

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

February 4, 2025

Tom Hatley Spokane Valley Fire Department 2120 North Wilbur Road Spokane Valley, WA 99206

Re: Application Acceptance – Voluntary Cleanup Program

Site name: Sullivan Fire Training Center

• Site address: 2411 N Pioneer Ln, Spokane Valley

Facility/Site ID: 100002762
Cleanup Site ID: 17095
VCP Project ID: EA0387

Dear Tom Hatley:

The Department of Ecology (Ecology) accepted your application to the standard process of the Voluntary Cleanup Program (VCP) for the Sullivan Fire Training Center facility (Site). We applied your initiative and welcome your interest in the VCP. This letter provides important information on how we will review your VCP cleanup project (project) at the Site.

Agreement

We completed and signed your standard VCP agreement for the project on February 4, 2025. 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 (<u>enclosed</u>). When contacting us, please reference this information to identify your project.

Communications

Unless otherwise requested, we will communicate directly with you as project manager, as listed on your VCP application form. If you replace your project manager, or the contact information changes, please submit a completed <u>change of contact form</u>.¹

The following site manager is our point of contact for your project:

Bri Brinkman
Toxics Cleanup Program, Eastern Regional Office (ERO)
Department of Ecology
4601 N Monroe St
Spokane, WA 99205
509-202-7869
bri.brinkman@ecy.wa.gov

Request for Written Opinion

As your cleanup progresses, you may request a written opinion on your planned or completed remedial actions by submitting to Ecology:

- A completed request for opinion form²
- Remedial action plans and/or reports.

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 <u>18.220</u>³ and <u>18.43</u>⁴ RCW, respectively.
- Data Submittal. You must submit environmental data to our <u>Environmental</u> <u>Information Management</u> (EIM) system.⁵ The <u>Toxics Cleanup Program Policy</u>

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

² https://fortress.wa.gov/ecy/publications/SummaryPages/ecy070219.html

³ https://apps.leg.wa.gov/RCW/default.aspx?cite=18.220

⁴ https://apps.leg.wa.gov/RCW/default.aspx?cite=18.43

⁵ https://ecology.wa.gov/eim

<u>840</u>⁶ describes data submittal requirements. Please visit the <u>EIM Submit Data</u> webpage for data submittal instructions.

Payment

We will send monthly invoices to the billing contact listed in your VCP application form. Payment is due within 30 calendar days of the date of each invoice. Our invoices include a summary of 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 <u>change of contact form</u>.

Independent remedial action grants and cultural resource compliance review

You may qualify for an Independent Remedial Action Grant from Ecology after completing an independent cleanup and receiving a no further action opinion from us. We accept grant applications continuously. Visit our <u>Applying for or managing a grant or loan</u> webpage⁷ for information about this program and how to apply.

Under Governor's Executive Order 21-02, we may not fund ground-disturbing cleanup actions unless we, or another state or federal agency, consults with the <u>Washington Department of Archaeology and Historic Preservation</u>⁸ and affected Tribes, before the cleanup actions are performed. The consultation's purpose is to identify potential impacts on cultural resources.

Under the VCP, you may request that we perform the specified consultation by completing and submitting the <u>Cultural Resources Review Form</u>. For more information about compliance with Washington's cultural resource laws, see our <u>Washington Cultural Resource Regulations: Summary for Independent Cleanup Sites</u>. 10

Contact Information

We are committed to working with you to reach the prompt and effective cleanup of your Site. If you have any questions, please contact me at ted.uecker@ecy.wa.gov, or call 509-342-5564.

⁶ https://fortress.wa.gov/ecy/publications/SummaryPages/1609050.html

⁷ https://ecology.wa.gov/About-us/How-we-operate/Grants-loans#Apply

⁸ https://dahp.wa.gov/

⁹ https://apps.ecology.wa.gov/publications/documents/ecy070537.pdf

¹⁰ https://apps.ecology.wa.gov/publications/SummaryPages/1909059.html

Tom Hatley February 4, 2025 Page 4 of 5

Sincerely,

Ted M. Uecker VCP Coordinator

Toxics Cleanup Program, ERO

Enclosure: Copy of signed VCP Agreement

cc: McKynzie Clark, Haley & Aldrich

Bri Brinkman, Ecology

Nicholas Acklam, Ecology Mal

TCP Cost Recovery Coordinator, Ecology Fiscal Office (by email)

Enclosure

Copy of Signed Standard VCP Agreement



Voluntary Cleanup Program Agreement

Washington State Department of Ecology - Toxics Cleanup Program

For completion Facility/Site Name:

by Facility/Site No.: 100002762

VCP Project No.: EA0387

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 (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:

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
Signature	Tom Hatley Signature
Nicholas M. Acklam	
Printed name	Printed name of signatory
Section Manager, TCP	
	Title of signatory
Date	
Date	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 Expedited VCP Planner for more information. Subscribe to the Expedited VCP email list 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 Form**⁸ 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 Ecology's What's in My Neighborhood, 12 or suggest a name (if a new site). Full site name: Sullivan Fire Training Center Ecology ERTS#, if any: 733197 Street address or location: 2411 North Pioneer Lane, Spokane Valley, Washington 99216				
1-B Applicant				
The applicant is the person or organ paying Ecology's incurred costs. En	iter the applicant's	name.	The applicant is responsible for	
Applicant's full name: Spokane	Valley Fire Depar	tment		
Identify the applicant's entity type	(check one).	person	✓ organization	
If the applicant is a person they must also be the project billing contact, as identified in both <u>Part 1-D</u> and <u>Part 1-E</u> . If the applicant is an organization , the project manager must be identified in <u>Part 1-B</u> and the project billing contact in <u>Part 1-D</u> . Both the project manager and the billing contact must be direct employees of the organization.				
Identify the applicant's involvement	nt with the site (che	eck all that apply)		
✓ property owner	business own	er/operator	agent of property owner	
past property owner	mortgage hold	der	private person/organization	
☐ future property owner	☐ consultant		✓ public agency/organization	
property lessee	attorney		other – specify	
The Expedited VCP 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. Agents for the property owner, such as a consultant, may not apply to the Expedited VCP process.				
Is the applicant authorized to gran	t us property acces	ss?	no	
1-C Project manager				
We will send the project manager applicant or employed by the application of the project manager information of the project manager in the projec	ant. The project mar	, ,		
Project manager's full name: Tom Hatley Title: Deputy Chief Support Service				
Organization: Spokane Valley Fire Department				
Full mailing address: 2120 North Wilbur Road Spokane Valley, Washington 99206				
Email address: hatleyt@spokanevalleyfire.com Phone number: (509) 892-4102				

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: Tom Hatley Title: Deputy Chief Support Services Organization: Spokane Valley Fire Department Full mailing address: 2120 North Wilbur Road Spokane Valley, Washington 99206 Email address: hatleyt@spokanevalleyfire.com Phone number: (509) 892-4102 1-E **Project consultant** If you have retained a consultant to conduct independent remedial action, but they aren't the applicant, enter the consultant's information here. Otherwise, skip to Part 1-F. Title: Environmental Scientist Project consultant's full name: McKynzie Clark Organization: Haley & Aldrich, Inc. Full mailing address: 505 West Riverside Ave. Suite 450, Spokane, Washington 99201 Phone number: (509)944-5344 Email address: mclark@haleyaldrich.com Do you want us to contact the project consultant? **√** yes □no 1-F **Property owner Check** the property owner type (check one). private ☐ tribal ☐ federal state county ✓ municipal public school mixed other – specify If the applicant is the property owner, skip to Part 2. Otherwise, enter their information here. Property owner's full name: Title: **Organization:**

Phone number:

Full mailing address:

Email address:

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 <u>Part 2-A</u> and <u>Part 2-B</u> 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".

2-C Request a written opinion

After meeting the Part 2-A and Part 2-B reporting req	quirements, y	you can request a written opinion on
reports we receive. If you want a written opinion now	ı, list the rep	oorts below that you're sending for
review. We'll base our opinion on your submitted rep	orts and any	site information in our database.
Are you requesting a written opinion at this time?	☐ yes	 ✓ no

List all reports you want reviewed for our opinion.

Part 3 - Describe your site

3-A Source property location

The "source property" is where contaminants were released into the environment, such as from an underground storage tank (UST) that leaked. **Enter** the source property location, if known.

Latitude: 47°40'45.31"N Longitude: 117°11'44.61"W

List all parcel numbers of the source property:

Spokane county parcel no. 45122.9019.

3-B Affected and adjacent properties

An "affected property" is one that is impacted by the contaminants released on a source property. Briefly describe whether and how any source property releases have impacted adjacent or other property. An example might include property affected by area-wide impacted from elevated lead and arsenic levels.

Describe releases to affected and/or adjacent property:

At this time, the only known affected property is the source 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).

Describe releases to any right-of-way:

none

3-D Area-wide sn	nelter emissions					
Is the site affected by a ☐ yes ☑no ☐ur	rea-wide smelter emission nknown	s (e.g., <u>Tacoma S</u>	melter Plume	<u>area</u>)? ¹⁶		
3-E Former fruit	orchards					
Is the site in a former 1	fruit orchard that operated	d before 1947?	☐ yes	√ no	unknown	
3-F Affected med	dia					
List known and suspected contaminants and the environmental media affected before cleanup actions.* Type or select contaminant soil groundwater surface water/sediment indoor air						
PFAS	C					
*B = below cleanup level C = above cleanup level	'	·				

Part 4 – Site operations

4-A Current use of source property							
The facility on the source property is a (check all that apply):							
☐ waste treatment, storage, or disposal facility ☐ solid waste facility							
☐ hazardous waste generator ☑ other – specify Fire Department Training Facility							
4-B Storage tank information							
Identify all aboveground storage tanks* and USTs that have ever stored chemicals on the source property. Type or select contaminant type. Leave blank where unknown.							
Install Closure Closure Contaminant AST/UST Tank ID Size In Use? date date method Ro	eleases?						
*Removed or closed in place. AST = aboveground storage tank. UST = underground storage tank.							
4-C Redevelopment plans as part of cleanup							
Will any source or affected properties, or portions of those properties, be redeveloped as part of the cleanup?							
☐ yes ☐ no ☑ unknown							
If " yes ", check all proposed land uses that apply.							
☐ residential ☐ school ☐ commercial ☐ industrial ☐ childcare facility							
agricultural park other – specify							
Briefly describe activities proposed for the planned land use(s).							
No planned redevelopment at this time.							

Part 5 – Independent remedial actions

5-A	Scope of remedial a	ctions					
Do you plan to characterize and investigate all site contamination, including contamination on affected adjacent properties, as part of your cleanup project? ves no unknown							
site co	If " no ", describe in your cleanup project work scope that you don't plan to characterize or investigate all site contamination as part of a Standard VCP or Expedited VCP project. Describe the contamination on properties, portions of a property, environmental media affected, and contaminants to be cleanup up.						
Brie	Briefly describe your cleanup project work scope.						
5-B	Status of remedial a	ctions (chec	k all that ap	ply)			
		Planned	Ongoing	Completed	Not applic	able	
Rem	nedial action	✓	/				
Initi	al response (UST only)				\checkmark		
Inte	rim action						
Rem	nedial investigation	\checkmark	\checkmark				
Feas	sibility study	\checkmark					
Clea	nup action						
5-C	Independent remedi	al action do	cumentation	1			
	Title			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.

Name: Tom Hatley

Organization: Spokane Valley Fire Department

Full mailing address: 2120 North Wilbur Road Spokane Valley, Washington 99206

Email address: hatleyt@spokanevalleyfire.com

Phone number: (509) 892-4102

Tom Hatley

Digitally signed by Tom Hatley

Date: 2025.01.30 08:33:46

Signature

Date 1/30/25

Identify the signatory's involvement at the site (check all that apply).

□ applicant □ consultant □ property 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