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

May 3, 2010

Mr. Ross Simmons
Stantec Consulting Corporation
7730 SW Mohawk Street
Tualatin, Oregon 97062

Re: Follow-up on phone conversation for the following Hazardous Waste Site:

- Name: US Marine Bayliner Marine
- Address: 17825 59th Avenue NE, Arlington WA
- Facility/Site No.: 51332889
- VCP No.: NW2270

Dear Mr. Simmons:

Thank you for submitting documents regarding your Environmental Site Assessments for the US Marine Bayliner Marine 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:

- Tetrachloroethylene (PCE) 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.

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

1. Phase I Environmental Site Assessment, dated April 3rd 2009, prepared by Stantec Consulting Corporation (Stantec)

2. Phase II Environmental Site Assessment Report, dated June 25th 2009, prepared by Stantec

3. Environmental Site Investigation Report, dated December 23rd 2009

4. Additional Site Characterization Report, dated April 9th 2010, prepared by Stantec

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):

- Tetrachloroethylene (PCE) 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.

To recap our phone conversation on April 29th 2010, the following was discussed:

- The data generated from your investigation at the Bayliner facility has demonstrated that the groundwater plume has not migrated beyond the facilities property boundary;

- The data generated from your investigation at the Bayliner facility has demonstrated that soil has not been impacted by PCE;

- The source of the PCE contamination is not known and PCE is reportedly to have not been used by Bayliner Marine in any of their manufacturing processes. However the highest concentration of PCE in groundwater (42*ug*/L) was found in the area of a former septic system leach field. This may give an indication of a potential pathway for the PCE into the groundwater;

- Based on your Site investigations Ecology is satisfied that the extent of contamination in groundwater has been fully characterized;

- We discussed the applicability of MTCA Method C for groundwater at this Site. After review of WAC 173-340-706(1)(a) we saw that that cleanup level was not appropriate for this Site;

- We discussed Natural Attenuation and if it was appropriate for this Site. I listed the tools that Ecology requires for you to use for Ecology to make that decision:

  1. The Mann Kendall statistical analysis,
  2. Natural Attenuation Analysis Tool Package for Petroleum-Contaminated Ground Water (Ecology publication No. 05-09-091A) as a guide for Ecologies requirements,
  3. The use of EPA's BIOCHLOR spreadsheet which can be found at http://www.epa.gov/ada/csmos/models/biochlor.html
  4. Additionally we discussed that at a minimum one year of analysis from all wells would be needed to begin working the calculations

- We discussed that at this point the next step would be to draft and submit for review a completed Remedial Investigation and Feasibility Study (RI/FS) for me to review. I sent you an email with an outline for the RI/FS.

- You stated that your client wished for me to issue a draft letter to be open for discussion prior to issuing an official Further Action letter. I informed you that this was not possible. Our policy clearly states that VCP Site managers do not issue draft letters under any circumstances. Once you receive this letter I will be more than happy to meet with you and your client to discuss it and Ecologies requirements for a future No Further Action determination for this Site.

- Finally something we did not discuss is Ecology's Toxic Cleanup Program Policy 840, online data submittal requirements. All data generated from investigative and remedial activities must be entered. You can use this web link to access the Environmental Information Management (EIM) web page; http://www.ecy.wa.gov/eim/ Please use VCNW2270 as the study ID.

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 Myers
Site Manager
NWRO Toxics Cleanup Program

dm/kp

Enclosures: 1

cc: Mr. David Selig
Brunswick Corporation
1 North Field Court
Lake Forest, IL 60045

Enclosure A

Description and Diagrams of the Site

1. Site/Property description

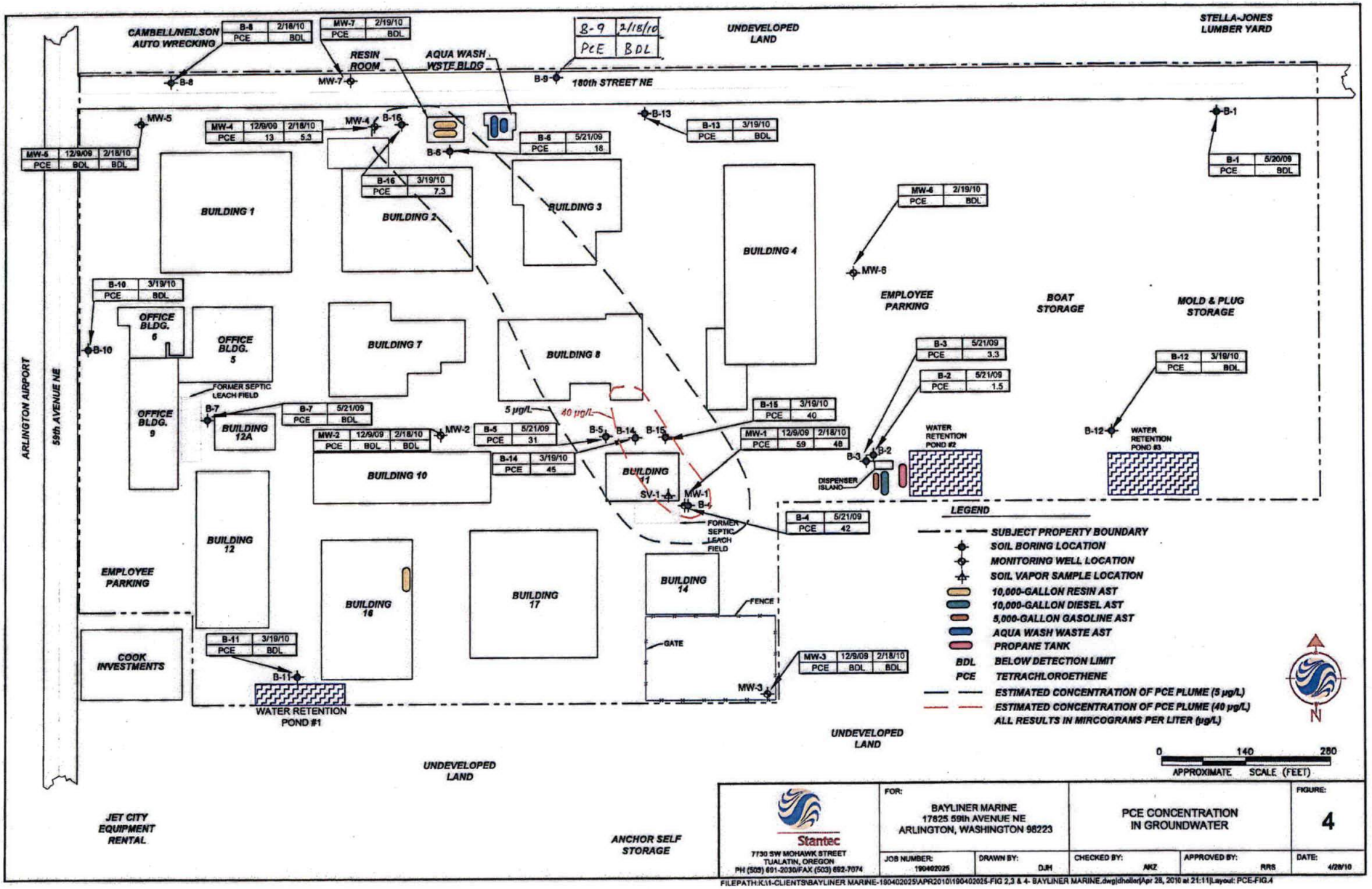
The former Bayliner Marine facility is located at 17825 59th Avenue NE in Arlington and occupies approximately 32.8 acres of land. The facility occupies Snohomish County Tax parcels 31052200401300, 310522402100 & 310522402800 (Township 31N, Range 03E, Section 22, NW ¼ of SE ¼). The facility is located in a predominately Industrial area of Arlington east of the Arlington Municipal Airport.

During a due diligence study for a potential sale of the property performed in early 2009 Stantec Consulting Corporation (Stantec) identified an area of shallow groundwater impacted with tetrachloroethylene (PCE) at concentrations above the MTCA Method A Groundwater cleanup level. No other volatile organic compounds were detected any other samples. The source of the PCE contamination is not known and PCE is reportedly to have not been used by Bayliner Marine in any of their manufacturing processes. However, the highest concentration of PCE in groundwater (42*ug*/L) was found in the area of a former septic system leach field. This may give an indication of a potential pathway for PCE into the groundwater.

Subsequent Environmental Investigations performed between April 2009 and April 2010 fully characterized the nature and extent of PCE contamination in groundwater. Additionally from the data it appears that the PCE plume does not extend beyond the property boundary nor was PCE detected in any of the soil samples submitted for analysis.

2. Geology/Hydrology

The area of the facility is a broad valley that filled with glacial outwash and river alluvium during, and after, the retreat of the last glaciers. These deposits are generally coarse-grained sands and gravels believed to be about 150-feet thick. These deposits are underlain by a layer of glacial till that separates the subsurface aquifer from the deeper confined water bearing zones. Specifically at this Site coarse-grained sandy gravel is present to depths of 15-feet to 25-feet below ground surface (bgs), underlain by finer sand deposits to at least 50-feet bgs.
Depth to groundwater ranges seasonally from approximately 15-feet bgs to approximately 22-feet bgs, with a hydraulic gradient predominately to the northwest.



Stantec
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TUALATIN, OREGON
PH (503) 691-2030/FAX (503) 692-7074

FOR: BAYLINER MARINE
17625 59th AVENUE NE
ARLINGTON, WASHINGTON 98223

PCE CONCENTRATION IN GROUNDWATER

FIGURE: 4

JOB NUMBER:	DRAWN BY:	CHECKED BY:	APPROVED BY:	DATE:
190402025	DJH	AKZ	RRS	4/28/10

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