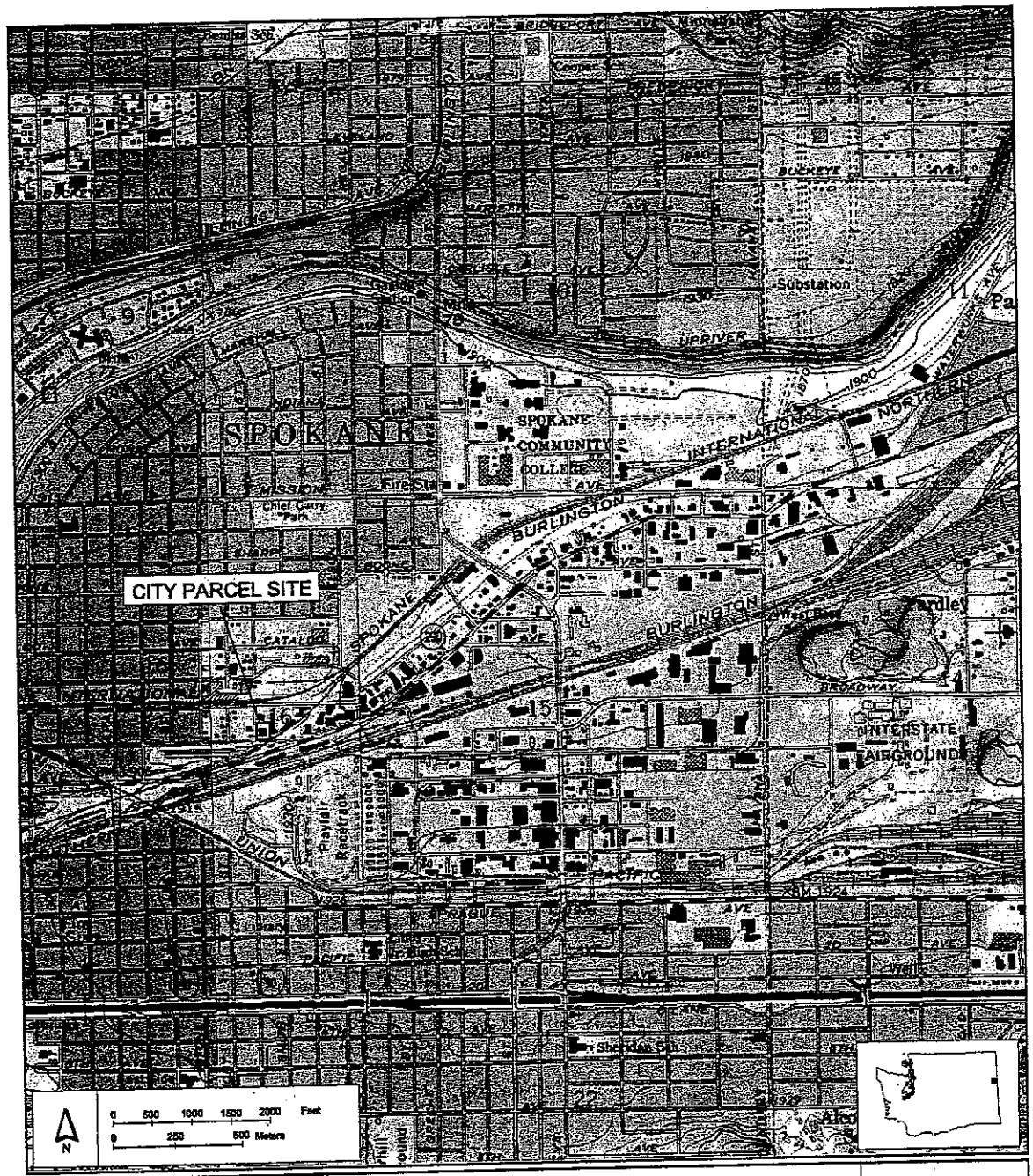
The City Parcel Site is located in Spokane County, Washington. The site is located in the SE ¼ section 16, Township 25, N., Range, 43 E. of the USGS 71/2 minute quadrangle for Spokane NE. The site is at the intersection of North Cook Street and East Springfield Avenue just north and west of the Burlington Northern Santa Fe Railroad. Figure 1 contains a site map depicting the location of the property in relationship to local geographical features.

The City Parcel Site is a commercially zoned lot (M2 light industrial) of approximately 28,400 square feet (142' X 200'). One permanent structure is located at the site. The structure is a combination masonry block and steel-sided building that covers approximately 19,000 square feet (or roughly 67%) of the property. A fenced gravel parking area is located to the north of the building. The gravel parking area also serves as an outdoor storage area for vehicles and other equipment.

1.3 Contact Information

The points of contact for the Ecology Site Manager, Ecology Hydrogeologist, SAIC Project Manager and SAIC Field Supervisor are listed below.

Project Role	Name and Title	Contact Information
Ecology Site Manager	Ms. Teresita Bala, Ph.D.; Environmental Engineer	Department of Ecology Eastern Regional Office 4601 N. Monroe, Suite 100 Spokane, WA 99205 Tel: 509-456-6337
Ecology Hydrogeologist	Mr. Guy Gregory; Senior Hydrogeologist	Department of Ecology Eastern Regional Office 4601 N. Monroe, Suite 100 Spokane, WA 99205 Tel: 509-456-6387
SAIC Project Manager	Mr. David Goodwin; Senior Chemical Engineer	SAIC 18960 State Hwy 305 NE Suite 200 Poulsbo, WA 98370 Tel: 360-779-7292
SAIC Field Manager	Mr. Glenn Haupt; Hydrogeologist	SAIC 18706 North Creek Parkway Suite 110 Bothell, WA 98011 Tel: 425-482-3309



City Parcel Site Remedial Investigation	Figure 1 City Parcel Site Location Spokane, WA	SAIC

Figure 1: City Parcel Site Location Map

1.4 Facility Owners

The past and present owners of the City Parcel Site are listed below (Ecology 2001).

Company Name	Owner	Period of Ownership
Spokane Transformer, Inc.	Mr. Richard Boyce	1961 – 1974
Spokane Transformer, Inc.	Mr. Jerry Overton	1974 – 1979
City Parcel, Inc.	Mr. Paul Gisselberg	1979 – present

1.5 Physical Setting and Hydrogeology

Figure 1 above contains a site location map for the City Parcel Site. The Site is located approximately three-quarters of a mile southeast of the Spokane River, and three-quarters of a mile southwest of Spokane Community College. Libby Junior High School is located roughly one-half mile to the south-southeast of the City Parcel Site.

The City Parcel Site is located on flat terrain and is predominantly surrounded by commercial-light industrial land use. There are a few residences proximate to the site that appear to be associated with the surrounding commercial activities. The City Parcel Site is a commercially zoned lot with zoning classification "M2 light industrial" (SRHD 1998).

The City Parcel Site is situated over the Spokane Valley-Rathdrum Prairie Aquifer, which is designated as a "sole source" aquifer for this region (USGS 1987). Undisturbed surficial soil in the area is composed of the Garrison gravelly loam of the Garrison series (SCS 1986).

Area wells typically show topsoil to a depth of 2 to 3 feet lying above sand, gravel, and cobbles which extend to a depth in excess of 100-feet below ground surface (bgs). The static water level reported on driller's logs for wells within a one-mile radius from the site range from 25- to 85-feet bgs (Ecology 1987).

The regional direction of groundwater flow is toward the northwest, following the general surface gradient of the Spokane Valley. The Spokane River located 0.75 miles west of the site is used for recreation, hydroelectric power generation, and irrigation. It is topographically downgradient of the site (USGS, 1987).

The configuration of the existing structure on the City Parcel site is roughly a square shape. The east side of the building is located within a few feet of a public access alleyway. The alleyway separates the City Parcel property from an adjoining property to the east (John Barrier Trust Property). The south wall of the City Parcel Building faces Springfield Avenue. The west wall faces Cook Street. The north wall of the structure adjoins a fenced gravel parking/storage area. The gravel-covered area extends from the north wall of the building to the northern property line.

Figure 2 contains an aerial photograph of the City Parcel site from 1979 that depicts the property borders and clearly shows the existing structure from an overhead perspective.

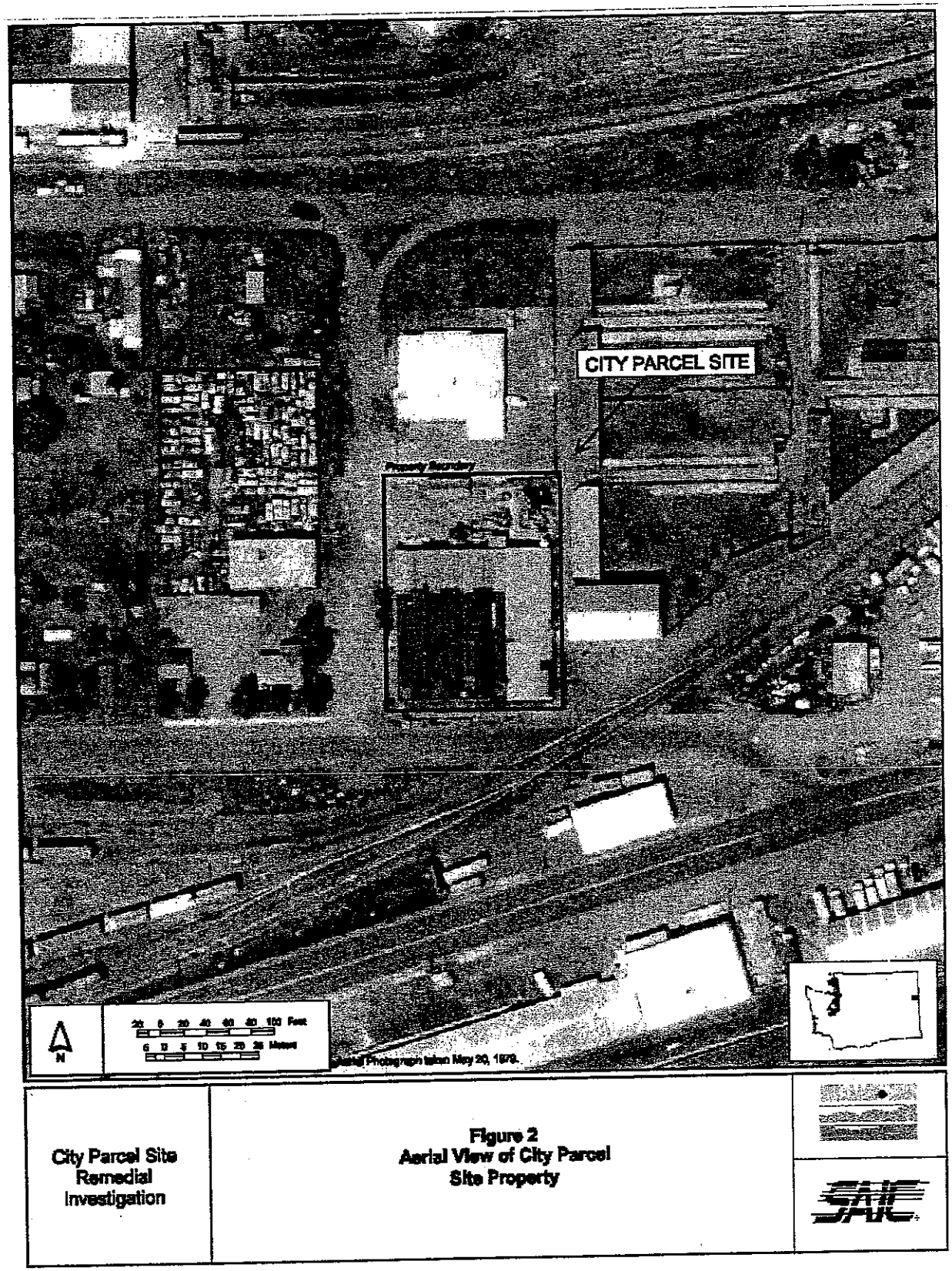


Figure 2: Aerial View of City Parcel Site Property (1979)

1.6 Site History

Historical records of past usage of the subject property indicate that the onsite structure was initially constructed around 1945 and was used as a service garage and cabinet shop (SRHD 1998). The site was occupied by Spokane Transformer, Inc. in 1961, and the company operated at the site until 1979. Spokane Transformer, Inc. was a transformer repair and recycling business that performed repairs of electrical transformers and manufactured new transformers at the site.

Mr. Richard Boyce owned and operated Spokane Transformer, Inc. from 1961 until 1974. Mr. Jerry Overton purchased the Spokane Transformer business from Mr. Boyce in 1974. Mr. Overton owned and operated Spokane Transformer, Inc. until 1979 (Ecology 2001). In 1979, the 0.65-acre property was sold to Mr. Paul Gisselberg. Mr. Gisselberg has operated City Parcel Inc., a package delivery service, at the site since 1979 (SRHD 1998).

Historic aerial photographs obtained for the site indicate that the onsite structure was expanded on two occasions. Between 1967 and 1969, an extension of approximately 30 feet was added along the north side of the building. Between 1969 and 1979 the east side of the building was extended approximately 30 feet toward the east property line.

1.7 Environmental Conditions

This section provides an overview of the existing information on the environmental conditions at the City Parcel Site. The environmental conditions information has been gathered from a number of limited site investigations completed for EPA, the property owner, and Ecology over the past 25 years.

The presence of PCBs, VOCs and petroleum hydrocarbons has been confirmed (through historic sampling activities) in surface and subsurface soils at the City Parcel Site. The suspected source of the PCB contamination to soil is the release of PCB-containing fluids (i.e., dielectric "transformer oil") to soil at the site. Dielectric fluids containing PCBs were widely used in electrical transformers until the 1970's due to their chemical stability, thermal properties, and excellent performance in transformer applications.

In response to growing concerns about the human health and ecological impacts of PCBs, the federal government halted the production of PCBs in the United States in 1977. Since 1997, the presence of PCB-containing fluids in electrical transformers has been phased out as old equipment is repaired and/or replaced.

Previous limited investigations conducted on several occasions at the site have detected PCBs in soils at levels above those allowed by the Model Toxics Control Act (MTCA). One groundwater sample (obtained in November 1997) was also reported to contain PCBs above the MTCA limit.

The U.S. Environmental Protection Agency (EPA) conducted investigations at the site in 1976, 1986, and 1987. During the 1976 investigation, two soil samples obtained outside the operations building were found to contain 150 and 16,400 ppm PCBs. In 1986, EPA collected two storm drain sediment samples with total PCB concentrations of 14 ppm (corner of Cook St. and Springfield Ave.) and 370 ppm (southeast driveway/alley). Additionally, the 1986 investigation

collected two soil samples with reported total PCB concentrations of 2,400 ppm (east side of the building) and 20 ppm (south half of building).

In 1987, Ecology & Environment Inc., as a contractor to EPA, conducted a sampling program inside and outside the building. Scrape samples collected from work area surfaces inside the building indicated total PCB contamination ranging from 233 to 416 ppm. Floor drain sediment samples contained up to 64,600 ppm PCBs. Additionally, surface soil PCB contamination was found at a maximum concentration of 7,657 ppm, and shallow subsurface contamination (6 to 12 inches below the ground) was documented at up to 708 ppm. Off-site migration of PCB contamination via adjacent storm drains was also noted during the investigation. Chlorinated volatile organic compounds were also detected in three soil samples that were selected for those analyses. For a graphic depiction of historic sample locations and contamination levels at the City Parcel Site, refer to Figure 3, "City Parcel Site – Historic Sample Results."

MTCA Method A soil cleanup standards for PCBs are 1 ppm for unrestricted land use and 10 ppm for industrial properties (Ecology 2001). The following maximum concentrations were documented as a result of the three EPA investigations performed at the City Parcel Site in 1976, 1986, and 1987.

- 16,400 ppm PCBs in soils
- 64,600 ppm PCBs in drain sediments inside the building
- 416 ppm PCBs in floor and wall scrape samples inside the building
- 681 ppm PCBs in sediment samples from storm drains adjacent to the property.

In 1997, George Maddox & Associates, Inc. (GMA), working for Mr. Paul Gisselberg, owner of City Parcel, collected soil samples from inside and outside the building, dry wells, and an alleyway on the east side of the building. The on-site soils collected during the investigation contained up to 536 ppm PCBs. The soil from one of the dry wells onsite contained total PCBs at 8,230 ppm. The total PCB concentrations from soil samples obtained along the alleyway on the east side of the property ranged from 59 to 1,620 ppm.

During the 1997 investigation, a monitoring well was installed adjacent to a dry well near the southeast corner of the property. Soil samples from the well installation showed that the highest PCB concentration of 30.7 ppm was measured at the 10-12 foot depth. PCBs were detected in soil samples collected from 10-36 ft. deep and from 50-62 ft. deep. Ground water was encountered at about 53 ft. below ground surface.

One initial groundwater sample obtained from the well was extremely turbid and laboratory analysis showed the PCB concentration in groundwater to be 2.88 parts per billion (ppb). The MTCA Method A standard for PCB mixtures in groundwater is 0.1 ppb. The sampling contractor believed the PCB contamination encountered in the initial groundwater sample was not representative of ambient groundwater conditions. The cause of the PCB contamination was thought to be the result of soil contamination during the well installation. The groundwater well was re-sampled with longer purge times in January 1998, and the resulting analysis indicated no detectable level of PCBs (GMA 1998).

In 1997, under the authority of MTCA, Ecology conducted an initial investigation of the site and an early notice letter was sent to Mr. Gisselberg requiring further remedial action. Mr. Gisselberg submitted a proposed independent cleanup plan to Ecology for review under the Voluntary Cleanup Program in 1998 to which Ecology provided written review comments.

The Spokane Regional Health District completed a site hazard assessment (SHA) of the property in 1998, as required under MTCA. The site was ranked a "2." A ranking of "1" represents the highest risk and "5" the lowest.

In December 2000, Mr. John Barrier, owner of the adjacent "John Barrier Trust Property" (JBTP) located to the east of the City Parcel Site, contracted with the Lambert Group, Inc. (LGI) to complete a limited investigation of suspect PCB-containing soils. The study involved the excavation of 5 test pits located along the western property line of the JBTP. Test pits were needed to access native soils because the property had been re-graded with fill dirt material in recent years. A total of 10 soil samples were collected for PCB analysis. Nine of the 10 samples showed PCB levels ranging from 2.0 ppm to 9.9 ppm PCBs (LGI 2001).

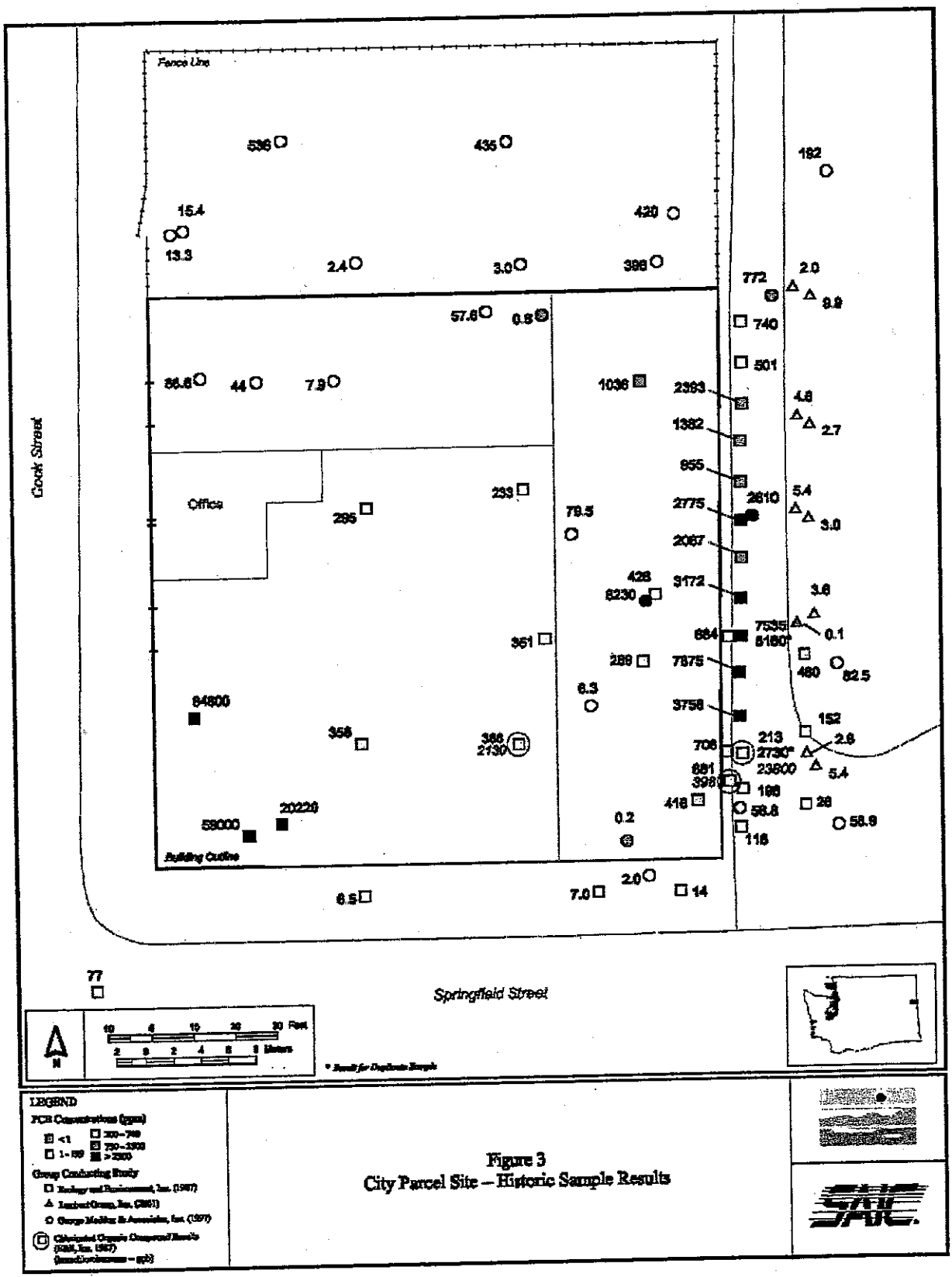


Figure 3: City Parcel Site - Historic Sample Results

2. INITIAL CONCEPTUAL SITE MODEL

An initial conceptual site model for the City Parcel Site is presented in Figure 4. The conceptual site model describes the potential migration and exposure pathways for contaminants that have been documented at the site. The site model also presents a preliminary summary of human health and environmental impacts that are potentially associated with the documented contamination at the site.

The highest potential exposure risks due to contamination at the City Parcel Site are associated with residents and workers that are located near the site. Possible exposure scenarios may include dermal contact with contaminants, ingestion of contaminated soil or vegetables, dust inhalation, and drinking water consumption from nearby groundwater wells. The following sections describe the relative contamination in various media and the likelihood of transport of contaminants in each media. The descriptions below are based on historic sampling information previously collected at the site.

2.1 Soil

The contamination of soil with hazardous chemicals has been documented in several limited site investigations at the City Parcel Site. See the discussion of environmental conditions above for more information. The constituents of concern in soil are PCBs, volatile organic compounds, and petroleum hydrocarbons.

2.2 Groundwater

The presence of soil contamination at the City Parcel Site indicates the possibility that groundwater contamination may have occurred as a result of PCB, volatile organic compound, and/or petroleum hydrocarbon releases. One of the goals of this RI will be to confirm or refute the suspected presence of contaminants in groundwater. The justification for completing a groundwater investigation, and for inclusion of groundwater contamination as a possible contaminated media is presented below.

Following a limited site investigation in 1997, George Maddox and Associates presented an interpretation of soil testing results in a report (GMA 1997) to Mr. Paul Gisselburg, the owner of the City Parcel property. The following statements were included in the report.

> *"...erratic values of PCB [concentrations] indicate several spills of fluid containing PCB in the area of the City Parcel Building. PCB content of soil in the alley to the east of the City Parcel building appears to be the result of past policies of discarding PCB contaminated fluid into the alley prior to construction of the building extension."*
>
> *"The high concentration of PCB in soil at the inside dry well may reflect the transmission of PCB through the entire 50-foot thickness of glacial flood gravel to the underlying groundwater. This groundwater is part of the Spokane-Rathdrum aquifer that has been designated by the U.S. Environmental Protection Agency as the sole source of drinking water for the area."*

Due to the gravelly nature of the soils at the City Parcel Site, there is an increased risk of contaminant transport from soil to groundwater. The contaminant transport risk, coupled with the suspected use of dry wells for disposal of PCB oils and other hazardous substances, provides the basis for including a groundwater investigation in this RI.

2.3 Surface Water

Storm water drainage from the City Parcel Site is a potential pathway for the migration of contamination offsite. The migration of contaminants could lead to contamination spreading to surface water bodies and/or the spread of soil contamination over a larger area.

The nearest surface water body is the Spokane River – located approximately 0.75 miles northwest of the site. It is unlikely that storm water from the City Parcel site is being directly discharged to surface water – assuming storm drains in the area do not discharge directly to the river.

The storm water runoff from the City Parcel Site is believed to be primarily conveyed offsite through a storm drain located at the NE corner of Cook Street and Springfield Avenue, and a storm drain located near the corner of the alley (on the east property line) and Springfield Avenue. The presence of PCBs in storm drain sediments has been confirmed by previous investigations at the site. The RI physical site study will include an investigation of drainage features at the site to determine the discharge point for the storm drains in the area, and make recommendations for further study of drainage systems to be completed during the soil investigation.

2.4 Air Emissions

The conceptual site model does not address air emissions as a contaminated media or exposure pathway for the City Parcel Site. Air emissions associated with the contamination at the site are believed to be negligible for the following reasons:

- The PCB contamination present at the site is believed to be associated with transformer fluid releases. PCBs and the fluids typically containing PCBs have low volatility.
- Organic contamination in the soil (associated with hydrocarbons and other organic compounds) is weathered and not likely to lead to air emissions that cause acute impacts on human health and the environment in the area in and around the site. As a precaution, organic screening will be employed during the RI field investigations to assure organic air emissions from the site are within acceptable health and safety limits during sampling activities.
- The generation of dust from the site is minimal. The main exposed surfaces on the property (alley and gravel parking lot) are compacted and/or covered with gravel. This reduces the generation of dust from the site. As a precaution during the RI, dust suppression techniques will be employed, as needed, to minimize or eliminate airborne contamination resulting from disturbance of soil in and around the City Parcel Site.

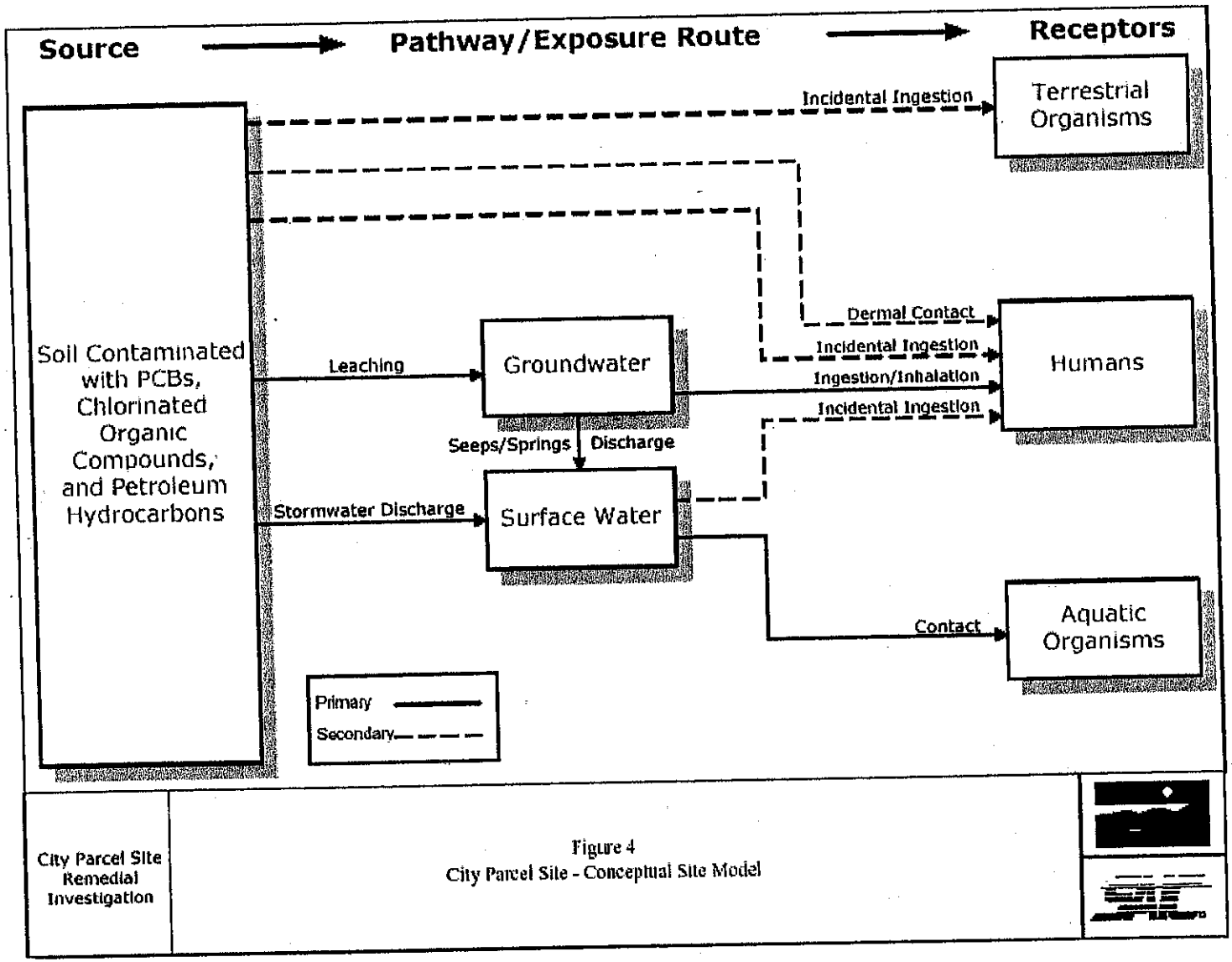


Figure 4: Preliminary Conceptual Site Model

3. RI DATA REQUIREMENTS

The objective of this project is to complete a Remedial Investigation (RI) for the City Parcel Site per requirements in WAC 173-340-350. The purpose of the Remedial Investigation (RI) is to determine the nature and extent of releases of hazardous substances (as defined by RCW 70.105D.020(7)) from the Facility (as defined in RCW 70.105D.020(4)), and to gather necessary data to support a Feasibility Study.

Based upon the previous investigations at the site, the primary focus of this RI will be on determining PCB contamination levels in soil and groundwater (if present). Additional sampling and analysis for TPH-Diesel and VOCs will also be performed. Ecology may use the completed RI to prepare a Feasibility Study and, in turn, develop a Cleanup Action Plan for the site.

The RI field studies planned for the City Parcel Site will allow Ecology to answer a number of questions that are specific to contamination at the site. The site-specific data needs are listed as questions below.

- What is the concentration of PCBs in the exposed surface and near-surface soils around the property?
- What TPH fractions and VOC constituents exist in the exposed surface and near-surface soils around the City Parcel property?
- What is the background concentration of PCBs and TPH in soil?
- What potential sources of contamination and contaminant transport exist in and around the City Parcel building, and where are underground utilities located?
- What is the concentration of PCBs and organics in soils under the City Parcel building?
- What is the concentration of PCBs and organics in the deeper soils around the property?
- What are the geotechnical properties of the soils around the City Parcel property? (This information may be used for designing/evaluating cleanup alternatives)
- What contaminants exist in groundwater (if any) due to PCBs and hydrocarbons in the soil at the site?
- What is the general quality of groundwater at the site? (This information may be needed for designing/evaluating cleanup alternatives)
- What fluctuations in groundwater level occur at the site?

The associated data requirements for each of the data needs are listed in Table 3-1. The Data Quality Objectives listed in Table 3-2 will be applied to the laboratory analytical processes to assure data requirements are met and valid analysis results are obtained.

Table 3-1: Data Requirements

Data Need	Field Tasks	Sampling Method	Location/Depth	Analyses	Comments
What is the concentration of PCBs in the exposed surface and near-surface soils around the property?	Collect soil samples around the outside of the building.	Direct-push rig (Geoprobe)	Collect discrete samples from 0-6" bgs and 6-12" bgs at 49 grid stations along eastern extent of building and in the parking lot area.	Total PCBs* PCBs as Aroclors and congeners**	* Discrete samples collected from 6-12" submitted for 48-hour expedited turn-a-round. ** 15 samples selected for Aroclors and congeners analysis based on Total PCBs results.
What TPH fractions and VOC constituents exist in the exposed surface and near-surface soils around the City Parcel property?	Collect soil samples around the outside of the building.	Direct-push rig (Geoprobe)	Collect discrete samples from 0-6" bgs and 6-12" bgs at 49 grid stations along eastern extent of building and in the parking lot area.	NWTPH-Dx** VPH, EPH, and VOCs***	** Select sample using PID screening of 6-12" bgs PCB samples. *** Select sample using highest PID screening results for 6-12" bgs PCB samples.
What is the background concentration of PCBs and TPH?	Collect Background Soil Samples	Direct-push rig (Geoprobe)	2 offsite stations, Collect discrete samples at 0-6" bgs and 6-12" bgs	PCBs and NWTPH-Dx	Appropriate locations for obtaining background samples to be recommended by Ecology
What sources of contamination & contaminant transport exist in and around the City Parcel building, and where are underground utilities located?	Survey of floor drains, dry wells, sumps, stormwater drains, and underground utilities.	NA	Throughout site	NA	Conduct drain tracing video survey of all floor drains sumps and associated piping to point of discharge. Complete utility locate services
What is the concentration of PCBs and organics under the City Parcel building?	Exploratory Drilling and Sampling underneath the Building	Geoprobe or Air-rotary drilling (ODEX) and split-spoon samples	Sample at 5 stations in and near potential source areas (floor drains and associated piping, sumps, dry well and former underground tank locations).	Total PCBs and PCBs as Aroclors and congeners* NWTPH-Dx** VPH, EPH, and VOCs***	* Analyze all samples for Total PCBs and 1 sample per boring for Aroclors and congeners. ** Analyze 4 samples from selected intervals *** Analyze 1 sample from each boring

Data Need	Field Tasks	Sampling Method	Location/Depth	Analyses	Comments
What is the concentration of PCBs and organics in the deeper soils around the property?	Drill and collect soil samples at proposed monitoring well locations	Air-rotary drilling (ODEX) with split-spoon samples collected on 5-ft intervals	See SAP	Total PCBs and PCBs as Aroclors and congeners* NWTPH-Dx** VPH, EPH, and VOCs***	* Analyze all samples for Total PCBs and 1 sample per boring for Aroclors and congeners. **4 discrete samples per boring, selection of samples submitted for analysis based on highest headspace ***1 discrete sample per boring, selected based on PID screen
What are the geotechnical properties of the soil around the City Parcel property? (for evaluating cleanup alternatives)	Drill and sample at proposed monitoring well locations	Air-rotary drilling (ODEX) with split-spoon samples collected on 5-ft intervals	See SAP	Grain Size, CEC, Moisture, Atterburg limits, TOC, Modified Proctor, Permeability*	*1 sample collected near surface, 1 sample collected between 25-60 feet bgs at each well location
What contaminants exist in groundwater (if any) due to PCB and TPH soil contamination at the site?	Install and sample 4 monitoring wells and sample 1 existing site monitoring well	QED Mircopurge® system	See SAP 1 existing well (MW-1) 1 upgradient well (MW-2) 3 downgradient wells (MW-3, 4, 5)	Total PCBs and PCBs as Aroclors and congeners* VPH, and EPH**	*Quarterly samples from 5 wells. **Quarterly samples from 3 wells.
What is the general quality of groundwater at the site? (This information may be needed for evaluating cleanup alternatives)	Install and sample 4 monitoring wells and sample 1 existing site monitoring well	QED Mircopurge® system	See SAP 1 existing well (MW-1) 1 upgradient well (MW-2) 3 downgradient wells (MW-3, MW-4, MW-5)	Calcium, iron, magnesium, manganese, potassium, sodium, chloride, nitrate/nitrite, sulfate, alkalinity (total and bicarbonate), TOC, TDS, COD, ammonia, turbidity Field Measurements of pH, temp, DO, conductivity, and turbidity	Quarterly samples collected from 5 wells.
What is the fluctuation in groundwater level at the site?	Install pressure transducer and data logger	NA	1 well (to be determined in the field)	NA	Water level measured every 4 hours for 2 quarters. Data retrieval to occur during quarterly sampling activities

Table 3-2: Data Quality Objectives

ANALYTE	Soil Precision (RPD)	Soil Accuracy (%R) LCS	Soil Accuracy (%R) MS/MSD	Water Precision (RPD)	Water Accuracy (%R) LCS	Water Accuracy (%R) MS/MSD	Surrogate %R
PCBs							
Aroclor-1016	± 35%	50-150	50-150	± 20 %	50-150	50-150	50-150
Aroclor-1260	± 35%	50-150	50-150	± 20 %	50-150	50-150	50-150
TCMX							30-150
Decachlorobiphenyl							
Volatiles							
Benzene	± 35%	85-114	85-114	± 20 %	81-141	81-141	81-141
Chlorbenzene	± 35%	89-109	89-109	± 20 %	75-130	75-130	75-130
1,1-Dichloroethene	± 35%	52-145	52-145	± 20 %	71-136	71-136	71-136
Toluene	± 35%	87-112	87-112	± 20 %	62-155	62-155	62-155
Trichloroethene	± 35%	87-113	87-113	± 20 %	75-138	75-138	75-138
1,2-Dichloroethane-d4							76-114
Tluene-d8							88-110
4-bromofluorobenzene							86-115
NWTPH-Dx							
Diesel Range	± 35%	50-150	50-150	± 20 %	50-150	50-150	
Heavy Oil Range	± 35%	50-150	50-150	± 20 %	50-150	50-150	
2-FBP							50-150
p-terphenyl-d14							50-150
VPH	± 35%	50-150	50-150	± 20 %	50-150	50-150	
surrogate							50-150
EPH	± 35%	50-150	50-150	± 20 %	50-150	50-150	
surrogate							50-150
Metals							
Calcium	± 35%	80-120	75-125	± 20 %	80-120	75-125	NA
Iron	± 35%	80-120	75-125	± 20 %	80-120	75-125	NA
Magnesium	± 35%	80-120	75-125	± 20 %	80-120	75-125	NA
Manganese	± 35%	80-120	75-125	± 20 %	80-120	75-125	NA
Potassium	± 35%	80-120	75-125	± 20 %	80-120	75-125	NA
Sodium	± 35%	80-120	75-125	± 20 %	80-120	75-125	NA
Conventionals							
Chemical Oxygen Demand				± 20 %	80-120	75-125	NA
Total Organic Carbon				± 20 %	80-120	75-125	NA
Solids, Total				± 20 %	80-120	75-125	NA
Solids, Total Dissolved				± 20 %	80-120	75-125	NA
Ammonia				± 20 %	80-120	75-125	NA
Nitrogen, NO_3 & NO_2				± 20 %	80-120	75-125	NA
Alkalinity, total				± 20 %	80-120	75-125	NA
Alkalinity, as bicarbonate				± 20 %	80-120	75-125	NA
Chloride				± 20 %	80-120	75-125	NA
Sulfate				± 20 %	80-120	75-125	NA
Turbidity				± 20 %	80-120	75-125	NA
Geotechnical Parameters							
Grain Size Analysis	± 35%	NA	NA				NA
Atterberg Limits	± 35%	NA	NA				NA
Percent Moisture	± 35%	NA	NA				NA
Permeability	± 35%	NA	NA				NA
Modified Proctor Density	± 35%	NA	NA				NA

RPD - Relative percent difference based on sample/duplicate or matrix spike/matrix spike duplicate results
%R - Percent recovery
VOC target recoveries are based on supplied laboratory limits
NA - Not Applicable
If columns are left blank for a particular matrix, then those tests are not being analyzed for that matrix

4. REMEDIAL INVESTIGATION TASKS

SAIC will conduct three related investigations at the City Parcel Site – a site physical study, a soil investigation, and a groundwater investigation. The primary focus of the effort will be on determining PCB contamination levels in soil and groundwater. Additional sampling and analysis (for TPH and VOCs) is planned – but for fewer samples.

Data from the field investigations will be developed in a manner consistent with the Quality Assurance Project Plan (QAPP) section in the final Sampling and Analysis Plan (SAP). All sampling and analysis activities shall be conducted in accordance with the final SAP. All sampling locations and procedures will be documented in a log and identified on a site map. Note: The SAP (containing Field Sampling Plan and QAPP sections) will be submitted to Ecology as a stand-alone document.

To complete the field investigation and reporting task, SAIC will subcontract portions of this task to a qualified drilling company, an analytical laboratory, a geotechnical (soil testing) laboratory, and a data validation subcontractor. SAIC will perform project oversight for all subcontracted services.

The drilling subcontractor will install and develop the groundwater monitoring wells and will provide geoprobe and drilling services for obtaining soil samples. The data validation subcontractor will provide independent data quality validation services in a manner consistent with the SAP.

The following activities will be performed as part of the RI:

- Evaluate all drainage features present at the property, including sumps, dry wells, subsurface drains and associated piping to their discharge points off site using drain tracing video technology and other techniques.
- Locate all utilities, stormwater management, electrical, water, and wastewater features, and document them on a site map prior to the start of drilling activities.
- Sample shallow soils from 0 to 12 inches below ground surface (bgs) on a grid system outside of the building.
- Sampling shallow and deep subsurface soils inside the building near suspected contamination sources including, sumps, dry wells, former underground storage tank locations, and potentially broken or leaking drainage lines.
- Collect subsurface soil samples at 5-foot intervals to groundwater outside the building
- Install four ground water monitoring wells.
- Collect ground water samples from four new monitoring wells, and attempt to collect samples from one existing site well, during two quarterly sampling events.
- Collect background soil samples to compare PCB and TPH levels with site soils data.

The following subsections provide a more detailed description of the RI tasks listed above.

4.1 Site Physical Study

The first phase of the RI fieldwork will include a site physical study to determine and document all drainage features and utility locations. The following sections describe the activities in more detail.

4.1.1 Drainage Features

All drainage features present on the property, including sumps, dry wells, subsurface drains, and associated piping, shall be investigated to establish discharge points. The investigation will also seek to identify potential damage to drain lines that may have served as contamination sources to soil and groundwater. SAIC will document drainage features through the use of drain tracing video inspection. The location of drains, possible breaches in drains, and discharge points will be documented on a site map and included in the RI Report.

The site physical study will include a review of stormwater management features in and around the City Parcel property. SAIC will record observations about the most probable drainage patterns for runoff from the site based on terrain, storm drain locations, and other pertinent factors. The point of discharge for storm drains located near the City Parcel facility will also be determined. The stormwater runoff and management features will be documented on a site map and included in the RI Report.

4.1.2 Utilities

All utilities, including electrical, water, fire water, sanitary sewer, and stormwater shall be located, and those locations documented on a site map. Geophysical location services or other methods shall be employed as necessary at proposed well and exploratory boring locations to ensure subsurface investigations avoid penetration of buried metallic objects.

4.2 Soil Investigation

A detailed description of soil sampling procedures is provided in the SAP. Detailed quality assurance procedures for field sampling and laboratory analysis activities are also included in the SAP. The descriptions provided below and in the subsequent sections provide an overview of the tasks and analyses to be completed during the soil investigation.

The soil investigation to be completed by SAIC will include the collection of surface, near surface, and subsurface soil samples for analysis of PCB, VOC, and TPH contaminants. Shallow outdoor soil samples (0" – 12" bgs) will be collected using a geoprobe rig. Two discrete soil samples will be acquired at each geoprobe location (0-6" & 6-12"). The proposed sample locations are described in the SAP, but may be modified as information is gathered in the field.

Deeper subsurface soil samples will be obtained using a split spoon sampler during the installation of four ground water wells, and during the completion of five exploratory borings under the City Parcel building. The sampling team will evaluate the possible use of geoprobe sampling for obtaining soil samples from exploratory borings under the building – based on soil conditions and achievable penetration depths. The frequency of samples and the proposed locations for the wells and exploratory borings are described in the SAP.

All soil samples will be screened using a photo-ionization detector (PID). The PID will be used to determine samples exhibiting the highest levels of organic compound contamination. At the completion of each day's sampling activities, the samples with the highest PID readings will be identified and submitted for analysis of organic contamination – in addition to PCB analysis. The analysis methods to be used for determining organic contamination will be Diesel range total petroleum hydrocarbons using Ecology's NWTPH-Dx method. A limited number of samples exhibiting the highest PID readings will be further analyzed using Volatile and Extractable Petroleum Hydrocarbons methods (per Ecology publication 97-602) and volatile organic compounds (per EPA Method 8260).

Using the PID readings as a screen will reduce analysis requirements and help contain analytical costs, while assuring that appropriate data are gathered for targeted samples. A total of 52 NWTPH-Dx samples will be identified during the soil investigation. A total of 12 volatile and extractable hydrocarbon soil samples and 12 VOC soil samples will also be identified.

The soil investigation will include a determination of area background concentrations for PCBs and NWTPH-Dx in soil using two offsite sample locations. Discrete background concentration samples will be collected at 0-6" and 6-12" bgs at each location. Ecology will provide the appropriate locations for obtaining background samples.

This RI will include the installation of four new monitoring wells in and around the site. The soil investigation will use samples collected during the well installation process to determine subsurface contamination levels. Monitoring well installation will be performed with an ODEX drill. This method will allow a casing to be driven as the cutting head is advanced into the subsurface materials. The cutting head will be retracted allowing the split-spoon or Dames and Moore sampler to be driven beyond the casing and cutting head. Soil samples will be driven at 5-foot intervals from ground surface to anticipated total depth of the borehole. A total of 52 samples (13 samples per well boring) are expected to be collected for PCB analysis.

The samplers will be opened and immediately screened with a photo-ionization detector (PID) to detect the presence of organic compounds. Organic compound screening will be performed to direct the selection of samples for further analysis. In the absence of detectable organic compounds, samples for TPH-Dx analysis will be collected at equally spaced intervals through the entire depth of the borehole. Volatile and extractable hydrocarbons and VOC samples will be collected from the soil sample immediately above the water table.

Two samples for physical (geotechnical) testing will be collected at each well boring using a split-spoon or Dames and Moore sampler with stainless-steel sleeves. Based upon existing geologic data at the site, sample intervals are anticipated near the ground surface and between 25 to 60 feet bgs. Final determination of the interval for geotechnical samples will be based upon the variability of geologic material observed in the field.

Soil sampling activities under the City Parcel building will require concrete coring services to be completed by the drilling subcontractor. A confined access drill rig may be necessary if ceiling clearance is limited inside the City Parcel building. For the exploratory borings under the building, the soil sampling procedures will be similar to the monitoring well borings, with the exception that geotechnical soil samples will not be collected from the exploratory borings. The

sampling team will evaluate the possible use of geoprobe sampling for obtaining soil samples from exploratory borings under the building – based on soil conditions and achievable penetration depths.

Preliminary sample results for total PCB concentrations will be provided within a 48-hour turnaround for the soil samples listed below. The expedited turn-around will facilitate focused subsequent sampling activities (if directed by Ecology) in a timely fashion. All other analytical results will be reported in a non-expedited fashion.

- Discrete samples at 6-12" depths
- Exploratory boring samples
- Monitoring well boring samples

4.2.1 Soil Sample Stations

Outdoor soil samples will be obtained in the exposed soil areas north of the building, in the alleyway to the east of the building, and in the western edge of the adjoining John Barrier Trust Property – located to the east of the City Parcel building. Sample stations in the parking area along the north side of the building will be established on approximately 18-foot centers and will extend from the building north to the southern edge of the adjoining property. Sample stations in the alley to the east of the building will be established on 6-foot centers and extend east to the western edge of the adjacent property and north to the parking area. The grid sampling approach, coupled with expedited Total PCB results, will assist Ecology and SAIC to identify areas of high PCB concentrations, and modify subsequent sampling locations in the field if necessary. Modified sampling locations will be used to complete higher density sampling in areas of concern (if needed).

Geoprobe samples will be obtained for 49 soil probes to 1 ft depth. Two soil samples will be acquired at each geoprobe location (0-6" and 6-12"). Soil samples from greater depths will be obtained from the groundwater monitoring well installations and the exploratory borings.

A total of five exploratory soil borings will be completed inside the City Parcel building, and located as described in the SAP. The proposed exploratory boring locations are focused around floor drain features, dry well locations, underground tank locations, and associated piping as defined in the site physical study. The proposed sample locations in the SAP are subject to revision based on the findings of the site physical study and 48-hour turnaround results for Total PCBs.

Additional soil samples will be obtained during the installation of four ground water monitoring wells to be installed as part of the groundwater investigation. The number of samples to be collected, and the proposed well locations are described in the SAP.

4.2.2 Soil Chemical Analyses

Soil samples will be collected and analyzed for the contaminants listed below. Not all samples will be analyzed for all contaminants. See the discussion in Section 4.2 above for information on targeting soil samples for organic analysis. Additional geotechnical soil tests will be run on soil samples obtained from monitoring well borings. The geotechnical tests are described later.

- Total PCBs and PCBs as Aroclors and congeners per EPA SW-846 Method 8082
- Volatile Organic Compounds per EPA SW-846 Method 8260
- Diesel Range TPH (NWTPH-Dx) per Ecology publication 97-602
- Volatile and Extractable Petroleum Hydrocarbons per Ecology publication 97-602

Table 4-1 presents a listing of the soil analyses to be completed for the City Parcel Site RI. The table cross-references the analytical test description with a list of analytes for each test, the laboratory method to be used, and the estimated number of soil samples to be submitted for each test.

Table 4-1: List of Soil Sample Analyses

Soil Sample Analysis	Analyte(s) Included	Method	No. of Samples
Volatile Organic Compounds	Acetone	USEPA Method 8260	12
	Benzene		
	Bromobenzene		
	Bromochloromethane		
	Bromodichloromethane		
	Bromoform		
	Bromomethane		
	2-Butanone		
	n-Butylbenzene		
	sec-Butlybenzene		
	tert-Butylbenzene		
	Carbon disulfide		
	Carbon tetrachloride		
	Chlorobenzene		
	Chloroethane		
	Chloroform		
	Chloromethane		
	2-Chlorotoluene		
	4-Chlorortoluene		
	Dibromochloromethane		
	1,2 -Dibromo-3-chloropropane		
	1,2-Dibromoethane		
	Dibromomethane		
	1,2-Dichlorobenzene		
	1,3-Dichlorobenzene		
	1,4-Dichlorobenzene		
	Dichlorodifluoromethane		
	1,1-Dichloroethane		
	1,2-Dichloroethane		
	1,1-Dichloroethene		
	cis-1,2-Dichloroethene		
	trans-1,2-Dichloroethene		
	1,2-Dichloropropane		
	1,3-Dichloropropene		
	2,2-Dichloropropene		
	1,1-Dichloropropene		
	cis-1,3-Dichloropropene		
	trans-1,3-Dichloropropene		
	Ethylbenzene		
	Hexachlorobutadiene		
	2-Hexanone		
	Isopropylbenzene		
	p-Isopropyltoluene		
	Methylene chloride		
	4-Methyl-2-pentanone		
	Naphthalene		
	n-Propylbenzene		
	Styrene		
	1,1,1,2-Tetrachloroethane		
	1,1,2,2-Tetrachloroethane		
	Tetrachloroethene		
	Toluene		
	1,2,3-Trichlorobenzene		
	1,2,4-Trichlorobenzene		
	1,1,1-Trichloroethane		
	1,1,2-Trichloroethane		
	Trichloroethene		
	Trichlorfluoromethane		
	1,2,3-Trichloropropane		
	1,2,4-Trimethylbenzene		
	1,3,5-Trimethylbenzene		
	Vinyl chloride		
	o-Xylene		
	m,p-Xylene		

Soil Sample Analysis	Analyte(s) Included	Method	No. of Samples
Preliminary Total PCBs (Level 3 data package) with 48-hour turnaround	Total PCBs Only	USEPA Method 8082 for total PCBs	49
Total PCBs (Level 3 data package) with standard turnaround	Total PCBs Only	USEPA Method 8082 for total PCBs	193
PCBs as Aroclors and congeners (Level 4 data package)	Aroclor 1016, Aroclor 1221, Aroclor 1232, Aroclor 1242, Aroclor 1248, Aroclor 1254, Aroclor 1260 2-Chlorobiphenyl 2,3-Dichlorobiphenyl 2,2',5-Trichlorobiphenyl 2,4',5-Trichlorobiphenyl 2,2',3,5'-Tetrachlorobiphenyl 2,2',5,5'-Tetrachlorobiphenyl 2,3',4,4'-Tetrachlorobiphenyl 2,2',3,4,5'-Pentachlorobiphenyl 2,2',4,5,5'-Pentachlorobiphenyl 2,3,3',4',6-Pentachlorobiphenyl 2,2',3,4,4',5-Hexachlorobiphenyl 2,2',3,4,5,5'-Hexachlorobiphenyl 2,2',3,5,5',6-Hexachlorobiphenyl 2,2',4,4',5,5'-Hexachlorobiphenyl 2,2',3,3',4,4',5-Heptachlorobiphenyl 2,2',3,4,4',5,5'-Heptachlorobiphenyl 2,2',3,4,4',5',6-Heptachlorobiphenyl 2,2',3,4',5,5',6-Heptachlorobiphenyl 2,2',3,3',4,4',5,5',6-Nonachlorobiphenyl	USEPA Method 8082 for PCBs as Aroclors and Congeners	25
Semi-Volatile Petroleum Products	N/A Results reported as TPH concentration in ranges of hydrocarbon fractions	Ecology NWTPH-Dx	52
Volatile and Extractable Petroleum Hydrocarbons	N/A Results reported for volatile and semi-volatile TPH concentrations in ranges of hydrocarbon fractions – normalized to the boiling point of n-alkanes, and its retention time in a GC column.	Ecology publication 97-602	12
Total organic carbon	N/A	EPA 415.1	8

4.2.3 Soil Physical Properties

During the installation of four groundwater monitoring wells, soil samples will be collected for geotechnical analysis. The results obtained from the geotechnical soil samples will provide information needed to complete vadose zone transport modeling (if needed) and for designing and evaluating possible cleanup alternatives at the City Parcel Site.

Two samples for physical (geotechnical) testing will be collected at each well location using the sampling procedures described in the SAP. The geotechnical soil samples will be analyzed for the properties listed below. The appropriate ASTM or EPA method number is also shown in parenthesis.

- Grain Size (Sieve) Analysis (ASTM D422-63)
- Cation Exchange Capacity (EPA Method 9080/1)
- Moisture Content (ASTM D2216)
- Atterburg Limits (ASTM D4318)
- Modified Proctor (ASTM D1557)
- Permeability (ASTM D2434)

Sample liners will be capped with square Teflon sheets and end caps. The in-situ orientation of the sample will be mark with an arrow on the outside of each liner. Samples for modified proctor testing and cation-exchange-capacity (CEC) will be collected from drill cuttings in a clean 5-gallon bucket (minimum 2.5 pound of sample required). Grain-size samples will be collected using a split-spoon or Dames and Moore sampler with or without liner sleeves. Samples will be transferred into a clean 1-gallon freezer style bag. Based upon existing geologic data at the site, sample intervals are anticipated near the ground surface and between 25 to 60 feet bgs. Final determination of the interval to sample will be based upon the variability of geologic material observed in the field.

4.3 Groundwater Investigation

The goal of the City Parcel Site groundwater investigation will be to adequately define the downgradient extent of hazardous substances released from the facility (if any) and identify the physical boundaries of that release. Four groundwater monitoring wells will be installed to assess the potential impact of source areas on shallow groundwater quality beneath and downgradient from the site. The wells will be installed in compliance with Ch. 173-160 WAC. The proposed well locations and installation procedures are described in detail in the SAP.

SAIC will complete two quarterly sampling rounds to collect groundwater samples from the monitoring wells at the site. The first round of groundwater sampling will occur when the wells are installed and developed, and sufficiently stabilized. The second round will occur approximately three months after the first round. Refer to the SAP for a discussion of well installation, development, sampling, and quality assurance procedures.

Each monitoring well will be equipped with dedicated QED micropurge® sampling equipment to facilitate collection of groundwater samples. The downhole equipment will consist of a QED Well Wizard® bladder pump, screened inlet, and sample tubing. Equipment installation will be completed at the surface with a well cap that fits over the well riser pipe.

An Insitu Minitroll® combined pressure transducer and data logger will be installed in one well to record water level data every four hours for six months. The installation depth of all equipment will be documented on a sampling system design form to be provided in the RI Report.

4.3.1 Groundwater Sample Stations

The proposed monitoring well locations are described in the SAP. The actual location of the monitoring wells are subject to change based on preliminary information gathered from the site physical study and soil investigation. An existing monitoring well (MW-1) was installed at the City Parcel Site in 1997. The existing well is located near a drywell at the southeast corner of the City Parcel building, and is somewhat upgradient in relation to the reported groundwater flow under the property. The condition of the existing well is unknown at this time.

One monitoring well (MW-2) will be installed upgradient from the City Parcel Site. The proposed location for the upgradient well is in the John Barrier Trust Property located to the east of the site. This location is sufficiently upgradient from the site, presents minimal traffic and vandalism hazards, and will provide excellent triangulation, with respect to the proposed well locations, for determining groundwater gradients at the site.

Three downgradient wells will be installed in linear fashion along the western edge of the City Parcel property. One monitoring well (MW-3) will be located just northwest of the southwest corner of the building. A second monitoring well (MW-4) will be located just north of the garage door and south of the office entry. A third monitoring (MW-5) will be located at the far northwest corner of the property just outside the property fence.

4.3.2 Groundwater Chemical Analyses

Groundwater samples will be collected and analyzed for water quality parameters and chemical contaminants. Table 4-2 contains a list of the groundwater analyses to be completed, analytes for each test, analytical methods to be used, and the estimated number of samples to be submitted.

For water quality parameters and TPH samples, three samples will be collected during each groundwater-sampling event. For PCBs, samples will be collected from each of the 5 wells during the quarterly sampling events. This assumes the existing monitoring well (MW-1) is still serviceable. Standard laboratory methods will be used for all analyses. Metals analyses shall be performed on unfiltered samples, unless the conditions of WAC 173-340-720(8) can be demonstrated. The following water quality parameters will be measured.

Table 4-2: Groundwater Sample Analyses

Groundwater Sample Analysis	Analyte(s) Included	Method	No. of samples per quarter
PCBs (Level 4 data package)	Total PCBs, Aroclor 1016, Aroclor 1221, Aroclor 1232, Aroclor 1242, Aroclor 1248, Aroclor 1254, Aroclor 1260, 2-Chlorobiphenyl, 2,3-Dichlorobiphenyl, 2,2',5-Trichlorobiphenyl, 2,4',5-Trichlorobiphenyl, 2,2',3,5'-Tetrachlorobiphenyl, 2,2',5,5'-Tetrachlorobiphenyl, 2,3',4,4'-Tetrachlorobiphenyl, 2,2',3,4,5'-Pentachlorobiphenyl, 2,2',4,5,5'-Pentachlorobiphenyl, 2,3,3',4',6-Pentachlorobiphenyl, 2,2',3,4,4',5-Hexachlorobiphenyl, 2,2',3,4,5,5'-Hexachlorobiphenyl, 2,2',3,5,5',6-Hexachlorobiphenyl, 2,2',4,4',5,5'-Hexachlorobiphenyl, 2,2',3,3',4,4',5-Heptachlorobiphenyl, 2,2',3,4,4',5,5'-Heptachlorobiphenyl, 2,2',3,4,4',5',6-Heptachlorobiphenyl, 2,2',3,4',5,5',6-Heptachlorobiphenyl, 2,2',3,3',4,4',5,5',6-Nonachlorobiphenyl	USEPA Method 8082 for total PCBs and PCBs as Aroclors and congeners	5
Semi-Volatile Petroleum Products	N/A Results reported as TPH concentration within various ranges of hydrocarbon fractions	Ecology NWTPH-Dx	3
Volatile and Extractable Petroleum Hydrocarbons	N/A Results are reported for volatile and semi-volatile TPH concentrations within ranges of hydrocarbon fractions – normalized to the boiling point of n-alkanes, and its retention time in a GC column.	Ecology publication 97-602, VPH and EPH Methods	3
Total organic carbon	N/A	EPA 415.1	3
Metals	Calcium Iron Magnesium Manganese Potassium Sodium	SW-846 6010B SW-846 6010B SW-846 6010B SW-846 6010B SW-846 6010B SW-846 6010B	3
Conventionals	Alkalinity, total Alkalinity, as bicarbonate Chloride Sulfate COD Ammonia Nitrogen, NO3 & NO2 Solids, Total Dissolved Total Organic Carbon Turbidity	EPA 310.1 EPA 310.1 EPA 300.0 EPA 300.0 EPA 410.4 EPA 350.3 EPA 353.2 EPA 160.1 EPA 415.2 EPA 180.1	3

4.3.3 Groundwater Physical Properties

Temporal variations in groundwater flow patterns and velocity shall be determined through installation of an electronic water level recording device(s) in one monitoring well (location to be determined during the field investigations). The water level data will be recorded at a frequency of one measurement per 4 hours for six months.

5. RI REPORT

SAIC will prepare a Draft and Final RI Report to present an analysis and summary of all facility investigations and their results. The objective of the report will be to ensure that the investigation data are sufficient in quality and quantity to describe the nature and extent of contamination, threats and potential threats to human health and the environment, and to support a Feasibility Study.

The Draft and Final RI reports will be submitted in hardcopy and/or PDF format, as requested by Ecology. Site map(s)/sampling locations will be submitted in Arc View format and analytical data appendices will be submitted on diskette in Microsoft Excel or Access format. The following items will be included in the RI Report.

5.1 Data Analysis

The RI Report will include a review of all facility investigation data collected on the type and extent of contamination at the facility. The review will include descriptions of contamination sources and migration pathways identified during the RI. Data gaps (items requiring further investigation), and recommended activities for further investigation – to fill data gaps – will also be provided in the RI.

The RI Report will contain a discussion of the sampling results to include the following items.

- Nature of the contamination
- Extent of the contamination, including the estimated volume of material needing remediation
- The pathways by which contamination reached or can reach the media
- Known or potential hazards and risks to the public health, welfare, and the environment, including physical hazards.

5.2 Appendices

Appendices to the RI Report will contain full documentation of investigative activities and analytical results. The appendices will identify any changes made in sample collections and/or analysis from the final SAP including opportunity samples and any other changes. Other information to be provided in the appendices will include general field observations, such as:

- Groundwater characterization
- Groundwater flow maps
- Locations of nearby wells
- Well log information
- Soil conditions
- Well driller logs and observations

5.3 Sample location map

A map of the City Parcel Site will be provided in the RI Report to include approximate distances, sample media, and sample numbers collected during the RI.

5.4 Table of results

The RI Report will contain data tables identifying geophysical results, contaminant concentrations, and field sampling/measurement results. Contaminant concentrations will be compared to MTCA Method A Residential cleanup levels with a notation when levels are exceeded.

5.6 Quality assurance

The Draft and Final RI Report will contain a data quality assessment report to summarize the findings of all data validation activities completed during the RI. The Data Quality Assessment will include:

- A detailed evaluation of data according to the approved QA/QC plan
- A full data package (as an appendix) including QA/QC information and field logs with date, time and activity information
- An analysis of data in relation to possible cleanup action alternatives and recommendations of cleanup action alternatives to be investigated
- Recommendations for further study, if necessary.

5.7 Project Schedule

Deliverable/Activity Description	**Due Date**
Submit Draft RI Work Plan and Draft SAP	1/4/02
Submit Draft HASP, Data Management Plan, and ISR Document	1/11/02
Ecology Review of Draft Project Planning Documents	N/A
Receive comments on Draft RI Work Plan and Draft SAP	1/28/02
Receive comments on Draft HASP and Data Management Plan	2/8/02
Submit Final RI Work Plan and Draft SAP	2/18/02
Submit Final HASP and Data Management Plan	2/28/02
Mobilization for drilling and soil sampling	Mar. 2002
Install groundwater wells and begin soil sampling	Apr. 2002
Complete soil sampling	May 2002
1st Round of quarterly GW sampling	Apr. 2002
Receive validated sample data from 1st round GW sampling	May 2002
Receive validated soil sample data	June 2002
2nd Round of quarterly GW sampling	July 2002
Receive validated sample data from 2nd round GW sampling	Aug. 2002
Submit Draft RI Report	Oct. 2002
Receive Ecology Comments on Draft RI Report	Dec. 2002
Submit Final RI Report	Jan. 2003

6. REFERENCES

ASTM 1975 American Society of Testing and Materials, ASTM D 2487-69 Standard Practices for the Description and Classification of Soils Unified Soil Classification System. 1975.

Ecology 1987 Water Well Logs. Washington State Department of Ecology. 1987.

Ecology 2001 Washington State Department of Ecology. Scope of Work for Remedial Investigation and Feasibility Study at the City Parcel Site. October 2001.

E&E 1987 Ecology and Environment, Inc. Site Assessment Final Report for Spokane Transformer, Spokane, Washington. Prepared for U.S. EPA Region X. October 30, 1987.

EPA 2001 U.S. EPA - Office of Pollution Prevention and Toxics, PCB Home Page (http://www.epa.gov/pcb/). November 2001.

GMA 1997 George Maddox and Associates, Inc. "Results of Reconnaissance Soil Testing for PCBs at City Parcel, 708 N. Cook St. and Alleyway to the East." April 23, 1997

GMA 1998 George Maddox and Associates, Inc. "City Parcel – Exploration Boring and Groundwater Sampling." February 16, 1998

LGI 2001 Lambert Group, Inc. "Limited Investigation Report of Suspect PCB-containing Soils - Broadway & Cook with Address of 2616 East Broadway, Spokane, WA" April 13, 2001

SCS 1986 Soil Conservation Service. Soil Survey of Spokane County, Washington. 1986.

SRHD 1998 Spokane Regional Health District. Washington State Model Toxics Control Act Site Hazard Assessment of City Parcel Property. August 20, 1998.

USGS 1987 U. S. Geological Survey. Spokane Valley- Rathdrum Prairie Aquifer, Washington-Idaho, USGS, Tacoma, Washington. 1987.

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION X
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

REPLY TO ATTN OF: Mail Stop 521

OCT 19 1976

Mr. John A. Biggs, Director
Department of Ecology
P.O. Box 829
Olympia, WA 98504

Re: Identification and Control of Polychlorinated Biphenyls

Dear Mr. John Biggs:

In the fall of 1975, EPA began a nationwide effort to identify and control sources of polychlorinated biphenyls (PCB's) which were entering the environment. As part of this effort, the following Washington facilities were inspected and sampled:

1. General Electric Co., Spokane
2. Spokane Transformer Co., Spokane
3. General Electric Co., Kent
4. Westinghouse Electric Co., Seattle
5. Georgia Pacific Corp., Bellingham
6. Boise Cascade Corp., Vancouver
7. United Transformer, Kirkland

In addition to the above facilities, Mr. Gary Rothwell of the DOE Industrial Section in Olympia submitted an effluent sample from the Fibreboard mill in Sumner to EPA for analysis.

The General Electric, Westinghouse, United Transformer, and Spokane Transformer plants are transformer service and repair facilities. The paper companies operate paper recycling plants. Each type of facility represents a potential source of PCB's.

Attached are the results of the sample analyses performed by our laboratory and the inspection reports on five of the facilities. Reports were not prepared on the paper companies since only an effluent sample from the recycling plant was taken.

As can be noted in the attached information, the electrical service facilities, with the exception of United Transformer, have PCB levels of concern--particularly General Electric, Spokane and Westinghouse, Seattle. Further, the sample from Fibreboard showed significant PCB concentrations, which indicate a need for further investigation to locate the source.

Specific problems related to handling practices are identified in the inspection reports, and corrective actions to minimize the potential for PCB's to enter the environment are recommended. Of particular concern to EPA is the high level of PCB contamination in storm drains and soil samples in the vicinity of the electrical service plants.

In accordance with the effort to control PCB's, EPA is hereby requesting the Washington Department of Ecology to initiate appropriate compliance actions on these plants to correct the problems identified during the inspections. We also request that you keep us advised of your actions by providing us copies of relevant correspondence and documents. If the Department of Ecology has not commenced appropriate actions within sixty days, the Environmental Protection Agency will consider the plants to be candidates for immediate Federal enforcement actions and will proceed accordingly.

For your information, we are attaching a copy of the separate storm sewer regulations recently promulgated by EPA. In particular, your attention is called to Sections 124.83(a)(1) and (a)(2), which would be applicable to the General Electric and Westinghouse facilities. Also attached is the June 3, 1976 memo from the Acting Director of the Permits Division regarding PCB effluent limitations in NPDES permits.

Should you have any questions, I would be pleased to assist you, or should your staff have any questions, please have them contact James Sweeney at (206) 442-1213.

Sincerely,

L Edwin Coate

L. Edwin Coate
Deputy Regional Administrator

Attachments

cc: Washington Operations Office, EPA, w/ attach
Surveillance & Analysis Div., EPA, w/o attach
Dick Burkhalter, DOE, w/ attach
Bruce Cameron, DOE, w/ attach

MORANDUM

CHECK
INFORMATON ____
FOR ACTION ____
PERMIT ____
OTHER ____

State of Washington Department of Ecology

TO: Bruce Cameron

FROM: Roger Ray

SUBJECT: Identification and Control of Polychlorinated Biphenyls

DATE: November 15, 1976

2. Spokane Transformer, Spokane.

This plant was visited on the afternoon of November 12, 1976, by Phil Williams and myself. The contact there was Mr. Jerry Overton, plant owner since 1973. Mr. Overton was shown the EPA report and the analytical results of the soil samples taken by the EPA Inspector on April 15, 1976.

This contact was not at all satisfactory. Mr. Overton stated he has never used any material containing PCB, did not believe the previous owners had and refused to believe that the samples could have contained any PCB. We did not request permission to inspect the inside of the plant. From the tone of our conversation, it is doubtful if such permission would have been granted.

When the subject of removal of soil contaminated with PCB was brought up, Mr. Overton was quite unresponsive, almost openly hostile. He stated he did not own the building or land, hence, had no authority to excavate. This may be true, but my interpretation of his attitude was that he would refuse under any conditions.

The building and ground is owned by Mr. Richard Boyce, Route 2, Box 742, Sequim, WA 98382. Mr. Overton leases from him. The business was formerly owned and operated by Mr. Boyce who is now retired. Under the situation, it appears Mr. Boyce may be the responsible party. Mr. Overton did allow us to collect a soil sample from the rear (north) side of the plant building. This sample should be analyzed, but we need to know where to send it, etc.

Generally, Mr. Overton was uncooperative, taking the attitude that no problem existed and even if soil was contaminated, he had no responsibility to clean it up. His statement to the effect that "he is running a business" and government inspectors, regulations, etc.. were not welcome, sums up his attitude in my opinion.

This memo constitutes this office's response to the EPA request for enforcement. The General Electric plant will follow recommendations and we will follow up. Spokane Transformer will do nothing. We do have one soil sample from that plant which should be analyzed. We are of the opinion that this discharges our commitment to respond to the EPA request.

RKR:adh

ECY 010-4(3)

002002

MEMORANDUM

CHECK
INFORMATON ____
FOR ACTION ____
PERMIT ____
OTHER ____

State of Washington
Department of Ecology

TO: Bruce Cameron

FROM: Roger Ray

SUBJECT: Identification and Control of Polychlorinated Biphenyls

DATE: November 17, 1976

This memo is in response to the letter from Mr. L. Edwin Coate, EPA, to Mr. Biggs dated October 15, 1976, concerning the above subject.

Summary of action taken by Eastern Regional Office:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: APR 3 1980

SUBJECT: Potential Hazardous Site Inspection
Spokane Transformer, Spokane, Washington

FROM: James Hileman
Sanitary Engineer

TO: John Barich, Manager
Uncontrolled Hazardous Waste Site Program

THRU: Ben Eusebio, Chief
Surveillance Branch

On March 13, 1980, a preliminary hazardous waste inspection was performed at the Spokane Transformer plant located at Spokane, Washington.

Participants

Mr. James Hileman	EPA, Seattle
Mr. Jim Malm	DOE, Washington
Mr. Don Rohrer	Realtor (James Black & Co.)

The Spokane Transformer site is currently empty and up for sale. We gained entry to the facility through Don Rohrer of James S. Black Realty Co.

The Spokane Transformer site consists of a large empty building with a narrow strip of usable land behind the building. The surrounding area is strictly industrial in nature.

Mr. Richard Boyce, owner of the building and land, originally operated Spokane Transformer. During the period 1970 through 1979, Spokane Transformer was leased and operated by Mr. Jerry Overton. Mr. Overton's operation consisted of building non-PCB type transformers according to Rodger Ray (DOE).

On April 15, 1976, Dan Tangarone (EPA) attempted to inspect the Spokane Transformer facility, but was denied entrance. PCB's were found in the two soil samples obtained from the rear of the Spokane Transformer building.

Lab #	Date	Time	Location	Total PCB
16305	760415	1340	In the rear near west side	150*
16306	760415	1341	In the rear near center	16,500*

*Results expressed in ug/g sediment wet wt. basis.

The Spokane Transformer building, at the time of our inspection, was completely empty. Some of the soil around the building was oil contaminated.

MYRIAD SYSTEMS & SERVICES, INC.
2101 - 4TH Avenue, Suite 2400
Seattle, Washington
98121

SPOKANE TRANSFORMER SITE
SPOKANE, WASHINGTON

FINAL BASELINE REPORT

U.S. Enviromental Protection Agency
Seattle, Washington

Contract # 68-W9-0017
Work Assignment #3

MARCH 21, 1990

SPOKANE TRANSFORMER COMPANY
POTENTIALLY RESPONSIBLE PARTY SEARCH
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In 1974, Spokane Transformer Company filed a "Change of Registered Agent" which changed the registered agent from Richard E. Boyce to Jerry Overton.[1010]

Approximately 1979, the ground lease expired and Spokane Transformer Company moved its operation to Airway Heights, WA.[5002,5010,5013]

After the move Spokane Transformer Company was sold to Square "D" Corporation which continued to manufacture transformers at this location until approximately 1986 when Square "D" closed the plant.[5000,5002,5010,5016]

On July 2, 1982, Spokane Transformer Company was administratively dissolved by the Secretary of State's Office.[1017]

Schoultz Masonry Contractor

Francis (Bill) Schoultz owned the subject property from May of 1980 to June of 1981. Mr. Schoultz used the building to store masonry supplies and equipment. Upon purchase of the building Schoultz cleaned debris from the site and building. According to Don Rohrer and Dick Edwards, the site had no excessive oil stains necessary to remove.[5006,5013]

At the time Schoultz purchased the property, there was concern over possible PCB contamination. At the time of this transaction Don Rohrer was an agent with James. A. Black and Co. As listing agent, Rohrer contacted the EPA and arranged for an inspection to determine what, if any, contamination existed on the property. In response to this request, the site was visited on March 13, 1980 by Jim Malm from the Washington State Department of Ecology and James Hileman from the EPA. An internal EPA memo from James Hileman to John Barich dated April 3, 1980 makes reference to this visit and also cites an earlier visit by EPA personnel.[2003]

Since there was no response by either the EPA or Department of Ecology after the visit, Mr. Rohrer assumed the visit did not produce evidence of contamination and the site was sold to Schoultz with Dick Edwards acting as selling agent. [5006,5013] Myriad's review of both EPA and Department of Ecology files, reveal no reference to any type of response by either agency to Mr. Rohrer's request regarding the visit.

City Parcel Delivery Service

In 1981 Paul Gisselberg purchased the subject site for his business, City Parcel Delivery Service. In 1983 City Parcel Delivery Service was sold to Doug Sander who operated it from 1983 to 1987. In December, 1987, Mr. Gisselberg repossessed the business and is the current operator. [5007]

From 1961 until the time Jerry Overton purchased Spokane Transformer Company in 1974, the company manufactured and rebuilt transformers. [1010] The transformers were transported by truck to the subject property. According to interviews with John Ald, H.J. (John) Johnson, Stan Porter, Ray Riccardi and Willie Vowels, when the transformers were unloaded they were stacked in the yard along the east and north wall until ready to be rebuilt. [5000,5008,5010,5012,5016] Some time after 1965, there was an addition added to the original building along the east wall which covered a portion of the stacking area.[5012]

An interview with Mr. Ray Riccardi,an employee of Spokane Transformer Company, revealed that when Spokane Transformer first began operation the old oil was sold or given to contractors. [5012] Shortly after the move to the Cook Street site and up until their next relocation (Airway Heights), the old oil was stored in tanks then burned in a furnace as "free heat" to the building. Interviews with former employees indicate that to their knowledge, there was never any dumping or burning outside the furnace. [5000,5002,5008,5010,5012,5016] Interviews with neighboring businesses owners/employees Jim Bateman of Batemen Towing and Auto Repair, Larry Bogan of Bogan's Auto Wrecking, Floyd Clements of Mitchel, Lewis and Staver and Norman Thomas of Specialty Insulation Construction, also indicate no apparent external signs of any burning or spills.[5001,5003,5004,5015]

According to former employees of Spokane Transformer, the oil which ended up on the floor of the plant was a result of incidental spills while rebuilding the transformers. (For example, opening a transformer which had too much oil or whose casing was cracked.) Occurrences of this type were common and several employees recall the floor of the work area being very saturated and they were frequently drenched with the old oil.[5000,5008,5010,5016].

According to employees Stan Porter and John Johnson these oil spills were cleaned by using a commercial sweeping compound to absorb the oil. The oil soaked sweeping compound was disposed in garbage cans and collected on city garbage collection routes. [5008,5010] Mr. Johnson states that he does not recall the floor being cleaned by hosing at any time. [5008]

The Secretary of State provided the Myriad with annual reports dating from 1967 to 1979. The reports from 1967 through 1971 show the "Character of Affairs which the Corporation is Actually Conducting in the State of Washington" as "Manufacture and Repair of Transformers".[1003 - 1007] In the 1972 report, this line was left blank.[1008] This line for the reports from 1973 through 1979 show Spokane Transformer Company as "transformer manufacturing" only.[1009,1011 - 1016]

INTRODUCTION

In December of 1989, Myriad Systems and Services (Myriad) received Work Assignment #3 from the U.S. EPA Region 10. The objective of this assignment is to identify additional potentially responsible party's, identify additional issues, insure EPA files are complete and to document the responsibility for potential enforcement action for the Spokane Transformer Company Site located in Spokane Washington.

The results of the potentially responsible party search are outlined on the following order:

1. Business History
2. Regulatory History
3. Site Specific
4. Real Estate Title

BUSINESS HISTORY

The information contained in this section was obtained from Polks Reverse Directory, Office of Washington Secretary of State, and personal interviews. The information focuses primarily on Spokane Transformer Company.

Documents received from the Secretary of State's office are included as exhibits of this report. All exhibits referencing the business history section are referred to by a number [1000 - 1999] enclosed in brackets. Reference to interviews are referred to by a number [5000 - 5999] also enclosed in brackets.

Spokane Transformer Company

Spokane Transformer Company was first listed in the 1957 Spokane Polks Directory as Spokane Transformer and Engineering Co. It is listed from 1957 to 1961 as being located at the Spokane address of N. 938 Howard, which is the present site of Spokane Federal Credit Union. In 1961, Polks Directory shows the business locates at N. 708 Cook, Spokane Washington.

Spokane Transformer Company was incorporated as a domestic corporation on August 3, 1964. [1000] It was incorporated "To own and otherwise acquire and to operate, manage, conduct and engage in the general business of manufacturing and repairing electrical distribution equipment...".[1002] The total number of authorized shares is 10,000 "non-assessable common shares" with a par value of $10.00 per share. [1001]

When Gisselberg purchased the subject property he was concerned with the possibility of PCB contamination. He recalls having a discussion with Richard Boyce, the former owner of the business and property. In this discussion, Boyce indicated to Gisselberg that Spokane Transformer Company did not use PCB's. In a letter to Myriad, Gisselberg states:

> "What had been told to me and what the letter (from James S. Black and Company to Paul Gisselberg dated June 8, 1981 [1019]) states are two different things. As I had recalled in discussing the matter they (the agent) indicated that PCB's were not used, but the letter indicates otherwise."[1018]

The referenced letter from James S. Black and Company to Gisselberg refers to states:

> "... we have contacted the previous owner, Mr. Jerry Overton regarding this (PCB contamination), and it is hereby disclosed that the use of the above chemical (PCB) as specified occurred approximately ten to twelve years ago, and that the chemical has not been used since then."[1019]

REGULATORY HISTORY

Information contained in this section was obtained from Washington State Department of Ecology, EPA, and personal interviews. Documents which refer to the regulatory history are included as exhibits. All exhibits referencing the regulatory history section are referred to by a number [2000 - 2999] enclosed in brackets. Reference to interviews are referred to by a number [5000 - 5999] also enclosed in brackets.

In the fall of 1975, EPA began a nationwide effort to identify and control sources of PCB's. As part of this effort, Spokane Transformer Company was inspected.[2001]

As a result of this nationwide effort, the Site was visited by EPA Inspector Daniel R. Tangarone. In a memo dated September 28, 1976 from Tangarone to James W. Sweeney, Region X, PCB Activities Coordinator, Tangarone states the he visited with Jerry Overton, who at that time was the owner and operator of Spokane Transformer Company. Mr. Overton denied Mr. Tangarone access to the inside of the building but did allow samples to be taken from the exterior. [2000]

In a letter dated October 19, 1976, EPA requested the Department of Ecology to "initiate appropriate compliance actions..." . [2001] As a result of this request, Roger Ray and Phil Williams visited the site on November 12, 1976. In a memo to Bruce Cameron dated November 15, 1976, Mr. Ray states "the contact was not at all satisfactory". Once again Mr. Overton did not allow access

into the building but did allow samples to be collected from the north side of the building. The memo also states that "they have collected one sample" and "they are of the opinion that this discharges our commitment to respond to the EPA request".[2002]

On March 13, 1980, a preliminary hazardous waste inspection was performed by EPA and the Department of Ecology. The report on this visit does not indicate that any further samples were taken. It does indicate that some of the ground around the building was contaminated with oil stains.[2003] The inspector noted that EPA may have little or no authority to act against the site "apparently because the PCB-Contamination was thought to have occurred prior to the promulgation of the PCB section of the Toxic Substance Control Act (TSCA), which went into effect on 17 February 1978".[2005, PAGE 3]

On July 30, 1985, the Washington State Department of Ecology revised the "Preliminary Assessment". This revised document is primarily concerned with PCB contamination of the groundwater. [2004] Washington State Department of Ecology was acting under water quality standards and could only take action if the water showed contamination.[5011]

On May 13, 1986, Superfund Removal and Emergency Section (SRES) and Technical Assistance Team (TAT) visited the site and collected four composite soil samples from the site. The results of this visit are found in the "Preliminary Site Assessment" dated October, 1986 [2005]

On May 27, 1987, The site was inspected by Ecology and Environment, Inc.(E&E) under contract with EPA Region 10 Superfund Removal and Investigation Section. During this visit, E&E collected 25 samples. The results of inspection are found in "Site Assessment Final Report"[2006]

According to Sherman Spencer of the Department of Ecology, the site is presently listed as potential for PCB contamination. The file is inactive and is not in the current work plan due to lack of resources.[5014]

SITE SPECIFIC

The Site Specific information was primarily gathered by interviews. Documents which refer to the Site Specific Section are included as exhibits. All exhibits referencing the Site Specific section are referred to by a number [3000 - 3999] enclosed in brackets. Reference to interviews are referred to by a number [5000 - 5999] also enclosed in brackets.

Prior to 1976, there were no storm sewer system or street improvements in the area of Spokane Transformer Company. Since the subject site is flat,[3000] much of the runoff would have been

absorbed by the ground. Larry Bogan, who operates a business across the street, reports on one occasion, a oil supplier overfilled the tank. The oil was on the ground and in the street until it was absorbed by the ground.[5001]

In 1976, the City of Spokane paved Trent Street and installed four drywells in the immediate area. One drywell was installed in the middle of the intersection of N. Cook and Springfield. Three others were installed on the southeast side of the railroad tracks. Any runoff from the site would flow into one of these drywells.[3001,5005]

In 1985 or 1986, the city replaced the drywell in the middle of the intersection with a storm sewer system. The three drywells on the south side of the railroad tracks are currently being used. [3002,5005]

Cook Street still remains unpaved with no storm sewer system.[5005] Due to the poor condition of Cook Street, Mr. Paul Gisselberg, paved the street and the ground between the street and the building shortly after he purchased the site in 1981. The yard located North of the building has gravel only.[5007]

REAL ESTATE TITLE

Myriad provided Spokane Title with the site address and requested all documents, commencing with the time Richard Boyce came into title, to the current date. Upon receipt of these documents, Myriad obtained a legal description and formulated a chain of title.

Documents which refer to the Real Estate Title are included as exhibits. All exhibits referencing the regulatory history section are referred to by a number [4000 - 4999] enclosed in brackets. Reference to interviews are referred to by a number [5000 - 5999] also enclosed in brackets.

The following is a summary of relevant information obtained from the title documents.

Maps

Spokane Title provided a county assessors plat and an area map which are included as exhibits. [4000,4001]

Legal Description

> Lots 5,6,7 and 8 in Block 151 of SUBDIVISION OF SCHOOL SECTION 16, Township 25 North, Range 43 E.W.M., in the City of Spokane; EXCEPT that part of Lot 8 granted to Cour d'Alene & Spokane Railway Company; Situate in Spokane County, State of Washington.

Chain of Title

The site of Spokane Transformer Company was acquired in two separate transactions:

1. On January 3, 1961, Lots 7 and 8 were purchased from Inland Farmers, Inc, a corporation, formerly Grange Services. The Statutory Warranty Deed was dated and recorded under auditor's file number 637285C. It is filed in Volume 132, page 97 of Spokane County Records. The purchasers were Richard Boyce and Margaret Boyce, as husband and wife and Leslie Hall and Ruth J. Hall, as husband and wife, d/b/a/ Spokane Transformer. According to the excise stamp on the deed the purchase price was $45,000. [4003]

2. On March 15, 1961, Lots 5 and 6 were purchased from Oscar N. Williams and Lenore Williams, as husband and wife. The Statutory Warranty Deed was dated March 15, 1961 and was recorded under auditors file number 599764C. It is filed in Volume 114, page 1044 of Spokane County Records. The purchasers were Richard Boyce and Margaret Boyce as husband and wife and Leslie Hall and Ruth J. Hall as husband and wife. According to the excise stamp on the deed, the purchase price was $7,500.00. [4002]

Upon the death of Ruth J. Hall, her interest in the property passed to her husband, Leslie Hall under Spokane County Probate No. 87966 [4021].

Title on the original warranty deed from Oscar Williams and Lenore Williams, as husband and wife, showed Leslie T. Hall as Leslie J. Hall [4002]. On July 16, 1973, two quit claim deeds were executed to correct that error [4008,4009].

The grantors on the first quit claim deed, recorded under auditor's file number 7307190199, are Richard Boyce and Margaret Boyce, his wife, and Leslie Hall, a single man, doing business as B & H Company, a co-partnership. The grantees are Richard Boyce and Margaret Boyce, his wife and Leslie T. Hall, a single man.[4008] Attempts to locate any information on B & H Partnership were unsuccessful.[4027]

The grantors on the second deed recorded under auditor's file number 7307190200 are Richard Boyce and Margaret Boyce, his wife, and Leslie Hall, a single man, doing business as Spokane Transformer Company, a co-partnership. The grantees are Richard Boyce and Margaret Boyce, his wife and Leslie T. Hall, a single man. [4009]

Approximately July 17, 1972, Leslie Hall sold his interest to Richard E. Boyce and Margaret Boyce as is evidenced by an unrecorded sales agreement. This unrecorded sales agreement is referenced on another sales agreement between Francis W. Boyce and Eleanor C. Boyce as vendors and Francis W. Schoultz and Eleanor C. Schoultz as vendees, which is dated May 1, 1980 [4017, Exception 2 and para 4) & 5)]. A Statutory Warranty Deed between Hall and Boyce was also executed on July 17, 1972. This deed was not recorded until July 26, 1983 under auditor's file number 8307260315. [4021]

On May 1, 1980, Richard E. Boyce and Margaret K. Boyce entered an agreement to sell the property to Francis W. Schoultz and Eleanor C. Schoultz, husband and wife [4017]. A Statutory Warranty Deed was executed on April 30, 1980 and held in escrow until the contract was fulfilled. It was filed April 1, 1985 under auditor's file number 8504010038.[4025]

On June 12, 1981, Francis W. Schoultz and Eleanor C. Schoultz, as husband and wife and Paul Gisselberg and Mary Ann Gisselberg as husband and wife, executed a Real Estate Contract, and recorded under auditor's file number 8106160025. Under the terms of this contract, when the contract was fulfilled, title would pass to the Gisselbergs, [4019]. A Statutory Warranty Deed was executed on June 12, 1981 and held in escrow until the contract was fulfilled. It was filed April 1,1985 under auditor's file number 8504010039.[4026]

NOTE: The practice of placing an executed warranty deed in escrow was common before Notes and Deeds of Trust became the primary method of collateralizing real property. Unrecorded sales contracts usually did not transfer title and real estate contracts did not transfer title. The title was transferred when the contract was fulfilled and a warranty deed was recorded. Problems in presenting a clear title often arose when the contract was fulfilled and the parties who needed to execute the warranty deed could not be located. As a protection for the purchaser, many sellers placed a warranty deed in escrow with instructions to record the deed when the contract was fulfilled.

Currently, the title to the property is held by Paul and Mary Ann Gisselberg. On December 31, 1981 the Gisselberg's leased the property to City Parcel Delivery, Inc, a Washington Corporation. A Notice of Lease was filed on January 26, 1983 under auditor's file number 8401260124. The lease term is for 15 years commencing on the 31st day of December, 1983. It contains two (2) five year options to renew the lease. The lease also contains an option to purchase the real estate. [4022]

Mortgages, Liens, Etc.

On October 19, 1966 Richard E. Boyce, and Leslie Hall, d/b/a B & H Company (a partnership) and their respective wives, executed a real property mortgage with the Small Business Administration (SBA) for $40,000.00. This mortgage is recorded under auditor's file number 240868C. [4004] A release was filed by Capp Homes on February 23, 1977. This release is recorded under auditor's file number 7702230086.[4012] Public records do not identify the connection between Capp Homes and this mortgage. On April 16, 1980 the SBA filed a satisfaction of mortgage, recorded under auditor's file number 8004160202 which released this mortgage. [4016]

On October 19, 1966, two additional mortgages were executed by Spokane Transformer Company to the SBA each for $40,000.00. These are recorded under auditor's file numbers 240869C and 240870C.[4005,4006] To date there is no indication that these mortgages are released. They may be connected with the mortgage referred to in the previous paragraph. Due to the age and terms written, these mortgages have probably been paid but due to oversight, not released.

On April 3, 1968, Richard E. Boyce and Leslie T. Hall d/b/a B & H Company, a partnership and their respective wives executed a real property mortgage, using the site as collateral,in favor of Seattle First National Bank for $75,000.00. The mortgage is filed under auditor's file number 355184C.[4007] A Satisfaction of Mortgage was recorded on March 10, 1978 under auditor's file number 780310089. [4015]

On approximately July 19, 1973, Richard E. Boyce and Margaret K. Boyce and Leslie Hall executed two Real Estate Mortgages to Seattle First National Bank. The first mortgage was for $140,000.00 and is recorded under auditor's file number 730719201.[4010] A Satisfaction of Mortgage which released this mortgage was recorded on March 10, 1978 under auditor's file number 7803100087. [4013] The second was for $100,000.00 and is recorded under auditor's file number 730719202. [4011] A Satisfaction of Mortgage which released this mortgage was recorded on March 10, 1978 under auditor's file number 780310088. [4014]

On May 1, 1980, Francis W. Schoultz and Eleanor C. Schoultz, as husband and wife, executed a Deed of Trust with James A. Black and Company as beneficiary for $13,000.00. This Deed of Trust is recorded under auditor's file number 8005140214. [4018] A Full Reconveyance was executed on July 14, 1980 and recorded under auditor's file number 8007150105.[4020]

NOTE: The Note and Deed of Trust dated May 1, 1980 was apparently used to secure the deferred payment of the real estate commission. There was no transfer of property involved in this transaction.

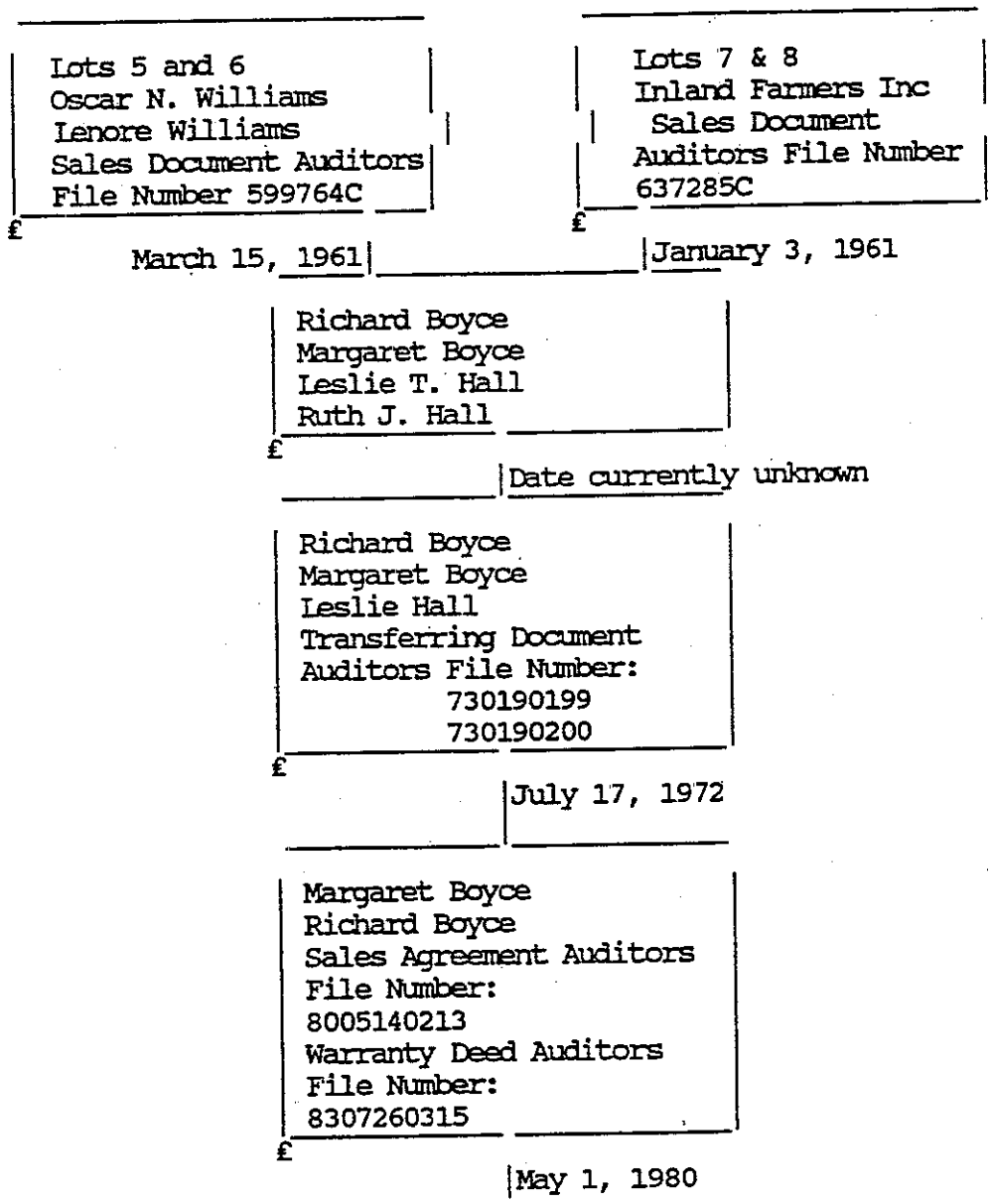
On March 4, 1985, Paul Gisselberg and Mary Ann Gisselberg, as husband and wife, executed a Deed of Trust with Seattle First National Bank as beneficiary. The purpose of this Deed of Trust was to secure a loan of $243,000.00 [4023]. As a condition for making this loan, Seattle First National Bank required the lease between City Parcel Delivery Service and the Gisselberg's be subordinated to the new loan. This was done by a subordination agreement, dated March 11, 1985 and filed on March 22, 1985 under auditor's file number 8503220021.[4024]

Current Status

Presently, the site is owned by Paul Gisselberg and Mary Ann Gisselberg, as husband and wife. It is leased to City Parcel Delivery Service, Inc. for a term of five years, commencing December 31, 1981 with options to renew the lease and an option to purchase the property. The only other lien recorded against the property is a Deed of Trust securing a loan from Seattle First National Bank in the amount of two hundred forty three thousand dollars ($243,000). There may be some prior SBA mortgages attached to the property. However, due to the age and terms written in the mortgage, they probably have been paid, but due to oversight, not released.

CHAIN OF TITLE CHART

Spokane Transformer Company Site



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Francis W. Schoultz Eleanor C. Schoultz Real Estate Contract Auditor's File Number: 8106160025 Warranty Deed Auditors File Number: 8504010038	June 12, 1981
Paul Gisselberg Mary Ann Gisselberg Real Estate Contract Auditors File Number: 8106160025 Warranty Deed Auditors File Number: 8504010039	December 31, 1981
Leased to: City Parcel Delivery Service Notice of Lease Auditors File Number: 8401260124	January 24, 1990

SUMMARY

In 1961, Richard Boyce and Leslie Hall purchased the property at 708 N. Cook to operate Spokane Transformer Company. The purpose of the business was to rebuild and manufacture electrical transformers. The customer base appears to be power companies throughout eastern Washington, Idaho and Montana.

Transformers to be rebuilt were brought in by semi truck and stacked in the yard along the east and north wall until they were brought inside the building to be rebuilt. Some time after 1965, the original building was extended along the east side covering a portion of the area where the transformers were originally stacked.

During rebuilding of the transformers, old oil was extracted and held in a holding tank to be incinerated in a furnace used for heating the building. There was no dumping old oil or burning outside of the furnace. During rebuilding, it was a common occurrence to have oil spill from an overfilled transformer being opened or one with a cracked case. The floor was saturated many times and employees were routinely covered with the old oil.

In 1974, the business was sold and the property was leased to Jerry Overton[1010]. (Documentation supports a sales date of 1974 rather than 1970 as reported in the TAT Activities report dated October 1986.[2005]) At that time, Spokane Transformer Company quit rebuilding transformers. The firm manufactured new transformers only and did not rebuild any transformers unless one of their new transformers was defective. In 1979, Mr. Overton moved the company to Airway Heights. Shortly after the move Mr. Overton sold the company to Square "D" corporation.

After Spokane Transformer Company moved from the subject site, Mr. Boyce sold the subject property to Francis Schoultz who used the site for storage of masonry supplies.

In 1981, Mr. Schoultz sold the property to Paul Gisselberg. Mr. Gisselberg is the currently operates City Parcel Delivery Inc. from the subject site.

CONCLUSION

The primary potentially responsible party appears to be Mr. Richard Boyce, Margaret Boyce and Leslie Hall as owners and operators of Spokane Transformer Company. Mr. Boyce is currently living in Sequim, WA. Attempts to contact Mr. Boyce have been unsuccessful. Myriad recommends that Mr. Boyce be sent a CERCLA 104(e) letter to request the books and records of Spokane Transformer. Once received, these records can be used to determine

other waste generators at the site. Mr. Boyce should also be asked for the location of Leslie T. Hall.

Attempts to locate Mr. Hall have also been unsuccessful. One former employee interviewed indicated that Mr. Hall is deceased but he did not know the date or location of his death. This information should be verified with Mr. Boyce when he is contacted.

Jerry Overton has been located in Arizona, but attempts to reach him by phone have not been successful. Myriad recommends that Overton be sent a CERCLA 104(e) letter to produce books and records for the period he owned and operated Spokane Transformer. These records can be reviewed to determine if Overton's claim that he did not use oil containing PCB's is valid.

The search also identified other potentially responsible parties listed beginning on page 15. As per EPA instructions, no attempt was made to contact any customers of Spokane Transformer Company. The known customers are listed as potentially responsible parties and Myriad recommends tht they be investigated to determine the extent of their liability.

POTENTIALLY RESPONSIBLE PARTIES

The following are listed as Potentially Responsible Parties based on references from public records and interviews.

1. B. C. Hydro
General Office
4400 W. Saanich Road
Victoria, B.C.
V8W2P2
CANADA
604 - 727 - 5100

SECOND ADDRESS

970 Burrard Street
Vancouver, BC.
V6Z 1Y3
CANADA
604 - 663 - 2212
FAX 605 - 663 - 3423

1.1 B.C. HYDRO CONTACTS

Chairman and CEO	L.I. Bell
Vice President Finance and Administration	F.J. Klassen
Vice President Corporate Affairs and Environment	C.W. Boatman

B.C. Hydro is included as a PRP on the basis of an interview with Mr. James Bills, a former employee of Spokane Transformer.[5002] B.C. Hydro sent transformers to Spokane Transformer, Co. to be rebuilt. Therefore, B.C. Hydro is classified as a generator of hazardous waste and a PRP.

2. Richard and Margaret Boyce
154 Schindler Road
Sequim, WA
98382
206 - 683 - 4626

Richard and Margaret Boyce are included as a PRP on the basis of documents showing the Boyce's as owners and operators of Spokane Transformer and site owners. Basis for inclusion as site owners are two warranty deeds naming the Boyce's as grantees. [4001,4003] The basis for including the Boyce's as operators of Spokane Transformer is the Articles of Incorporation listing the Boyces as officers and stockholders of Spokane Transformer Company. [1001]

Interviews with people who know the Boyce's state that they are approximately 80 years old.

3. Calgary Electric System
2808 Spiller Road
P.O. Box 2100
Calgary, Alberta
T2P2M5
CANADA
403-268-2923
FAX 403-269-1833

3.1 Calgary Electric System Contacts

General Manager	E.C. Roswell
Controller & Manager of Finance of Corporate Planning	NJ Chymce

Calgary Electric System was originally identified as Calgary Power. Calgary Electric System is included as a PRP on the basis of an interview with Mr. James Bills, a former employee of Spokane Transformer. [5002] Calgary Electric System sent transformers to Spokane Transformer Company to be rebuilt. Therefore, Calgary Electric System is classified as a generator of hazardous waste and a PRP.

4. Paul and Mary Ann Gisselberg
C/O City Parcel Delivery Service
N. 708 Cook
Spokane, WA
99202
509 - 534 - 0511

HOME ADDRESS
1208 S. 216 #D-102
DesMoine, WA
98198
206 - 824 - 0969

Although the Gisselberg's live in Des Moine, WA, from Monday through Friday Mr. Gisselberg can be reached at City Parcel Delivery Service.

Gisselberg is the current site owner of the subject property and as such, is classified as a PRP. Basis for inclusion of Gisselberg is a Warranty Deed vesting title in Gisselberg. [4026]

5. Grant County PUD
John L. McMahon, General Manager
P.O.Box 878
Ephrata, WA
98823
509 - 754 - 3541

Grant County PUD is included as a PRP on the basis of an interview with John Ald, a former employee of Spokane Transformer. [5000] Grant County PUD sent transformers to Spokane Transformer Company to be rebuilt. Therefore, Grant County PUD is classified as a generator of hazardous waste and a PRP.

6. Leslie T. Hall

Leslie T. Hall is included as a PRP on the basis of documents showing Hall as a part owner and operator of Spokane Transformer and site owner. Basis for inclusion as a site owner are two warranty deeds naming Hall as grantee. [4001,4003] The basis for including Hall as an operator of Spokane Transformer is the Articles of Incorporation listing Hall as an officer and stockholder of Spokane Transformer Company. [1001]

According to John Johnson a former employee of Spokane Transformer Company, Leslie T. Hall is deceased.[5008]

7. Inland Power and Light
General Manager - D. Heitman
E. 320 - 2nd Ave
Spokane, WA
99202
509 - 747 - 7151

Inland Power and Light is included as a PRP on the basis of an interview with John Ald, a former employee of Spokane Transformer. [5000] Inland Power and Light sent transformers to Spokane Transformer Company to be rebuilt. Therefore, Inland Power and Light is classified as a generator of hazardous waste and a PRP.

8. Northern Lights
P.O. Box 310
Sandpoint, ID
208 - 263 - 5141

Northern Lights is included as a PRP on the basis of an interview with John Ald, [5000] a former employee of Spokane Transformer. Northern Lights sent transformers to Spokane Transformer Company to be rebuilt. Therefore, Northern Light is classified as a generator of hazardous waste and a PRP. Transformer Company

9. Jerry Overton
244 Cardeno Circle
Litchfield Park, AZ
85340
602 - 935 - 4308

Jerry Overton is included as a PRP on the basis of documents showing Overton as a former owner and operator of Spokane Transformer and interviews with former employees and neighboring businesses. The basis for including Overton as an operator of Spokane Transformer is a document titled Change of Registered Agent and interviews with Larry Bogan and H.J. (John) Johnson.[1010,5003,5008]

11. Francis W.(Bill) and Eleanor Schoultz
W. 2121 Weile
Spokane, WA
99207
509 - 327 - 6345

Schoultz is a former site owner of the subject property and as such, is classified as a PRP. Basis for inclusion of Schoultz is a Sales Agreement showing Schoultz as purchaser and Warranty Deed vesting title in Schoultz. [4017,4025]

14. Vera Power and Light
J.W. Custer - General Manager
N 601 Evergreen Road
Spokane, WA
509 - 924 - 3800

MAILING ADDRESS
P.O. Box 630
Veradale, WA
99037

Vera Power and Light is included as a PRP on the basis of an interview with Willie Vowels, [5016] a former employee of Spokane Transformer. Northern Lights sent transformers to Spokane Transformer Company to be rebuilt. Therefore, Vera Power and Light is classified as a generator of hazardous waste and a PRP.

15. Washington Water Power and Light
E. 1411 Mission Ave
P.O. Box 3727
Spokane, WA
99220
509 - 489 - 0500

15.1 Washington Water Power and Light Contacts

CEO - President	Paul A. Redmond
VP - Operations	Robert D. Tuskai

Washington Water Power and Light is included as a PRP on the basis of interviews with John Ald, Jim Bills, H.J. (John) Johnson, Stan Porter and Willie Vowels, former employees of Spokane Transformer.[5000,5002,5008,5010,5016] Washington Water Power and Light sent transformers to Spokane Transformer Company to be rebuilt. Therefore, Washington Water Power and Light is classified as a generator of hazardous waste and a PRP.

UNDOCUMENTED POTENTIALLY RESPONSIBLE PARTIES

1. Square "D" Corporation
   Mr. Steve Litchfield, Esq
   1415 S. Roselle Road
   Palatine, IL
   60067
   708 - 397 - 2600

Square "D" Corporation purchased Spokane Transformer Company in approximately 1979 or 1980 after Spokane Transformer moved their operation to Airway Heights. Since Square "D" did not operate at the former Spokane Transformer site, they are classified as an undocumented PRP.[5000,5002,5010,5016]

Myriad has been unable to contact Square "D"s corporate counsel, Mr. Litchfield.

INTERVIEW SUMMARIES

John Ald
1417 N. Lincoln
Spokane, WA
99201
No home phone
Message number is 509 - 328 - 5838

Mr. Ald worked at Spokane Transformer Company from 1957 to approximately 1970. He was primarily an assembly man of the transformers. He has just sold his present business and is planning to retire.

During Mr. Ald's employment at Spokane Transformer Company, The Company both manufactured and rebuilt transformers. According to Mr. Ald, there were no spills and the company incinerated the used oil. Mr. Ald stated "It was free heat to us."

Mr. Ald also states that Spokane transformer never dumped the used oil but while rebuilding the transformers, oil would often end up on the floor.

Spokane Transformer Company had a route in which a truck would pick up the transformers at various power companies. Mr. Ald did not know the bookkeeping procedure or where records of these routes might be today. He did identify Washington Water Power and Light, Inland Power and Light, Grant County PUD, and Northern Lights as companies which traded with Spokane Transformer Company.

When transformers were delivered to Spokane Transformer Company for rebuilding, they would be stacked in the north and east yard until they were ready to be rebuilt. Some of these transformers may have leaked oil into the ground.

Jim Bateman
Bateman Towing and Auto Repair
E. 2406 Trent Street
Spokane, WA
99202
509 - 534 - 4229

Mr. Bateman has operated an auto towing and repair business for 12 years at the present location. He recalls seeing a lot of semi trucks enter and leave the subject property but can not identify them. According to Mr. Bateman, the site was very quiet and there were no signs of any oil burning or spills.

Jim Bills
P.O. Box 57
Nine Mile Falls, WA
99026
509 - 276 - 2041

Mr. Bills worked at Spokane Transformer Company from 1976 until it relocated to Airway Heights in 1979. His responsibilities were to install the cores and coils in the transformers. He also filled oil and did some winding of the coils.

During the time Mr. Bills was at Spokane Transformer Company, they did not do any rebuilding. Only new transformers were sent out. Mr. Bills does not recall any spills and provided the name of Washington Water Power, B.C. Hydro, and Calgary Power as Spokane Transformer Company customers.

Mr. Bills currently works at Thermoguard Equipment in Spokane.

Larry Bogan
Bogan's Auto Wrecking
N. 713 Cook Street
Spokane, WA
99202
509 - 534 - 0109

Mr. Bogan has been in the auto wrecking business at that location for 21 years. The location is directly across Cook street from the subject site. He knew Jerry Overton and had a great amount of respect for him.

Bogan observed a number of semi trucks entering and leaving Spokane Transformer Company premises but he is unable identify any of the owners of the trucks.

During the time Bogan's been in business business, he has never seen any signs of oil being burned, dumped or spilled. The only exception would be an oil supplier overfilled the storage tank with unused oil and the oil spilled into the street. Bogan was not sure of the date this occurance. Overton came over and apologized for the spill.

Floyd Clements
Mitchell, Lewis and Staver
E. 2502 Trent Street
Spokane, WA
99202
509 - 534 - 0343

Mr. Clements was in the office at E. 2502 Trent Street, the day Myriad contacted this business. He had retired from Mitchell, Lewis and Staver but was filling in for another employee. Mitchell, Lewis and Staver has occupied their present location and the location next door for over 25 years. While Mr. Clements was employed, he never saw any signs of oil being burned. According to Mr. Clements, it was a quiet operation "except for the wild drivers which left there around five o'clock".

Lou Dobberstein
City of Spokane
Department of Public Works
Municipal Building
Spokane, WA
99201 - 3343
509 - 456 - 4300

Mr. Dobberstein is an engineer with the Department of Public Works.

In 1976, the City of Spokane implemented some street improvements on Trent Street. As part of these improvements, there were four drywells installed in the area of Spokane Transformer Company. Three are along the railroad tracks and the fourth is located in the middle of the intersection of Cook and Springfield. The drywell in the middle of Cook and Springfield was replaced by a storm sewer system in 1985 and 1986.

Mr. Dobberstein states that prior to 1976, there wasn't a storm or runoff system. Accordingly, had there been any spills, the oil would have taken its natural course or soaked into the ground.

Mr. Dobberstein also provided blueprints of the drywells and storm sewer system.[3001,3002]

Dick Edwards
James S. Black and Company
S. 107 Howard
Spokane, WA
99204
509 - 838 - 2511

Mr. Edwards is the sales agent for James S. Black and Company, which sold the property to the Schoultz's and subsequently to Gisselberg.

Mr. Edwards was concerned about possible PCB contamination. He and Mr. Don Rohrer arranged for an inspection with the Department of Ecology and the EPA for the purpose of determining what, if any, contamination was on the property. In response to this request, the site was visited by Mr. Jim Malm from the Washington State Department of Ecology and Mr. James Hileman from the EPA. Since there was no response by either party after the visit, Mr. Edwards assumed that the visit did not produce any evidence of contamination and proceeded with the sale of the subject property to Francis Schoultz's.

Francis Schoultz has a Masonry Contracting Company which operates out of his home at W. 2121 Weile, Spokane, WA 99207. Schoultz used the building to store scaffolding, masonry supplies etc.

When inquiring about Mr. Boyce, Mr. Edwards stated that he is living on the coast. He had no knowledge of Leslie T. Hall.

Paul Gisselberg
1208 S. 216th #D - 102
Des Moine, WA
98198
206 - 824 - 0969

Mr. Gisselberg is the current owner of the site and operates City Parcel Delivery Service. Mr. Gisselberg purchased the site from the Schoultz's and opened the parcel delivery service. In 1983, he sold the business, repossessed it in December of 1987.

Mr. Gisselberg reports that the building was clean when he purchased it. There was dried oil in various spots throughout the building. Over a period of time, he cleaned most of these up by scraping and scrubbing. Mr. Gisselberg

estimates that approximately two trash cans full of dried oil were disposed of.

When Mr. Gisselberg purchased the building, he was concerned over possible PCB contamination. He has a letter from Mr. Boyce stating that to the best of Mr. Boyce's knowledge, there were no PCB's used in their operation. Mr. Gisselberg will provide a copy of this letter for inclusion in the potentially responsible party report.

In approximately 1981 or 1982, Cook street was in such bad shape that Mr. Gisselberg paved it and the off street parking in front of the building. The fenced area north of the building is graveled.

Mr. Gisselberg currently uses the building for vehicle storage and maintenance. The vehicle maintenance is conducted in a separate portion of the building.

Mr. Gisselberg was very cooperative in providing Myriad with information and a tour of the building. He is planning to improve the building but would like to know the outcome of any clean up efforts before he makes definite plans.

Mr. Gisselberg can be contacted at City Parcel Delivery Service, Monday through Friday.

H. J. (John) Johnson
E.1802 Glass
Spokane, WA
99207
509 - 489 - 2693

Mr. Johnson worked as a supervisor for Spokane Transformer Company for 14 years. He left Spokane Transformer Company approximately a year before Jerry Overton purchased the company. He is presently retired.

Mr. Johnson states that during his employment the transformers were stacked on the outside of the east wall until they were ready to be rebuilt. The oil was collected and burned in a furnace. There were no spills or dumping while he was there that he can remember. According to Mr. Johnson , in the course of rebuilding the transformers, the floor often became saturated with the old oil, but every effort was extended to keep this to a minimum.

Mr. Johnson indicated the biggest customer that Spokane Transformer Company had was Washington Water Power. Spokane Transformer Company also sold and traded with many of the small rural companies in Washington, Idaho and Montana.

According to Mr. Johnson, Leslie T. Hall is deceased.

Carol Mitchell
City of Spokane
Department of Public Works
Municipal Building
Spokane, WA
99201 - 3343
509 - 456 - 4300

Ms. Mitchell examined the records which revealed that, since 1946 the City of Spokane had provided a sewer connection for the site. It is not known when the building hooked into the system.

Stan Porter
12529 E. 24th
Spokane, WA
99206
509 - 924 - 2830

Mr. Porter was a welder and supervisor at Spokane Transformer Company. He was employed from 1967 and went to Square "D" when it purchased Spokane Transformer Company.

The interview with Mr. Porter revealed that Spokane Transformer Company did rebuild and manufacture transformers until 1972 or 1973. At that time, they quit rebuilding and continued to manufacture new transformers.

According to Mr. Porter, the oil from the transformers to be rebuilt was burned in an oil furnace.

Mr. Porter was not aware of any major oil spills. When there was a spill, "Floor Dry" was used to pick it up.

Mr. Porter also verified Washington Water Power as a customer and also stated that Inland Power was a customer of Spokane Transfer.

Ray Riccardi
Valley Transformer Co.
21233 Gilbert Road
Otis Orchards, WA
99027
509 - 926 - 1725

Mr. Riccardi was a foreman and rewinder for Spokane Transformer Company from approximately 1955 until 1965. He did some selling for a short period of time. Presently, he is the owner of Valley Transformer Co.

According to Mr. Riccardi, when transformers were delivered to Spokane Transformer Company for rebuilding, they were stacked in the north and east yard against the wall. A portion of the area on the east where they were originally stacked has since been covered over by an addition to the building. This was done after Mr. Riccardi left Spokane transformer.

When Mr. Riccardi was initially employed by Spokane Transformer Company, the old oil was sold to contractors. Shortly after they moved to the subject site they began to burn the oil in a furnace.

Mr. Riccardi stated that during his employment Spokane Transformer Company traded with about anyone who used transformers. The trade route covered eastern Washington, Idaho and Montana. He did not name any companies.

Don Rohrer
Village Square Realty
E. 10807 Montgomery, Suite 8
Spokane, WA
99206
509 - 924 - 9124

Mr. Rohrer was a commercial real estate agent with James S. Black and Company when he listed the subject property for sale. He is now associated with Village Square Realty.

In 1979, Mr. Rohrer noticed that the building was vacant and listed it for sale. During the listing period, Mr. Rohrer suggested to the owner, Mr. Boyce, that the site be cleaned and to demolish a shack which was in a poor state of repair. Before the site was cleaned, there were no apparent oil stains. Mr. Rohrer stated the subject site was "cleaner than a used car lot".

Mr. Rohrer was concerned about possible PCB contamination. He arranged for an inspection with the Department of Ecology and EPA for the purpose of determining what, if any, contamination was on the property. In response to this request, the site was visited by Jim Malm from the Washington State Department of Ecology and James Hileman from EPA. Since there was no response by either party after the visit, Mr. Rohrer assumed that the visit did not produce any evidence of contamination and proceeded with marketing the building.

The building was sold to Francis Schoultz who used the

building to store scaffolding, masonry supplies etc. The selling agent was Dick Edwards of James S. Black.

When inquiring about Mr. Boyce, Mr. Rohrer stated that he is living on the coast and is approximately 80 years old. He had no knowledge of Leslie T. Hall.

Norman Thomas
Specialty Insulation Construction
E. 2626 Trent Street
Spokane, WA
99202
509 - 535 - 0666

Mr. Thomas has been in business for approximately 15 years. Mr. Thomas stated that everything at the subject site was always as "quiet as a mouse". He never saw any smoke from the site or any indications that there was any burning of oil.

Willie Vowels
4034 E. Cleveland Ave
Spokane, WA
99207
509 - 483 - 4146

Mr. Vowels worked in plant maintenance at Spokane Transformer Company from 1967 until 1978.

According to Mr. Vowels, Spokane Transformer Company rebuilt transformers until 1972 or 1973 for Washington Water Power, Vera Power and Light and other power companies. After that time, they manufactured new transformers only. Mr. Vowels stated that the only time Spokane Transformer Company would do any rebuilding after 1972 or 1973 was when one of their own units failed.

During the time Mr. Vowels was associated with Spokane Transformer Company, he knew of no fires or spills. He stated that if there were any spills, they may have come from the transformers which were stacked outside the building on the north side of the building. These were the transformers that were to be rebuilt.

Also according to Mr. Vowels, the old oil from the old units was put through a filter, then burned in an oil furnace.

SPOKANE TRANSFORMER COMPANY PERSONNEL NOT INTERVIEWED

Richard Boyce:	Telephones several times at his home in Sequim. There was no response.
Bill Gutterson:	Former employee of Spokane Transformer. Unable to locate current phone number.
Jim Hardin:	Former employee of Spokane Transformer. Last known location was in Republic, WA. No listing for him in Republic phone directory.
Leslie T. Hall:	Unable to locate Mr. Hall. Assumed to be deceased.
Jerry Overton:	Telephoned several times. No response.
Bill Salvey:	Unable to locate current phone number.

INDEX OF BUSINESS HISTORY EXHIBITS

1000	Certificate of Incorporation for Spokane Transformer Company.
1001	Articles of Incorporation for Spokane Transformer
1002	Original Designation of Registered Agent for Spokane Transformer
1003	1967 Spokane Transformer Company Annual Report
1004	1968 Spokane Transformer Company Annual Report
1005	1969 Spokane Transformer Company Annual Report
1006	1970 Spokane Transformer Company Annual Report
1007	1971 Spokane Transformer Company Annual Report
1008	1972 Spokane Transformer Company Annual Report
1009	1973 Spokane Transformer Company Annual Report
1010	Change of Registered Agent Form for Spokane Transformer Company
1011	1974 Spokane Transformer Company Annual Report
1012	1975 Spokane Transformer Company Annual Report
1013	1976 Spokane Transformer Company Annual Report
1014	1977 Spokane Transformer Company Annual Report
1015	1978 Spokane Transformer Company Annual Report
1016	1979 Spokane Transformer Company Annual Report
1017	Letter dated January 11, 1990, to Ms. Chris Johnson of the Washington Secretary of State office from Myriad Systems and Services. Letter was received and returned with handwritten comments.
1018	Letter dated February 12, 1990 from Paul Gisselberg to Myriad Systems and Services.
1019	Letter dated June 8, 1981 from James S. Black & Co. to Paul Gisselberg.

INDEX OF REGULATORY HISTORY EXHIBITS

2000 Internal EPA Memo dated September 28, 1976, from Daniel R. Tangarone to James W. Sweeney.

2001 Letter dated October 19, 1976 from L. Edwin Coate, EPA Deputy Regional Administrator to John A. Biggs, Director, Washington State Department of Ecology.

2002 Internal Washington Department of Ecology Memo dated November 15, 1976 from Roger Ray to Bruce Cameron.

2003 Internal EPA Memo dated April 3, 1980 from James Hileman to John Barich

2004 Washington Department of Ecology Summary Memorandum of Potential Hazardous Waste Site Preliminary Assessment dated July 30, 1985.

2005 TAT Activities Report dated October 1986. Prepared by EPA Region X Technical Assistance Team, TDD #10 - 8511-03.

2006 Site Assessment Final Report for Spokane Transformer,; Spokane Washington; TDD T10 - 8704 - 004. Dated October 30, 1987. Prepared by Ecology and Environment, Inc.

INDEX OF SITE SPECIFIC EXHIBITS

3000 Portion of U.S. Geological Survey Map (USGS) Spokane NE Quadrangle. Scale 1:24,000.

3001 Blueprint of 1975 Trent Street Improvements.

Exhibit contains a reproduction of applicable portion of blueprint. Both blueprint and reproduction have the same exhibit number.

3002 Blueprint of 1985 Trent Street storm sewer revisions.

Exhibit contains a reproduction of applicable portion of blueprint. Both blueprint and reproduction have the same exhibit number.

INDEX OF REAL ESTATE EXHIBITS

4000 Neighborhood Map

4001 Site Map

4002 Statutory Warranty Deed
Grantors: Williams
Grantees: Boyce and Hall

4003 Statutory Warranty Deed
Grantors: Inland Farmers, Inc
Grantees: Boyce and Hall

4004 Real Property Mortgage
Mortgagor: Boyce and Hall d/b/a B & H Company (a partnership)
Mortgagee: Small Business Administration

4005 Real and Personal Property Mortgage
Mortgagor: Spokane Transformer Company
Mortgagee: Small Business Administration

4006 Real and Personal Property Mortgage
Mortgagor: Spokane Transformer Company
Mortgagee: Small Business Administration

4007 Real Property Mortgage
Mortgagor: Boyce and Hall d/b/a B & H Company, a partnership
Mortgagee: Seattle First National Bank

4008 Quit Claim Deed
Grantor: Boyce and Hall d/b/a B & H Company
Grantee: Boyce and Hall

4009 Quit Claim Deed
Grantor: Boyce and Hall d/b/a Spokane Transformer
Grantee: Boyce and Hall

4010 Real Property Mortgage
Mortgagor: Boyce and Hall
Mortgagee: Seattle First National Bank

4011 Real Property Mortgage
Mortgagor: Boyce and Hall
Mortgagee: Seattle First National Bank

4012 Satisfaction and Release and Discharge of Mortgage Lien.
Releases mortgage referenced as Exhibit # 3
NOTE: Public records do not make clear the connection between this satisfaction and the SBA mortgage shown in Exhibit # 3.

4013 Satisfaction of Mortgage
Releases mortgage referenced as Exhibit # 9

4014 Satisfaction of Mortgage
Releases mortgage referenced as Exhibit # 10

4015 Satisfaction of Mortgage
Releases mortgage referenced as Exhibit # 6

4016 Satisfaction of Mortgage
Releases mortgage referenced as Exhibit # 3

4017 Sales Agreement
Vendors: Boyce
Purchasers: Schoultz

4018 Deed of Trust
Grantor: Schoultz
Beneficiary: James S. Black and Company
Trustee: Transamerica Title Company

4019 Real Estate Contract
Vendor: Schoultz
Purchaser: Gisselberg

4020 Full Reconveyance
Reconveyed Deed of Trust referenced as Exhibit # 17

4021 Statutory Warranty Deed
Grantor: Hall
Grantee: Boyce

4022 Notice of Lease
Lessor: Gisselberg
Lessee: City Parcel Delivery Service

4023 Deed of Trust
Grantor: Gisselberg
Beneficiary: Seattle First National Bank
Trustee: Transamerica Title Insurance Company

4024 Subordination Agreement
Tenant: City Parcel Delivery, Inc
Mortgagee: Seattle First National Bank

4025 Statutory Warranty Deed
Grantor: Boyce
Grantee: Schoultz

4026 Statutory Warranty Deed
Grantor: Schoultz
Grantee: Gisselberg

INDEX OF INTERVIEWS

5000 John Ald
Former Spokane Transformer Company Employee
Telephone interview February 14, 1990

5001 Jim Bateman
Bateman Towing and Auto Repair
Personal Interview February 6, 1990

5002 Jim Bills
Former Spokane Transformer Company Employee
Personal Interview February 7, 1990

5003 Larry Bogan
Bogan's Auto Wrecking
Personal Interview February 7, 1990

5004 Floyd Clements
Mitchell, Lewis and Staver
Personal Interview February 6, 1990

5005 Lou Dobberstein
City of Spokane
Personal Interview February 5, 1990

5006 Dick Edwards
James S. Black and Company
Telephone Interview February 5, 1990

5007 Paul Gisselberg
City Parcel Delivery Service
Personal Interview February 6, 1990

5008 H. J. (John) Johnson
Former Spokane Transformer Company Employee
Telephone Interview February 13, 1990

5009 Carol Mitchell
City of Spokane
Personal Interview February 6, 1990

5010 Stan Porter
Former Spokane Transformer Company Employee
Telephone Interview February 6, 1990

5011 Roger Ray
Washington State Department of Ecology
Telephone Interview January 16, 1990
Personal Interview February 6, 1990

5012 Ray Riccardi
Former Spokane Transformer Company Employee
Telephone Interview February 13, 1990

5013 Don Rohrer
Village Square Realty
Personal Interview February 5, 1990

5014 Sherman Spencer
Washington State Department of Ecology
Personal Interview February 7, 1990

5015 Norman Thomas
Specialty Insulation Construction
Personal Interview February 6, 1990

5016 Willie Vowels
Former Spokane Transformer Company Employee
Telephone Interview February 13, 1990

City Parcel Site

FILE COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400

December 15, 2004

Mr. Richard E. Raymond
Principal Engineer
Public Works & Utilities
City of Spokane
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3334

Dear Mr. Raymond:

RE: City Parcel Site - City Fuel/Wash Facility, former Barrier Property

In your letter dated December 10, 2004, you provided Ecology with the results of additional soil sampling for PCBs conducted on the City Fuel/Wash Facility (former Barrier property). Based on our review of the results, Ecology agrees that the PCB contamination in the former Barrier property is limited to the area adjacent to the alleyway as determined in earlier studies. PCB concentrations in this area have been shown to be below the industrial PCB soil cleanup level of 10 mg/Kg.

Your letter also requests approval for soils excavated in the PCB-contaminated area to be re-incorporated below grade at a location within the existing contamination area which will be capped with a cement concrete pavement. The volume of these excavated soils from installation of luminary foundation bases and fence posts is estimated to be on the order of a few cubic yards. Based on our telephone conversation on December 14, 2004, it is Ecology's understanding that clean soils will be placed on top of these relocated soils prior to capping. Ecology approves your proposal with the following contingencies:

- The City shall send documentation to Ecology as to the total volume, exact location (shown on a map), and depth of the relocated excavated soils as soon as the project is completed.

- Also, upon completion of the project, a Restrictive Covenant that prohibits activities that interfere with the integrity of the concrete pavement and to warn future property owners of the residual contamination shall be recorded for the contaminated area.

This approval does not relieve the City of Spokane of its obligations to comply with all other federal, state, and local requirements.

Ecology will be drafting the Restrictive Covenant for the above property very soon. Please provide, at the soonest time possible, the legal description and an accompanying map for the property that would be placed under deed restrictions.

If you have any questions, please call me at (509) 329-3543.

Sincerely,

Teresita F Bala

Teresita F. Bala
Toxics Cleanup Program

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 456-2926

COPY

August 7, 2003

Mr. Jack Lynch
City Administrator
City of Spokane
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3333

Dear Mr. Lynch:

RE: City Parcel Cleanup Site

The Department of Ecology met with Mr. Lloyd Brewer and Mr. Dick Raymond of the City of Spokane on July 31, 2003, to discuss the proposed development of the former Barrier property that is adjacent to the alleyway (a City Right-of-Way) at the City Parcel Toxic Cleanup Site.

The City Parcel Site, a former transformer repair and recycling operation facility, is located at 708 North Cook Street at the intersection of North Cook and East Springfield Avenue. The Department of Ecology has completed the Remedial Investigation at the City Parcel Site that is undergoing cleanup under the Model Toxics Control Act (MTCA), RCW 70.105D RCW. The Remedial Investigation is the study that determines the nature and extent of contamination at the Site.

Ecology's next step in the cleanup is to prepare a Feasibility Study and then a Draft Cleanup Action Plan. The Feasibility Study will evaluate different cleanup alternatives that are applicable to the Site. The Draft Cleanup Action Plan will present Ecology's selected cleanup action. The evaluation of the different alternatives and the selection of the cleanup action will be conducted according to the criteria required under MTCA. The public will have an opportunity to review and comment on the draft Feasibility Study Report and the Draft Cleanup Action Plan. Implementation of the cleanup action will follow; the schedule will depend on negotiations with the Potentially Liable Persons and/or availability of state funds.

The presence of PCBs on surface soils along the alleyway that is located just east of the City Parcel building was confirmed in the Remedial Investigation. Enclosed are two maps showing historic and recent soil sample results for the Site. This alleyway has unlimited access to the public and, therefore, continues to be an exposure pathway to PCBs. It is Ecology's intention to eliminate this exposure pathway as soon as possible.

During the meeting with Mr. Brewer and Mr. Raymond, the possibility of providing a temporary cover over the contaminated soils was discussed.

This letter is Ecology's formal request for the City to install a temporary cover over the contaminated soils in the alleyway. We would appreciate it if the City can inform us of its intentions by September 15, 2003. Ecology is also sending a letter to Mr. Gisselberg, the City Parcel property owner, to see if he is willing to participate in this project. We encourage discussions between the City and Mr. Gisselberg to install temporary measures to eliminate the exposure to PCB contamination in the alleyway.

Thank you for your cooperation. We look forward to working with you. If you have any questions, I can be reached at 329-3543.

Sincerely,

Teresita Bala

Teresita Bala
Toxics Cleanup Program

Cc: Roger Flint, City of Spokane
Lloyd Brewer, City of Spokane
Dick Raymond, City of Spokane
Flora Goldstein, Ecology
Colleen Warren, AAG/Olympia

CITY PARCEL SITE 511 1.2

FILE COPY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 456-2926

September 4, 2003

Mr. Jack Lynch
City Administrator
Spokane City Hall
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3303

Dear Mr. Lynch:

RE: City Parcel Site Alleyway

Ecology has received your August 19, 2003 letter responding to our formal request, per our letter dated August 7, 2003, to install a temporary cover over the PCB-contaminated soils in the City Parcel Site alleyway. The letter states that the City is prepared to place a light granular base to level the alleyway and then pave the surface with asphalt. This letter is to inform the City that Ecology agrees with the proposal. We would appreciate it if you can keep us informed as to the schedule of the work that will take place.

Your cooperation to our request is very much appreciated. We look forward to continuing working with you. If you have any questions, please feel free to call Teresita Bala at (509) 329-3543.

Sincerely,

Flora J. Goldstein

Flora J. Goldstein
Section Manager
Toxics Cleanup Program
Eastern Regional Office

cc: Roger Flint, City of Spokane
Lloyd Brewer, City of Spokane
Dick Raymond, City of Spokane
Teresita Bala, Ecology/Spokane
Colleen Warren, AAG/Olympia

Ecology's Responses to Comments submitted by Mr. Robert Dunn (Attorney for Mr. Gisselberg) received on September 13, 2005

[Note: Mr. Gisselberg is the current owner and a party to the Enforcement Order. Mr. Dunn, acting as Mr. Gisselberg's attorney, submitted comments to Ecology on behalf of Mr. Gisselberg. These comments and responses are a subset and extension of an assemblage of correspondence between counsel for Mr. Gisselberg and Ecology, which are available for review.]

1.a The Fact Sheet on the Enforcement Order states that "The City Parcel owners each declined to conduct work voluntarily or did not respond to Ecology's request to negotiate an Agreed Order or Consent Decree to implement the final Cleanup Action Plan". "The City Parcel owners" in this statement refers to the Site's previous owners and the current owner. This statement is accurate. Mr. Gisselberg, as with Mr. Boyce, declined to conduct work voluntarily by not agreeing to negotiate an Agreed Order or Consent Decree; Mr. Overton did not respond to Ecology's request. The details, as described in statement no. 26 of Section II, Statement of Facts, of the Enforcement Order are:

> "On May 27, 2005, the Attorney General's Office, on behalf of Ecology, sent letters to the PLPs asking their intention to negotiate an Agreed Order or Consent Decree with Ecology to implement the FCAP (as written or with some specific modifications as discussed during the May 24, 2005 meeting). Ecology requested that the PLPs respond to Ecology's letter by July 27, 2005. Mr. Boyce, through his attorney Mr. Todd Reuter, responded that he did not intend to cooperate in the form of payment for any portion of the cleanup costs. A response was also received by Ecology from Mr. Gisselberg's attorney, Mr. Robert Dunn, electing not to negotiate and Agreed Order or Consent Decree with Ecology for implementation of either the FCAP, or the FCAP with specific modifications that would allow the building on Site to remain. Mr. Overton did not send a response."

1.b A groundwater sample from Monitoring Well (MW)-1 in 1997 showed PCBs at 2.88 parts per billion (ppb). A follow-up sampling event in January 1998 did not detect PCBs in groundwater. Statement no. 10 of Section II, Statement of Facts, describes these sampling events in detail including the explanation that the presence of PCBs in the groundwater was due to high turbidity. When read in proper context, the following statements in the Fact Sheet are correct and are not deceiving and misleading: "A groundwater sample taken in 1997 showed PCBs above acceptable state levels. Follow-up sampling had not detected PCBs in groundwater".

PCBs were again detected at 1.88 ppb in MW-1 during the Remedial Investigation (RI) in April 2002. The presence of the PCBs in MW-1 may have been caused by nearby soil activities during the RI that possibly disturbed the soil column or influenced movement of contaminants. Very low levels of PCBs were also found in two other newly-installed

monitoring wells in April 2002. Follow-up sampling events in July 2002, February 2003, and May 2003 did not detect PCBs in groundwater in all monitoring wells.

Ecology will be revising statement no 18 of Section II, Statement of Facts, to more precisely reflect the groundwater sampling undertaken in 2002 and 2003.

2 and **3**. In City Parcel, Inc. et. al v. Overton, Spokane County Superior Court No. 94-2-06779-1, the Court concluded that Mr. Gisselberg prior to purchasing the property "... had knowledge or reason to know that in the past hazardous substances, the release or threatened release of which resulted or contributed to the need for remedial action, were released or disposed of on, in, or at the facility." The Findings of Fact and Conclusions of Law entered by Judge Thompkins in this case do not support a defense of "innocent purchaser" as provided for in RCW 70.105D.040(3)(b). Nor did the court rule that Mr. Gisselberg was immune from liability under RCW 70.105D.040(3)(a)(iii). To the contrary, the court found Mr. Gisselberg liable under MTCA for cleanup costs at this site. Furthermore, Ecology has no responsibility to notify prospective purchasers of property of potential contamination; instead the Model Toxics Control Act (MTCA) places responsibility for due diligence on prospective purchasers.

4. In City Parcel, Inc. et. al. v. Overton, Spokane County Superior Court No. 94-2-06779-1, the Court already decided that Mr. Gisselberg, along with Mr. Boyce and Mr. Overton are the Potentially Liable Persons (PLPs) for the City Parcel Site. Ecology's Enforcement Order does not target Mr. Gisselberg; it is instead being issued to all three jointly and severally liable PLPs. The Court made no finding as to the liability of certain transformer generators delivered to the Site prior to Mr. Gisselberg's purchase of the property. Additionally, MTCA does not impose on Ecology a duty to investigate and identify possible generators of the hazardous substances that were released at the Site. MTCA's joint and several liability specifically allows Ecology to name readily identifiable parties, require them to conduct the cleanup, and let them pursue other potentially liable parties from whom they can seek contribution after the cleanup is complete.

5. The gravel cover that the City installed in the alleyway is only a temporary cover and is not the appropriate final remedy. The Final Cleanup Action Plan (FCAP) requires the excavation and disposal of PCB-contaminated soils in the alleyway because the PCB concentrations are above the cleanup level allowed by the state of Washington. This is the same cleanup action required for the parking lot behind the building. Soil concentrations of PCBs in the former Barrier property (now owned by the City) are below the industrial PCB cleanup level. The FCAP requires the installation of a protective cap and a recorded Restrictive Covenant for this City property. The City has already installed this protective cap. Additionally, the Enforcement Order is not issued only to Mr. Gisselberg. It is being issued to all PLPs.

6. Consistent with response #4, Ecology does not intend to pursue other PLPs. The Final Cleanup Action Plan will not be amended and the Enforcement Order, as revised, is now final. It is in the public interest to move forward with cleanup.