



State of Washington
POLLUTION LIABILITY INSURANCE AGENCY
PO Box 40930 • Olympia, Washington 98504-0930
(360) 407-0520 • (800) 822-3905
www.plia.wa.gov

March 14, 2025

Lori Honeywell
Scott Honeywell
1616 Skyline Way #2
Anacortes, WA 98221

Re: No Further Action at the Following Site:

- **Facility/Site Name:** Southend Store
- **Facility/Site Address:** 3024 Mud Bay Road, Lopez Island, WA 98261
- **Facility Site ID:** 26543325
- **Cleanup Site ID:** 17004
- **Technical Assistance Program No.:** P-NW2805

Dear Lori Honeywell and Scott Honeywell:

The Washington State Pollution Liability Insurance Agency (PLIA) received your request for an opinion on the independent cleanup of 3024 Mud Bay Road, Lopez Island, WA 98261 (Site). This letter provides PLIA's opinion made under the authority of Chapter 70A.330 RCW and Chapter 374-80 WAC. PLIA appreciates your initiative in pursuing this administrative option for cleaning up a contaminated site under the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.

Opinion on Cleanup

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

This opinion is based on the remedial action meeting the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). Our analysis is provided below.

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Description of the Site

This opinion applies only to the petroleum release at the Site located at 3024 Mud Bay Road, Lopez Island, WA 98261 (Figure 1) and includes San Juan County tax parcel 141824005000. This opinion does not apply to any other hazardous substance release(s) that may affect the Property (parcel).

The Site is defined by the nature and extent of contamination associated with the following release(s):

- Total petroleum hydrocarbons (TPH) as gasoline-range organics (GRO), diesel-range organics (DRO), and oil-range organics (ORO); benzene, toluene, ethylbenzene, and xylenes (BTEX); and naphthalene into the soil, groundwater, and air.

Basis of the Opinion

This opinion is based on the information contained in the following documents:

1. *Cleanup Action Report*. Prepared by Terracon Consultants, Inc. February 4, 2025.
2. *Letter regarding Summary Letter Southend Market*. Prepared by Terracon Consultants, Inc. July 11, 2024.
3. *Supplemental Subsurface Investigation and Interim Remedial Action Report*. Prepared by Terracon Consultants, Inc. February 20, 2024.
4. *Underground Storage Tank Site Characterization Report*. Prepared by Terracon Consultants, Inc. June 13, 2023.
5. *Environmental Site Assessment: Phase II*. Prepared by Stratum Group. January 26, 2023.

These reports are available for download at: [Southend Store Public Files](#)

Documents submitted to PLIA are subject to the Public Records Act (Chapter 42.56 RCW). To make a request for public records, please email pliamail@plia.wa.gov.

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

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Establishment of Cleanup Standards and Points of Compliance

The cleanup levels (CULs) for the Site will be established in accordance with WAC 173-340-700(5) and WAC 173-340-700(6).

The points of compliance (POCs) for the Site will be established in accordance with WAC 173-340-720(8) for groundwater, WAC 173-340-740(6) for soil, and WAC 173-340-750(6) for air.

Analysis of the Cleanup

PLIA has concluded that **no further remedial action** is necessary at the Site. Our conclusion is based on the following analysis:

Review of Data Submitted & Cleanup Status:

Site data demonstrate that petroleum contamination from a petroleum underground storage tank (UST) system release exceeded the levels allowable under MTCA. This opinion only addresses the contaminants of concern (COCs) as detailed in the *Description of the Site* section of this letter. This opinion is based on site history and data made available to PLIA as of the date of this letter.

PLIA has determined that the cleanup actions performed meet cleanup standards established for the Site. The following describes PLIA's opinion of the Site status:

i. Soil:

- Six soil borings were advanced at the Site in January 2023 to investigate a potential release from the UST system. Six additional borings were advanced and completed as monitoring wells at the Site in April 2023 to characterize the Site.
- COCs were not detected in soil samples collected from the borings at concentrations exceeding the CULs; however, the soil samples analyzed from borings B4 and MW2 were not collected from the depths exhibiting the greatest evidence of potential contamination at 2.5' and 3.0' below ground surface (bgs), respectively, or from depths below the groundwater with evidence of petroleum contamination between approximately 12' and 15' bgs.

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- Approximately 110 tons of petroleum contaminated soil (PCS) were excavated and transported off-Site for disposal at a permitted facility. The excavation extended approximately 34' east-west by 13' north-south (Figure 2) to approximately 6.5' bgs.
 - Confirmation samples were not collected from the bottom of the eastern extent or the southern extent of the excavation proximate to the location of B4 and MW3 where the greatest evidence of contamination was observed.
- Boring MW-3R was completed proximate to the B-4 and MW-3 locations. No evidence of petroleum contamination was observed in the boring and COCs were not detected in the soil sample collected from 6' bgs in boring MW-3R.
- PLIA agrees that the extent of soil was adequately characterized and that it has been adequately demonstrated that soil with concentrations of COCs exceeding Method A CULs has been removed.

Result: The data indicate the soil direct contact and soil leaching to groundwater exposure pathways are incomplete at the Site. The remedial actions removed the potential for PCS with concentrations of COCs exceeding CULs to come into contact with human or ecological receptors or leach into groundwater.

ii. Groundwater:

- Depth to groundwater recorded at the Site reportedly ranged from 0.34' (MW-5) to 4.25' (MW-2) below top of casing (BTOC) during high groundwater conditions and 2.32' (MW5) and 5.15' (MW2) BTOC during low groundwater conditions. Groundwater flow direction beneath the Site is reportedly to the southeast.
- GRO, DRO and ORO, benzene, ethylbenzene, and xylenes were detected at concentrations exceeding the MTCA Method A CULs in a reconnaissance groundwater sample collected from boring B4.
- GRO, DRO and ORO, ethylbenzene, and xylenes were detected at concentrations exceeding the MTCA Method A CULs in groundwater samples collected from monitoring well MW3. MW3 was decommissioned to facilitate excavation of PCS.
- Monitoring well MW-3R was installed in April 2024 proximate to the former monitoring well MW-3 location.
- Concentrations of COCs were less than MTCA Method A CULs in

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four consecutive quarterly groundwater performance sampling events.

Result: The data indicate the groundwater exposure pathway is incomplete at this Site. The remedial actions removed the potential for groundwater with concentrations of COCs exceeding CULs to come into contact with humans or ecological receptors.

PLIA recommends decommissioning all Site monitoring wells no longer required for groundwater monitoring, as determined by PLIA. Please note monitoring wells must be decommissioned by a Washington-state licensed drilling contractor, pursuant to WAC 173-160-460. PLIA requests that you provide monitoring well decommissioning documentation to PLIA for the project file. Additionally, the property owner should keep all supporting documentation of compliance (e.g. well logs, completed forms, and well tags) to provide documentation of proper decommissioning to the Washington State Department of Ecology upon request.

iii. Air (Soil or Groundwater to Vapor):

- PCS and PCGW within the lateral inclusion zone and vertical separation distance of Site buildings were successfully remediated to concentrations of COCs less than the MTCA Method A CUL.

Result: The data indicate the vapor intrusion exposure pathway is incomplete at this Site. The remedial actions removed the potential for vapors from PCS or PCGW to enter nearby commercial or residential structures.

iv. Surface Water:

- Not applicable for the Site. The nearest surface water, Mackaye Harbor, is approximately 1,410' to the southwest of the Site.

Result: The surface water exposure pathway is incomplete at this Site. This means that, based on current data, petroleum contamination has not spread to surface water.

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Limitations of the Opinion

1. Opinion does not settle liability with the state.

Under MTCA, liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release(s) of hazardous substances at the Site. This opinion **does not:**

- Change the boundaries of the Site.
- 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 the Office of the Attorney General and the Department of Ecology under RCW 70A.305.040(4).

2. 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 whether the action you performed is equivalent. Courts make that determination (RCW 70A.305.080 and WAC 173-340-545).

3. State is immune from liability.

The state, PLIA, 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.

Termination of Agreement

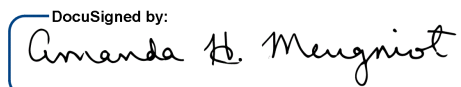
This opinion terminates the Technical Assistance Program (TAP) agreement for Project No. P-NW2805.

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Contact Information

Thank you for choosing to clean up your Site under PLIA's TAP. If you have any questions about this opinion, please contact me by phone at 1-800-822-3905, or by email at pliamail@plia.wa.gov.

Sincerely,

DocuSigned by:

D50D816A31E34C8...
Amanda Meugniot, L.G.
Hydrogeologist

Enclosure A: Figure 1: Site Location

cc: Kyle Bennett, Terracon Consultants, Inc. (by email)
 Matt Wheaton, Terracon Consultants, Inc. (by email)
 Jeremy Payne, The Vertex Companies, LLC (by email)

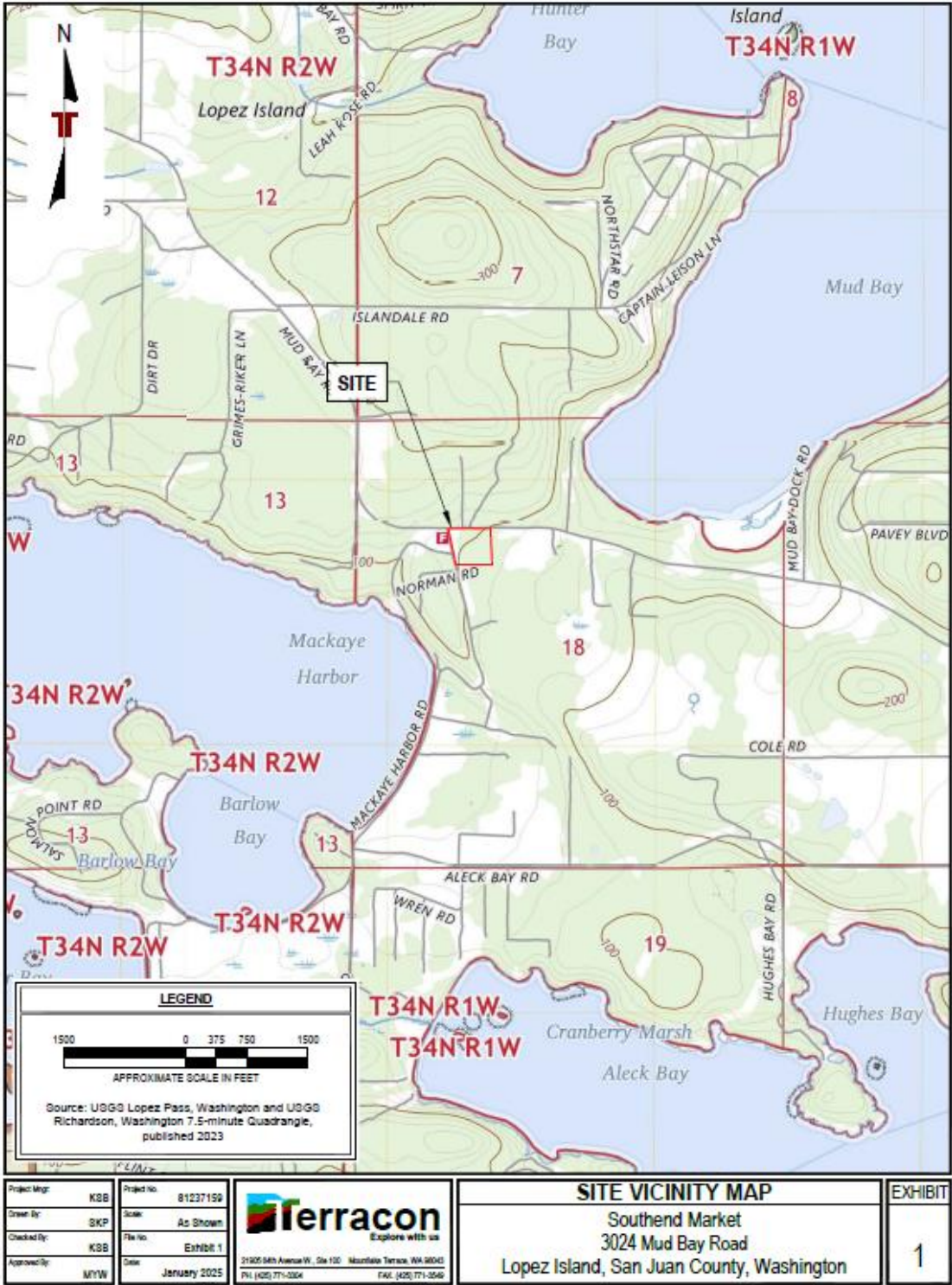
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Enclosure A:

TAP Project No. P-NW2805
3024 Mud Bay Road, Lopez Island,
WA 98261

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Figure 1: Site Location



Source: Cleanup Action Report, Terracon Consultants, Inc,
February 4, 2025