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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 27, 2024

John Wunder
Huling Brothers Properties, LLC
5025 California Ave SW, Suite 105
Seattle WA 98136
(johnwunder@qwestoffice.net)

Re: No Further Action opinion for the following contaminated Site

Site name: Franciscan Medical Clinic
Site address: 4550 Fauntleroy Way SW, Seattle WA 98126
Facility/Site ID: 97678
Cleanup Site ID: 15488
VCP Project No.: NW3408

Dear John Wunder:

The Washington State Department of Ecology (Ecology) received your request for an opinion regarding the sufficiency of your independent cleanup of the Franciscan Medical Clinic facility (Site) under the [Voluntary Cleanup Program \(VCP\)](#).¹ This letter provides our opinion and analysis. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), [Chapter 70A.305 RCW](#).²

Opinion

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

Ecology bases this opinion on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in Chapter 70A.305 RCW and [Chapter 173-340 WAC](#)³ (collectively called "MTCA").

¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

³ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

Site Description

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

- Benzene, air-phase petroleum hydrocarbons (APH), and volatile organic compounds (VOCs) in soil vapor and indoor air.

Enclosure A includes a Site description, history, and diagrams.

Please note the parcel of real property associated with this Site is also located within the projected boundaries of the Tacoma Smelter Plume King County facility (Facility Site ID 66948686). At this time, Ecology has no information indicating that contamination from the Tacoma Smelter Plume King County affects this parcel. This opinion does not apply to any contamination associated with the Tacoma Smelter Plume King County facility.

Please note the West Seattle ARCO facility (Facility Site ID 99437681) also affects the parcel of real property associated with this Site. This opinion does not apply to any contamination associated with the West Seattle ARCO facility.

Basis for the Opinion

Ecology bases this opinion on information in the documents listed in Enclosure B. You can request these documents by filing a [records request](#).⁴ For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check if the documents are available on the [Site webpage](#).⁵

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

Analysis of the Cleanup

Ecology has concluded that no further remedial action is necessary to clean up soil vapor and indoor air contamination encountered beneath and inside the Clinic building at the Site. Ecology bases its conclusion on the following analysis:

Characterizing the Site

Ecology has determined your completed Site characterization is sufficient for setting cleanup standards and selecting a cleanup action. Enclosure A describes the Site. Investigations completed at the Site from 2018 through 2024 did not identify the source of soil vapor and indoor air contamination encountered beneath and inside the Clinic building in May 2018, and found no contamination sources migrating onto the Site from the north, east, and south.

⁴ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

⁵ <https://apps.ecology.wa.gov/cleanupsearch/site/15488>

However, groundwater contamination from the adjacent West Seattle ARCO facility (which has migrated beneath the Clinic Site property) and soil vapor contamination from that facility are potential sources of the soil vapor contamination on the Clinic Site.

Setting cleanup standards

Cleanup standards include cleanup levels, points of compliance, and applicable local laws and requirements. Ecology has determined the cleanup levels set for the Site meet the substantive requirements of MTCA.

Cleanup Levels

Soil

The Site is located in an area that qualified for Terrestrial Ecological Evaluation (TEE) exclusion and did not require additional evaluation, in accordance with [WAC 173-340-7491\(1\)\(c\)\(i\)](https://apps.leg.wa.gov/wac/default.aspx?cite=173-340-7491)⁶. There are less than 1.5 acres of contiguous undeveloped land on or within 500 feet of the Site. Therefore, soil cleanup levels protective of terrestrial species are not necessary for this Site. MTCA Method A soil cleanup levels for unrestricted land uses are based on protection of groundwater and are the default cleanup levels.

Groundwater

The highest beneficial use for groundwater under MTCA is considered to be as a drinking water source, unless it can be demonstrated that the groundwater is not potable. MTCA Method A groundwater cleanup levels are protective of potable use and are therefore the default.

Air

Air cleanup levels are considered necessary to protect indoor air, including vapor intrusion (VI) into existing buildings. Method B indoor air cleanup levels and VI screening levels (for groundwater and soil vapor) are appropriate to assess the air exposure pathways.

Points of Compliance

Soil

The point of compliance for soil at the Site for protection of groundwater is soils throughout the Site.

Groundwater

The standard point of compliance for groundwater is throughout the Site, from the uppermost level of the saturated zone extending vertically and horizontally to the lowest depth that could potentially be affected.

⁶ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-340-7491>

Air

The point of compliance for air is ambient air throughout the Site.

Selecting the cleanup action

Ecology has determined that searches of historical records and subsequent subsurface investigations did not identify confirmed contamination sources on the Clinic Site that resulted in the soil vapor contamination detected in the Clinic building basement in May 2018. CHI Franciscan Health (the Clinic building tenant) retained professional services in late 2018 to design, install, operate, and monitor a sub-slab depressurization system (SSDS), to control and eliminate the indoor air quality exceedances of Method B cleanup levels.

Groundwater and soil vapor contamination from the adjacent West Seattle ARCO site are potential sources of the soil vapor contamination on the Clinic Site. However, monitoring data indicate that the air sparging/soil vapor extraction (AS/SVE) system operating at the West Seattle ARCO site since 2016 creates a sufficient zone of influence to mitigate vapor migration.

Implementing the cleanup action

The SSDS has been continuously operating in the Clinic building from December 2018 through the present and has successfully eliminated the indoor air quality exceedances of Method B cleanup levels. Ecology understands that continued operation of the SSDS in the Clinic building will be determined by the building owner (Huling Brothers Properties) and CHI Franciscan Health.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from the Contaminated Sites List. The Site will be added to the No Further Action sites list.

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.
- 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\(4\)](#).⁷

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 if the action you performed is substantially equivalent. Courts make that determination. See [RCW 70A.305.080](#)⁸ and [WAC 173-340-545](#).⁹

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\(6\)](#).¹⁰

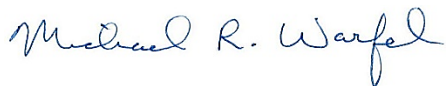
Termination of Agreement

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing VCP Project No. NW3308.

Questions

If you have any questions about this opinion or the termination of the Agreement, please contact me at 425-324-1892 or michael.warfel@ecy.wa.gov.

Sincerely,



Michael R. Warfel, VCP Site Manager
Toxics Cleanup Program, NWRO

Enclosures (2): A – Site Description, History, and Diagrams
 B – Basis for the Opinion: List of Documents

cc: Scott Rose, AEG Atlas (srose@aegwa.com)
 VCP Fiscal Analyst (ecyrevcp@ecy.wa.gov)
 VCP Coordinator (vcp-nwro@ecy.wa.gov)

⁷ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>
⁸ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>
⁹ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>
¹⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

Enclosure A

Site Description, History, and Diagrams

Site Description

This section provides Ecology's understanding and interpretation of Site conditions, and is the basis for the opinion expressed in the body of the letter.

Site: The Site is located in the West Seattle neighborhood at the northwest corner of the intersection of SW Alaska Street and 38th Avenue SW (Figure 1). One King County tax parcel 0952007545 (the Property) covers 0.64 acres encompasses the Site, and is associated with street address 4550 Fautleroy Way SW, Seattle, Washington 98126. Contaminants identified on the Site are benzene, APH, and VOCs in soil vapor and indoor air.

Area and Property Description: The Property and surrounding area consists of commercial and residential properties. The Property is bounded on the north and northwest by Fautleroy Way SW and a grocery store, on the east by 38th Avenue SW and a multi-story apartment building, on the south by SW Alaska Street and an automotive tire center, and to the west by a Shell-branded gasoline service station. This service station is also a cleanup site known as West Seattle ARCO (Ecology Cleanup Site ID 11357) and an operating Underground Storage Tank (UST) facility known as Fautleroy Shell (UST ID 10140).

Site History:

The Property was originally developed in the early 1900s as a milk depot, followed by construction and operation of a YMCA from approximately 1940 through 1980, when the structure was demolished. The current building that occupies the Property was constructed in 1985 and used for automotive body work and sales. Following remodeling in 2012, the building has been occupied by a medical clinic, currently known as the Franciscan Medical Clinic-West Seattle (Clinic). The building consists of one story above ground (3,080 square feet) and a basement (9,250 square feet) that extends beyond the footprint of the above-ground structure (Figures 2 and 3).

Sources of Contamination: Contamination in Clinic indoor air was first reported in May 2018 by complaints from staff. Subsequent sampling of indoor air confirmed the presence of APH and benzene above Model Toxics Control Act (MTCA) Method B cleanup levels. Soil vapor probes also identified APH and VOCs at concentrations above Method B vapor intrusion screening levels. Past contaminant releases at the west-adjacent West Seattle ARCO facility are known sources of the petroleum contaminant exceedances in groundwater on the Clinic Site, and are a potential source of the soil vapor and indoor air contaminant exceedances on the Clinic Site.

Physiographic Setting: The Site is located in the West Seattle district of Seattle within the Des Moines Upland, which is bounded by Puget Sound on the west and the Duwamish River Valley on the east and was created by multiple episodes of glaciation. The surface elevation at the Site is approximately 265 feet above mean sea level (amsl) and slopes gently to the northwest.

Surface/Stormwater System: Surface runoff from the Site is collected by catch basins that are piped into the City of Seattle stormwater system mains along Fautleroy Way SW and 38th Avenue SW. The closest surface water bodies to the Site are Puget Sound and tributary of Longfellow Creek, located approximately 1 mile west and 0.4 mile east of the Site, respectively.

Ecological Setting: The Property and surrounding area are largely covered by asphalt and buildings, with occasional small planting strips. The nearest open space is the West Seattle Golf Course, located approximately 1,100 feet east of the Site.

Geology: Site borings encountered 1 to 10 feet of fill at the east and west margins of the Site; however, most of the unbuilt area of the Site is underlain by dense sand and silt to the maximum depth explored of 36.5 feet below ground surface (bgs), as shown on Figure 4.

Groundwater: Groundwater was observed in Site borings at depths ranging from 20 to 30 feet bgs. A piezometric surface map prepared for the adjacent West Seattle ARCO site shows groundwater flow primarily to the east and southeast (Figure 5).

Water Use/Water Supply: Drinking water for the area is provided by Seattle Public Utilities and is derived from the Cedar and South Fork Tolt River watersheds. The closest wellhead protection areas are located approximately 6 miles southeast of the Site.

Extent of Contamination and Remediation: After discovery of indoor air contamination in the Clinic building in May 2018, the Clinic commissioned installation of a sub-slab depressurization system (SSDS) to mitigate the problem. The SSDS consists of three sub-slab extraction points installed beneath the Clinic building basement floor, connected to a blower that creates a vacuum and discharges through an exhaust stack on the building roof (Figure 6). Sampling confirmed that an air discharge permit was not required. Operation of the SSDS began in December 2018. Follow up monitoring confirmed that the SSDS has been successful in eliminating indoor air concentrations that formerly exceeded Method B cleanup levels.

Ecology completed an Initial Investigation on the Site and added the Site to the Contaminated Sites List in 2021. Phase I and II environmental site assessments (ESAs) were completed for the Site in 2022 and 2023, respectively, followed by a Remedial Investigation report in 2024. None of this Site-specific work identified sources of contamination on the Site or contamination migrating onto the Site from the north, east, and south.

On the west, groundwater with concentrations of petroleum contaminants above MTCA cleanup levels has been documented in West Seattle ARCO facility monitoring wells located in the alley (Figure 7), which is on the parcel that includes the Site and the Clinic building. Benzene, toluene, ethylbenzene, and xylenes (BTEX) have not been detected in alley monitoring wells MW-11 and MW-12 since June 2021. Chlorinated volatile organic compounds detected in Clinic Site soil vapor have not been detected in soil vapor at the West Seattle ARCO site.

An air sparging / soil vapor extraction (AS/SVE) system has been in operation at the West Seattle ARCO site since 2016 (see Trench Location, Figure 7). Data collected in 2019 confirmed that the system has been achieving a vacuum in the unsaturated zone screened by three wells located in the alley between the gasoline station and the Clinic, which is on the Clinic Property (GMW-1, MW-11, and MW-12; Figure 7). This indicates that soil vapors originating on the West Seattle ARCO facility would likely be captured or minimized by the AS/SVE system prior to migrating beneath the Clinic building.

The source(s) of the indoor air contamination in the Clinic building have not been positively identified. Indoor air and sub-slab soil vapor samples collected in February 2024 (with the SSDS off) did not exceed Method B air cleanup levels. Ecology understands that continued operation of the

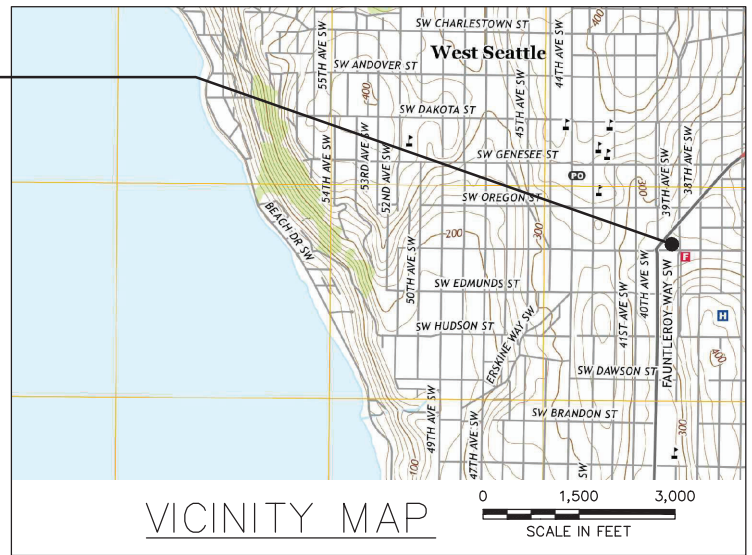
SSDS in the Clinic building will be determined by the building owner (Huling Brothers Properties) and tenant (CHI Franciscan Health Medical Clinic).

Enclosure A, Figure 1

FILENAME 18-172_18Q3.DWG	DRAWN BY ICD	CHECKED BY SL	APPROVED BY SL	PROJECT NUMBER 18-172
	8/8/2018	8/8/2018	8/8/2018	



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 DUWAMISH HEAD, WASHINGTON

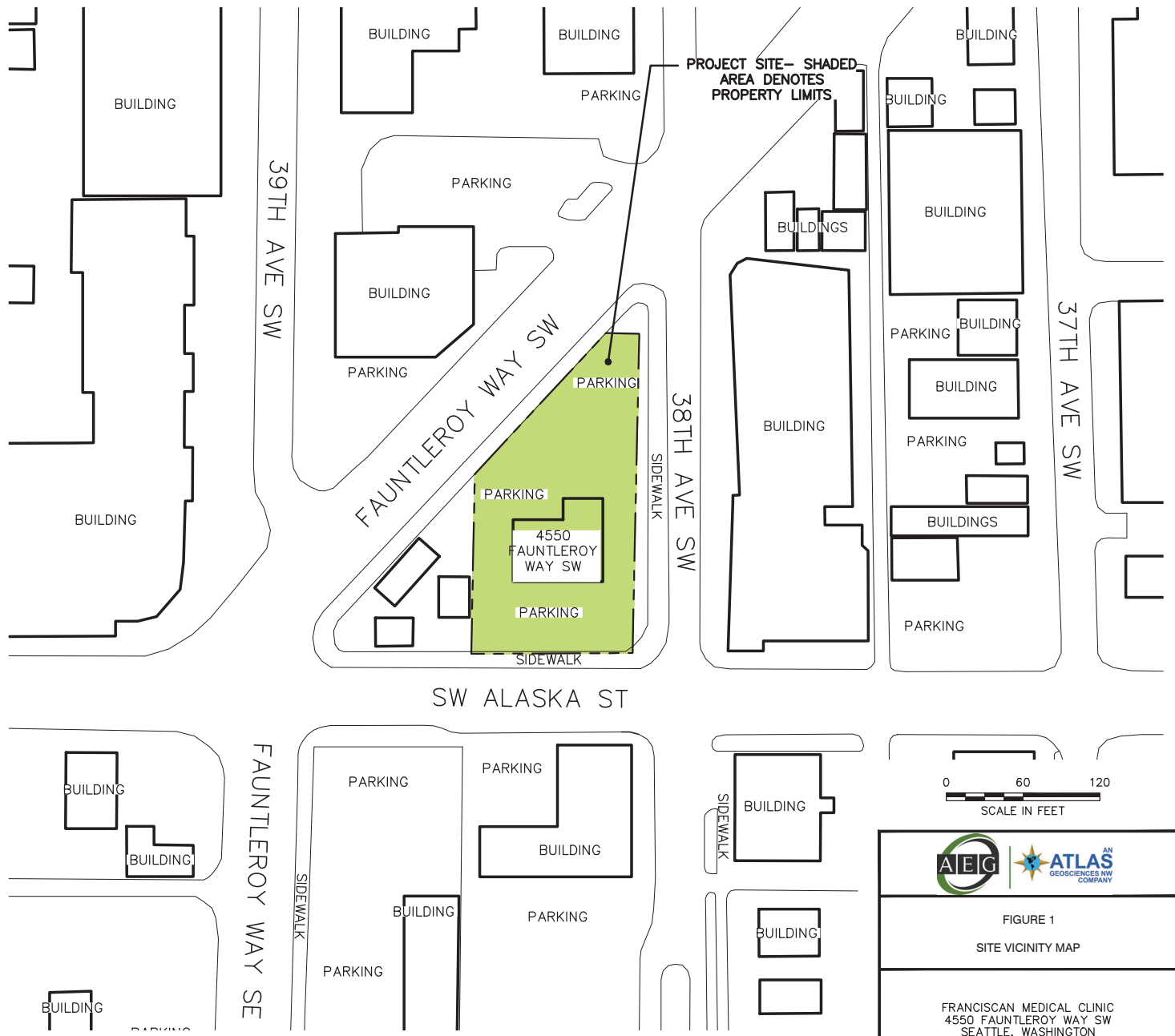
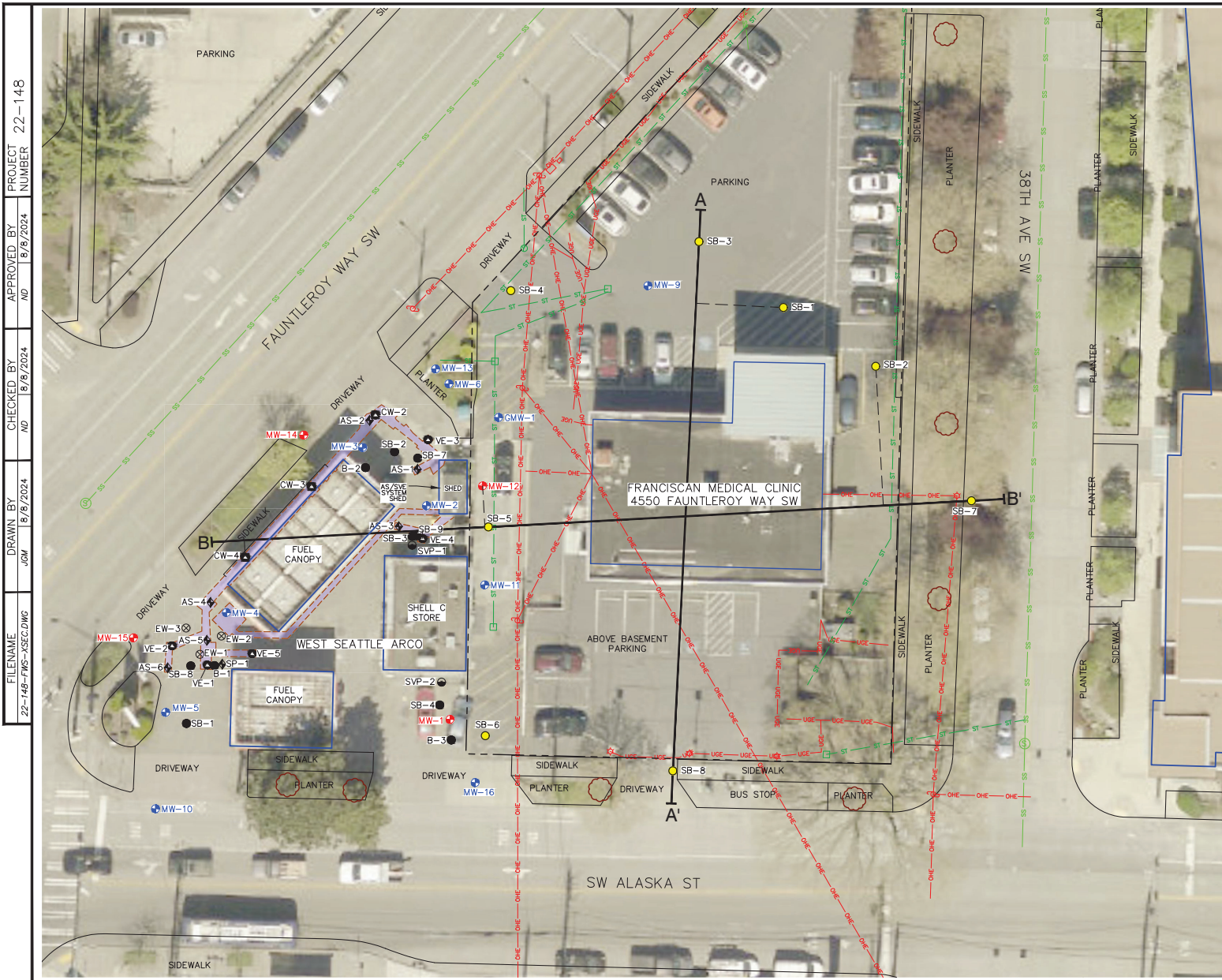
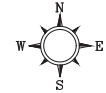


FIGURE 1
SITE VICINITY MAP

FRANCISCAN MEDICAL CLINIC
4550 FAUNTLEROY WAY SW
SEATTLE, WASHINGTON



FILENAME: 22-148-FWS-XSEC.DWG
 DRAWN BY: JGM 8/8/2024
 CHECKED BY: NO 8/8/2024
 APPROVED BY: PROJECT 22-148
 NUMBER: 8/8/2024



- LEGEND**
- PROPERTY LINE
 - SOIL BORING LOCATION
 - PROPERTY LINE (ARCO)
 - ⊕ MONITORING WELL LOCATION (ARCO)
 - ⊕ MONITORING WELL LOCATION (ARCO) > MTCA CULs
 - SOIL BORING LOCATION (ARCO)
 - ◆ AIR SPARGE WELL LOCATION (ARCO)
 - ⊖ VAPOR EXTRACTION WELL LOCATION (ARCO)
 - ⊖ EXTRACTION WELL LOCATION (ARCO)
 - ⊖ SOIL VAPOR PROBE LOCATION (ARCO)
 - ⊖ COMBINATION AIR SPARGE VAPOR EXTRACTION WELL LOCATION (ARCO)
 - SYSTEM TRENCH
 - APPROXIMATE TREE TRUNK LOCATION
 - OHE OVERHEAD ELECTRIC
 - UGE UNDERGROUND ELECTRIC
 - SSS SANITARY SEWER
 - ST STORM SEWER

A-A' LINE OF LITHOLOGIC CROSS SECTION AND PROJECTION LINE TO BORING/WELL

- 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

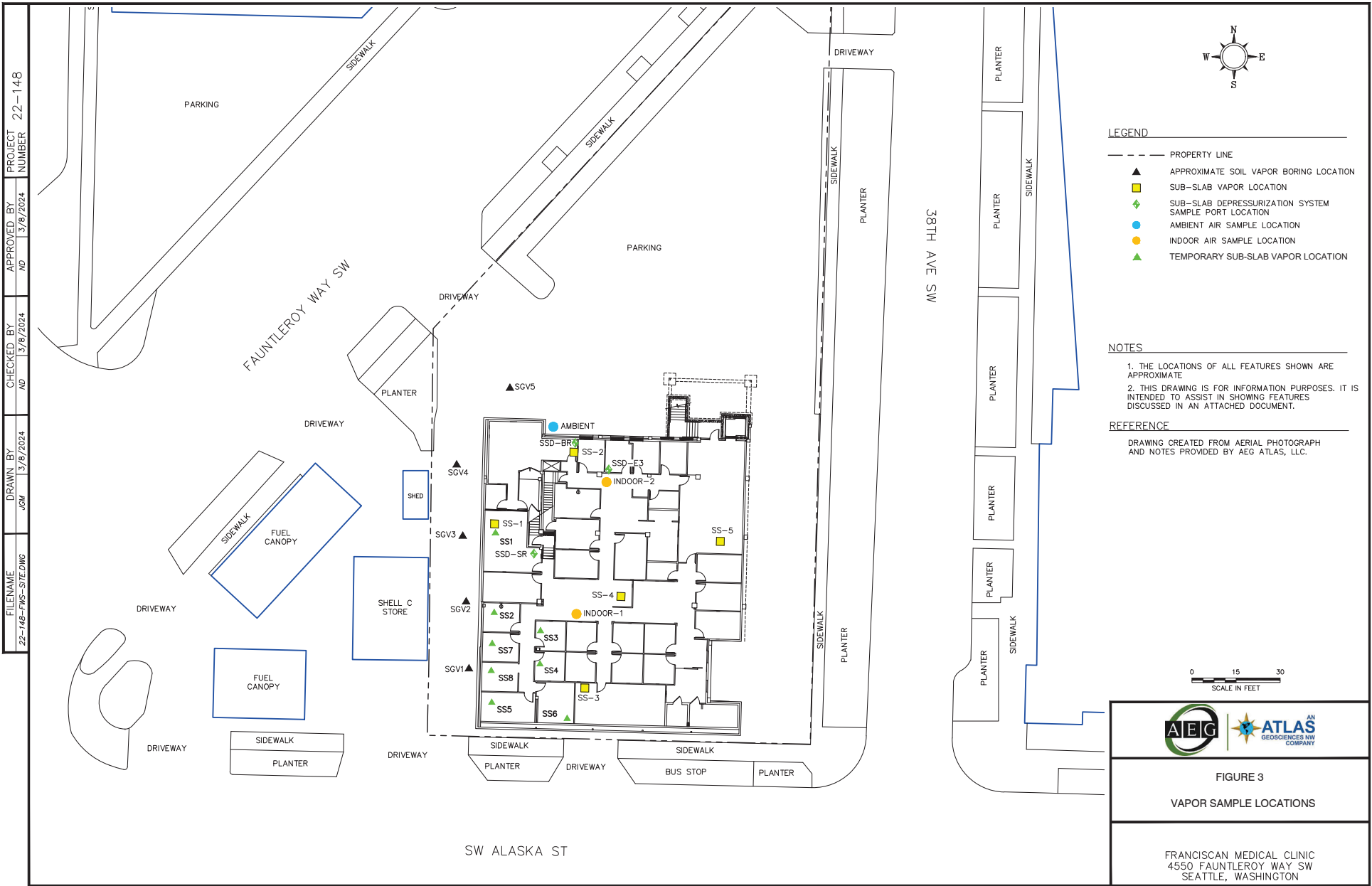
DRAWING CREATED FROM AERIAL PHOTOGRAPH AND NOTES PROVIDED BY AEG ATLAS, LLC.



FIGURE 4
CROSS SECTION INDEX MAP

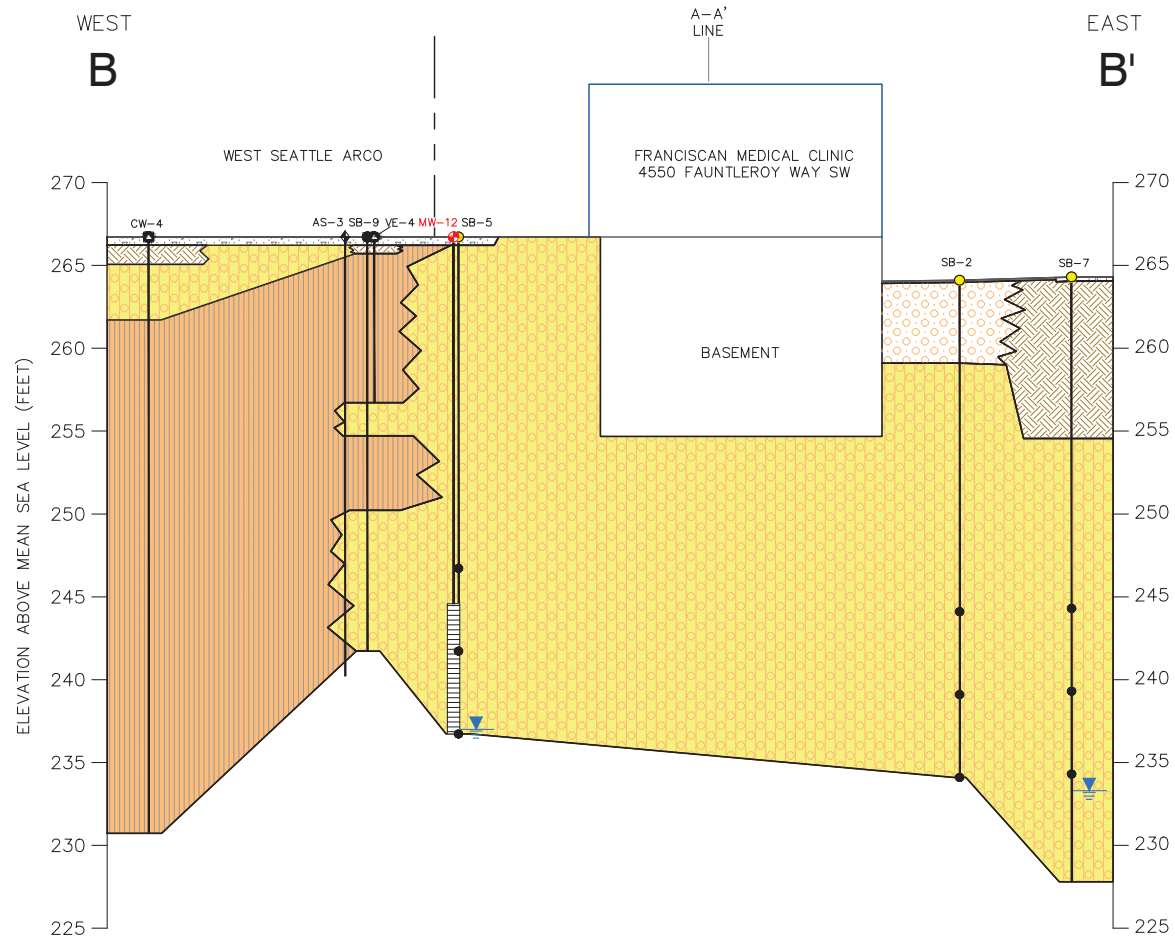
FRANCISCAN MEDICAL CLINIC
4550 FAUNTLEROY WAY SW
SEATTLE, WASHINGTON

Enclosure A, Figure 2



Enclosure A, Figure 3

FILENAME: 22-148-FWS-XSEC.DWG
 DRAWN BY: JGM 8/8/2024
 CHECKED BY: ND 8/8/2024
 APPROVED BY: ND 8/8/2024
 PROJECT NUMBER: 22-148



LEGEND

- MW-12 SB-2 - SOIL BORING, WELL
- TYPICAL WATER LEVEL
- GROUNDWATER LEVEL AT TIME OF DRILLING
- SOIL SAMPLE LOCATION (< MTCA CLEANUP LEVELS)
- MAXIMUM DEPTH EXPLORED
- ASPHALT
- CONCRETE
- FILL
- SM= SILTY-SANDS, SAND-SILT MIXTURES
- SW= WELL-GRADED SANDS, GRAVELLY SANDS LITTLE OR NO FINES
- ML= INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS, WITH SLIGHT PLASTICITY

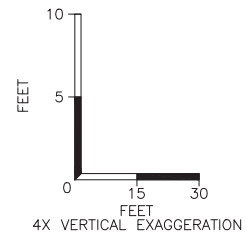
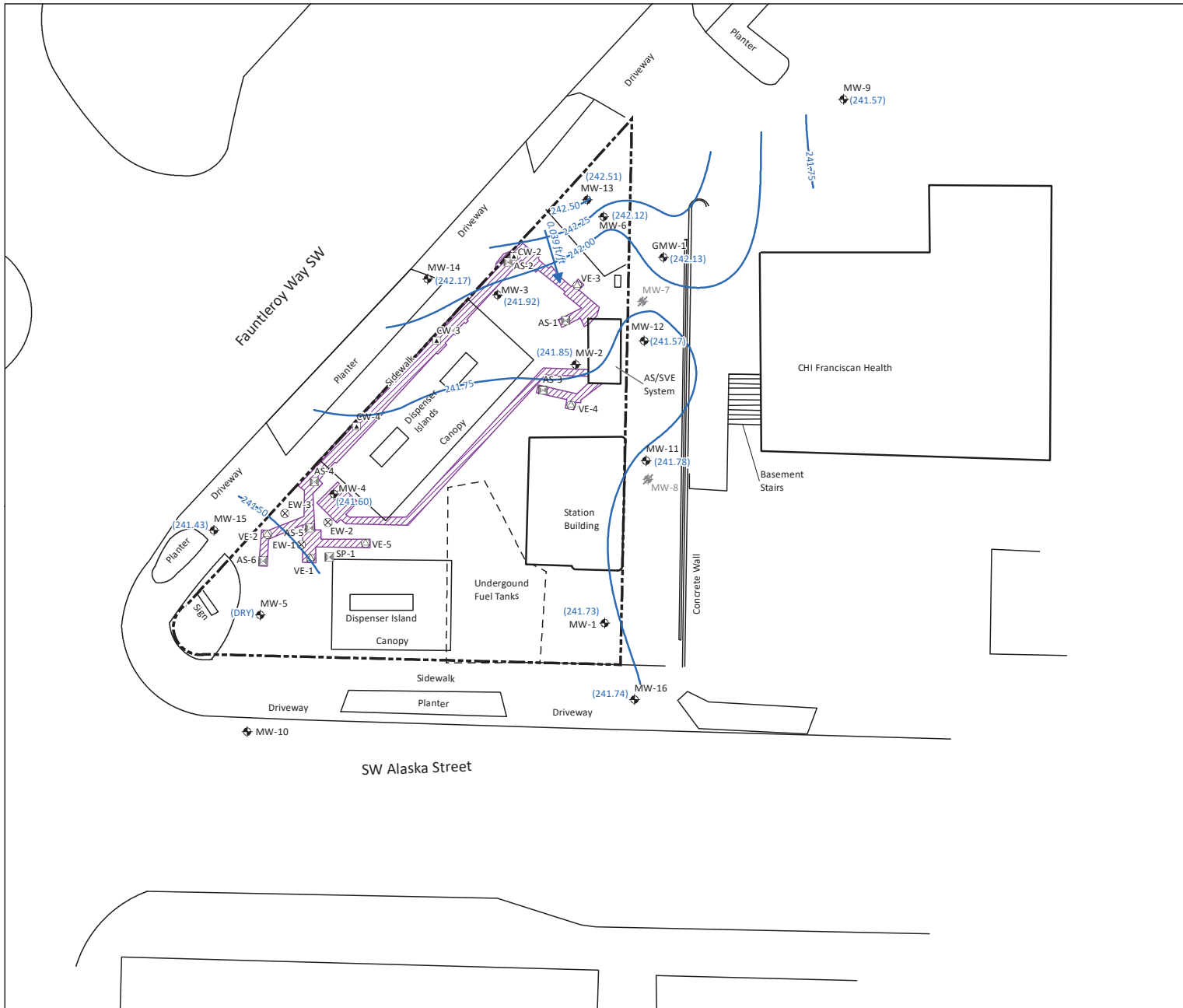


FIGURE 6
 GEOLOGIC CROSS SECTION B-B'

FRANCISCAN MEDICAL CLINIC
 4550 FAUNTLEROY WAY SW
 SEATTLE, WASHINGTON

Enclosure A, Figure 4



- Legend**
- ◆ Monitoring Well
 - ⊗ Abandoned Monitoring Well
 - ⊗ Extraction Well
 - ⊗ Air Sparge Well
 - ⊗ Vapor Extraction Well
 - ⊗ Combination Air Sparge and Vapor Extraction Well
 - - - Approximate Property Line
 - ▨ Trench Location
 - Groundwater Elevation Contour
(Contour Interval = .25 foot)
 - Inferred Groundwater Flow Direction
 - (241.49) Groundwater Elevation (feet)

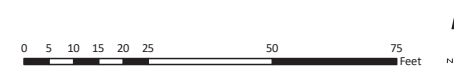
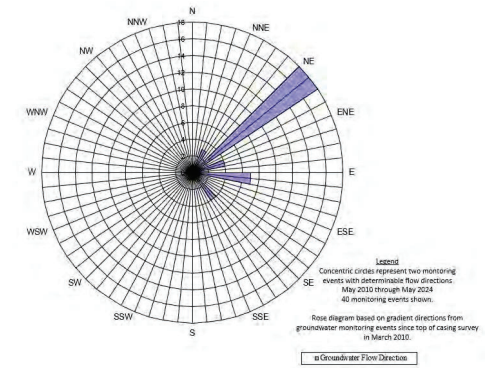


FIGURE 5
 GROUNDWATER ELEVATION CONTOUR MAP
 MAY 16, 2024
 FORMER ARCO FACILITY NO. 11060
 4580 FAUNTLEROY WAY SOUTHWEST
 SEATTLE, WASHINGTON

PROJECT NO. WA - 11060 Seattle	PREPARED BY MDE	REF SCALE 1:300	
DATE 7/3/2024	REVIEWED BY DL	MAP SCALE 1 INCH = 25 FEET	

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Enclosure A, Figure 5



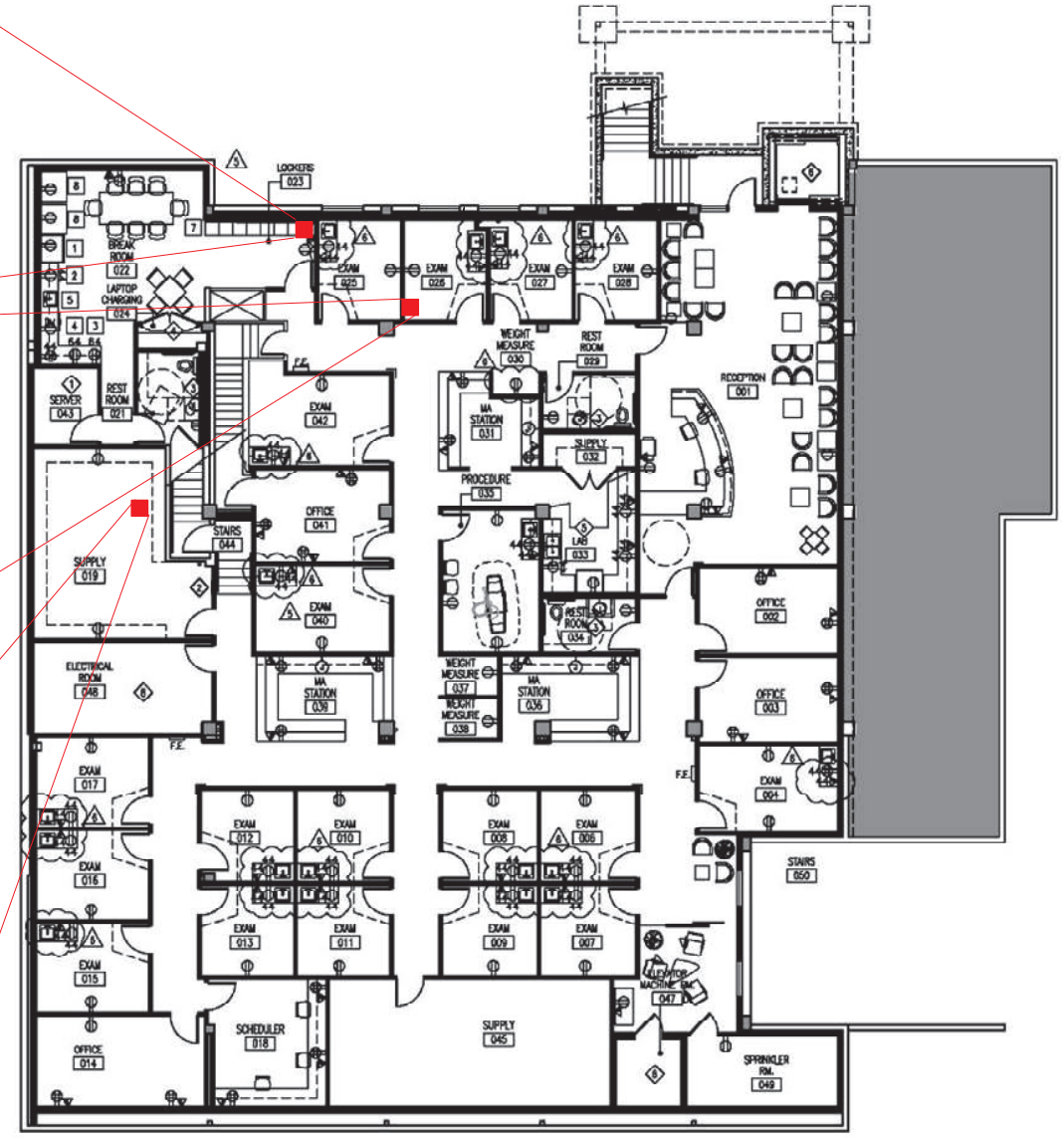
BREAK ROOM
BR



EXAM ROOM #3
E3

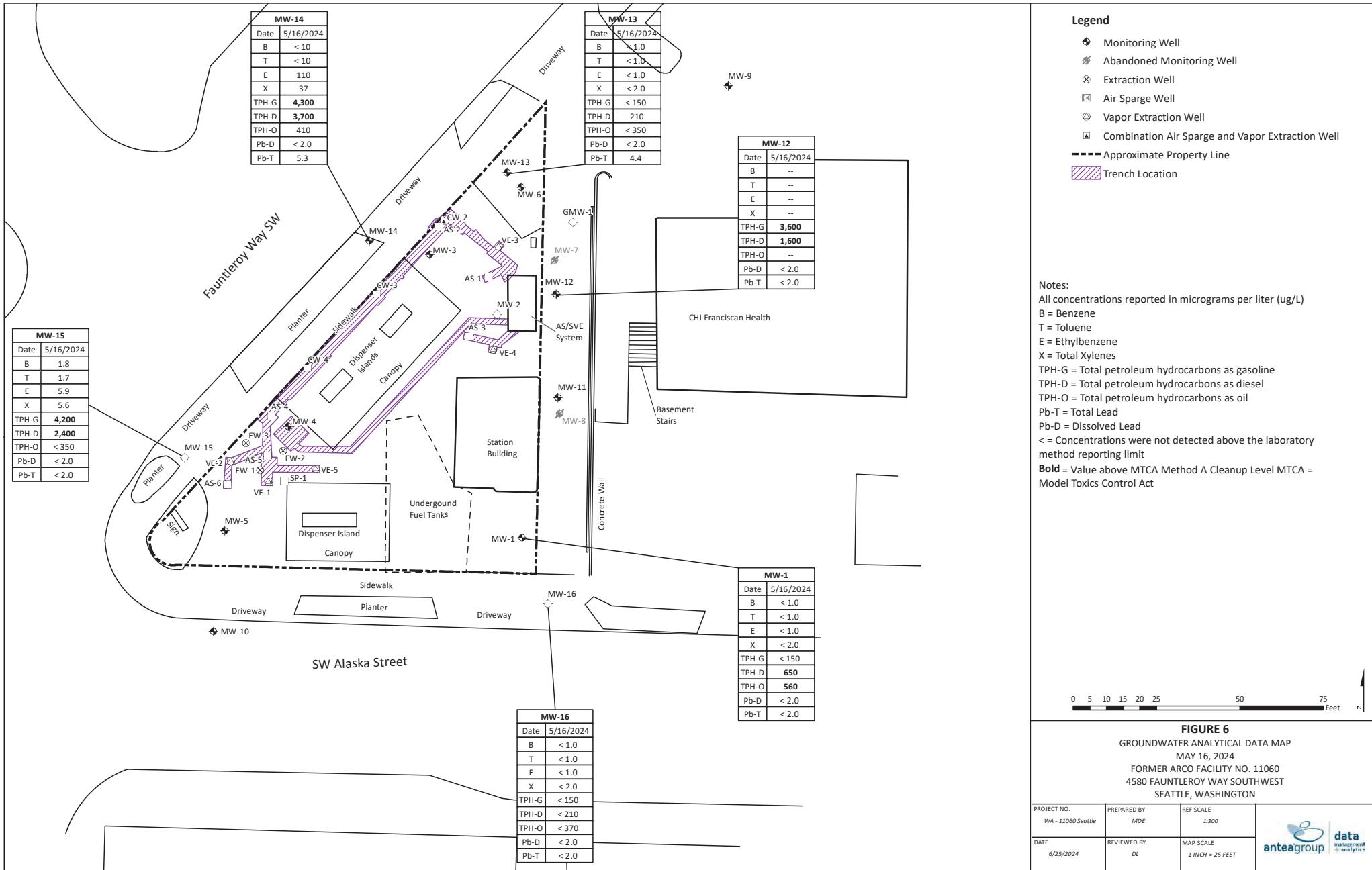


STORAGE ROOM
R



PROJECT:	2	SIZE	FSCM NO	DWG NO	REV
SCALE	:		SHEET	OF	3

Enclosure A, Figure 6



Enclosure A, Figure 7

Z:\GIS Projects\BP\BP_WA\11060 Seattle\Project Number\Layout\11060GWA 2Q24.mxd

Enclosure B

Basis for the Opinion: List of Documents

1. AEG Atlas. *Remedial Investigation Report, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, Washington 98126*. August 8, 2024.
2. Antea Group. *Semi-Annual Groundwater Monitoring Report, First Half of 2024, Former ARCO Facility No. 11060, 4580 Fauntleroy Way Southwest, Seattle, Washington*. July 30, 2024.
3. AEG Atlas. *Phase II Environmental Site Assessment Report, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, Washington 98126*. March 15, 2023.
4. Associated Environmental Group (AEG). *Phase I Environmental Site Assessment, Franciscan West-Huling, 4550 Fauntleroy Way Southwest, Seattle, Washington 98126*. August 8, 2022.
5. Department of Ecology. *Initial Investigation Field Report, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, WA 98126*. October 19, 2021.
6. AEG. *Technical Memorandum, BP GW Summary Data Assessment, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, Washington 98126*. September 23, 2020.
7. AEG. *Vapor Mitigation System Air Sampling Results, November 2019, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, Washington 98126*. January 22, 2020.
8. AEG. *Vapor Mitigation System & Indoor Air Sampling Results, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, Washington 98126*. May 1, 2019.
9. Now Environmental Services, Inc. (NES). *Limited Indoor Air Quality Assessment, Volatile Organic Compounds, April 4th and 5th 2019, West Seattle Medical Clinic, 4550 Fauntleroy Way, Seattle Washington*. April 17, 2019.
10. Arcadis. *Memo, CHI Franciscan Clinic Vapor Intrusion*. March 11, 2019.
11. AEG. *Technical Memorandum, Vapor Mitigation System Installation, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, Washington 98126*. December 6, 2018.
12. AEG. *Technical Memorandum, Vapor Assessment, Franciscan Medical Clinic, 4550 Fauntleroy Way SW, Seattle, Washington 98126*. September 24, 2018.
13. ESN Northwest. *Analytical Data Report for Soil Vapor Samples Collected August 9-10, 2018*. August 16, 2018.
14. NES. *Executive Summary, Indoor Air Quality Concern, Confirmation Screening Assessment, 4550 Fauntleroy Way SW, Suite 100, Seattle*. May 7, 2018.