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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 30, 2009

Mr. Matthew Dalton
Dalton Olmsted & Fuglevand Inc
6034 N Star Road
Ferndale, WA 98248

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

- Name: Unified Grocers 3301 Norfolk
- Address: 3301 South Norfolk St, Seattle
- Facility/Site No.: 73338176
- VCP No.: NW1807

Dear Matthew Dalton:

Thank you for submitting documents regarding your proposed remedial action for the Unified Grocers 3301 Norfolk 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:

- Gasoline (tph-g), diesel (tph-d), oil (tph-o) in Soil & Ground Water;
- Benzene, toluene, ethylbenzene and xylenes (BTEX) in Soil & Groundwater.

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



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Ecology.

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

1. Remedial Action Report AOC No. 6 – Unified Grocers Site, dated June 1st 2009, prepared by Dalton Olmsted & Fuglevand Inc.

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

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

- Gasoline (tph-g), diesel (tph-d), oil (tph-o) in Soil & Ground Water;
- Benzene, toluene, ethylbenzene and xylenes (BTEX) in Soil & Groundwater.

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

Based on a review of 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:**

- Between July and August 2009, Dalton, Olmsted & Fuglevand supervised the excavation and removal of approximately 12,000 tons of contaminated soil and approximately 17,500 gallons of groundwater that had accumulated in the excavation pit. Confirmation sampling was performed at the limits of final excavation with results indicating that the cleanup level established for the Site in soil had been met, with the exception of the area in the northern end of the excavation;
- Sample number CS-B18 is a bottom sample located within the northern quarter of the remedial excavation at maximum depth of 15 feet exhibited a benzene concentration of 1,400 ug/kg. This soil was not removed due to excavation depth, presence of groundwater and need to support overlying utilities. **What is the maximum depth of benzene contamination at this sample point?**
- Sample numbers CS-B35, CS-SW26 & CS-SW27 located at the northern edge of the remedial excavation pit exceeded the cleanup level for tph-g and benzene. This soil

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was not removed due to jeopardizing the foundation support of the adjacent office building foundation;

- Prior to back filling the excavation pit, approximately 1,500 pounds of Oxygen Release Compound (ORC) was applied across the excavation footprint;
- **Dalton, Olmsted & Fuglevand has informed me that the owner of the property intends to demolish the office building located along the northern portion of the remedial excavation pit. If this is done remedial activities should occur in this remaining portion of the Site. If this demolition does not occur, an Environmental Covenant will be required for the contaminated soil remaining under this office building. In this case a completed Remedial Investigation & Feasibility Study (RI/FS) which will include a disproportionate cost analysis will be required;**
- In the Remedial Action report, Dalton, Olmsted & Fuglevand proposes to install two more groundwater monitoring wells to supplement the remaining monitoring wells MW-4, MW-203 and MW-207. **These wells are identified as "A" & "B" in figure 7 of the Remedial Action Report. The locations of the two proposed wells seem to be appropriate;**
- Additionally, there has been identified another area of concern (AOC) for this property, at this time it is not known if these two AOCs are associated or separate releases. Along the western boundary of the AG Site is located the Northwest Auto Wrecking (NAW) Site (VCP ID# NW1812). During the remedial excavation of the NAW Site tph-g (1,200 mg/kg) was found at the bottom of the eastern sidewall bordering the AG Site (western boundary of the AG property). This contamination was left in place due to the need to maintain a stable slope up to the AG property. **Additional investigation will be required to determine if this is associated with the above release of if it is a separate release.**

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.

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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 Myers
Site Manager
NWRO Toxics Cleanup Program

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Enclosure A

Legal Description of the Property

VCP ID# NW1807, the United Grocers 3301 Norfolk aka Former Associated Grocers (AG) property is located at 3301 South Norfolk, Seattle. The property boundaries are defined by South Norfolk St (north), Airport Way South (east), South Boeing Access Rd (south) and East Marginal Way South (west). The property also bounds the VCP Site Northwest Auto Wrecking, NW1812 (west). The Duwamish River is located to the west of East Marginal Way South.

Prior to 1950, the property was either undeveloped or was generally used for farmland, residential and commercial purposes. AG constructed four buildings in 1951/1952, including a large warehouse, a truck repair shop and Pump Island, an office building and another smaller shop building. The Site has been identified as around the area of the Pump Island and is designated as "AOC No. 6".

Ground surface is immediately underlain by a layer of fill that extends from four to ten feet below existing grades. Below the fill a silt layer with varying amounts of clay are present. The silt layer generally extends to about ten to twelve feet below existing property grades where a fine to medium sand is present.

Groundwater lies at depths of between approximately seven and twelve feet below ground surface. The hydraulic gradient is generally westerly towards the Duwamish.

Several Underground Storage Tanks (UST), were installed in the early 1950s. The USTs consisted of two 10,000-gallon, one 1,000-gallon and one 500-gallon tanks. These tanks contained gasoline, diesel and oil and were removed in the late 1980s.