



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

March 26, 2009

Ms. Pam Morrill
CDM
11811 NE 1st Street, Suite 201
Bellevue, WA 98005

Dear Ms. Morrill:

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

- Name: Leather Care Inc
- Address: 901 Elliott Avenue W, Seattle
- Facility/Site No.: 35254363
- VCP No.: NW1805

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

This letter constitutes an advisory opinion regarding a review of submitted documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Tetrachloroethene (PCE) and its degraded by-products in Soil;
- Tetrachloroethene (PCE) and its degraded by-products in Ground Water.

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

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.



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

1. December 2008 Groundwater Monitoring Leather Care Inc, dated February 25th 2009, prepared by Camp Dresser McKee (CDM).

The reports listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at 425.649.7239.

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

- Tetrachloroethene (PCE) and its degraded by-products in Soil;
- Tetrachloroethene (PCE) and its degraded by-products in Ground Water.

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

The Leather Care facility is located at the base of Queen Anne Hill, approx 650 feet from the shoreline of Elliott Bay. The facility and properties to the north, south and west are zoned IC-45 (industrial-commercial). Properties to the east are zoned commercial. Development on this parcel began around 1924 with an Apple Product factory. American Conserving which manufactured cider occupied the parcel continuously from 1938 until 1985 when Leather Care purchased the property. Leather Care is a large commercial dry cleaning facility which used PCE from 1985 until discontinuation of its use began in 2000; final conversion to non-halogenated chemicals was complete by Oct 2005.

Soil and groundwater have been impacted above MTCA standards by Tetrachloroethene (PCE) and its degraded by-products. The subsurface groundwater halogenated hydrocarbon plume had migrated off site northwest onto the adjacent property (Darigold F/S# 21722841) and commingled with the Darigold heavy-oil and diesel subsurface groundwater plume.

Based on a review of supporting documentation listed above, pursuant to **requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site, Ecology has determined:**

- Ecology has reviewed the report "December 2008 Groundwater Monitoring Leather Care Inc, dated February 25th 2009, prepared by Camp Dresser McKee (CDM);
- Ecology is anticipating the receipt of the report and map which will complete the Remedial Investigation and clearly characterize the nature and extent of the Tetrachloroethene (PCE) plume and its degraded by-products in soil and ground water at the Leather Care Site.

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

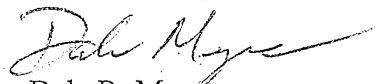
Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

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

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

If you have any questions regarding this opinion, please contact me at 425.649.4446.

Sincerely,

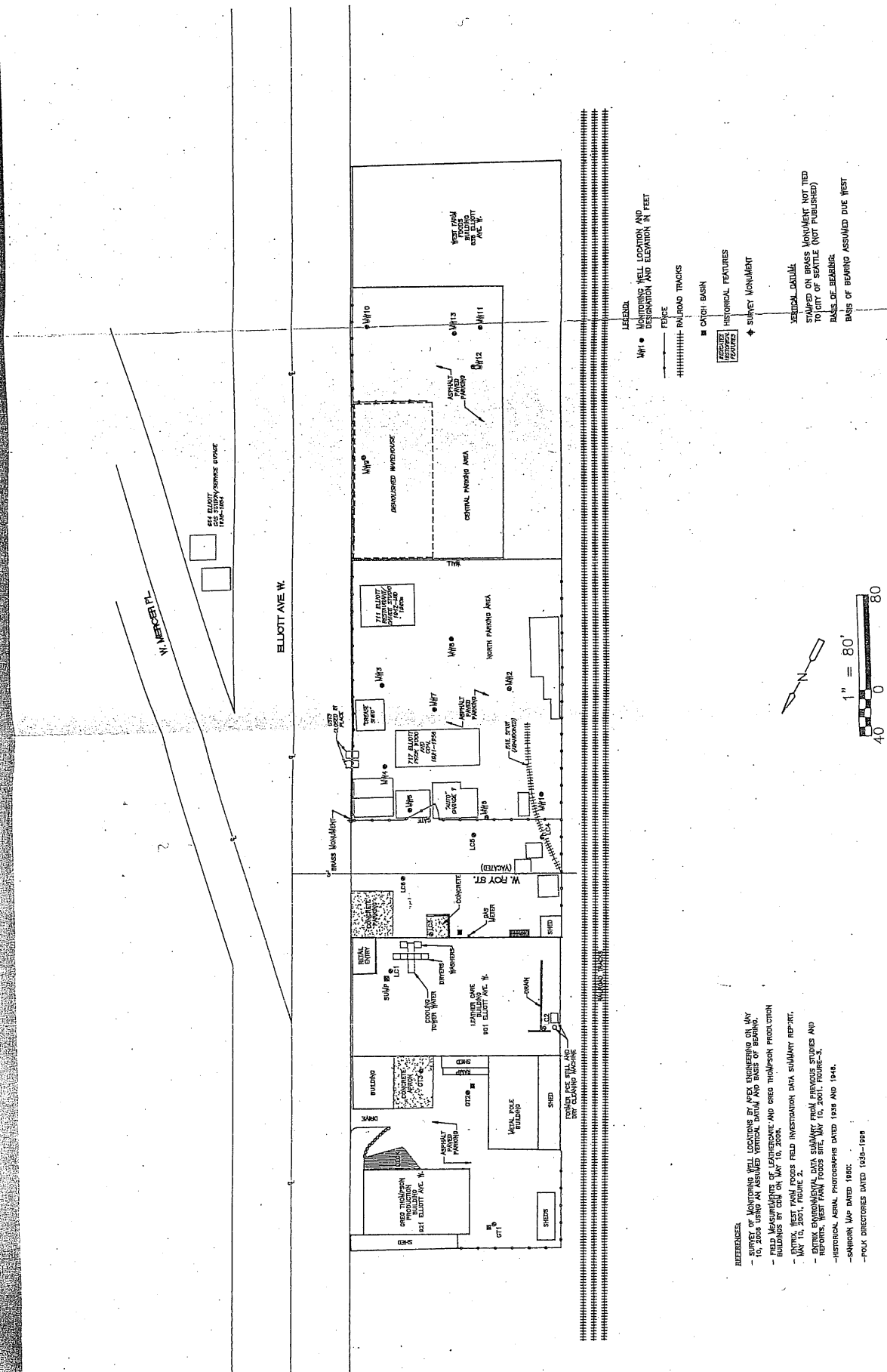


Dale R. Myers
Site Manager Toxics Cleanup Program

dm/kp

Enclosures: 1

Figure No. 2
SITE PLAN



LEATHERCARE INC.
SEATTLE, WASHINGTON