



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 1, 2009

Mr. Harry Grant
Harris Family Limited Partnership
1001 Fourth Ave Plaza, Suite 4500
Seattle, WA 98154

Dear Mr. Grant:

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

- Name: Normandy Park PCE
- Address: 17817-17825 17827 & 17835 1st Ave S., Normandy Park
- Facility/Site No.: 4181060
- VCP No.: NW1873

Thank you for submitting documents regarding your proposed remedial action for the Normandy Park PCE 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 related halogenated volatile organic compounds (HVOCs) in Soil and 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. Final Data Gap Investigation Report, dated February 2009, prepared by ERM-West, 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):

- Tetrachloroethene (PCE) and related halogenated volatile organic compounds (HVOCs) in Soil and 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 Normandy Park PCE Project consists of two properties.

#1 Harris Family LTD Property located at 17817-17825 1st Ave S. Normandy Park (F/S#3699685 VCP ID# NW1613),

#2 Four Star Cleaners located at 17835 1st Ave S. Normandy Park (F/S#87721715 VCP ID# NW0278).

The two sites have been combined into one site as described in the CR 2A court agreement, dated 15 August 2007 (King County). The site consists of six tax parcels. Two parcels are adjacent to 1st Ave South and have been developed with commercial single story buildings. The two parcels adjacent and to the west are currently undeveloped, heavily vegetated land. The western most parcels are developed with single family homes which are accessible from SW 178th Street.

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:**

- The report "Final Data Gap Investigation Report", dated February 2009, prepared by ERM-West Inc. satisfies the MTCA requirement as a completed Remedial Investigation defining the Nature and extent of contamination at the 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

cc Mr. Ken Lederman
Riddell Williams P.S.
1001 Fourth Avenue Plaza, Suite 4500
Seattle, WA 98154

Mr. Robert DiJulio
Wolfstone, Panchot & Bloch, P.S., Inc.
111 Third Avenue, Suite 1800
Seattle, WA 98101

