



State of Washington
POLLUTION LIABILITY INSURANCE AGENCY
PO Box 40930 • Olympia, Washington 98504-0930
(360) 407-0520 • (800) 822-3905
www.plia.wa.gov

September 10, 2024

Bruce Bodine
Sprague Maxi-Space LLC
9020 Lake Steilacoom Point Road SW
Lakewood, WA 98498

Re: No Further Action at the Following Site:

- **Facility/Site Name:** Sprague Shell
- **Facility/Site Address:** 1401 South Sprague Avenue, Tacoma, WA 98405
- **Facility Site ID:** 53486312
- **Technical Assistance Program No.:** PSW062

Dear Bruce Bodine:

The Washington State Pollution Liability Insurance Agency (PLIA) received your request for an opinion on the independent cleanup of 1401 South Sprague Avenue, Tacoma, WA 98405 (Site). This letter provides PLIA's opinion made under the authority of Chapter 70A.330 RCW and Chapter 374-80 WAC. PLIA appreciates your initiative in pursuing this administrative option for cleaning up a contaminated site under the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.

Opinion on Cleanup

PLIA has determined that **no further remedial action is necessary** to clean up petroleum contamination at the Site.

This opinion is based on the remedial action meeting the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). Our analysis is provided below.

Bruce Bodine
September 10, 2024
2 | Page

Description of the Site

This opinion applies only to the petroleum release at the Site located at 1401 South Sprague Avenue, Tacoma, WA 98405 and comprises Pierce County tax parcel 320057006 (Figure 1) and a portion of the west-adjacent City of Tacoma South Sprague Avenue right-of-way (ROW). This opinion does not apply to any other hazardous substance release(s) that may affect the Property (parcel).

The Site is defined by the nature and extent of contamination associated with the following release(s):

- Total petroleum hydrocarbons (TPH) as gasoline-range organics (GRO); benzene, toluene, ethylbenzene, and xylenes (BTEX); and naphthalenes into the soil and groundwater.

Basis of the Opinion

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

1. *Letter Regarding Technical Memorandum – Opinion Letter Response*. Prepared by AEG Atlas, LLC. May 20, 2024.
2. *Letter Regarding August 2023 Groundwater Monitoring Report & NFA Request*. Prepared by AEG Atlas, LLC. August 29, 2023.
3. *Letter Regarding Confirmation Soil Sampling and Groundwater Monitoring Report*. Prepared by AEG Atlas, LLC. June 26, 2023.
4. *Letter Regarding PLIA Data Gap Investigation*. Prepared by AEG Atlas, LLC. January 31, 2023.
5. *Remedial Investigation*. Prepared by Associated Environmental Group, LLC. October 5, 2021.
6. *Letter Regarding 1401 Sprague Avenue – UST Investigation*. Prepared by Robinson & Noble, Inc. February 10, 2010.
7. *Product Line Replacement – Interim Site Remediation*. Prepared by Associated Environmental Group, LLC. December 11, 2007.

These reports are available for download at: [**Sprague Shell Public Files**](#)

Documents submitted to PLIA are subject to the Public Records Act (Chapter 42.56 RCW). To make a request for public records, please email [**pliamail@plia.wa.gov**](mailto:pliamail@plia.wa.gov).

Bruce Bodine
September 10, 2024
3 | Page

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

Establishment of Cleanup Standards and Points of Compliance

The cleanup levels (CULs) for the Site will be established in accordance with WAC 173-340-700(5) and WAC 173-340-700(6).

The points of compliance (POCs) for the Site will be established in accordance with WAC 173-340-720(8) for groundwater, WAC 173-340-740(6) for soil, and WAC 173-340-750(6) for air.

Analysis of the Cleanup

PLIA has concluded that **no further remedial action** is necessary at the Site. Our conclusion is based on the following analysis:

Review of Data Submitted & Cleanup Status:

Site data demonstrate that petroleum contamination from a petroleum underground storage tank (UST) system release exceeded the levels allowable under MTCA. This opinion only addresses the contaminants of concern (COCs) as detailed in the *Description of the Site* section of this letter. This opinion is based on Site history and data made available to PLIA as of the date of this letter.

PLIA has determined that the cleanup action(s) performed meet cleanup standards established for the Site. The following describes PLIA's opinion of the Site status:

A release from the UST system associated with the on-Site fuel service station was discovered during Site investigation activities conducted in March 2007. The UST system, consisting of one 8,000-gallon diesel UST, one 8,000-gallon gasoline UST, and one 12,000-gallon gasoline UST and associated piping and pump islands, was installed in 1995. The diesel UST reportedly contained unleaded gasoline until approximately 2018.

Approximately 404 tons of petroleum contaminated soil (PCS) were excavated from the area of the dispenser islands and product lines during product line replacement activities in October 2007.

Remedial injection of ORC-A was conducted at the Site in October 2009 to treat remaining soil and groundwater impacts.

Bruce Bodine
September 10, 2024
4 | Page

i. Soil:

- Soil sampling was conducted in 2007, 2008, and 2011. GRO, benzene, ethylbenzene, xylenes, and naphthalenes have been detected at concentrations exceeding the MTCA Method A CULs in soil samples collected from the Site.
- Confirmation soil sampling was conducted in 2021. GRO was detected at a concentration exceeding the MTCA Method A CUL in one soil sample; however, the concentration was less than the Method B CUL for direct contact.
- Soil sample results are listed in the following tables:
 - Table 1. *Letter Regarding Confirmation Soil Sampling and Groundwater Monitoring Report*
 - Table 1. *Letter Regarding Technical Memorandum – Opinion Letter Response*

Result: The data indicate the soil direct contact and soil leaching to groundwater exposure pathways are incomplete at the Site. The remedial action(s) removed the potential for PCS with concentrations of COCs exceeding CULs to come into contact with human or ecological receptors or leach into groundwater.

ii. Groundwater:

- Depth to groundwater recorded at the Site ranged from 5.27' (MW-2B) to 11.16' (MW-8B) below top of casing during the May 2023 groundwater monitoring event. Groundwater flow direction beneath the Site is predominantly southwest, with fluctuations to the northwest.
- GRO and BTEX were detected at concentrations exceeding Method A CULs in groundwater samples collected between 2008 and 2011.
- Concentrations of COCs in groundwater samples have been less than MTCA Method A CULs since September 2011.

Result: The data indicate the groundwater exposure pathway is incomplete at this Site. The remedial action(s) removed the potential for petroleum contaminated groundwater (PCGW) with concentrations of COCs exceeding CULs to come into contact with human or ecological receptors.

PLIA recommends decommissioning all Site monitoring wells no longer required for groundwater monitoring, as determined by PLIA.

Bruce Bodine
September 10, 2024
5 | Page

Please note monitoring wells must be decommissioned by a Washington-state licensed drilling contractor, pursuant to WAC 173-160-460. PLIA requests that you provide monitoring well decommissioning documentation to PLIA for the project file. Additionally, the property owner should keep all supporting documentation of compliance (e.g., well logs, completed forms, and well tags) to provide documentation of proper decommissioning to the Washington State Department of Ecology upon request.

iii. Air (Soil or Groundwater to Vapor):

- PCS and PCGW within the lateral inclusion zone and/or vertical separation distance of Site buildings was successfully remediated to concentrations of COCs less than the MTCA Method A CUL.

Result: The data indicate the vapor intrusion exposure pathway is incomplete at this Site. The remedial action(s) removed the potential for vapors from PCS or PCGW to enter nearby commercial or residential structures.

iv. Surface Water:

- Not applicable for the Site. The nearest surface water, Commencement Bay, is 1.4 miles to the northeast of the Site.

Result: The surface water exposure pathway is incomplete at this Site. This means that, based on current data, petroleum contamination has not spread to surface water.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Under MTCA, liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release(s) of hazardous substances at the Site. This opinion **does not:**

- Change the boundaries of the Site.
- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

Bruce Bodine
September 10, 2024
6 | Page

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with the Office of the Attorney General and the Department of Ecology under RCW 70A.305.040(4).

2. 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 performed is equivalent. Courts make that determination (RCW 70A.305.080 and WAC 173-340-545).

3. State is immune from liability.

The state, PLIA, 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.

Termination of Agreement

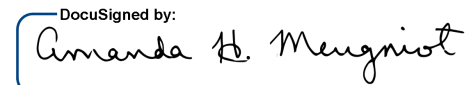
This opinion terminates the Technical Assistance Program (TAP) agreement for Project No. PSW062.

Bruce Bodine
September 10, 2024
7 | Page

Contact Information

Thank you for choosing to clean up your Site under PLIA's TAP. If you have any questions about this opinion, please contact me by phone at 1-800-822-3905, or by email at pliamail@plia.wa.gov.

Sincerely,

DocuSigned by:

D50D816A31E34C8...
Amanda Meugniot, L.G.
Hydrogeologist

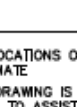
Enclosure A: Figure 1: Site Vicinity Map

cc: Scott Rose, AEG Atlas, LLC (by email)
 Jeremy Payne, The Vertex Companies, LLC (by email)

Bruce Bodine
September 10, 2024
8 | Page

Enclosure A:
TAP Project No. PSW062
1401 South Sprague Avenue,
Tacoma, WA 98405

FILE NAME	DRAWN BY	CHECKED BY	APPROVED BY	PROJECT NUMBER
20-188_2024_2_1.DWG	K20	11/26/2020	NO	11/26/2020



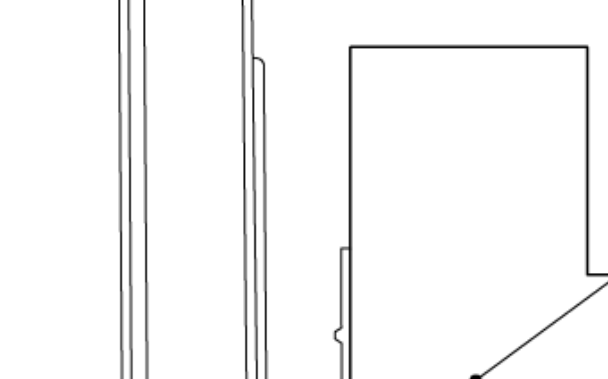
PROJECT LOCATION

NOTES

1. THE LOCATIONS OF ALL FEATURES SHOWN ARE APPROXIMATE
2. THIS DRAWING IS FOR INFORMATION PURPOSES. IT IS INTENDED TO ASSIST IN SHOWING FEATURES DISCUSSED IN AN ATTACHED DOCUMENT.

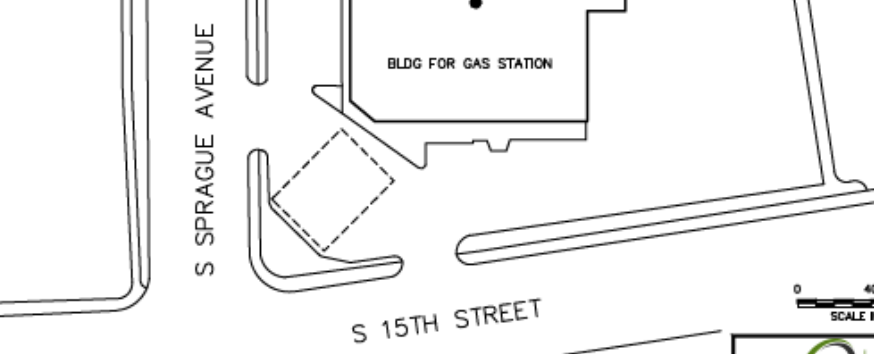
REFERENCE

DRAWING CREATED FROM AERIAL PHOTOGRAPH AND NOTES PROVIDED BY AEG, LLC.
VICINITY IMAGE SOURCE: U.S. GEOLOGICAL SURVEY-2017, 7.5 MINUTE QUADRANGLE MAP TACOMA, WASHINGTON



VICINITY MAP

0 1,500 3,000
SCALE IN FEET



PARKING

SCALE IN FEET

0 40 80

AEG **ATLAS**

FIGURE 1

SITE LOCATION MAP

1401 S SPRAGUE AVENUE
TACOMA, WASHINGTON

Source: Letter Regarding August 2023 Groundwater Monitoring Report & NFA Request, AEG Atlas, LLC, August 19, 2023.