

From: [Winslow, Frank \(ECY\)](#)
To: ["Jeremy Davis"](#)
Cc: [Johnny Sweeney Jr](#)
Subject: XN0005 - Fruhling Sand & Topsoil 2024 Q2 Progress Report
Date: Tuesday, June 4, 2024 9:22:35 AM

Hi Jeremy,

I will need to go through recent correspondence and our NFA Likely letter to recall if there were any other outstanding elements that Ecology had requested prior to issue of NFA. I see that your progress report mentioned a groundwater monitoring summary and submittal of data to Ecology's EIM system. To my recollection, I believe those may have been the last requested elements to be eligible for a property-specific NFA.

Once you believe that you have submitted all of the requested elements, please submit an opinion request (an email would suffice) including whether you are requesting a property-specific NFA or Site NFA. As previously discussed, further action would be needed on the wetlands sediments concern to be eligible for a Site NFA.

Please note that Ecology is not planning to provide an opinion document, per se, on the provided hydrogeological assessment document. Rather, if we do not have further comments on this document, then we will simply include some discussion on this subject within our overall opinion letter. In general, we note that the provided cross sections appear to show that the water table is expected to be well below land surface for both the current and planned grade near the toe of the slope on the property. Ecology would still urge caution in doing grading work near the slope toe, and suggest providing for real-time contingency measures should any seepage be encountered during Site grading work.

Thanks, Frank

Frank P. Winslow, LHG

WA Expedited VCP Site Manager
Department of Ecology – Toxics Cleanup Program
1250 W. Alder Street, Union Gap, WA 98903
(509) 424-0543 (cell)

Frank.Winslow@ecy.wa.gov

From: Jeremy Davis <jd@psoundenv.com>
Sent: Tuesday, June 4, 2024 8:16 AM
To: Winslow, Frank (ECY) <fwin461@ECY.WA.GOV>; Mitchell, Treasure (ECY) <trmi461@ECY.WA.GOV>
Cc: John Sweeney <jsweeney@northpointkc.com>; cchamplin@northpointkc.com <cchamplin@northpointkc.com> <cchamplin@northpointkc.com>; Joe Felton <jfelton@northpointkc.com>; Barry G. Ziker <barry.ziker@hcmp.com>
Subject: Re: Expedited VCP Quarterly Progress Reports Due June 10, 2024

External Email

Frank,

This quarterly progress report was prepared by Puget Sound Environmental PLLC on behalf of NP Snohomish County 228th Apartments, LLC (Property Owner) to provide the Department of Ecology with an update on progress of cleanup activities at the Fruhling Sand and Topsoil Site, located at 1010 228th Street SW in Bothell, WA (Property). The Site is currently enrolled in the Expedited Voluntary Cleanup Program (xVCP; No XN0005).

Description and status of Site characterization or cleanup work (completed during past quarter or ongoing work).

The Property Owner continued operation of the groundwater treatment swale including and the monitoring and reporting requirements under the Sand and Gravel General NPDES Permit. The Property Owner continued working on the items requested by Ecology in the “No Further Action Likely” (NFA Likely) letter dated January 23, 2024, including:

1. Cleanup of arsenic in the off-property sediment (Planning evaluation is **Ongoing**)
2. Additional hydrogeologic analysis (Revised submission June 3; **Awaiting Opinion**),
3. Compliance Monitoring Plan (**Complete**; Approved March 5)
4. Contaminated Materials Management Plan (**Complete**; Approved May 9)
5. Environmental Covenant (**Complete**; Filed with County May 29, original file-stamped sent to Ecology May 30)
6. Demonstrate County approval of methane mitigation 90% design (**Complete**; Approved May 7)
7. Continued groundwater monitoring (**Ongoing**; Quarterly events completed in March and June)
8. Submit paper copies of environmental reports (**Complete**; Confirmed May 16)
9. Submit electronic data to Ecology’s EIM database (**Ongoing**)

A list of pending opinion requests to Ecology and expected date for next request for Ecology opinion.

Awaiting Ecology’s opinion on the submitted Hydrogeologic analysis

Summary of dates and titles of documents submitted to Ecology for review in the last quarter.

Summarized above

Type of documents and opinion requests planned for submittal to Ecology during the next quarter.

1. EIM submittal
2. Property-Specific NFA Request (with accompanying Groundwater Quality Summary with latest data and trend analysis)

Any updates to the project schedule showing the previously mentioned activities and milestones.

None

A description of schedule delays or changes from the prior quarter and reasons for those changes.

None

Changes in key project team personnel.

None

Anticipated changes at the Site, such as property ownership, changes to potential future use, new or obsolete access restrictions, or anything that could affect the cleanup.

None

Best regards,

Jeremy Davis, PE, PMP

Environmental Engineer

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From: Winslow, Frank (ECY) <fwin461@ECY.WA.GOV>

Date: Thursday, May 30, 2024 at 9:57 AM

To: Mitchell, Treasure (ECY) <trmi461@ECY.WA.GOV>

Subject: Expedited VCP Quarterly Progress Reports Due June 10, 2024

Dear Expedited VCP Site Representative,

Per our guidance for the expedited VCP process, quarterly progress reports are due on June 10.

If you believe you have received this email mistakenly, please let me know and I will remove you from this email list. If you would like a list of Sites we have under your name, please let me know.

This progress report can be made via email, and should include responses to each of the following from our guidance. We recommend that you simply insert your response below each of the following bullets in your email reply.

- Description and status of Site characterization or cleanup work (completed during past quarter or ongoing work).
- A list of pending opinion requests to Ecology and expected date for next request for Ecology opinion.
- Summary of dates and titles of documents submitted to Ecology for review in the last quarter.

- Type of documents and opinion requests planned for submittal to Ecology during the next quarter.
- Any updates to the project schedule showing the previously mentioned activities and milestones.
- A description of schedule delays or changes from the prior quarter and reasons for those changes.
- Changes in key project team personnel.
- Anticipated changes at the Site, such as property ownership, changes to potential future use, new or obsolete access restrictions, or anything that could affect the cleanup.

Thanks, Frank

Frank P. Winslow, LHG

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