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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

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February 13, 2024

John Greene
King County Metro Transit
201 South Jackson St., MS KSC-TR-0431
Seattle, WA 98104-3856
(jgreene@kingcounty.gov)

Re: No Further Action opinion for the following contaminated Site

Site Name: King County Metro Transit S Annex
Site Address: 11911 E Marginal Way S, Tukwila WA 98168
Facility/Site ID: 8422289
Cleanup Site ID: 7790
VCP Project No.: NW3301

Dear John Greene:

The Washington State Department of Ecology (Ecology) received your request on for an opinion regarding the sufficiency of your independent cleanup of the King County Metro Transit S Annex facility (Site) under the [Voluntary Cleanup Program \(VCP\)](#)¹ This letter provides our opinion and analysis. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), [Chapter 70A.305 RCW](#).²

Opinion

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site. Ecology bases this opinion on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in Chapter 70A.305 RCW and [Chapter 173-340 WAC](#)³ (collectively called "MTCA").

Site Description

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release(s):

- Total petroleum hydrocarbons in the gasoline, diesel, and oil ranges (TPH-G, TPH-D, and TPH-O), and benzene, toluene, ethylbenzene, and xylenes (BTEX) into the Soil and Groundwater.

Enclosure A includes a Site description, history, and diagrams.

¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

³ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

Please note that releases from multiple sites can affect a parcel of real property. At this time, Ecology has no information that other sites affect the parcel associated with this Site.

Please note the parcel of real property associated with this Site is also located within the projected boundaries of the Tacoma Smelter Plume King County cleanup site (CSID #2123). At this time, Ecology has no information indicating that contamination from the Tacoma Smelter Plume King County affects this parcel. This opinion does not apply to any contamination associated with the Tacoma Smelter Plume King County site.

Basis for the Opinion

Ecology bases this opinion on information in the documents listed in Enclosure B. You can request these documents by filing a [records request](#).⁴ For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check if the documents are available on the [Site webpage](#).⁵

This opinion is void if information in any of the listed documents is materially false or misleading.

Analysis of the Cleanup

Ecology has concluded that no further remedial action is necessary to clean up contamination at the Site. Ecology bases its conclusion on the following analysis:

Characterizing the Site

Ecology has determined your completed Site characterization is sufficient for setting cleanup standards and selecting a cleanup action. Enclosure A describes the Site. The definition of the lateral and vertical extent of Site impacts to soil was completed in accordance with MTCA by completion of Site investigations conducted from April 1984 through February 2023.

Setting cleanup standards

Ecology has determined the cleanup levels and points of compliance you set for the Site meet the substantive requirements of MTCA.

Cleanup Levels

Soil

MTCA Method A soil cleanup levels for unrestricted land uses are based on protection of groundwater and are the default cleanup levels. The Site is located in an area that qualified for a simplified Terrestrial Ecological Evaluation (TEE) and did not require additional evaluation, in accordance with WAC 173-340-7492(2)(c). Therefore, soil cleanup levels protective of terrestrial species are not necessary for this Site.

Groundwater

The highest beneficial use for groundwater under MTCA is considered to be as a drinking water source, unless it can be demonstrated that the groundwater is not potable. MTCA Method A groundwater cleanup levels are protective of potable use and are therefore the default.

Air

Air cleanup levels are considered necessary to protect against vapor intrusion (VI) into existing buildings. Method B VI screening levels for groundwater are appropriate to assess the VI and air pathways.

⁴ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

⁵ <https://apps.ecology.wa.gov/cleanupsearch/site/7790>

Points of Compliance

Soil

The point of compliance for soil at the Site for protection of groundwater is soils throughout the Site.

Groundwater

The point of compliance for groundwater is throughout the Site, from the uppermost level of the saturated zone extending vertically and horizontally to the lowest depth that could potentially be affected.

Air

The point of compliance for air is ambient air throughout the Site.

Selecting the cleanup action

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA. The cleanup action for the Site consisted of the following:

- Decommission of fuel underground storage tanks (USTs) and associated piping by removal;
- Excavation and off-Site disposal of petroleum-contaminated soil during UST removal; and
- Collection of soil and groundwater samples to confirm compliance with Method A cleanup levels.

Implementing the cleanup action

Ecology has determined your cleanup meets the standards set for the Site. The cleanup action consisted of the following activities:

- Decommissioning of USTs in April 1997:
 - Removal of one 10,000-gallon gasoline UST, one 10,000-gallon diesel UST, and one 500-gallon engine oil UST;
 - Excavation and off-Site disposal of approximately 200 cubic yards of petroleum-contaminated soil;
 - Collection of confirmation soil samples to document compliance with cleanup levels; and
 - Collection of groundwater samples from September 2019 through November 2022, to confirm compliance with groundwater cleanup levels and the absence of a vapor-intrusion (VI) pathway (concentrations below groundwater VI screening levels).

The Site cleanup action meets the requirement for Groundwater Model Remedy 1, in accordance with [*Model Remedies for Sites with Petroleum Impacts to Groundwater, Ecology Publication No. 16-09-057, Revised December 2017*](#)⁶. Therefore, a Feasibility Study and Disproportionate Cost Analysis are not required to document the remedy selection. The requirements of Groundwater Model Remedy 1 are:

- A release of petroleum has been confirmed and Ecology notification of the release has been completed.
- Petroleum hydrocarbons consisting of gasoline, middle distillates/oils, or heavy fuels/oils and their constituents are the only contaminants present in soil and groundwater.

⁶ <https://apps.ecology.wa.gov/publications/SummaryPages/1609057.html>

- An adequate Site characterization has been completed to confirm that groundwater, surface water, or sediments have not been impacted by the petroleum release.
- Emergency or interim actions are not required due to the lower risk nature of the Site.
- The Site meets the criteria for a simplified Terrestrial Ecological Evaluation (TEE) that can be ended without the need to apply adjusted soil cleanup standards.
- The primary remedy consists of source removal, including free product and contaminated soil, to the greatest extent practicable.
- The Site has not caused impacts above the practical quantitation limit (PQL) to any water supply well used for drinking water purposes.
- Soil and groundwater meet Method A cleanup levels throughout the Site.
- Conditional points of compliance and an empirical demonstration are not used at the Site.
- The vapor intrusion pathway is not present, and an environmental covenant is not needed on the Property.

Decommissioning of Resource Protection Wells

You must decommission [resource protection wells](#)⁷ installed as part of the remedial action that are not needed for any other purpose at the Site. Wells must be decommissioned in accordance with [WAC 173-160-460](#).⁸

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from its lists of contaminated sites, including the:

- Contaminated Sites List, and
- Leaking Underground Storage Tanks List.

The Site will be moved to the No Further Action sites list.

Limitations of the Opinion

Opinion does not settle liability with the state

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion does not:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under [RCW 70A.305.040\(4\)](#).⁹

⁷ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-410>

⁸ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-460>

⁹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

Opinion does not constitute a determination of substantial equivalence

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine if the action you performed is substantially equivalent. Courts make that determination. See [RCW 70A.305.080](#)¹⁰ and [WAC 173-340-545](#).¹¹

State is immune from liability

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. See [RCW 70A.305.170\(6\)](#).¹²

Termination of Agreement

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing VCP Project No. NW3301.

Questions

If you have any questions about this opinion or the termination of the Agreement, please contact me at 424-324-1892 or michael.warfel@ecy.wa.gov.

Sincerely,



Michael R. Warfel
VCP Site Manager
Toxics Cleanup Program, NWRO

Enclosures (2):

- A – Site Description, History, and Diagrams
- B – Basis for the Opinion: List of Documents

cc:

Lisa Gilbert, Parametrix, Inc., (LGilbert@parametrix.com)
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Sonia Fernández, VCP Coordinator (sonia.fernandez@ecy.wa.gov)
VCP Fiscal (ecyrevcp@ecy.wa.gov)

¹⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

¹¹ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

¹² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

Enclosure A

Site Description, History, and Diagrams



Parametrix
Source: King County

Project Location — Stream



0 50 100 200
Feet

Enclosure A, Figure 1

Figure 1
Site Location Map
King County Metro Transit South Base Facility Annex

Tukwila, WA

Date: 11/22/2022 Author: Brethky Path: U:\PSO\Projects\Clients\1521-KinCo\553-1521-242 E008355-19 Enviro Svcs\99Svcs\GIS\MapDocs\South Base\Figure2_SouthBase_MonitoringWellsBoreholes_11222022.mxd



Source: King County

Parametrix



0 20 40 80
Feet

Project Location
 Stream

Previous Borehole
 Soil Sample (AGI 1997)
 New Borehole
 Stream Gage Location
 Previous Hand Auger

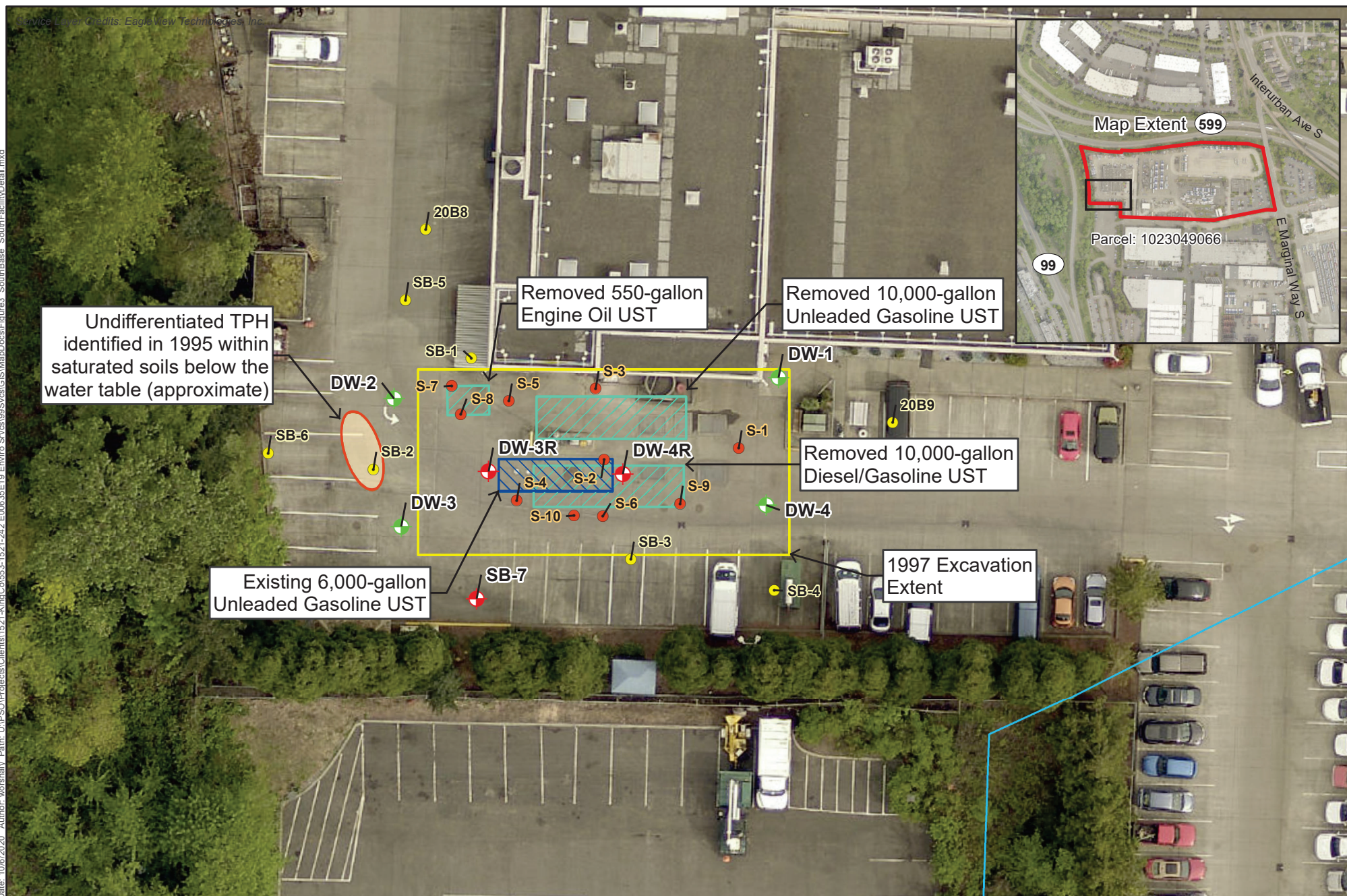
Monitoring Well (Existing)
 Monitoring Well (Historical)
 Monitoring Well (New)
 Cross Section

Figure 2
Historical and Current Monitoring Locations
King County Metro Transit S Facilities RI Addendum

Enclosure A, Figure 2

Tukwila, WA

Date: 10/6/2020 Author: worshahy Path: U:\PSO\Projects\Clients\1521-KingCo\553-1521-242 E00635E19 Enviro Svcs\99Svcs\GIS\MapDocs\Figure3 SouthBase SouthFacilityDetail.mxd



Source: King County



Project Location

Stream

1997 Excavation Extent

Existing UST

Removed UST

Undifferentiated TPH below water table (approximate)

Borehole

Soil Sample

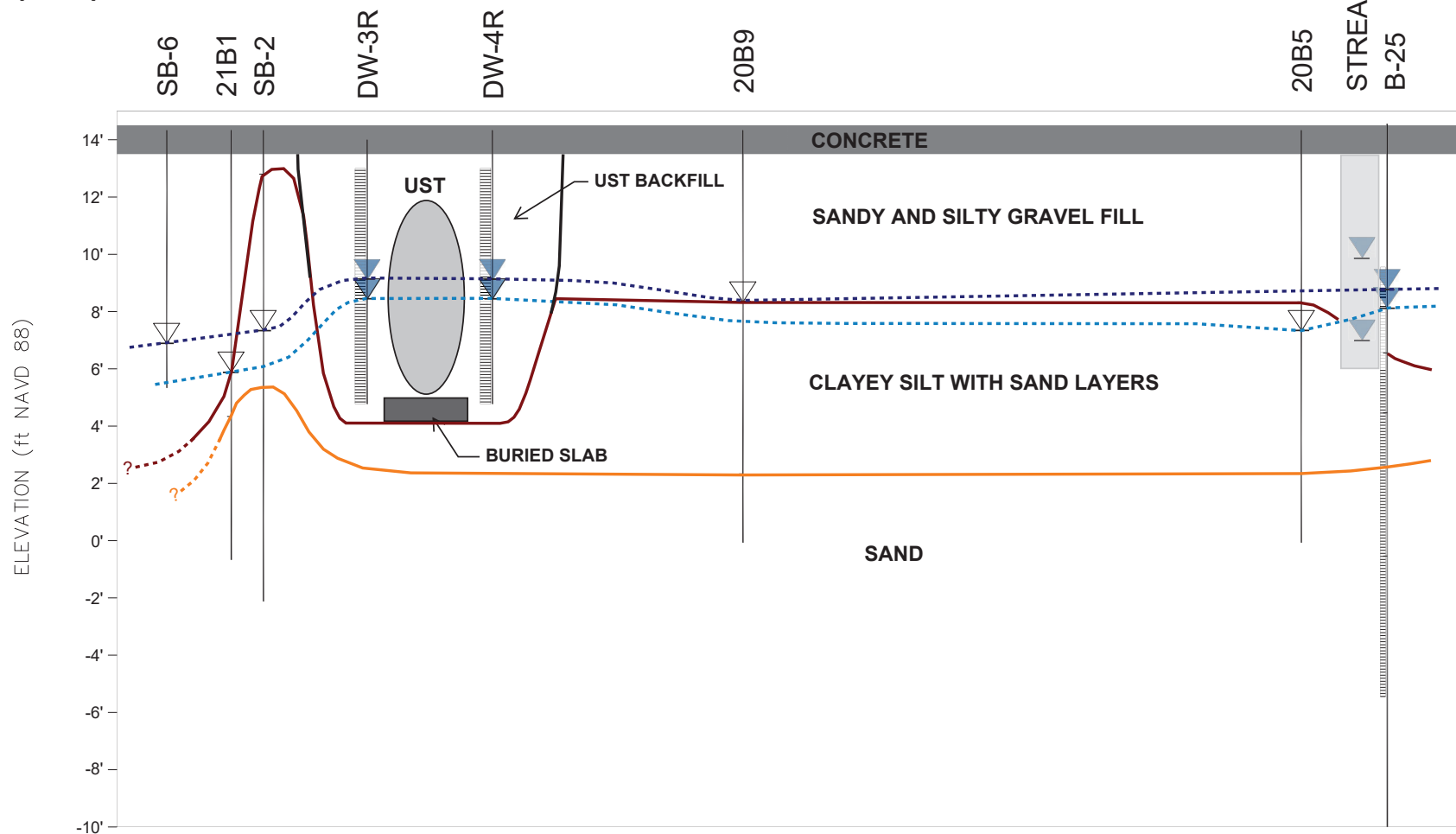
Monitoring Well (Existing)

Monitoring Well (Historical)

Figure 3
South Facility Area Detail
King County Metro Transit S Facilities/S Annex

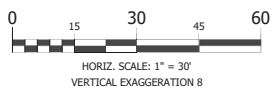
Enclosure A, Figure 3 Tukwila, WA

B (West) B' (East)



LEGEND

- APPROXIMATE CONTACT
- CONCRETE
- ▼ WATER LEVEL
- ▽ WATER LEVEL AT TIME OF EXPLORATION
- ||| SCREEN INTERVAL



KING COUNTY METRO SOUTH FACILITIES
REMEDIAL INVESTIGATION
TUKWILA, WASHINGTON

CROSS SECTION B-B'

DRAWN BY:
CF
CHECK BY:
CB

FIGURE NO.:
8
PROJECT NO.:
2021-062-WO31

C:\USERS\CFRY\DESKTOP\2021-062-T31 SOUTH FACILITIES REMEDIAL INVESTIGATION\2021-062-T31 SOUTH FACILITIES REMEDIAL INVESTIGATION.DWG <8> Plotted: 12/8/2022 4:56 PM

Enclosure A, Figure 4



Enclosure A, Figure 5

Site Description

This section provides Ecology's understanding and interpretation of site conditions, and is the basis for the opinions expressed in the body of the letter.

Site: The Site is defined by gasoline-, diesel-, and oil-range total petroleum hydrocarbons (TPH-G, TPH-D, and TPH-O), and benzene, toluene, ethylbenzene, and xylenes (BTEX) released to soil and groundwater. The Site consists of King County parcel number 102304-9066, which covers 16.93 acres with the street address of 11911 E Marginal Way S in Tukwila, Washington (the Property, Figure 1).

Area and Property Description: The Property is located within an industrial area in Tukwila and is zoned as Manufacturing Industrial Center/Heavy. The Property is bounded on the North by State Route (SR) 599, on the east by E Marginal Way S and the King County Metro South Base (Cleanup Site ID 7077), on the south by S 120th Place and industrial buildings, and on the west by the northbound entrance ramp from SR 99 to SR 599 and a forested area that contains the Duwamish Fill Site (Cleanup Site ID 77). Based on information in Ecology files, the Property and the Site have not been affected by the Metro South Base Site or the Duwamish Fill Site.

Site History and Current Use: A 1936 aerial photo shows the Property as farmland. Grading of the Property occurred in 1985, in preparation for development and occupancy by King County Metro in 1987 through the present. Two separate Metro Transit facilities are located on the Property: the South Facilities on the western quarter of the Property (including the Facilities Operations Building), and the South Annex on the eastern three quarters of the Property, which includes smaller structures, parking lots, open storage, and a training yard (Figure 1 and Figure 2). The South Annex is currently in redevelopment, to include bays for bus operations (maintenance, washing, fueling, and battery charging) and approximately 8,400 square feet of office space. The project will likely include daylighting and culvert replacements on Riverton Creek.

Sources of Contamination:

Sources of contamination at the Site are previously contaminated soil from the South Base site (located to the east) and underground storage tank (UST) systems formerly located at the South Annex Site.

In 1993, 4,000 cubic yards of soil were reportedly excavated from the neighboring King County Metro South Base site during removal of USTs and remediated by spreading over an asphalt surface in the southcentral area of the South Annex. The soil was re-sampled a year later, and all concentrations were reportedly below Method A cleanup levels. The soil was used as fill on the South Annex.

Three USTs were formerly located in the southwest corner of the Property and were removed in 1997 (Figure 3): 550-gallon engine oil UST, 10,000-gallon unleaded gasoline UST, and 10,000-

gallon UST partitioned for gasoline and diesel. These USTs were replaced with one 6,000-gallon unleaded gasoline UST.

Physiographic Setting: The Site is situated at an elevation of approximately 15 feet above mean sea level. Land surface in the immediate vicinity of the Site is relatively flat and slopes gently to the north and west. The Site is located in the Duwamish River Valley, approximately 1,400 feet west and 1,100 feet north of the Duwamish River, which bends from east to west as it flows north towards discharge into Elliott Bay of Puget Sound (Figure 1).

Surface/Storm Water: One branch of Riverton Creek flows along the east and north Property boundaries, and another branch flows across the western part of the Property (Figure 1). The two branches join near the northwest corner of the Property and flow north and west to discharge into the Duwamish River (Figure 1). Sections of the western branch are piped or flow in a concrete-lined open channel. Storm water from the Property flows to the creek.

Ecological Setting: The Property and adjacent properties to the north, east, and south are zoned for heavy and light industrial use and are mostly paved. A thin corridor of trees and vegetation borders the east branch of Riverton Creek, along the east and north Property boundary. The heavily wooded lowland area that borders the Property on the west is split by the northbound entrance ramp from SR 99 to SR 599, which is elevated on a filled embankment.

Geology: The Site is situated on the floor of a broad alluvial valley known locally as the Duwamish River Valley. Published geologic maps for the Site vicinity show that much of the underlying geologic material is alluvium, which may include organic-rich silt to fine sands with some gravel, and possible deposits of artificial fill.

Subsurface soil encountered at the Site consist of up to 5 feet of fill, overlying 5 to 13 feet of peat and clayey silt, overlying black alluvial sands (Figure 4). These sands are intermixed with layers of silt and clayey silt and persists to a depth of at least 90 feet below ground surface (bgs), the maximum total depth explored by geotechnical borings.

Groundwater: Shallow ground water is present in Site monitoring wells at a depth of approximately 5 feet bgs. The groundwater flow direction indicated by Site monitoring wells is north-northeast (Figure 5). Piezometric surface maps created from seasonal Site groundwater level measurements suggest that groundwater is not hydraulically connected to Riverton Creek, which is concrete-lined over the majority of the Site, preventing groundwater from discharging into the creek.

Water Supply: Drinking water for the area is supplied by King County Water District (KCWD) 125. KCWD 125 purchases water from City of Seattle, which is sourced from the Cedar River watershed. According to the King County iMap database, there are no water supply wells located within a 0.5-mile radius of the Site.

Release and Extent of Contamination: Site assessment activities completed in 1994 identified concentrations of TPH in soil and groundwater above MTCA Method A cleanup levels in effect

at that time and above current Method A cleanup levels. Ecology received the notification of this leaking underground storage tank (LUST) release in January 1995 and placed the Site on the LUST list and the Confirmed and Suspected Contaminated Sites List (CSCSL).

The three USTs described above were removed in April 1997, including removal and off-Site disposal of approximately 200 cubic yards of petroleum-contaminated soil. Soil sampling was completed at the Site in 1997 and 2020 to assess compliance with Method A soil cleanup levels. These investigations identified one remaining location with a potential exceedance of TPH in soil (historical boring SB-2; Figure 2). Additional soil sampling completed at the SB-2 location in 2021 (boring 21B1) confirmed that none of the Site contaminants of concern exceeded soil cleanup levels.

Groundwater sampling data from 21MW-1 (upgradient) and 21MW-2 (cross-gradient) confirmed that significant concentrations of TPH-Dx (400 to 600 µg/L, compared to the Method A cleanup level of 500 µg/L) are attributable to naturally occurring organic matter. Consistent with the silica gel guidance in place at the time of sampling ([Guidance for Remediation of Petroleum Contaminated Sites](#)¹³), Ecology determined that use of silica gel prior to laboratory analysis of TPH-Dx was appropriate at this Site.

Groundwater samples collected from September 2019 through November 2022 (with and without silica gel) confirmed compliance with Method A cleanup levels, no exceedances of VI groundwater screening levels, and the absence of a VI exposure pathway.

The Site Hazard Assessment ranking (August 19, 2015) described a potential surface water exposure pathway to endangered species from discharge of contaminated groundwaters. The absence of hydraulic connection between contaminated groundwater and surface water was subsequently documented by data collected at the Site. Therefore, a surface water exposure pathway is not present at the Site.

¹³ <https://apps.ecology.wa.gov/publications/SummaryPages/1009057.html>

Enclosure B

Basis for the Opinion: List of Documents

1. Department of Ecology, *Technical Assistance Regarding Silica Gel and Groundwater Samples, VCP NW3301*, December 1, 2023.
2. Parametrix, *Remedial Investigation Addendum, King County Metro South Facilities*, February 28, 2023.
3. Department of Ecology, *Opinion on Remedial Action, King County Metro Transit S Annex, VCP NW3301*, May 7, 2021.
4. Parametrix, *RI/FS Summary Report for Voluntary Cleanup Action Program, South Facilities, South Annex*, November 13, 2020.
5. PBS, *Phase II Environmental Site Assessment Report, King County Metro South Annex Base*, May 21, 2020.
6. Parametrix, *South Facilities Push Probe Investigation Results*, April 21, 2020.
7. Parametrix, *South Base Facility Annex Status Update*, October 22, 2019.
8. PBS, *Groundwater Sampling at King County Metro South Base Facilities*, January 10, 2019.
9. Department of Ecology, *Site Hazard Assessment, Facility Site ID # 8422289, King County Metro Transit S Annex*, August 19, 2015.
10. AGI Technologies, *Underground Storage Tank Closure Assessment Report, Facilities Maintenance South UST Project*, June 18, 1997.
11. Woodward-Clyde, *Pre-Construction Site Assessment Report, South Operating Base Facility Annex*, January 30, 1995.
12. Converse Consultants, *Report on Geotechnical Investigation, Proposed Metro Transit South Operating Base Annex*, April 27, 1984.