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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
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January 27, 2025

Michael Pereira
Umpqua Bank
PO Box 230727
Portland, OR 97281
(michaelpereira@umpquabank.com)

Re: No Further Action opinion for the following contaminated Site

Site name: 503 Bella St
Site address: 503 Bella St, Sedro-Woolley, WA 98284
Facility/Site ID: 99999771
Cleanup Site ID: 16833
VCP Project No.: NW3393

Dear Michael Pereira:

The Washington State Department of Ecology (Ecology) received your request on February 16, 2024 for an opinion regarding the sufficiency of your independent cleanup of the 503 Bella St 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](#) WAC³ (collectively called “MTCA”).

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:

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>

- Arsenic, benzene, gasoline- (TPH-G), and diesel- and oil-range (TPH-D+O) petroleum hydrocarbons in soil.

Enclosure A includes Site description, history, and diagrams.

Please note that releases from multiple sites can affect a parcel of real property. At this time, Ecology has no information that other sites affect the parcel associated with this Site.

Basis for the Opinion

Ecology bases this opinion on the information contained in the following documents:

- Partner Engineering and Science, Inc. (Partner), *Remedial Investigation and Cleanup Report, 503 Bella Street, Sedro-Wooley, Washington 98284*, December 13, 2024.
- Ecology, *Technical Assistance Re: Site Cleanup Options*, July 18, 2024.
- Ecology, *Technical Assistance Re: Additional Site Characterization*, June 5, 2024.
- Partner, *Remedial Investigation and Cleanup Report, 503 Bella Street, Sedro-Woolley, Washington 98284*, February 16, 2024.
- Ecology, *Initial Investigation Field Report, 503 Bella St*, April 18, 2023.

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 [503 Bella St website](#).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 contamination 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.

Soil

Releases to soil at the Site are the result of surface spills from improperly stored oil containers and junk vehicles on bare ground. Based on areas of concern identified during a Site visit conducted by Ecology and Skagit County Environmental Health, a total of 37 shallow soil samples were collected at the Site. Eight of these samples contained TPH-D+O above the Method A cleanup level (TA1-1 to

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

⁵ <https://apps.ecology.wa.gov/cleanupsearch/site/16833>

TA1-3, TA3-1, TA4-1, TA7-1, and TA8-1; **Enclosure A, Figure 2**). One location contained TPH-G, benzene, and arsenic above their respective Method A cleanup levels (BP1; **Enclosure A, Figure 2**).

Groundwater

Groundwater was not encountered at the maximum explored depth of 2.5 feet below ground surface (bgs). Based on well reports from adjacent water supply wells, the estimated depth to groundwater in this area is approximately 20 feet bgs. Due to the limited volume of the releases at the Site and inferred depth to groundwater, Ecology concurs that impacts to groundwater are unlikely at the Site.

Setting cleanup standards

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

Soil

MTCA Method A cleanup levels for unrestricted use (WAC 173-340-740(2); Table 740-1) with the standard point of compliance throughout the Site are appropriate.

Based on its location within 500 feet of more than 1.5 acres of contiguous undeveloped land, a simplified Terrestrial Ecological Evaluation (TEE) was conducted at the Site. Soil samples TA1-S and TA1-4 contained TPH-D above the screening levels protective of ecological receptors (see MTCA Table 749-2 and **Enclosure A, Figure 2**). However, since the total area of soils exceeding this cleanup level is less than 350 square feet, the simplified TEE was ended based on the exposure analysis (WAC 173-340-7492(2)(a)(i)). The Method A cleanup levels as described above are appropriate at the Site.

Selecting the cleanup action

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of a cleanup action as required by MTCA (WAC 173-340-360). The cleanup action consisted of source removal, excavation and off-Site disposal of contaminated soils, and compliance sampling.

Implementing the cleanup action

Ecology has determined your cleanup meets the standards set for the Site. Cleanup actions at the Site included the following:

- Removal of junk cars and improperly stored oil containers from the Site.
- Excavation and off-site disposal of soils contaminated by releases from junk vehicles and improperly stored oil containers.
- Collection of soil samples to demonstrate compliance with MTCA cleanup standards.

Excavations and explorations were conducted at the Site from October 2023 to November 2024. Except for two samples collected from the southwestern portion of the Property (TA1-S and TA1-4), performance monitoring soil samples did not contain contamination in excess of the cleanup levels defined above.

Based on the contaminants present and cleanup actions performed at the Site, the use of a model remedy at the Site is appropriate. Soil data indicate that Method A cleanup levels for unrestricted use are met across the site. Therefore, Soil Model Remedy 1 defined in Ecology's [*Model Remedies for Sites with Petroleum Contaminated Soils*](#)⁶, revised December 2017, is applicable at the Site. The requirements of Soil Model Remedy 1 are:

- A release of petroleum has been confirmed and Ecology has been notified of the release.
- The only contaminants at the Site are associated with petroleum hydrocarbons.
- An adequate Site characterization has confirmed that the groundwater, surface water, and sediment pathways have not been impacted by petroleum.
- A simplified TEE was conducted for the Site and ended under WAC 173-340-7492.
- The primary remedy consists of removal of contaminated soil to the greatest degree practicable.
- Sufficient soil sampling has been conducted to demonstrate that the Method A soil cleanup levels are met throughout the Site.

Since the Site qualifies for a Model Remedy, conducting a feasibility study and disproportionate cost analysis were not necessary.

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.

⁶ <https://apps.ecology.wa.gov/publications/SummaryPages/1509043.html>

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](https://app.leg.wa.gov/RCW/default.aspx?cite=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](https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080)⁸ and WAC [173-340-545](https://apps.leg.wa.gov/WAC/default.aspx?cite=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](https://app.leg.wa.gov/RCW/default.aspx?cite=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. NW3393.

Questions

If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at 206-459-6287 or by email at david.unruh@ecy.wa.gov.

Sincerely,



David Unruh, LHG
Site Manager
Toxics Cleanup Program, Northwest Region Office

Enclosures (1):

A – Site Description, History, and Diagrams

cc: Cory Martini, Partner Engineering and Science, Inc (cmartini@partneresi.com)
Ecology VCP Coordinator (vcp-nwro@ecy.wa.gov)
Fiscal, VCP Fiscal Analyst (w/o encl)
TCP, Operating Budget Analyst (w/o encl)

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

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

Site

The Site is defined by releases of the following at 503 Bella St in Hamilton, Skagit County, Washington (**Figure 1, Figure 2**):

- Gasoline- (TPH-G), diesel- and oil-range (TPH-D+O) petroleum hydrocarbons, benzene, and arsenic into the Soil.

The Site is located on the south side of North Cascades Highway (Hwy 20). It is located on one square-shaped tax parcel totaling 0.33 acres in area with the Skagit County parcel number P73914 (the Property). According to MTCA, the Site is defined as all areas where contamination has come to be located. Based on data, the Site does not go beyond Property boundaries.

Area and Property Description

The Site is located in a rural residential area in Hamilton. The Property is currently developed with a pre-fabricated home and disconnected garage. Use of surrounding properties includes the following:

- West and south: single-family residences.
- East: rangeland with a single-family residence beyond.
- North: N Cascades Highway with rangeland beyond.

Property History and Current Use

The Property was first developed with the current residence in 1992. The parcel was undeveloped prior to this time.

Sources of Contamination

The source of TPH-G, TPH-D+O, benzene, and arsenic releases to soil are associated with incidental surface spills at the Property. Surface spills occurred as a result of storage of junk vehicles and oil containers. These conditions were reported to Ecology and logged in Environmental Report Tracking System (ERTS) data base with the ERTS ID 720317.

Physiographic Setting

The Site is in the Skagit River Valley, located in the Cascade Mountain foothills, east of the Puget Sound Lowland. The Cascade Mountain foothills consist of metasedimentary and igneous rocks formed during the Mesozoic and early Cenozoic periods when the deformation that formed the Cascade Mountains occurred¹. Large valleys in the foothills are the result of alpine glaciers which flowed west out of the Cascade Mountains during the most recent glacial period during the Pleistocene epoch. The current land surface in the Skagit River Valley has been filled with glacial and alluvial sediments deposited by alpine glaciers and the Skagit River.

¹ <https://wa100.dnr.wa.gov/south-cascades/how-the-cascades-formed>

The Site is located on relatively flat ground at an elevation of approximately 115 feet above mean sea level (amsl) in the Skagit River floodplain. The floodplain is approximately 2.5 miles wide in this area and is bordered to the north by Mount Josephine and to the south by Iron Mountain.

Surface/Storm Water System

Stormwater runoff on the Property drains directly to the ground surface where it runs off to the Skagit River and infiltrates to the groundwater. The closest surface water body is an oxbow lake, located approximately 900 feet to the southwest. Skagit River is located approximately 0.8 miles to the south.

Ecological Setting

The Property and surrounding properties are zoned for residential use. Land surfaces at the Property are primarily covered with trees and landscaping. Surrounding land surfaces in all directions are developed similarly, with some areas covered with pastureland and forest.

Geology

The [geologic map](#)² of the area indicates that the Site is underlain by younger alluvium. Younger alluvium in this area consists of overbank, bar, channel, and oxbow lake deposits consisting of silts to gravels with varying amounts of organic content.

Groundwater

Groundwater was not encountered during explorations at the Site. The maximum depth reached during excavations at the Site, discussed below, was 2.5 feet below ground surface (bgs). According to well logs for nearby private water supply wells, shallow groundwater is present in this area at depths of approximately 10 to 20 feet bgs. Groundwater flow at the Site is most likely directed roughly south toward the Skagit River.

Water Supply

Drinking water at the Property is supplied by the Town of Hamilton, which operates one groundwater well located approximately 3,800 feet north of the Site at an elevation of approximately 200 feet amsl. The well is screened from 180 to 200 feet bgs. Water samples from the well are tested for volatile organic compounds every three years since 2012 and have never been detected above laboratory reporting limits. The Site is located approximately 0.75 miles from the water supply well for the Town of Hamilton.

Release and Extent of Contamination

Pre-remedial Conditions

Contamination at the Site was initially reported to Ecology in January 2023, and was confirmed by a joint Site visit by Ecology and the Skagit County Environmental Health (SCEH) in April 2023. The Site visit found that releases from junk vehicles and oil containers had likely contaminated surface soils. This determination was supported by the observation of oil staining in areas where vehicles and containers were stored.

² https://ngmdb.usgs.gov/Prodesc/proddesc_67595.htm

In October 2023, a total of 37 shallow samples were collected from the Property in areas where surface spills were identified by the Ecology and SCEH Site visit. Of those samples, a total of 8 samples exceeded the Method A cleanup level for TPH-D+O (TA1-1 to TA1-3, TA3-1, TA4-1, TA4-1-2, TA7-1, TA8-1; **Figure 2**). Additionally, one sample contained TPH-G, benzene, and arsenic above the Method A cleanup levels (BP1; **Figure 2**).

Remedial Actions

Based on the results of the October 2023 sampling event, six areas were targeted for limited soil excavation (TA1, TA3, TA4, TA7, TA8, and BP1; **Figure 3**). With the exception of BP1 and TA4, excavations were advanced to a maximum depth of 1 foot bgs. Four sidewall samples and one bottom sample were collected from each excavation at depths of 0.5 feet and 1 foot bgs, respectively. Contaminated soil was removed from the BP1 area to a maximum depth of 0.5 feet bgs. The excavation at TA4 was advanced to a total depth of 2.5 feet bgs. Sidewall samples were collected at a depth of 1.25 feet bgs.

In total, 40.9 cubic yards of soil were excavated from these areas and transported off Site for disposal at a permitted facility. Confirmation soil samples as described above did not contain TPH-G or TPH-D+O above the Method A cleanup levels.

Additional sampling was conducted at the Site in June 2024 following recommendations by Ecology. Soil samples collected from a total of 7 borings advanced in two areas of the Site. Samples BP1-N2, BP1-S2, BP1-E2, BP1-W2, and BP1-B2 were collocated with sidewall and bottom samples from the BP1 excavation and analyzed for benzene and arsenic. Benzene exceeded the Method A cleanup level in samples BP1-B2 and BP1-S2. Arsenic did not exceed the cleanup levels in any of these samples (**Figure 2**).

Soil samples TA1-5 and TA1-6 were collected in the vicinity of the TA1 and TA7 excavations to confirm the extent of soils exceeding the cleanup level for TPH-D protective of ecological receptors (**Figure 2**). Neither soil sample contained TPH-D above the cleanup levels protective of ecological receptors.

Based on the results of samples BP1-S2 and BP1-B2, additional soil was excavated north of the building on the Property. An additional 120 cubic feet of soil was excavated from the area of the original BP1 excavation to a maximum depth of 2 feet bgs. The excavation was also extended to the south by an additional foot (**Figure 3**). Soil samples collected from the final bottom and southern extents of the excavation did not contain benzene above laboratory reporting limits.

Vicinity Map




503 Bella St Site

503 Bella St,
Hamilton, WA 98284
VCP No. NW3393
FSID 99999771
CSID 16833





Legend and Notes:

-  Site Boundary
-  Soil Sample Location (October 2023)
-  Soil Sample Location (June 2024)

Title: **Remedial Investigation Sample Location Map**

Figure: 2	Prepared By: AS	Date: December 2024	Project Number: ES23-424487
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Address:
**503 Bella Street
Sedro-Woolley, Washington 98284**

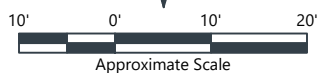
PARTNER
Engineering and Science, Inc.



Legend and Notes:

- Site Boundary
- ⊕ Excavation Confirmation Sample Location
- Excavation Area

- * Confirmation sample was collected on June 10, 2024 for benzene and arsenic analysis
- ** Confirmation sample was collected on November 13, 2024 for benzene analysis



Title: Excavation Confirmation Sample Location Map

Figure:	Prepared By:	Date:	Project Number:
3	AS	December 2024	ES23-424487

Address:
503 Bella Street
Sedro-Woolley, Washington 98284

PARTNER
Engineering and Science, Inc.