STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Eastern Region Office
4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

August 6, 2024

Craig Dunlap
Frontier Behavioral Health
29 East First Avenue
Spokane, WA 99202

Re: Opinion on Proposed Cleanup of the following Site:

Site Name:	Spokane Roofing Company
Site Address:	130 E Sprague Ave, Spokane
Facility/Site ID:	100001194
Cleanup Site ID:	17047
VCP Project ID:	EA0382

Dear Craig Dunlap:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your proposed independent cleanup of the Spokane Roofing Company facility (Site) under the Voluntary Cleanup Program (VCP)[1]. This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305[2] RCW.

Issue Presented and Opinion

Ecology has determined that, upon completion of your proposed cleanup, no further remedial action will likely be necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided as follows.

Site Description

This opinion applies to the only Site described as follows. The Site is defined by the nature and extent of contamination associated with the following release:

[1] https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program
[2] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305

- Arsenic, cadmium, lead, oil-range petroleum hydrocarbons (ORPH), and polycyclic aromatic hydrocarbons (PAHs) into the soil.

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this Site are affected by other sites.

Basis for the Opinion

This opinion is based on the information contained in the following documents:

1. Stantec Consulting Services Inc., Analysis of Brownfield Cleanup Alternatives, 130 East Sprague Avenue, October 13, 2021 (revised June 29, 2023).

2. Stantec Consulting Services Inc., Supplemental Phase II Environmental Site Assessment, July 27, 2021.

3. Stantec Consulting Services Inc., Phase II Environmental Site Assessment, February 18, 2021.

You can request these documents by filing a records request[3]. For help making a request, contact the Public Records Officer at publicrecordsofficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check whether the documents are available on the Site webpage[4].

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

Analysis of the Cleanup

Ecology has concluded that, upon completion of your proposed cleanup, **no further remedial action** will likely be necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

Characterizing the Site

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A.**

A Phase I Environmental Site Assessment (ESA) conducted in June 2020 identified a partially exposed 500-gallon underground storage tank (UST) in the northwest portion of

[3] https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests
[4] https://apps.ecology.wa.gov/cleanupsearch/site/17047

the property and a decommissioned and removed 2,000-gallon gasoline UST in the center of the property.

A Phase II ESA conducted in September 2020 included 10 soil borings advanced to bedrock refusal at a maximum depth of 7 feet below ground surface (bgs). Eleven soil samples were collected from the borings and analyzed for Resource Conservation and Recovery Act (RCRA) heavy metals, gasoline-range petroleum hydrocarbons (GRPH), diesel-range petroleum hydrocarbons (DRPH), oil-range petroleum hydrocarbons (ORPH), polycyclic aromatic hydrocarbons (PAHs), and volatile organic compounds (VOCs). Samples from five boring locations exceeded MTCA Method A cleanup levels for arsenic, cadmium, lead, ORPH, and PAHs. The source of the contamination was determined to be pyrogenic fill material.

A supplemental Phase II ESA conducted in June 2021 included 13 soil borings advanced to 5 feet bgs or refusal at bedrock. Soil samples from 11 boring locations exceeded MTCA Method A cleanup levels for one or more Site contaminants of concern (COCs). Waste characterization sampling using the toxicity characteristic leaching procedure (TCLP) indicated the soil did not designate as dangerous waste (DW). Three additional soil samples were collected in July 2024 and analyzed using a fish bioassay to determine toxicity. All samples were below the toxicity criteria.

Establishing cleanup standards

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

For soil, the cleanup levels were established using MTCA Method A and are based on protection of groundwater. The land use is classified as unrestricted. The point of compliance for soils is throughout the lateral and vertical extent of the Site. This is the standard point of compliance. The cleanup levels are as follows:

Contaminant	Cleanup Level (mg/kg)
Arsenic	20
Cadmium	2
Lead	250
ORPH	2,000
PAHs (based on toxicity equivalency relative to benzo(a)pyrene)	0.1

mg/kg = milligrams per kilogram

Selecting the cleanup action

Ecology has determined the cleanup action you proposed for the Site meets the substantive requirements of MTCA.

Based on the October 2021 Analysis of Brownfield Cleanup Alternatives (revised June 2023) with updated DW characterization from the July 2024 soil samples, the proposed cleanup action includes the following components:

- Demolishing all Site structures including the office, garage, workshop, and open garage buildings, as well as concrete and deteriorated gravel surfaces throughout the Site. Hazardous materials abatement for asbestos-containing materials and lead-based paints may be necessary.
- Decommissioning and removing the 500-gallon UST in the northwest portion of the Site.
- Excavating all soils within the locations described as AOC (area of concern) 1 and AOC 2, as well as additional soil sampling and characterization in AOC 3. Soils will be excavated to bedrock and the Site will be leveled to accommodate new development. See Figure 3 in **Enclosure A** for the approximate location of these areas.
- Collecting confirmation soil samples in areas where a soil horizon is present following demolition and grading activities and analyzing soil samples for all Site COCs.

Ecology concurs with the proposed cleanup actions, and has provided the following additional requirements:

- Areas within the vicinity of borings BH08 and BH110 and west of BH100, BH101, and BH102 have not been sufficiently characterized and may contain soils with COCs exceeding MTCA Method A cleanup levels. These soils should be analyzed for all Site COCs prior to offsite disposal or onsite reuse.
- All sampling data must be submitted to Ecology's Environmental Information Management (EIM) database[5], which is required in order to receive a final Ecology opinion for this Site. The Toxics Cleanup Program Policy 840[6] describes data submittal requirements. Please visit the EIM Submit Data webpage for data submittal instructions.

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

[5] https://ecology.wa.gov/eim
[6] https://fortress.wa.gov/ecy/publications/SummaryPages/1609050.html

- 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).

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 whether the action you proposed will be substantially equivalent. Courts make that determination. *See* RCW 70A.305.080 and WAC 173-340-545.

Opinion is limited to proposed cleanup

This letter does not provide an opinion on whether further remedial action will actually be necessary at the Site upon completion of your proposed cleanup. To obtain such an opinion, you must submit a report to Ecology upon completion of your cleanup and request an opinion under the Voluntary Cleanup Program (VCP).

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.

Contact Information

Thank you for choosing to clean up the Site under the VCP. As you conduct your cleanup, please do not hesitate to request additional services. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our webpage [7]. If you have any questions about this opinion, please contact me by phone at 509-342-5564 or e-mail at ted.uecker@ecy.wa.gov.

Sincerely,

Ted M. Uecker
ERO Toxics Cleanup Program

tmu;hg

Enclosures (1): A – Site Description, history, and diagrams

cc: Steve Burchett, Budinger & Associates, Inc.

[7] https://www.ecy.wa.gov/vcp

Hayley Dallman, Budinger & Associates, Inc.
Ryan Reich, Budinger & Associates, Inc.
Nicholas Acklam, Ecology

Enclosure A

Site Description, History, and Diagrams

Site Description

The Site is located at 130 E Sprague Ave in Spokane on Spokane County Tax Parcel 35202.0606. The 0.37-acre property includes a 4,200 square foot office and garage building and an attached 960 square foot workshop used for commercial and residential roofing services. The remainder of the property contains a 360 square foot open garage, gravel cover and is used for vehicle and equipment parking as well as materials storage. The Site is bounded to the north by E Sprague Ave, to the east by S Cowley St, to the south by E 1st Ave, and to the west by a retail beer shop.

The Site was vacant until developed by Spokane Roofing Company in 1958. The Site plan includes demolishing the existing structures and leveling the bedrock to develop a community behavioral health clinic.

Site History

In June 2020, Stantec conducted a Phase I Environmental Site Assessment (ESA) which identified a partially exposed underground storage tank (UST) in the slope of the northwest corner of the property. The property owner indicated the UST had not been in use since at least 2002 when they acquired the property. Records also indicated a 2,000-gallon gasoline UST was installed in 1972 and removed in 1988. Other recognized environmental conditions included a 500-gallon used oil tote near the workshop building, and former gas stations located on two adjacent properties.

In September 2020, Stantec conducted a Phase II ESA which included a geophysical survey to identify the potential location of the 2,000-gallon UST, advancing 10 soil borings (BH01 through BH10) to a maximum depth of 8 feet below ground surface (bgs) with 1-2 soil samples collected per boring, and sample analysis for RCRA 8 metals, GRPH, DRPH, ORPH, PAHs, and VOCs. The geophysical survey used ground penetrating radar which identified the 2,000-gallon UST cavity near the center of the southern half of the Site. The soil borings encountered refusal on bedrock at shallower depths than anticipated (1-7 feet bgs) and eleven total samples were collected. Analytical results indicated arsenic, cadmium, lead, ORPH, and PAHs exceeding MTCA Method A cleanup levels in borings BH04, BH06, BH07, BH09, and BH10, generally around the center and east/southeast of the Site. The extent of contaminants appeared indicative of pyrogenic fill materials and not a point source release from an UST. Groundwater was not encountered in any borings.

In June 2021, Stantec conducted a supplemental Phase II ESA consisting of 13 additional soil borings (BH100 through BH113) advanced to a maximum depth of 5 feet bgs or refusal, with one soil sample from each boring analyzed for arsenic, cadmium, lead, DRPH, ORPH, and PAHs. Analytical results indicated exceedances of one or more COCs in 11 out of 13 borings including in the workshop building. Maximum

contaminant concentrations for arsenic, cadmium, lead, ORPH, and PAHs were 23.3, 10.4, 6,990, 4,890, and 1.56 mg/kg, respectively. TCLP analysis for lead did not characterize the soil as dangerous waste (DW).

An analysis of brownfield cleanup alternatives (ABCA) report submitted in October 2021 and revised in June 2023 included three remedial alternatives for evaluation. Each alternative involved a base scope of work including installing a perimeter fence, removing and replacing the concrete pad in front of the open garage building, removing the partially exposed 500-gallon UST and backfilling, removing deteriorated compacted gravel, abating regulated hazardous building materials, and demolishing the office, garage, workshop, and open garage buildings. The alternatives are described as follows:

1. Excavation and offsite disposal of potential DW soils at area of concern 1 (AOC-1).

2. Excavation and offsite disposal of MTCA hazardous waste soils and potential DW soils at AOC-1, excavation and offsite disposal of MTCA hazardous waste soils at AOC-2, and excavation and offsite disposal of potential MTCA hazardous waste soils at AOC-3.

3a. Excavation, stabilization, and off-site disposal of potential DW soils at AOC-1, excavation and offsite disposal of MTCA hazardous waste soils at AOC-2 and excavation and offsite disposal of potential MTCA hazardous waste soils at AOC-3.

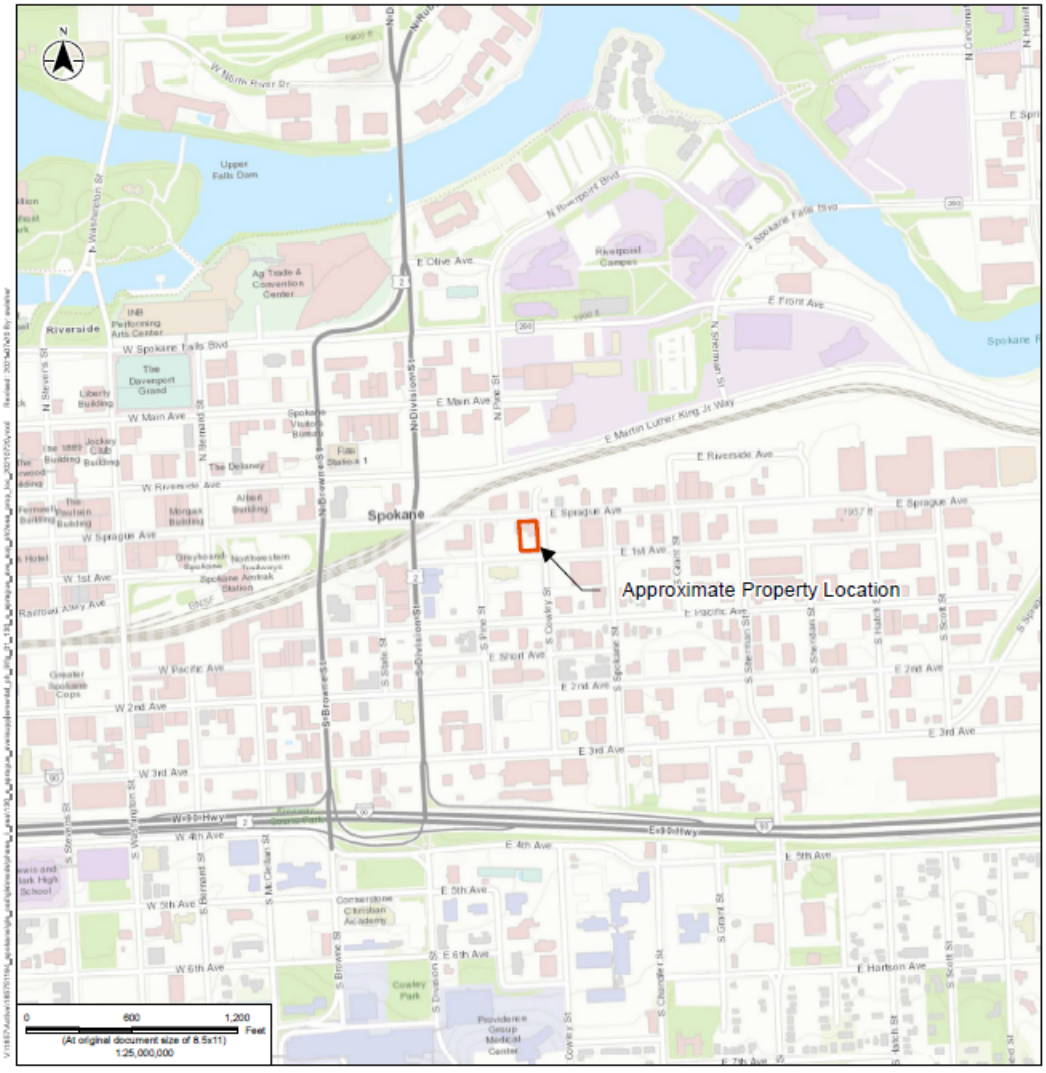
3b. Same as alternative 3a if no DW soils are identified.

The alternatives estimate a total of 962 cubic yards of MTCA hazardous waste soils and 7 cubic yards of potential DW soils. The estimate of DW is based on total lead concentration as opposed to TCLP analyses. Alternative 3b was selected as the most feasible if no DW is present, otherwise alternative 2 would be selected.

Budinger & Associates collected three additional soil samples in July 2024 and conducted a fish bioassay to determine if the samples characterized as DW; all samples were below the toxicity criteria.

Source: Stantec, 2021, 2023; Budinger & Associates, 2024

Site Diagrams



Approximate Property Boundary

Notes
1. Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
2. Data Sources: Spokane County GIS
3. Background: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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Project Location
Spokane Roofing Company
130 East Sprague Avenue, Spokane, WA

Client/Project 185751443
Spokane Roofing Company
Analysis of Brownfield Cleanup Alternatives

Title
Property Location **Map**

Figure No.
1

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Legend

Approximate Property Boundary

Notes

1. Coordinate System: NAD 1983 HARN StatePlane Washington North FIPS 4601 Feet
2. Data Sources: Spokane County GIS
3. Background: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Project Location

Spokane Roofing Company
130 East Sprague Avenue, Spokane, WA

Client/Project 185751443

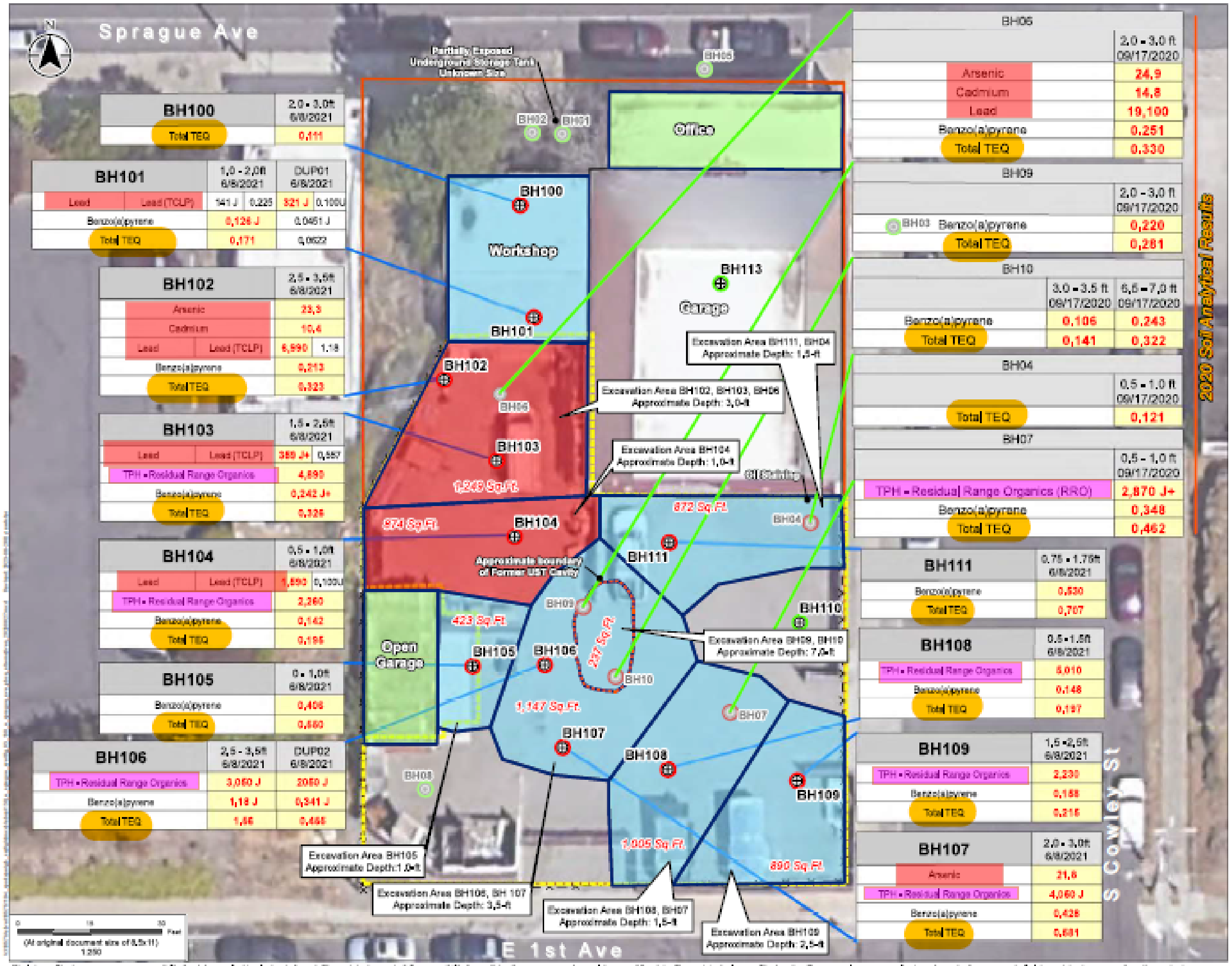
Spokane Roofing Company
Supplemental Phase II Environmental Site Assessment

Title

Property Layout and Vicinity Map

Figure No.

2



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Legend

- ADC 1 (Category 2 and Potential Category 3 Soils)
- ADC 2 (Category 2 Soils)
- Potential ADC-3 (Potential Category 2 Soils)
- Soil Sampling Location (Stantec 2021)
- Gravel Parking Area
- Previous Soil Sampling Location (Stantec 2020)
- Soil Parameters Tested Were Below Guidelines
- One or More Soil Parameters Tested Exceed Guidelines
- Concentration Exceeds MTCA Method A Cleanup Levels
- Approximate Property Boundary

Sample ID — Sample Depth (feet)/ Sample Date

BH104		0.5 - 1.0ft 6/8/2021	
Lead	Lead (TCLP)	1,890	0.100U
TPH - Residual Range Organics		2,260	
Benzo(a)pyrene		0.142	
Total TEQ		0.195	

Parameter — Concentration in mg/kg

Washington Department of Ecology Model Toxics Control Act Cleanup Levels

Parameter	Units	MTCA Method A CUL
Cadmium	mg/kg	2
Arsenic	mg/kg	20
Lead / Lead (TCLP)	mg/kg	250 / nv
Benzo(a)pyrene	mg/kg	0.1
TPH - Residual Range Organics	mg/kg	2,000
Total TEQ	mg/kg	0.1

Notes

1. Coordinate System: NAD 1983 UTM Zone 11N
2. Orthoimagery: Google (7/18/2019), (Spokane, WA), Retrieved May 18, 2020, from https://earth.google.com/web/@47.65..., -117.40660040,798.42005077
3. mg/kg = milligrams per kilogram
4. J = The reported result is an estimated value.
5. J+ = The analyte was positively identified; the associated numerical value is an estimated quantity that may be biased high.
6. U = The analyte was not detected above the method detection limit.
7. nv = No standard/guideline value.
8. TCLP = Toxicity Characteristic Leaching Procedure
9. TEQ = Toxicity Equivalence Concentration
10. TEF = Toxicity Equivalence Factor
11. TEQ Values = cPAH concentration x TEF
12. TPH = Total Petroleum Hydrocarbons
13. MTCA CULs = Washington Department of Ecology Model Toxics Control Act Cleanup Levels
14. Method A = Method A Unrestricted Land Use - Soil (February 2021)
15. Remaining soils under the existing Workshop and Garage to remain in place until future development of the site

Project Location
Spokane Roofing
130 East Sprague Avenue, Spokane, WA

Client/Project — 185751443
City of Spokane
EPA Brownfield Coalition Assessment Grant
Analysis of Brownfield Cleanup Alternatives

Title
Proposed Remedial Excavation Areas (Alternatives)

Figure No.
3