



June 6, 2024

Mr. Frank Winslow
Washington State Department of Ecology, Toxics Cleanup Program
1250 West Alder Street
Union Gap, WA 98903

Re: Comments on Remedial Investigation/Feasibility Study Report

Ballard Blossom Property of the Plantation Building Site (Cleanup Site ID 11614)
Project No. AS240057-001

Dear Mr. Winslow:

Aspect Consulting (Aspect) has prepared this letter on behalf of 1766 NW Market Street LLC, owners of the property at 1766 NW Market Street in Seattle, Washington known to the Washington State Department of Ecology (Ecology) as the Ballard Blossom Property. The Ballard Blossom Property has been impacted by releases of chlorinated solvents at the Plantation Building Property, located at 5512-5521 20th Avenue NW. The Site, defined as the full lateral and vertical extent of contamination that has resulted from the historical operation of a dry-cleaning facility on the Plantation Building Property, includes a portion of the Ballard Blossom Property. This letter provides comments on the Remedial Investigation and Feasibility Study (RI/FS Report) prepared for the Site by Sound Earth Strategies, Inc. (SoundEarth)¹. The RI/FS Report was prepared and submitted without review or input from the owners or representatives of the Ballard Blossom Property.

We understand that the Plantation Building Property owners are pursuing a No Further Action (NFA) determination for the Site through Ecology's Expedited Voluntary Cleanup Program (VCP) via a selected cleanup alternative of containment, monitored natural attenuation (MNA), and institutional controls (environmental covenant). We have numerous concerns about the adequacy of the investigation work as well as the assumptions and conclusions in the RI/FS Report that pertain to characterization of the potential current and future risk to human health and the environment on the Ballard Blossom Property and the basis for selection of the final remedial alternative, namely:

- Ecology's Model Toxics Control Act (MTCA) requires consideration of the reasonable maximum exposure expected to occur under both current and potential future land uses. The current City of Seattle zoning for the Ballard Blossom Property is Neighborhood Commercial 3, which allows for various commercial uses, offices, institutions (religious facilities, childcare centers, schools, etc.), and residential use. Future development of the property may include a mix of residential and commercial uses. The selected cleanup alternative should assume potential future unrestricted land use of the Ballard Blossom Property.

¹ Sound Earth Strategies, Inc., 2024, Remedial Investigation and Feasibility Study, 20th Ave Northwest Property/Plantation Building Property, 5512 through 5522 20th Avenue Northwest, Seattle, Washington, February 23, 2024.



- The results of soil gas sampling completed on the Ballard Blossom Property as part of the remedial investigation identified a potential vapor intrusion (VI) risk assuming commercial exposure. Concentrations of trichloroethene (TCE), which has the potential to cause serious heart defects in a developing fetus with short-term inhalation exposures in indoor air, were detected in sub-slab soil gas at a concentration of 4,900 micrograms per cubic meter (ug/m^3) in November 2023, which exceeds Ecology's residential short-term VI screening level ($67 \text{ ug}/\text{m}^3$) by more than 70 times. Besides the health risk, this data suggests a residual source mass that has not been identified or characterized.
- The most recent groundwater data from the Site is from 2020 and 2021, and the RI relies on only a single round of groundwater data from the four monitoring wells on the Ballard Blossom Property. During this period, the highest concentrations of tetrachloroethene (PCE) were reported in well MW-4 on the Ballard Blossom Property and exceed the MTCA Method A cleanup level by 6 times. There is no monitoring data from the Ballard Blossom Property following the most recent in situ groundwater remediation event in June 2021. There is no data or evidence to demonstrate that the groundwater remedial actions have been effective at reducing concentrations of chlorinated volatile organic compounds (CVOCs) in groundwater on the Ballard Blossom Property.
- SoundEarth proposes MTCA Method C cleanup levels for Site groundwater and uses a statistical approach to estimate the restoration time frame to meet those cleanup levels. Per WAC 173-340-706, Method C cleanup levels for groundwater are applicable if Method A and B cleanup levels are below background, if attainment of Method A and B cleanup levels has the potential for creating a greater risk to human health and the environment, or where Method A or B cleanup levels are below technically possible concentrations. None of these criteria are applicable to the Site. Additionally, the use of Method C as the final groundwater cleanup levels requires institutional controls in the form of a deed restriction, which is not agreeable to 1766 NW Market Street LLC. The groundwater cleanup levels for the Ballard Blossom Property should be the standard MTCA Method A or Method B cleanup levels for unrestricted land uses.

The selected remedial alternative includes MNA of groundwater. MTCA allows for natural attenuation where source control has been conducted to the maximum extent practicable, where leaving contaminants does not pose an unacceptable risk to human health or the environment, where there is evidence that degradation is occurring, and where appropriate monitoring is conducted to ensure that natural attenuation is occurring (WAC 173-340-370). The RI does not address these requirements to justify the selection of MNA as part of the final cleanup alternative for the Site.

The selected remedial alternative also includes institutional controls in the form of deed restrictions, which would be required for all impacted properties. This has not been discussed with, or agreed to by, 1766 NW Market Street LLC.

1766 NW Market Street LLC and their representatives are happy to participate in discussions with Ecology regarding the investigation and cleanup of the Ballard Blossom Property. Aspect has recently been engaged to support 1766 NW Market Street LLC and requests to be included in all project communications regarding the Plantation Building Site. Finally, we request consideration of

the technical concerns listed above and look forward to ongoing discussions about work to be performed to address them, including additional investigation of the Ballard Blossom Property.

Limitations

Work for this project was performed for 1766 NW Market Street LLC (Client), and this letter was prepared in accordance with generally accepted professional practices for the nature and conditions of work completed in the same or similar localities, at the time the work was performed. This letter does not represent a legal opinion. No other warranty, expressed or implied, is made.

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Sincerely,

Aspect consulting

A handwritten signature in blue ink, appearing to read 'Carla E. Brock', is positioned above the printed name.

Carla E. Brock, LHG
Sr. Principal Geologist
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