

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

September 11, 2024

Valentina Smith
2022 MC LLC
2727 N Central Avenue, Suite 500
Phoenix, AZ 85004
(valentina smith@uhaul.com)

Re: Application acceptance – Voluntary Cleanup Program

Site name: U-Haul of Lynnwood 701-51

Site address: 19130 Highway 99, Lynnwood, WA 98036

Facility/Site ID: 62258915 Cleanup Site ID: 9918 VCP Project No.: NW3406

Dear Valentina Smith:

The Department of Ecology (Ecology) has accepted your application to the Standard process of the Voluntary Cleanup Program (VCP) for the U-Haul of Lynnwood 701-51 facility (Site). We applaud your initiative and welcome your interest in the VCP. This letter has important information on how we'll review your VCP cleanup project (project) at the Site.

Agreement

We completed and signed your Standard VCP agreement for the project on September 11, 2024. This date is the effective date of the agreement. A copy of your signed agreement is enclosed.

Identification numbers

We have assigned a unique name and number to your Site. This information is listed on the first page of your Standard VCP agreement. When contacting us, please reference this information to identify your project.

Communications

Unless otherwise requested, we'll communicate directly with your project manager, Valentina Smith, as listed on your VCP application form. If you replace your project manager, or their contact information changes, please submit a completed change of contact form.¹

¹ http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm

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We have not yet assigned a site manager to your project. Until we do, please contact:

David Unruh
Department of Ecology
Toxics Cleanup Program, Northwest Region Office
PO Box 330316
Shoreline, WA 98133
206-459-6290
vcp-nwro@ecy.wa.gov

You may view the position of your application within the waitlist for new VCP applications here: VCP Waitlist - New². We also maintain a waitlist for existing VCP sites without site managers here: VCP Waitlist - Existing³. We assign site managers to new and existing VCP sites depending on the date an opinion was requested.

Request for written opinion

In your application, you requested a written opinion on the sufficiency of your remedial investigation workplan. We'll review your submitted document and expect to provide a written response within approximately 90 calendar days after assigning a site manager to your project.

Reporting requirements

When requesting written opinions, you must comply with the following reporting requirements to avoid unnecessary delays in the VCP process:

- Licensing. You must submit documents containing geologic and hydrogeologic work, and engineering work, under the seal of an appropriately licensed professional, as required in chapters 18.220⁴ and 18.43⁵ RCW, respectively.
- **Data submittal**. You must submit environmental data to our <u>Environmental Information Management</u> (EIM) system. ⁶ The <u>Toxics Cleanup Program Policy 840</u> ⁷ describes data submittal requirements. Please visit the <u>EIM Help Center</u> ⁸ for data submittal instructions and more information.

Payment

We'll send monthly invoices to the billing contact listed in your VCP application form. Payment is due within 30 calendar days from the date of each invoice. Our invoices include a summary of

² https://apps.ecology.wa.gov/cleanupsearch/reports/vcp/waitlist/new

³ https://apps.ecology.wa.gov/cleanupsearch/reports/vcp/waitlist/existing

⁴ https://apps.leg.wa.gov/RCW/default.aspx?cite=18.220

⁵ https://apps.leg.wa.gov/RCW/default.aspx?cite=18.43

⁶ https://ecology.wa.gov/eim

⁷ https://apps.ecology.wa.gov/publications/SummaryPages/1609050.html

⁸ https://apps.ecology.wa.gov/eim/help/

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costs incurred, payments received, names of staff billing to the project, and the time spent on the project during the previous month.

If you replace your billing contact, or their contact information changes, you must submit a completed change of contact form.⁹

Contact information

We are committed to working with you to reach the prompt and effective Site cleanup. If you have any questions, please contact David Unruh by email at vcp-nwro@ecy.wa.gov, or by phone at 206-459-6287.

Sincerely,

David Unruh VCP Coordinator

Toxics Cleanup Program, NWRO

Enclosure (1) 1. Copy of signed VCP Agreement

cc: Martin Acaster, Senior Geologist, Partner Engineering and Science, Inc (macaster@partneresi.com)

Fiscal, VCP Fiscal Analyst (w/o encl)

TCP, Operating Budget Analyst (w/o encl)

⁹ https://apps.ecology.wa.gov/publications/SummaryPages/ECY070218.html

Enclosure

Copy of Signed Standard VCP Agreement



Voluntary Cleanup Program Agreement

Washington State Department of Ecology - Toxics Cleanup Program

Facility/Site Name: U-Haul Storage of Lynwood

by Facility/Site No.: 62258915 VCP Project No.: NW3406

Ecology only

Instructions

Submit this Agreement (original) to Ecology as part of your Application. Before submitting, enter the Customer's name and the Site's address on the first page, and sign the Agreement on the third page. If your Application is accepted, then Ecology will do the following: 1) identify the Site and VCP project in the box below; 2) sign the Agreement; and 3) send you a copy of the completed Agreement.

This document constitutes an Agreement between the Washington State Department of Ecology (Ecology) and 2022 MC, LLC (Customer) to provide informal site-specific technical consultations under the Voluntary Cleanup Program (VCP) for the Site identified below and associated with the following address: 19130 Hwy 99, Lynnwood Washington 98036

The purpose of this Agreement is to facilitate independent remedial action at the Site. Ecology is entering into this Agreement under the authority of the Model Toxics Control Act (MTCA), chapter 70A.305 RCW, and its implementing regulations, chapter 173-340 WAC. If a term in this Agreement is defined in MTCA or chapter 173-340 WAC, then that definition shall govern.

Services Provided by Ecology

Upon request, Ecology agrees to provide the Customer informal site-specific technical consultations on the independent remedial actions proposed for or performed at the Site consistent with WAC 173-340-515(5). Those consultations may include assistance in identifying applicable regulatory requirements and opinions on whether the remedial actions proposed for or conducted at the Site meet those requirements.

Ecology may use any appropriate resource to provide the Customer with the requested consultative services. Those resources may include, but shall not be limited to, those of Ecology and the Office of the Attorney General. However, Ecology shall not use independent contractors unless the Customer provides Ecology with prior written authorization.

In accordance with RCW 70A.305.170, any opinions provided by Ecology under this Agreement are advisory only and not binding on Ecology. Ecology, the state, and officers and employees of the state are immune from all liability. Furthermore, no cause of action of any nature may arise from any act or omission in providing, or failing to provide, informal advice and assistance under the VCP.

Payment for Services by Customer

The Customer agrees to pay all costs incurred by Ecology in providing the informal site-specific technical consultations requested by the Customer consistent with WAC 173-340-515(6) and 173-340-550(6). Those costs may include the costs incurred by attorneys or independent contractors used by Ecology to provide the requested consultative services. Ecology's hourly costs shall be determined based on the method in WAC 173-340-550(2).

Ecology shall mail the Customer a monthly itemized statement of costs (invoice) by the tenth day of each month (invoice date) that there is a balance on the account. The invoice shall include a summary of the costs incurred, payments received, identity of staff involved, and amount of time staff spent on the project.

The Customer shall pay the required amount by the due date, which shall be thirty (30) calendar days after the invoice date. If payment has not been received by the due date, then Ecology shall withhold any requested opinions and notify the Customer by certified mail that the debt is past due.

If payment has not been received within sixty (60) calendar days of the invoice date, then Ecology shall stop all work under the Agreement and may, as appropriate, assign the debt to a collection agency under chapter 19.16 RCW. The Customer agrees to pay the collection agency fee incurred by Ecology in the course of debt collection.

Reservation of Rights / No Settlement

This Agreement does not constitute a settlement of liability to the state under MTCA. This Agreement also does not protect a liable person from contribution claims by third parties for matters addressed by the Agreement. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70A.305.040(4). Ecology's signature on this Agreement in no way constitutes a covenant not to sue or a compromise of any Ecology rights or authority.

Ecology reserves all rights under MTCA, including the right to require additional or different remedial actions at the Site should it deem such actions necessary to protect human health and the environment, and to issue orders requiring such remedial actions. Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the release or threatened release of hazardous substances at the Site.

Effective Date, Modifications, and Severability

The effective date of this Agreement shall be the date on which this Agreement is signed by the Toxics Cleanup Program's Section Manager or delegated representative. This Agreement may be amended by mutual agreement of Ecology and the Customer. Amendments shall be in writing and shall be effective when signed by the Toxics Cleanup Program's Section Manager or delegated representative. If any provision of this Agreement proves to be void, it shall in no way invalidate any other provision of this Agreement.

Termination of Agreement

Either party may terminate this Agreement without cause by sending written notice by email or U.S. mail to the other party. The effective date of termination shall be the date Ecology sends notice to the Customer or the date Ecology receives notice from the Customer, whichever occurs first. Unless otherwise directed, issuance of a No Further Action opinion, either for the Site as a whole or for a portion of the real property located within the Site, shall constitute notice of termination by Ecology.

Under this Agreement, the Customer is only responsible for costs incurred by Ecology before the effective date of termination. However, termination of this Agreement shall not affect any right Ecology may have to recover its costs under MTCA or any other provision of law.

Representations and Signatures

The undersigned representative of the Customer hereby certifies that he or she is fully authorized to enter into this Agreement and to execute and legally bind the Customer to comply with the Agreement.

Washington State Department of Ecology	Customer signatory
Kimberly Wooten	Docusigned by:Valentina Smith
Signature	Signature9F71963008D049D
Kimberly Wooten	Valentina Smith
Printed name	Printed name of signatory
Section Manager, TCP	Environmental Specialist
	Title of signatory
September 11, 2024	
Date	7/25/2024
	Date

If you need this publication in an alternative format, please call the Toxics Cleanup Program at 360-407-7170. Persons with hearing impairment can call 711 for Washington Relay Service. Persons with a speech disability may call 877-833-6341.

DEPARTMENT OF ECOLOGY

Application for Standard & Expedited VCP Processes

Washington State Department of Ecology
Toxics Cleanup Program

Under the <u>Voluntary Cleanup Program</u>¹ (VCP), Ecology offers free site-specific, technical consultations for independent remedial actions for both the Standard VCP process and the Expedited VCP process.

Check the process
you want to apply to:
✓ Standard VCP
☐ Expedited VCP

Reset Form

Applying to the Standard VCP Process

There is no fee to apply to the Standard VCP Process. Submit application materials to the VCP Coordinator of the region where your site is located. Your application materials **must** include the following.

- 1. This **VCP application form** completed and signed by the applicant.
- 2. VCP Agreement² form signed by the applicant.
- 3. Eligibility Form³ completed.

See the report requirements at Working with the Voluntary Cleanup Program.⁴

Then based on your site's county, email your completed application to the **regional contact** listed here.



Applying to the Expedited VCP Process

We accept applications to the Expedited VCP Process during specific periods. Please contact the <u>Expedited VCP Planner</u>⁵ for more information. Subscribe to the <u>Expedited VCP email list</u>⁶ to be notified when we open or close application periods.

Unlike the Standard VCP Process, applying to the Expedited VCP Process requires a nonrefundable application fee. You **must pay that fee** within seven calendar days of receiving our invoice for the fee. After receiving your completed application, we will email our invoice to your project billing contact you list in <u>Part 1-C</u>. We won't process your application until we receive payment. Send your application to <u>vcp-exp@ecy.wa.gov</u>. Your complete Expedited VCP application must contain all of the following:

- 1. This **VCP application form** completed and signed by the applicant.
- 2. Expedited VCP Agreement⁷ signed by the applicant.
- 3. Eligibility Form⁸ completed.
- 4. A remedial investigation report that meets our <u>remedial investigation checklist</u>⁹ requirements and is ready for our review.
- 5. Documentation of other remedial actions, investigations, or interim cleanup actions.
- 6. An automatically generated email as confirmation that all your site environmental data have been uploaded to our <u>Environmental Information Management</u>¹⁰ (EIM) system.
- 7. A project cleanup schedule.

To send us large files, please use your preferred file transfer service to share files with vcp-exp@ecy.wa.gov or contact us for assistance on using our file transfer service.

To **request an opinion** on a planned or completed remedial action, you **must** complete <u>Part 2-C</u>. See our <u>Guidance for the Expedited VCP Process¹¹ for more information</u>.

Part 1 – Administration

1-A	Site information					
Enter	site information as noted in Ed	cology's What's in N	My Neighborhoo	<u>d</u> , ¹² or suggest a name (if a new site).		
Full si	Full site name: U-Haul Storage of Lynwood Ecology ERTS#, if any:					
Stree	t address or location: 19130	Hwy 99 Lynnwo	od Washington	98036		
1-B	Applicant					
ם-ו	Applicant					
	pplicant is the person or orga g Ecology's incurred costs. En			The applicant is responsible for		
Appli	cant's full name: $\frac{2022 \text{ MC}}{1}$	LLC				
Identi	ify the applicant's entity type	(check one).	✓ person	organization		
Part 1 the pr	<u>-E</u> . If the applicant is an orga	nization, the proje	ect manager mus t	ct, as identified in both Part 1-D and the beidentified in Part 1-B and the billing contact must be direct		
Ident	ify the applicant's involveme	nt with the site (ch	eck all that apply).		
√	property owner	business own	er/operator	agent of property owner		
	past property owner	mortgage hol	der	private person/organization		
	future property owner	☐ consultant		public agency/organization		
	property lessee	attorney		other – specify		
or hav		hase, redevelop, o	r reuse the facilit	facility, or operate the facility, y. Agents for the property owner,		
Is the	applicant authorized to gran	t us property acces	ss? ve s	s 🔲 no		
1-C	Project manager					
applic		ant. The project ma		ect manager must be either the a hired independent contractor.		
	ject manager's full name: Va		Tit	le: Environmental Specialist		
	anization: 2022 MC LLC					
Full	mailing address: 2727 Nort	h Central Avenue	e, Suite 500, Ph	oenix AZ 85004		
	ail address: valentina smith			umber: (602)263-6555		

1-D Project billing contact

We will send our monthly invoices to the project billing contact. The project billing contact **must** be either the applicant or employed by the applicant. The project billing contact may **not** be a hired independent contractor. **Enter** the billing contact information.

Billing contact's full name: Valentina Smith Title: Environmental Specialist			
Organization: Amerco Real Esta	ate Company		
Full mailing address: 2727 North	Central Avenua, Suite 5	00 Phoenix AZ 85004	
Email address: valentina_smith@	Duhaul.com Pl	hone number: <u>(</u> 602)263-6555	
1-E Project consultant			
1 L 110jout contountaint			
If you have retained a consultant to enter the consultant's information h	•	edial action, but they aren't the applicant, t 1-F.	
Project consultant's full name: M	lartin Acaster	Title: Senior Geologist	
Organization: Partner Engineeri	ng and Science, INC.		
Full mailing address: 2154 Torra	nce Boulevard, Torrance	e, California 90501	
Email address: macaster@partn		hone number: (503) 867-5828	
_		· · · · · · · · · · · · · · · · · · ·	
Do you want us to contact the proje	ct consultant?	yes no	
1-F Property owner			
Check the property owner type (che	eck one).		
✓ private	☐ federal ☐ state	county municipal	
public school mixed	other – specify		
If the applicant is the property owner	er, skip to <u>Part 2</u> . Otherwise	, enter their information here.	
Property owner's full name:		Title:	
Organization:			
Full mailing address:			
Email address:	P	hone number: (

Part 2 - Reporting requirements

When requested, we can provide written opinions on reports sent to us with this application. However, your reports first **must** meet our Part 2-A and Part 2-B reporting requirements.

2-A Professional licensing

Documents submitted containing geology, hydrogeology, or engineering geology interpretation or work **must** be stamped by of an appropriately licensed geologist, hydrogeologist, or engineering geologist, respectively, as required by chapter <u>18.220 RCW</u>.¹³

Documents submitted containing engineering work **must** be stamped by an appropriately licensed professional engineer, as required by chapter **18.43** RCW.¹⁴

2-B Submit environmental data to Ecology's EIM system

You must upload all site environmental sampling and analysis data to our EIM system and meet its <u>submittal requirements</u>. ¹⁵ Set up an account if you don't have one. **We won't issue** a no further action opinion unless you have satisfied these requirements.

For Expedited VCP applications only, enter the study ID and CSV file names. Both must begin with "XVC".

EIM study ID (no hyphens or spaces	CSV file name (no hyphens/spaces)		
2-C Request a written opinion	on the state of th		
reports we receive. If you want a wr	2-B reporting requirements, you can request a written opinion on ritten opinion now, list the reports below that you're sending for our submitted reports and any site information in our database. n at this time?		
List all reports you want reviewed for	our opinion.		
Supplemental Remedial Inves	tigation Workplan, dated July 17, 2024		

Part 3 - Describe your site

3-A	Source property location
an un Lati i	ource property" is where contaminants were released into the environment, such as from derground storage tank (UST) that leaked. Enter the source property location, if known. Longitude: Ill parcel numbers of the source property:
3-B	Affected and adjacent properties
Briefl An ex	fected property" is one that is impacted by the contaminants released on a source property. describe whether and how any source property releases have impacted adjacent or other property imple might include property affected by area-wide impacted from elevated lead and arsenic levels ribe releases to affected and/or adjacent property:
3-C	Rights-of-way
Briefly	describe if, and how, any of the releases have affected a right-of-way (e.g., roadway, sidewalk, easement)
_	ribe releases to any right-of-way:
	Area-wide smelter emissions site affected by area-wide smelter emissions (e.g., <u>Tacoma Smelter Plume area</u>)? 16 yes no unknown
3-E	Former fruit orchards
Is the	site in a former fruit orchard that operated before 1947?
3-F	Affected media
	own and suspected contaminants and the environmental media affected before cleanup actions.* e or select contaminant soil groundwater surface water/sediment indoor air

Part 4 – Site operations

4-A	Current use	of source pro	perty						
The f	acility on the sou	ırce property is	a (check a	all that apı	olv):				
	waste treatmen					ste facility	/		
	hazardous wast	_							
ш	Tiazardous wast	e generator [ouici	эрсспу _					
4-B	Storage tank	k information							
	cify all abovegrou or select contan	_						·	property.
	Contaminant	AST/UST	Tank ID	Size I	n Use?	Install date	Closure date	Closure method	Releases?
*Rem	oved or closed in pla	ace. AST = abovegr	ound stora	ge tank. UST	= under	ground stor	age tank.		
4-C	Redevelopm	nent plans as	part of c	eleanup					
	any source or affe e cleanup?	ected properties	s, or porti	ons of tho	se prop	erties, be	redevelope	ed as part	
	yes n	io 🔲 unk	nown						
If " ye	s", check all prop	oosed land uses	that appl	у.					
П	residential	☐ school	☐ com	nmercial	Πi	ndustrial	☐ chi	ildcare facilit	V
	agricultural	 □ park	oth	er – specif	v —		_		•
		ш.	_	•	,				
Briot	fly describe activit	ios proposad for	the plann	ad land us	n(c)				
bilei	ily describe activit	ies proposed for	the planin	eu iaiiu usi	:(5).				

Part 5 – Independent remedial actions

5-A	Scope of remedial a	ctions					
	ou plan to characterize an ent properties, as part of	_			ng contamina		ected
site c	", describe in your cleanu ontamination as part of a erties, portions of a prope	Standard VCP	or Expedited \	/CP project. Des	s cribe the co	ntaminatio	n on
	efly describe your cleanu	, .					
5-B	Status of remedial a	ctions (che	ck all that ap	ply)			
		Planned	Ongoing	Completed	Not applic	able	
Ren	nedial action						
Init	ial response (UST only)						
Inte	erim action						
Ren	nedial investigation						
Fea	sibility study						
Clea	anup action						
5-C	Independent remed	ial action do	cumentation				
	Title		Pre	parer	Date	Sent to Ecology?	Date Sent
					_		
					_	_	
					_	_	
					_	_	

Part 6 – Affirmation and signature

The undersigned **affirms** that the information provided in this application is true and accurate to the best of the applicant's knowledge. Someone other than the **applicant** may sign this application form.

Project manager's full name: Valentina S	SmithTi	Title: Environmental Specialist		
Organization: 2022 MC LLC				
Full mailing address: 2727 North Centra	l Avenue, Suite 500, Pl	hoenix AZ 85004		
Email address: valentina_smith@uhaul.d	com Phone r	number: (602)263-6555		
Valentina Smith Signature Digitally signed by Valentina Smith Date: 2024.08.22 12:40:30 -07'00' Date 8/22/24				
Identify the signatory's involvement at the	e site (check all that appl	у).		
	y owner 🔲 attorney	other – specify		

Expedited VCP note: While anyone may sign the **application form**, only certain types of applicants are eligible to join the **Expedited VCP process** and sign the **Expedited VCP agreement**. To sign the agreement, the applicant **must** have an ownership interest in the facility, or operate the facility, or have a contractual right to purchase, redevelop, or reuse the facility. If the applicant is a corporation, a representative authorized to bind the corporation **must** sign the **Expedited VCP** agreement.

Ecology commits to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act, Sections 504 and 508 of the Rehabilitation Act, and Washington State Policy #188. To request an Americans with Disabilities Act accommodation, contact Ecology at 360-407-6831 or ecyadacoordinator@ecy.wa.gov.
¹⁷ For Washington Relay Service or teletypewriter (TTY), call 711 or 877-833-6341. Visit Ecology's accessibility & equity webpage for more information.

¹ https://www.ecy.wa.gov/VCP

² https://apps.ecology.wa.gov/publications/SummaryPages/ecy070324.html

³ https://apps.ecology.wa.gov/publications/summarypages/ECY070689.html

⁴ https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program/Working-with-VCP

⁵ vcp-exp@ecv.wa.gov

⁶ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_88

⁷ http://ecyapfass/Biblio2/SummaryPages/ECY070633.html

⁸ https://apps.ecology.wa.gov/publications/SummaryPages/ECY070689.html

⁹ https://apps.ecology.wa.gov/publications/summarypages/2009053.html

¹⁰ https://ecology.wa.gov/Research-Data/Data-resources/Environmental-Information-Management-database/EIM-submit-data

¹¹ https://apps.ecology.wa.gov/publications/summarypages/2009053.html

¹² https://apps.ecology.wa.gov/neighborhood/?lat=47.500000&lon=-121.000000&zoom=7&radius=false

¹³ https://app.leg.wa.gov/RCW/default.aspx?cite=18.220&full=true

¹⁴ https://app.leg.wa.gov/RCW/default.aspx?cite=18.43&full=true

¹⁵ https://apps.ecology.wa.gov/eim/help/HelpDocuments/OpenDocument/14

https://apps.ecology.wa.gov/dirtalert/

¹⁷ mailto:ecyadacoordinator@ecy.wa.gov