Construction Notification & Contaminated Media Management Plan

Walkers Renton Subaru Used Cars
250 Rainier Avenue South
Renton, Washington 98057

Facility/Site ID.: 19684856
CS ID: 5659
VCP No.: NW2798 (Former)

Prepared By:

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Prepared for

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1.0 INTRODUCTION

Vader Investments LLC (Vader) is the owner of the real property and improvements located at 250 Rainier Avenue South (Rainier Ave S) in Renton, Washington ("Property").

The State of Washington Department of Ecology (Ecology) is the holder of a Restrictive Covenant dated April 28, 2008 made by Dale Walker of S & W Partnership (prior owner of the Property) which was recorded in the records of King County under recording number 20080507001862 (the "Covenant"). Pursuant to Section 2 of the Covenant, the owner must provide written notice of the owner's intent to complete any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment. Also, pursuant to Section 3 of the Covenant, the owner must provide written notice of the owner's intent to complete any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action or create a new exposure pathway.

Adapt Consulting (Adapt), on behalf of Vader, is providing this letter to serve as notice to Ecology as holder of the Covenant that Vader will be leasing the Property to Raising Cane's for the purpose of building and operating a Raising Cane's Chicken Fingers branded fast food restaurant.

The proposed development work will include the following activities at the Property:

- Drilling with soil and groundwater sampling at multiple locations across the Property by Raising Cane's to further assess for potential residual contaminant impacts to soil and groundwater prior to completion of the proposed development work.

- Removal of portions of the asphalt surface cover, excavation of soil for the purpose of underground utility line installation and construction of the foundation components of the proposed fast-food restaurant.

- Following completion of the proposed development work, the ground surface across the Property will be effectively capped by the concrete slab for the proposed fast-food restaurant, concrete sidewalk/pedestrian pathways, and asphalt-paved parking lot and drive-through lanes.

The location of the proposed fast-food restaurant and associated paved surfaces is depicted on the attached Figure 1.

As part of the redevelopment activities, construction activities associated with the foundation of the new proposed building may encounter and disturb "nuisance soils" with possible indications of slight petroleum odors or petroleum staining and soil with contaminant concentrations above the State of Washington Department of Ecology (Ecology) Model Toxics Control Act (MTCA) Method A Soil Cleanup Levels (CULs) in localized and scattered areas across the Property.

The Contaminated Media Management Plan (CMMP) has been prepared by Adapt and provides general plans and procedures for identification, handling, and management of potentially contaminated media (e.g., soil or groundwater) during the redevelopment project for the Property.

1.1 CMMP Description

The CMMP provides information regarding the types of commonly encountered impacted or contaminated media and assists the construction/excavation contractors and off-site media receiving disposal and/or reuse facilities with their evaluations regarding media management in compliance with applicable local, state, and federal requirements. The CMMP includes the following:

- Information on existing environmental conditions and potential contaminants of concern.
- Roles and responsibilities of project team members for this CMMP.
- Procedures for investigation, profiling, screening and segregation in the management and sampling of potential new documented impacted or contaminated materials.
- Procedures for the storage of impacted or contaminated soil in stockpiles awaiting sampling, classification and direct load-out for disposal.
- Procedures for storage of groundwater pumped during possible excavation dewatering activities in storage tanks awaiting sampling, classification and disposal/treatment.
- Acceptable reuse of materials on the Property.
- Receiving disposal/reuse facility information.
- Required documentation for impacted or contaminated soil and/or possible groundwater handling, storage, and disposal.

2.0 HEALTH AND SAFETY PLAN

A Health and Safety Plan (HASP) specific to the Property will be prepared by the contractor in accordance with applicable Washington Industrial Safety and Health Act (WISHA) and OSHA regulations. The HASP will include this CMMP for reference, a description of the project team and their role in executing the tasks outlined below and provide information for workers such as awareness of health risks and hazards for each task, employee training to assure compliance with applicable federal, state, and local regulations, selection of personal protective equipment, control measures, and decontamination procedures. The HASP shall include identified risks with associated procedures and controls.

The contractor is responsible for conducting all activities in accordance with the HASP and other applicable contracts and specification documents. The contractor will review the contents of the HASP with all necessary workers and will ensure adequate training for all workers in accordance with the HASP, applicable regulations, and contract documents. All contractors or consultants participating in soil management activities have the responsibility to ensure their employee's health and safety procedures are adhered to while on Property.

3.0 PROPERTY DESCRIPTION AND BACKGROUND

The Property is located at 250 Rainier Ave S in Renton, Washington (see Figure 1) and consists of King County tax parcel number 182305-9063, reported to be 0.74 acres in size and is currently developed with one former car sales office building reportedly built in 2000 (see Figure 1). The Property was formerly 0.90 acres in size, but in February 2022, the City of Renton acquired approximately 6,780 square feet (sq ft) of the western and southern portion of the Property through a right-of-way acquisition for the Rainier Ave S Corridor Improvements Phase 4 (S 3rd St to NW 3rd Pl) Project.

3.1 Property Related Possible Contamination

A historical review of available information indicates the following activities have occurred on the Property:

- A gas station operated from 1918 until 1953.
- An auto service garage operated from 1918 until approximately 1980.
- A car wash operated from approximately 1965 through 1971.
- A gas station/car wash operated from 1971 until 1986.

Remedial action for the contamination source on the Property undertaken in 2000 included removal of impacted soil and treatment of groundwater in three groundwater wells (known as MW-1, MW-2, and MW-4) located in the Property source area with oxygen release compound (ORC). The soil and groundwater concentrations of petroleum contaminants were then found to be below Model Toxics Control Act (MTCA) cleanup levels (CULs) except in approximately 10 tons of petroleum impacted soil that could not be accessed because of shallow utility lines near the northwest corner of the former service island (south-central region of the Property).

In 2011, Adapt conducted additional sampling and analysis of soil in the area of the Property contamination sources. The findings of the additional soil sampling activities appeared to indicate that the previously observed elevated benzene and gasoline range organics concentrations in the area where residual contaminated soil was left in place in October of 1999 have been reduced through natural attenuation process over the past 11 years to levels that no longer exceed the existing MTCA Method A soil cleanup levels.

3.2 East-Adjoining Property Related Possible Contamination

The off-site and east-adjoining property source was a historical gas station located immediately to the east boundary of the Property from which contaminated groundwater appears to have migrated onto the Property. The trespassing groundwater contamination has been demonstrated in one monitoring well advanced by Adapt and referred to as MW-3, located just west of the east boundary of the Property. Following treatment with ORC in the other three Adapt wells, the groundwater concentration of diesel-range hydrocarbons in untreated MW-3 dropped but remained just above MTCA cleanup levels. In 2000, three additional monitoring wells were installed by Environmental Partners, Inc., (EP) in the southeast corner of the Site during work done for Safeway. Adapt had access to the collected data from only one of the EP wells. The most recent data reviewed by Adapt, from September 2010, revealed gasoline-range hydrocarbons groundwater concentration of 1,700 parts per billion, above the 1,000 parts per billion CUL (see Figure 1 for the inferred location of the groundwater contaminant trespass).

Adapt had approached Ecology to obtain a No Further Action (NFA) determination for soils for the Property generated impacts. However, this NFA was not issued. In subsequent interactions with Ecology, in 2012 and 2013, Ecology stated that a NFA for the Property would require demonstration that no contamination above CULs was present on the parcel. Thus, a NFA would require the trespassing groundwater contamination to be cleaned up.

4.0 DESCRIPTION OF FIELD ACTIVITIES/PROCEDURES

Vader has requested that Adapt prepare this CMMP, however, Raising Cane's will be responsible for selection of the general contractor and the environmental professional to observe the construction activities and collect soil (and groundwater) samples as necessary during the construction activities. Adapt's role at this time is limited to preparation of the CMMP.

4.1 Activities with the Potential to Generate Impacted/Contaminated Media

Drilling activities completed prior to the proposed development work may encounter and/or generate impacted or contaminated soil requiring appropriate handling/management/disposal.

Grading and excavation activities that may encounter and/or generate impacted or contaminated soil requiring appropriate handling/management/disposal include installation of underground utility lines and vaults, stormwater management systems, foundations and footings and elevator vaults.

Also, depending on the groundwater levels during the subgrade excavation and grading work, excavation dewatering activities may be necessary. Any groundwater removed during the construction activities would require appropriate handling/management/disposal. Prior groundwater sampling and testing indicated only elevated petroleum hydrocarbon concentrations near the southeast portion of the Property, attributed to contaminant trespass from previously documented contaminant releases attendant to the Safeway-branded gasoline station located on the east-adjoining property.

4.2 Contaminated Media Management Procedures

Drilling and Sampling Activities
All soil cuttings, groundwater pumped during purging and sampling activities and equipment decontamination wastewater will be stored in steel 55-gallon drums at the Property.

Proposed Development Activities
The following practices/procedures have been developed for potential impacted or contaminated soil:

- Segregate clean soil that will be reused for fill on the Property or removed from the Property for other types of reuse at an approved facility.
- Segregate and stockpile potentially impacted or contaminated soil for additional screening, sampling, and waste profiling.
- Properly dispose of exported impacted or contaminated soil at an approved disposal/treatment facility.

The following practices/procedures have been developed for groundwater generated during possible excavation dewatering activities:

- Store any groundwater pumped during possible excavation dewatering activities into the aboveground sediment storage tanks that will be utilized for construction stormwater management.
- Sampling of any possible stored pumped groundwater in accordance with the stormwater discharge requirements.

- Properly dispose of any possible stored pumped groundwater in accordance with the stormwater discharge requirements. If sampling results indicate possible exceedances of the stormwater discharge requirements, the pumped groundwater may need to be run through a granulated activated carbon treatment unit prior to discharge.

4.3 Stockpiling Contaminated Media

Drilling and Sampling Activities
No stockpiling of contaminated media is anticipated during the drilling and sampling activities.

Proposed Development Activities
There may be occasions where stockpiling may be required for the temporary storage of impacted or contaminated soil pending analytical test results, or the discovery of potentially contaminated soil not yet profiled. Stockpiles in these circumstances shall adhere to the following:

- Stockpiles shall be lined with plastic sheeting with a minimum thickness of 6 millimeters, with adjacent sheeting sections overlapping a minimum of 3 feet.
- The perimeter of the stockpiles shall be surrounded by a berm to prevent run-on and/or run-off of water.
- Stockpiles shall be covered when not in use and the cover should be anchored to prevent it from being disturbed by wind and shielded from precipitation.

4.4 Dust and Odor Control

Drilling and Sampling Activities
No need for dust and odor control is anticipated during the drilling and sampling activities.

Proposed Development Activities
Nuisance odors may be emitted during impacted and contaminated soil excavation and handling. The designated Site Health and Safety Officer or their delegated qualified personnel will describe odor and dust control in the conditions during excavation activities and will advise the contractor if odor control measures should be implemented. The contractor shall conduct odor monitoring by observing and reporting visual evidence of dust during excavation of contaminated media. If dust and odor cannot be controlled through methods described below, or additional monitoring is necessary for any reason, monitoring and reporting with a photoionization detector (PID) to detect volatile organic vapors greater than 10 ppm shall be employed at the project.

The contractor should be prepared to implement one or more of the following odor control measures, should nuisance odors develop during excavation:

- Apply a mist of water over the area as needed to minimize dust and odor.
- Cover exposed areas with elevated concentrations of contaminants with plastic sheeting at the end of each day and when excavation activities are not being performed.
- Keep stockpiles covered when not in use.

4.5 Decontamination Procedures

Drilling and Sampling Activities
All non-disposable components of the sampling equipment will be decontaminated prior to, and in between, collection of individual samples as follows:

- Scrub with potable water containing Alconox/Liquinox detergent.
- Deionized water rise.

Proposed Development Activities
If significant amounts of impacted or contaminated soil residue becomes adhered on equipment and excavator tracks/tires and truck tires, this soil residue will be removed using a combination of wet and dry methods to prevent cross-contamination of otherwise clean onsite soil and off-site streets/roads. During dry conditions, residues will be removed by dry brushing. Media that cannot be removed by this procedure will be removed from equipment by washing with high-pressure water. During winter conditions, high-pressure water washing will be used to remove material residues and mud from equipment and tires. If necessary, a decontamination station will be constructed at an appropriate location on the Property. The station will consist of a bermed bed of crushed aggregate rock equipped with a water collection sump. Water generated during decontamination activities will be processed in accordance with applicable local, state, and federal regulations.

5.0 CONTINGENCY PLAN FOR UNKNOWN OR SUSPECT CONTAMINATION

The equipment operator shall notify the construction manager and the Environmental Professional if any of the following are encountered:

- Obvious petroleum staining, sheen, or colored hues in soil or standing water.
- The presence of petroleum, chemical, or unknown leachate material.
- The presence of utility pipelines with sludge or trapped liquid indicating petroleum or chemical discharge.
- The presence of buried pipes, conduits, tanks, or unexplained metallic objects or debris.
- Unusual vapors causing eye irritation or nose tingling or burning.
- Presence of sweet, offensive, or petroleum-like vapors or odors.

In the event that suspected contaminated soil or media are observed, the contractor will notify the environmental professional and the project team to determine further necessary action.

5.1 Soil Sampling

Soil sampling will be completed during the drilling work and on an on-call basis may be necessary during development work in coordination with the general contractor. Samples will be collected in laboratory-provided containers and placed on ice in a cooler immediately after collection. Sample analysis will depend upon the contaminants of potential concern (COPCs) at that location. The following provides a general list of analyses associated with common contaminated media encountered during earthwork/redevelopment activities:

- Total Petroleum Hydrocarbons (TPH) as gasoline and diesel/oil range by Ecology Methods NWTPH-Gx and NWTPH-Dx with BTEX by EPA Method 8021.

- Volatile organic compounds (VOCs) by EPA Method 8260.
- Total Lead and other metals using EPA Method 6020.

All non-disposable components of the sampling equipment (e.g., hand augers, shovels, spoons, or other equipment used to collect samples that contact the soil) will be decontaminated prior to, and in between, collection of individual samples as follows:

- Scrub with potable water containing Alconox/Liquinox detergent.
- Deionized water rise.

Chain-of-custody documentation will be prepared and will accompany the samples at all times. If applicable, analytical requests will be prepared that will clearly identify any compositing to be performed by the laboratory.

The analytical results from collected samples will be reviewed by the environmental professional. The analytical results will be compared to the criteria defined for the types of media this plan addresses. Management of the media will be based on the material meeting the following conditions:

- Petroleum-contaminated media that are not dangerous wastes are regulated under the Solid Waste Handling Standards, Chapter 173-350 WAC.
- "Guidance for Remediation of Petroleum Contaminated Sites," Toxics Cleanup Program Publication No. 10-09-057 – Revised June 2016 Table 12.1 provides guidelines for reuse of petroleum-contaminated soil (PCS).
- Dangerous waste characteristic WAC 173-303-090: Media that fail analysis for lead or constituents such as benzene must be disposed of as dangerous waste.
- Excluded categories of waste WAC 173-303-071 (3)(t): Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of WAC 173-303-090 (8) (dangerous waste numbers D018 through D043 only) and are subject to the corrective action regulations under 40 C.F.R. Part 280.

5.2 Groundwater Sampling

Groundwater sampling will be completed during the drilling work and sampling of pumped groundwater may be necessary on an on-call basis during development work in coordination with the general contractor. Samples will be collected in laboratory-provided containers and placed on ice in a cooler immediately after collection. Sampling equipment and analysis will depend upon the COPCs required by the stormwater discharge permit.

Chain-of-custody documentation will be prepared and will accompany the samples at all times. If applicable, analytical requests will be prepared that will clearly identify any compositing to be performed by the laboratory.

6.0 CONTAMINATED MEDIA TRANSPORT AND OFF-PROPERTY DISPOSAL

Transport of contaminated media to the appropriate disposal/treatment facility will be performed by appropriately licensed haulers/transporters. The general contractor shall submit a copy of its transporter's permit/qualifications for shipping prior to any waste shipment.

6.1 Dangerous Waste

Soil/material/debris/liquid that has contaminant levels that potentially exceed the Washington State Dangerous Waste criteria in accordance with WAC 173-303 are considered Dangerous Waste.

Property characterization did not identify materials that are expected to exceed Washington State dangerous waste criteria in accordance with WAC 173-303.

6.2 Soil Contaminants Above State Cleanup Levels

Contaminated soil that is exported from the Property and have contaminant levels equal or above State cleanup level(s) requires disposal at an appropriately permitted RCRA Subtitle D landfill or treatment facility.

6.3 Soil Contaminants Below State Cleanup Levels

Soil with analytical results reported below State cleanup levels can remain in place on the Property if there are no plans for excavation. Soil meeting the above criteria may be reused as fill on the Property with certain restrictions.

Contaminated soil waste exported from the Property with analytical results reported below State cleanup levels but above detection require disposal at a facility appropriately permitted to accept the waste and/or may be reused at another location with certain restrictions.

6.4 Impacted or Contaminated Waste Transport

Contaminated waste may be directly loaded into trucks for transport to the pre-approved and appropriately licensed disposal facility. The general contractor shall provide the environmental professional with copies of shipping records (manifest or bill of lading) and weigh tickets for all shipped wastes, indicating each waste shipment has been received at a disposal facility within seven working days of removal. To prevent dust, the trucks beds shall be line with plastic, and the load covered during transport.

6.5 Impacted or Contaminated Soil Off-Site Disposal Facilities

Example facilities that may be used (upon approval) for disposal of PCS or MTCA contaminated Soil Waste include:

- Waste Management's Transfer Station in Seattle
- Republic Services Transfer Station in Seattle
- Cadman's Soil Thermal Desorption Delta Facility in Everett
- Other approved – permitted facility.

Disposal of contaminated soil as “dangerous” per WAC 173-303 is NOT included in the work. The general contractor is responsible for determining waste facility requirements and facilitating preliminary waste profiling prior to bidding using available data. Additional characterization analysis may be required by the receiving facility prior to approval and will be at the cost of the contractor and performed by the Environmental Professional or its designated individual on an on-call basis.

6.6 Pumped Groundwater Disposal

Groundwater pumped during possible dewatering activities can be discharged to the municipal storm sewer system through the stormwater management system after sampling has documented compliance with the applicable stormwater discharge requirements.

If sampling results indicate possible exceedances of the stormwater discharge requirements, the pumped groundwater may need to be run through a granulated activated carbon treatment unit prior to discharge.

7.0 POST CONSTRUCTION MANAGEMENT

The CMMP was created as guidance related to potential contamination during the earthwork period of construction. It is understood that additional management related to contamination discovered may be required once construction is complete that does not fall under the CMMP. Ongoing management may include inspection, assessment, notification, maintenance, and monitoring.

8.0 REPORTING AND DOCUMENTATION

Contractors managing contaminated media will maintain all necessary permits and approvals related to the excavation, management, storage, transportation, and treatment/disposal of the impacted or contaminated soil and groundwater that might be generated during excavation in accordance with local, state, and federal requirements. Permits may include, but are not limited to, excavation permits, transportation permits and manifests, and approvals and permits for treatment or disposal of contaminated waste. Copies of permits and disposal receipts should be retained for future reporting by the owner. The project lead or owner may have additional requirements beyond what is provided in this CMMP.

In summary, reports provided by the general contractor to the project owner and/or its designees will include:

- Quantity by weight as determined by number of truckloads and type of material hauled.
- Quantity by volume in bank yards as determined by contractor measurements during excavation.
- Disposable facility for each truck load.
- Manifests / Bills of Lading (BOL) for each truck and specified facility.
- Disposal facility receipts, including weight tickets and fee receipts.
- Volume of pumped groundwater in gallons that may require treatment and disposal to the municipal storm sewer.
- Analytical results when applicable.

A written summary report may be prepared by the environmental professional. It would include tabulated totals of impacted or contaminated soil that requires off-site disposal/treatment and groundwater that may require treatment and disposal. Corrective actions will be identified as needed, and the resolution of any discrepancies will be reported.

Please contact us if you have any questions or comments regarding this project.

Respectfully submitted,

Adapt Consulting

John Frazier, L.G.
Project Manager

Daryl S. Petrarca, L.H.G.
Senior Reviewer

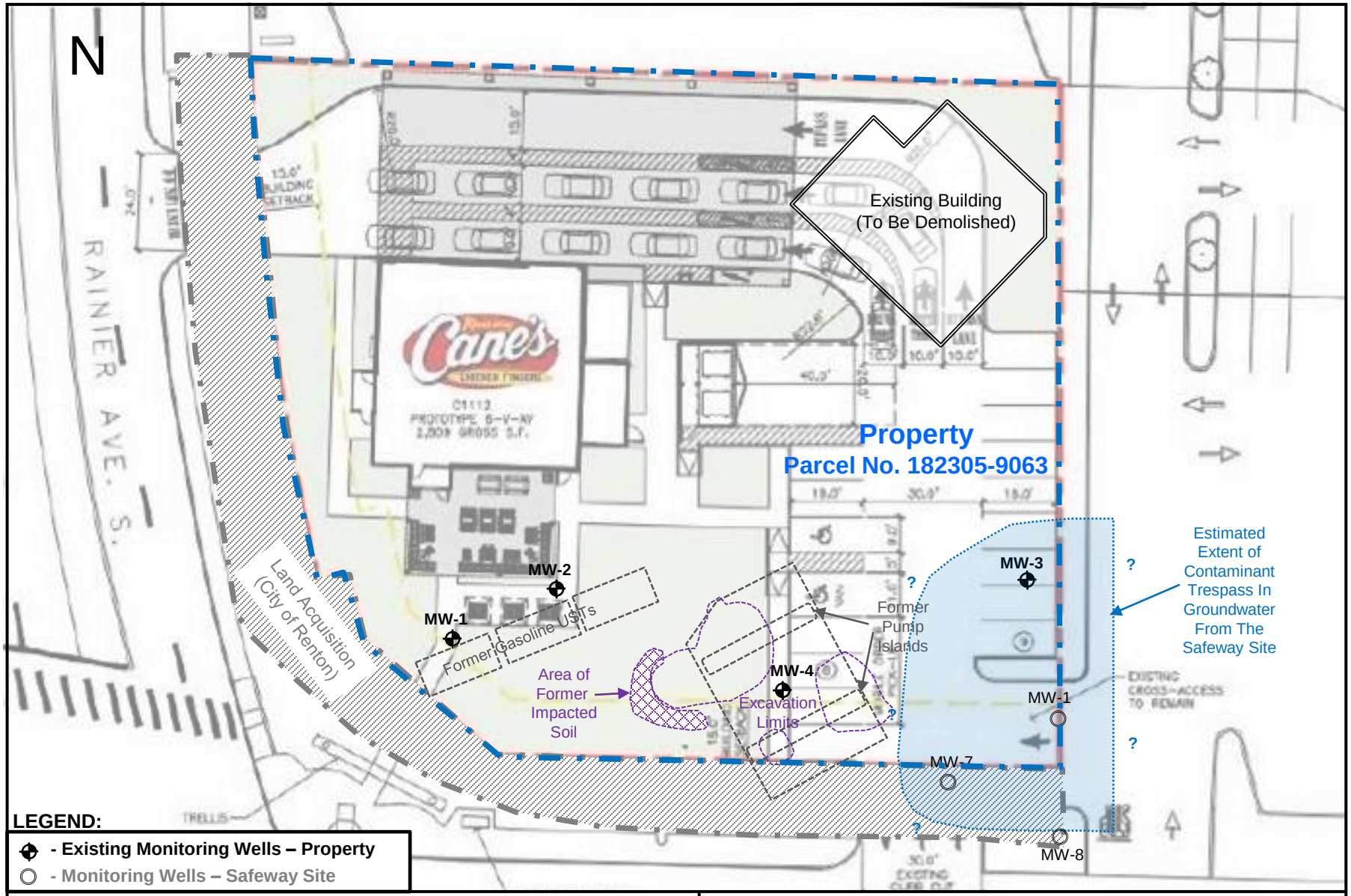

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FIGURE 1 – Proposed Development Plan
Location: Former Walkers Renton Subaru Used Cars Property
250 Rainier Avenue South
Renton, Washington 98057
Client: Vader Investments LLC
Date: May 15, 2024 **Job #:** WA23-18664-ENV