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**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Southwest Region Office

PO Box 47775 • Olympia, Washington 98504-7775 • 360-407-6300

April 17, 2025

Tina Kendall
Clark County Public Health, Solid Waste Operations
P.O. Box 9825
Vancouver, WA 98666-8825
tina.kendall@clark.wa.gov

RE: City of Vancouver Proposed Development in relation to Leichner Landfill

- **Site Name:** Leichner Brothers Landfill
- **Site Address:** 9411 NE 94th Ave, Vancouver, Clark County, WA 98662
- **Facility/ Site ID:** 1017
- **Cleanup Site ID:** 3019

Dear Tina Kendall,

The Washington State Department of Ecology (Ecology) received your email on March 5, 2025, on behalf of the City of Vancouver (City), requesting Ecology's review of the City's Public Works Operations Campus development, specifically the Site Plan and early site work (included as Attachments 8 and 9 in your email) as it relates to the above referenced Site. The City is requesting Ecology's review to confirm that the proposed uses are not inconsistent with the restrictive covenant on the property.

Ecology has reviewed the submitted letter and attachments. In general, the proposed development plans appear to be in compliance with the restrictive covenant; however, Ecology has the following comments.

| Comment # | Section | Page # | Ecology Comment |
|-----------|-----------------------------------|--------|---|
| 1 | CCPH and DOE Review Letter - VPOC | 1 | The letter indicates that the City became party to the Leichner Landfill Consent Decree (CD) in 2020. Please note that the City has not formally become party to the CD; however, they have been identified as a potentially liable party (PLP), and it is Ecology's understanding that Clark County is working to update the CD to include the City. |

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| 2 | CCPH and DOE Review Letter – VPOC | 2 | Under the “Groundwater Monitoring Wells” section, it is stated that wells located in paved areas shall be modified at the surface by lowering each well casing and installing traffic-grade, flush-mount well covers. All wells that are modified will need to be resurveyed. In addition, prior to the modification, Ecology will need to receive a Notice of Intent (NOI) and associated fees no less than 72 hours in advance. Please refer to Revised Code of Washington (RCW) 18.104.048 ¹ and RCW 18.104.055 ² . |
| 3 | CCPH and DOE Review Letter - VPOC | 3 | The City is proposing to remove polychlorinated biphenyl (PCB)-contaminated soil as part of the proposed Site work. Please note that this work will be considered an independent cleanup action. If the City would like to potentially receive a property specific no further action (NFA) opinion letter, they will need to enter the Voluntary Cleanup Program (VCP) as discussed during our call on October 29, 2024. |
| 4 | Attachment 9 | Not applicable (NA) | Based on the plans presented, it appears development work may encounter contaminated groundwater. A contaminated materials management plan should be developed for how contaminated materials will be handled and properly disposed of during development activities. |
| 5 | Attachment 9 | 2 | Please note that geoexchange borings (often or traditionally referred to as ground source heat pump borings) are regulated under the <i>Minimum Standards For Construction And Maintenance Of Wells</i> in Chapter 173-160 Washington Administrative Code (WAC) ³ and will require notification, fees, and reporting in the form of NOI(s) and well report(s). The primary guidance for ground source heat pump borings is outlined under WAC 173-160-453 ⁴ . |

¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.048>

² <https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.055>

³ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160>

⁴ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-453>

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| 6 | General | NA | <p>The remedial design for this Site did not consider construction of structures in close proximity to the toe of the landfill slope. Ecology recommends that a vapor intrusion evaluation be conducted following Ecology's Guidance for Evaluating Vapor Intrusion in Washington State, Publication No. 09-09-047 (March 2022). If the evaluation finds that there is a vapor intrusion risk due to the close vicinity of structures to the buried waste and the potential existence of preferential pathways for landfill gas, this should be mitigated as part of future building design and construction.</p> <p>As an alternative, future building designs could consider installation of vapor barriers or other mitigation measures as a precaution without first conducting a vapor intrusion evaluation.</p> <p>Clark County should also consider monitoring indoor air within the City's offices as part of quarterly compliance landfill gas monitoring.</p> |
| 7 | General | NA | <p>As may have been previously noted, the possible discontinuity in groundwater data that might result from replacement of some wells may potentially impact assessing the landfill's progress toward meeting the criteria for ending its post-closure phase under its solid waste permit. However, Ecology recognizes that this may be less of an issue if Clark County's expectation is that the landfill's post-closure care will continue for several more years after the new wells are established.</p> |

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| 8 | General | NA | <p>At some point in time, it would be helpful to have records provided to Ecology demonstrating requirements under WAC 173-304⁵ for ending post-closure care.</p> <p>As the landfill is still being monitored under the Model Toxics Control Act (MTCA) requirements, WAC 173-304-405(6)⁶ is applicable now which requires: "Recording with county auditor. Maps and a statement of fact concerning the location of the disposal site shall be recorded as part of the deed with the county auditor not later than three months after closure. Records and plans specifying solid waste amounts, location and periods of operation shall be submitted to the local zoning authority or the authority with jurisdiction over land use and be made available for inspection."</p> <p>WAC 173-304-407(8)(b)⁷ will be applicable once post-closure activities are complete.</p> |

⁵ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-304>

⁶ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-304-405>

⁷ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-304-407>

If you have any questions, please contact me at danielle.gibson@ecy.wa.gov or 360-409-6164.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle K. Gibson", with a long horizontal flourish extending to the right.

Danielle Gibson
Site Manager/UECA Coordinator
Southwest Region Office
Toxics Cleanup Program

cc: Chuck Harman, Clark County, chuck.harman@clark.wa.gov
Joelle Loescher, Clark County, Joelle.Loescher@clark.wa.gov
Hanna Pludow, Clark County, hannah.pludow@clark.wa.gov
Jaimee Searcy, Clark County, jaimie.searcy@clark.wa.gov
Jason Olson, City of Vancouver, jason.olson@cityofvancouver.us
Jean Singer, City of Vancouver, jean.singer@cityofvancouver.us
Eric Pilcher, MacKay Sposito, epilcher@mackaysposito.com
Melanie Poe, MacKay Sposito, mpoe@mackaysposito.com
Randy Cook, TCF Architecture, randy@tcfarchitecture.com
Ryan Cornwall, TCF Architecture, ryan@tcfarchitecture.com
Connie Groven, PE, Ecology, connie.groven@ecy.wa.gov
Ecology Site File