



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000*

June 1, 2001

Mr. Al Jacobson  
Jacobson Terminals, Inc.  
300 Admiral Way, Suite 209  
Edmonds, WA 98020

Dear Mr. Jacobson:

Re: Independent Remedial Action at Jacobson Terminals, Inc. Property,  
5355 28<sup>th</sup> NW and 5250 30<sup>th</sup> Ave. NW, Seattle, Washington, 98107.

Thank you for submitting the results of your independent remedial actions for review by the State of Washington Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Jacobson Terminals, Inc. facility located at 5355 28<sup>th</sup> NW and 5250 30<sup>th</sup> Ave. NW, Seattle, Washington:

1. Soil Cleanup Action Plan, by Hart Crowser, dated April 5, 2000.
2. Cleanup Action Plan, by Hart Crowser, dated April 26, 1999.
3. Cleanup Action Plan, Volume II, dated June 22, 1999.
4. Groundwater Monitoring Data Report, submitted by A&B Jacobson, LLC, dated August 3, 2000.
5. Soil Cleanup Action Plan, by Hart Crowser, dated March 21, 2000.
6. Groundwater Monitoring Data Report, submitted by A&B Jacobson, LLC, dated May 16, 2000.
7. Cleanup Action Plan, by Hart Crowser, dated May 20, 1999.
8. Phase I Environmental Site Assessment, by Professional Service Industries, Inc., dated April 30, 1998.
9. Technical Memorandum, by Hart Crowser, dated September 16, 1998.
10. Memorandum, Treatment Wall Design, Thickness and Percent Iron, by Hart Crowser, dated September 14, 1999.



11. Bench-Scale Treatability Report of the EnviroMetal Process at the Jacobson Terminals Site, by EnviroMetal Technologies, Inc., dated September 1999.
12. Cleanup Action Plan, by Hart Crowser, dated April 26, 1999.
13. Proposal for Preliminary Site Investigation, by Hart Crowser, dated September 24, 1999.
14. Soil and Groundwater Quality adjacent to former Arco Station, by Hart Crowser, dated October 14, 1999.
15. Proposal for Monitoring Well Installation and Sampling, by Hart Crowser, dated November 18, 1999.
16. Memorandum – Occurance of Petroleum Hydrocarbons, by Hart Crowser, dated March 15, 1999.
17. UST Site Assessment Report, Site #009776, by Emcon Northwest, Inc., dated December 28, 1993.
18. Tetrachloroethene Release Report, by Pacific Testing Laboratories, dated May 1, 1998.
19. Groundwater Monitoring Data and Contour Maps, by Hart Crowser, dated February 14, 2000.
20. Preliminary Review of Remedial Activity, by W.D. Purnell & Associates, Inc., dated June 14, 1996.
21. Memorandum – Response to Comments on Former Fentron Property Draft Cleanup Action Plan, by Hart Crowser, dated May 20, 1999.
22. Cleanup Action Plan, Volume I, by Hart Crowser, dated June 22, 1999.
23. Summary of Groundwater Assessment Results and Request for Ecology Assistance, by Hart Crowser, dated September 16, 1998.
24. Construction and Soil Management Plan, Zero-Valent Iron Wall Groundwater Remediation System, by Hart Crowser, dated September 14, 1999.
25. Report – Preliminary Review of Remedial Activity, by W.D. Purnell & Associates, dated June 7, 1996.
26. NW Market St. Restrictive Covenant, filed with the King County Assesor's Office and dated November 9, 2000.
27. Groundwater Monitoring Program and Site Closure Plan, by Hart Crowser, dated January 11, 2001.
28. Groundwater Elevation Contour Map showing Chlorinated VOC Occurances, Depth to Water, by Hart Crowser, dated October 2000.



29. Groundwater Monitoring Program and Site Closure Plan, Market Street Property, dated October 12, 2000, by Hart Crowser.
30. Petroleum-Contaminated Soil Removal, Lake Washington Ship Canal, by Hart Crowser, dated March 1997.
31. Construction Report Zero-Valent Iron Groundwater Treatment Wall, by Hart Crowser, dated January 14, 2000.

The reports listed above will be kept in the Central Files of the Northwest Regional Office (NWRO) of Ecology for review by appointment only. Appointments can be made by calling Central Records at the NWRO at (425) 649-7190 or -7239.

Based upon the information in the reports listed above, Ecology has determined that, at this time, the release of PH, metals, petroleum and chlorinated solvents into the soil and groundwater no longer poses a threat to human health or the environment. That is, providing that the groundwater treatment, monitoring program and site closure plan are carried out.

Therefore Ecology is issuing this conditional no further action determination that no further remedial action for soil and groundwater are necessary at this site under MTCA, chapter 70.105D RCW, except for the continuation of the hydrogen peroxide injection groundwater treatment, continued groundwater monitoring and closure plan implementation. This no further remedial action determination is contingent upon continued satisfactory performance of the zero-valent iron funnel-and-gate treatment system at the adjacent NW Market St. Property, controlling the off-site migration of chlorinated solvents onto the Jacobson Terminals, Inc. property. However please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology. Furthermore you must conduct the necessary monitoring and maintenance to assure that this site does not pose a threat to human health or the environment. This includes the following:

1. Continue the maintenance and monitoring requirements of the iron filing "funnel and gate" groundwater remediation system in place at the adjacent NW Market St. site, which treats the groundwater before it enters the adjacent Jacobson Terminals, Inc. property to the south.
2. Continue groundwater compliance monitoring for the groundwater entering and exiting the funnel and gate remediation system, per the requirements in the Cleanup Action Plan and the Groundwater Monitoring Program and Site Closure Plan for the adjacent NW Market St. Site. Continue the operations of the hydrogen peroxide injection into groundwater at the Jacobson Terminals, Inc. Site and the groundwater monitoring program at the point of compliance, prior to groundwater entry to Salmon Bay, per the terms of the Groundwater Monitoring Program and Site Closure Plan.
3. Ensure provisions for the protection of groundwater treatment and compliance monitoring wells during redevelopment.

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4. Ensure provisions for the continuation of the above requirements, should the property ownership change.

Failure to conduct necessary monitoring and maintenance results in the automatic withdrawal of Ecology's conditional no further action determination.

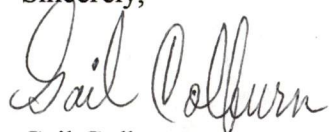
Ecology's conditional no further action determination is made only with respect to the releases identified in the reports listed above. This conditional no further action determination applies only to the area of the property affected by the release identified in the report at 5355 28<sup>th</sup> NW and 5250 30<sup>th</sup> Ave. NW, Seattle, Washington. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by Jacobson Terminals, Inc. This conditional no further action determination does not apply to remedial actions determined necessary as a result of confirmational monitoring.

Ecology will update its database to reflect this conditional "No Further Action" determination for soils and groundwater.

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 determination.

If you have any questions, please contact Gail Colburn at (425) 649-7058.

Sincerely,



Gail Colburn  
Toxics Cleanup Program

GCC:jc

cc: