



**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**Southwest Region Office**

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

April 21, 2025

Clifford Jo  
Pierce County Library System  
3005 112<sup>th</sup> St E  
Tacoma, WA 98446  
[cjo@piercecountylibrary.org](mailto:cjo@piercecountylibrary.org)

Re: Further action and technical assistance for the following contaminated Site:

Site name: Buckley Library  
Site address: 123 South River Ave, Buckley, Pierce County, WA 98321  
Facility/Site ID: 39884259  
Cleanup Site ID: 9017  
VCP Project ID: SW1673

Dear Clifford Jo:

On February 11, 2025, the [Washington State Department of Ecology](https://ecology.wa.gov/)<sup>1</sup> received your request for a written opinion regarding the sufficiency of your independent cleanup of the Buckley Library facility (Site), under the [Voluntary Cleanup Program](#) (VCP).<sup>2</sup> This letter provides our opinion and analysis.

We provide this opinion under the authority of the [Model Toxics Control Act](#)<sup>3</sup> (MTCA), chapter [70A.305](#)<sup>4</sup> RCW. This further action and technical assistance opinion is provided under the requirements of WAC [173-340-515](#)<sup>5</sup>(5).

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<sup>1</sup> <https://ecology.wa.gov/>

<sup>2</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

<sup>3</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/9406.html>

<sup>4</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

<sup>5</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340&full=true#173-340-515>

## Issue presented and opinion

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Based on the information provided, Ecology has determined that further action is needed at the Site before we can fully evaluate your cleanup action.

The February 10, 2025, Cleanup Action Report (2025 Report) requested a no-further-action (NFA) determination for the Site;<sup>6</sup> however, Ecology cannot complete that request at this time because the cleanup action has not been completed. To provide some feedback on the status of your cleanup, Ecology is issuing this further action and technical assistance opinion letter.

Please note that this opinion does not provide or imply Ecology concurrence with your cleanup action. That will be evaluated upon completion of the cleanup including, but not necessarily limited to, the items discussed in the Analysis of the Cleanup section below.

## Site description

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This opinion applies to the Site described here. The Site is defined by the nature and extent of contamination associated with the following release(s).

- Total petroleum hydrocarbons (TPH) in the gasoline range (TPH-G), diesel range (TPH-D) and oil range (TPH-O) into the soil and groundwater.
- Volatile organic compounds (VOCs) including benzene, ethylbenzene, xylenes, and naphthalene into the soil and groundwater.
- Polycyclic aromatic hydrocarbons (PAHs) into the soil and groundwater.
- Lead, arsenic, cadmium, and chromium into the groundwater.
- Lead and cadmium into the soil.

Enclosure A includes Site diagrams as currently known to Ecology.

Note that releases from multiple sites can affect a parcel of real property. At this time, Ecology has no information indicating other sites have affected the parcel(s) associated with this Site.

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<sup>6</sup> EHSL, Cleanup Action Report, February 10, 2025, Section 13.

## Basis for our opinion

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

1. EHSI, Cleanup Action Report, February 10, 2025.
2. Ecology, Comments on Engineering Design Report, August 23, 2023.
3. EHSI, Engineering Design Report (EDR), June 8, 2023.
4. Ecology, No Further Action Likely opinion, December 21, 2022.
5. EHSI, Remedial Investigation and Feasibility Study (RI/FS), June 21, 2021.

You can request these documents by filing a [public records request](#).<sup>7</sup> For help making a request, contact the Public Records Officer at [recordsofficer@ecy.wa.gov](mailto:recordsofficer@ecy.wa.gov) or call (360) 407-6040. Before making a request, check whether the documents are available on [Ecology's Cleanup Site Search web page](#) for Buckley Library.<sup>8</sup>

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

## Analysis of the cleanup

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Ecology's comments are presented below:

1. Ecology understands that the Site is currently in compliance monitoring as described in Ecology's [Guidance for Remediation of Petroleum Contaminated Sites](#).<sup>9</sup> Please note that this is different from any long-term groundwater monitoring that may be established under a future environmental covenant (EC). The purpose of compliance monitoring is to confirm the effectiveness of the cleanup action, while long-term monitoring is to ensure long-term protectiveness to groundwater where residual soil contamination remains on the Site. Before any long-term monitoring program can be established under an EC, compliance monitoring needs to be completed.
2. Up to eight consecutive quarters of compliance groundwater monitoring are needed to demonstrate the effectiveness of the remedial action,<sup>10</sup> as previously discussed

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<sup>7</sup> <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

<sup>8</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/9017>

<sup>9</sup> <https://apps.ecology.wa.gov/publications/summarypages/1009057.html>

<sup>10</sup> Ecology, Guidance for Remediation of Petroleum Contaminated Sites, June 2016, Section 10.3.1.

in the 2022 Opinion<sup>11</sup> and 2023 EDR Response.<sup>12</sup> As of the date of this letter, one monitoring event has been reported to Ecology. You may request a review of your compliance monitoring results after the completion of four quarterly events; however, given the presence of petroleum-related contamination at MW-16, it is more likely than not that eight quarters of monitoring will be needed.

3. The extent of groundwater contamination downgradient from MW-16 needs to be characterized. The 2025 Report suggests that the groundwater contamination in MW-16 is related to residual soil contamination and localized impacts.<sup>13</sup> Additional monitoring is needed to support this claim. If contaminant concentrations remain above MTCA cleanup levels (CULs), which appears likely based on the initial results, the extent of contamination in soil and groundwater will need to be characterized to support your selected cleanup alternative that includes an EC. This may include additional monitoring wells in the South River Avenue right-of-way (ROW) (see Item 4). Please note that while the direct contact pathway could be addressed by an EC, the leaching pathway will require empirical data.
4. At this time, Ecology recommends installing two additional wells in the ROW downgradient from MW-16 and the granular activated carbon (GAC) wall. Ecology recommends placing these wells near the roadway center line (similar to MW-11) as shown on the map provided in Enclosure A. You may choose to perform additional monitoring at MW-16 to confirm conditions before installing these wells, but if contamination remains above MTCA CULs at MW-16, these additional wells will likely be required by Ecology in the future. Please keep in mind that at least four quarters of monitoring will be needed for these wells to demonstrate compliance with groundwater CULs and to support any empirical demonstration that the remaining soil contamination is protective of the leaching pathway.
5. The 2025 Report suggests that the results of the first groundwater monitoring event provide empirical evidence that the remaining soil contamination on the Property is not affecting groundwater quality.<sup>14</sup> Given the removal of most of the contaminated soil, Ecology agrees this may be the case; however, the existing groundwater data set does not support this conclusion. The on-Property compliance groundwater monitoring performed to-date has included one sampling event at one well that was within the excavation footprint. Additional on-Property wells will be needed

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<sup>11</sup> Ecology, No Further Action Likely opinion, December 21, 2022.

<sup>12</sup> Ecology, Comments on Engineering Design Report, August 23, 2023.

<sup>13</sup> EHSI, Cleanup Action Report, February 10, 2025, Section 13.

<sup>14</sup> EHSI, Cleanup Action Report, February 10, 2025, Section 13.

(see item 6 below) to support any future empirical demonstration. Also, for Ecology to consider any future empirical demonstration for the leaching pathway, at least four quarters of monitoring will be needed.

6. Ecology understands that six monitoring wells located within the excavation footprint were decommissioned. The 2021 RI/FS<sup>15</sup> and 2023 EDR<sup>16</sup> indicated that the monitoring wells that were decommissioned to allow for soil removal would be replaced and used for compliance monitoring. It appears that well MW-7 was replaced (as MW-14) but none of the other on-Property wells including MW-5, MW-6, MW-8, MW-12, and MW-13, have been replaced. As a result, additional replacement wells need to be installed on the Property and included in the compliance monitoring program. As an alternative to replacing the other five wells at their original locations, Ecology recommends installing one well near the northern Property margin and three along the western margin of the GAC wall, as depicted on the map provided in Enclosure A. You will need to complete at least four quarters of compliance monitoring at these wells before requesting an Ecology review. In addition to compliance monitoring, wells at these locations will be needed for long-term monitoring under an EC.
7. Any EC for the Site will need to be recorded with Pierce County before Ecology will consider any future NFA requests. Refer to the 2022 Opinion for additional information regarding the requirements for the EC. Ecology reminds you that the EC and all supporting plans and documents must be submitted to, and accepted by, Ecology prior to recording with Pierce County. Please allow time for Ecology's review and to address any comments in your draft EC.
8. All Site data collected since August 2005 must be submitted to, and accepted by, Ecology's EIM data coordinator before any future NFA requests will be considered.

## Limitations of the opinion

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### **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 doesn't resolve or alter a person's liability to the state or protect liable persons from contribution claims by third parties.

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<sup>15</sup> EHSL Remedial Investigation and Feasibility Study (RI/FS), June 21, 2021

<sup>16</sup> EHSL Engineering Design Report (EDR), June 8, 2023

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](#)(4).<sup>17</sup>

**Opinion does not constitute a determination of substantial equivalence**

To recover remedial action costs from other liable persons under MTCA, one must demonstrate 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 substantially equivalent. Courts would make that determination.

See RCW [70A.305.080](#)<sup>18</sup> and WAC [173-340-545](#).<sup>19</sup>

**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](#)(6).<sup>20</sup>

## Contact us for more information

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Thank you for choosing to clean up your Site under the VCP. After addressing our comments, you may request another review of your cleanup activities. If you have any questions about this opinion, please contact me at 360-999-9584 or [dean.malte@ecy.wa.gov](mailto:dean.malte@ecy.wa.gov). We look forward to receiving your next submittal or report.

Sincerely,



Dean Malte, LG

Ecology Southwest Region Office, Toxics Cleanup Program

DM / kw

Encl: A – Site diagrams

cc: Thomas Cammarata, EHSI, [tcammarata@soundearthinc.com](mailto:tcammarata@soundearthinc.com)  
Tim Mullin, LHG, Ecology, [tim.mullin@ecy.wa.gov](mailto:tim.mullin@ecy.wa.gov)  
Tacoma Pierce County Health Department, [ust@tpchd.org](mailto:ust@tpchd.org)  
Ecology Project File

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<sup>17</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

<sup>18</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

<sup>19</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

<sup>20</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

## Enclosure A

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Site diagrams

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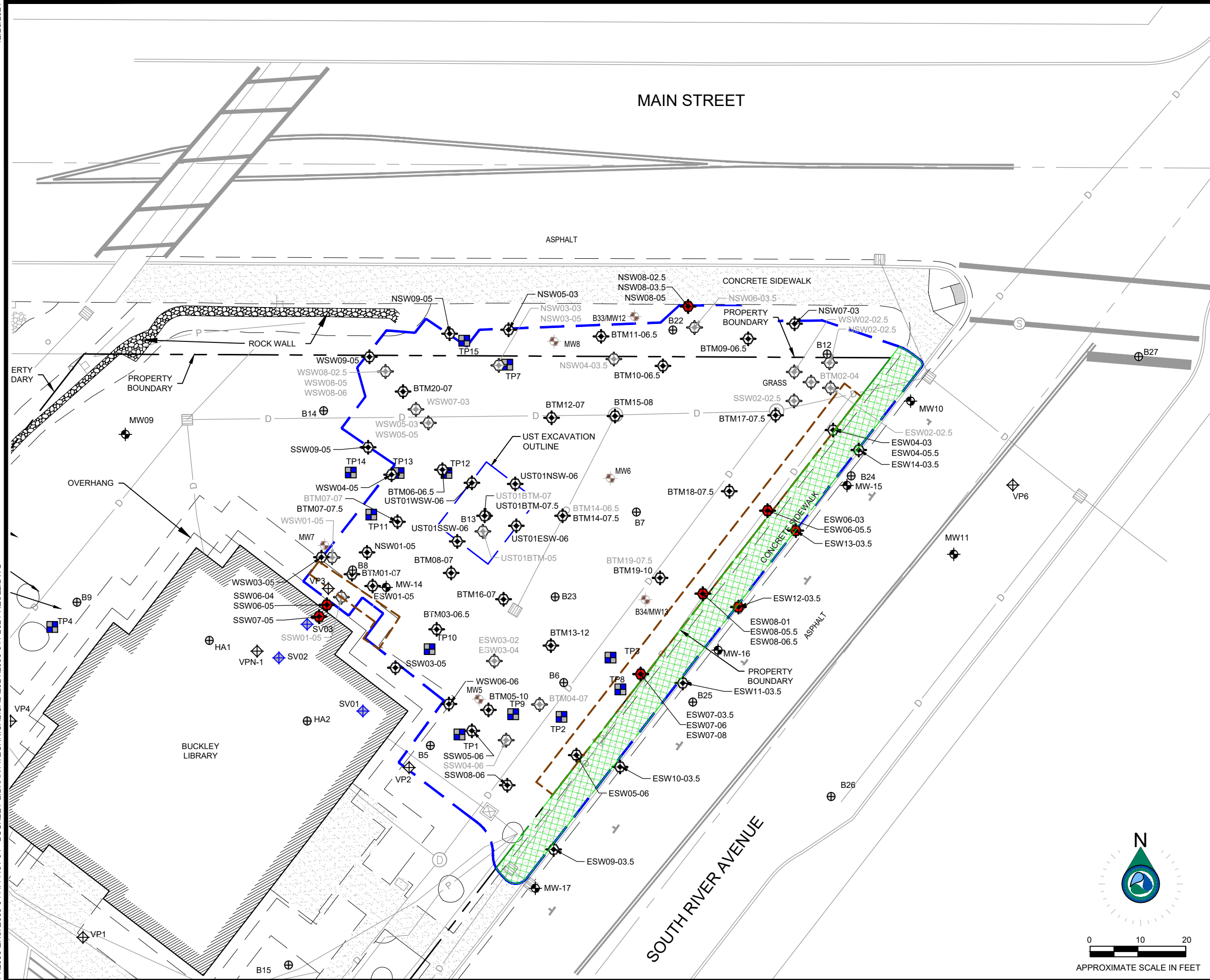
## Site Diagrams

1. Remedial Excavation and Sample Locations, EHSI<sup>21</sup>
2. Groundwater Contour Map with Compliance Monitoring Results, EHSI.<sup>22</sup> Includes added Ecology markups showing recommended well locations.

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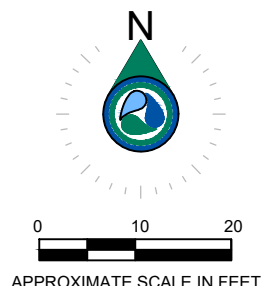
<sup>21</sup> EHSI, Cleanup Action Report, February 10, 2025, Figure 4.

<sup>22</sup> EHSI, Cleanup Action Report, February 10, 2025, Figure 6.



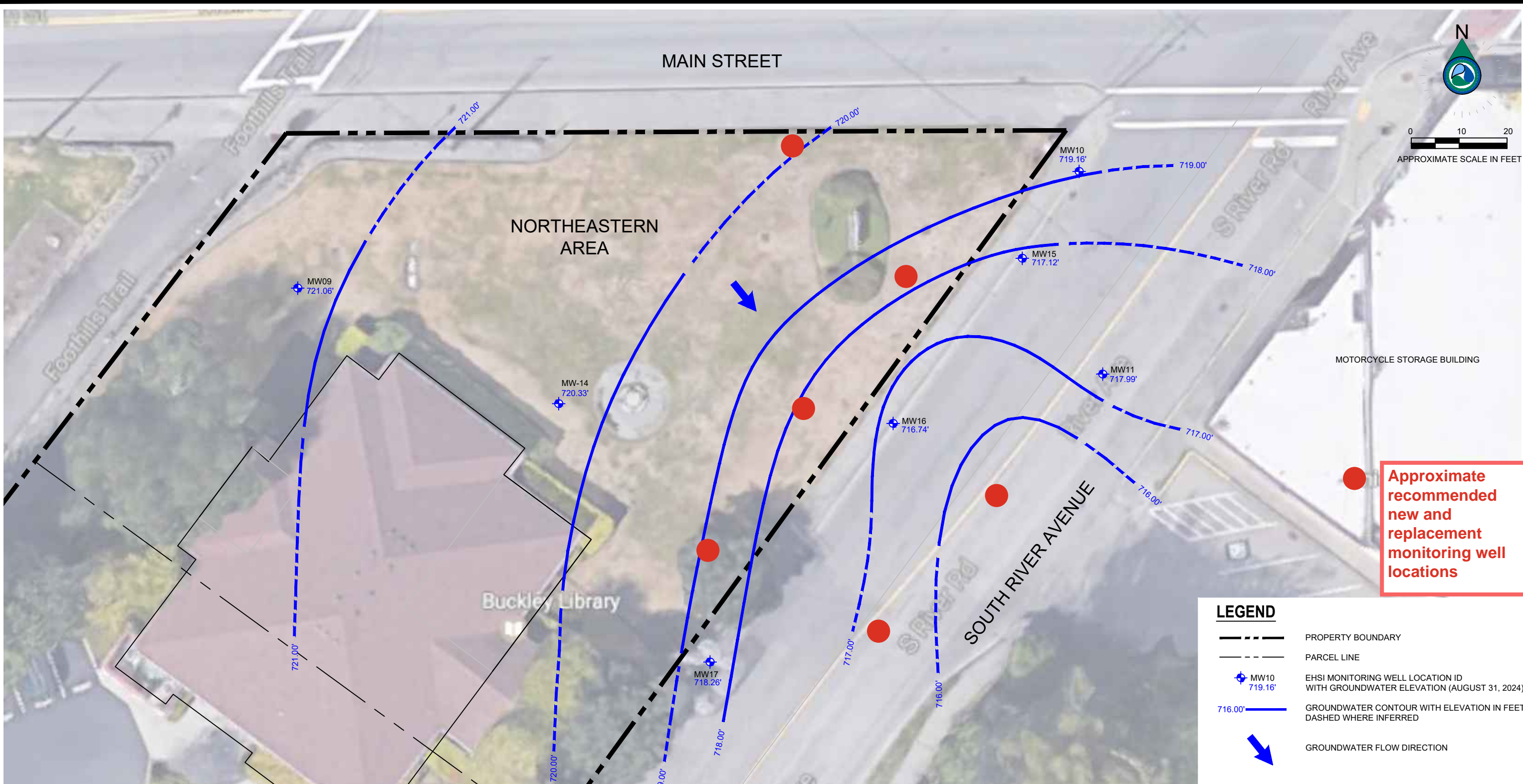
**LEGEND:**

■	STORM CB
⊕	STORM MANHOLE
⊙	SS MANHOLE
▬	BUILDING LINE
▬	BUILDING OVERHANG
▬	CURB LINE
▬	EDGE ASPHALT
▬	EDGE CONCRETE
▬	STORM DRAINAGE
▬	CONCRETE HATCH
▬	EXCAVATION BOUNDARY
▬	GRANULATED ACTIVATED CARBON WALL
■	TP7
⊕	B6
⊕	VPN-1/VP1
⊕	MW1
⊕	MW5
⊕	BTM-18-07.5
⊕	BTM-02-04
⊕	ESW04-03
⊕	SV01
▬	SOUTH RIVER AVENUE RIGHT-OF-WAY EXCAVATION



 A Subsidiary of <b>Seamless Strategies</b> 1011 SW Klickitat Way, Suite 104 Seattle, Washington 98134 Ph: 206.381.1128 Fax: 206.254.4279	BUCKLEY LIBRARY REMEDIAL EXCAVATION 123 SOUTH RIVER AVENUE BUCKLEY, WASHINGTON EHSI PROJECT #: 11101-04
	REMEDIAL EXCAVATION AND SAMPLE LOCATIONS
	<b>FIGURE 4</b>





Well ID	Date Sampled	Analytical Results (micrograms per liter)									
		GRPH	DRPH	ORPH	Combined DRPH and ORPH	DRPH w/ Silica Gel Cleanup	ORPH w/ Silica Gel Cleanup	Benzene	Toluene	Ethylbenzene	Total Xylenes
MW09	08/21/24	<100	<50	<250	300	<50	<250	<1	<1	<1	<3
MW10	08/21/24	<100	67	<300	367	<60	<300	<1	<1	<1	<3
MW11	08/21/24	<100	69	<250	319	<50	<250	<1	<1	<1	<3
MW14	08/21/24	<100	300	<250	550	<50	<250	<1	<1	<1	<3
MW15	08/21/24	780	320	<250	570	<50	<250	<1	<1	<1	<3
MW16	08/21/24	35,000	8,800	<320	9,120	4,100	<320	150	160	1,600	5,100
MW17	08/21/24	<100	110	<250	360	<50	<250	<1	<1	<1	<3
MTCA Cleanup Level		800	500	500	NE	500	500	5	1,000	700	1,000

ALL LOCATIONS ARE APPROXIMATE.  
FOR ILLUSTRATIVE PURPOSES ONLY.

**LEGEND**

PROPERTY BOUNDARY

PARCEL LINE

MW10  
719.16'

EHSI MONITORING WELL LOCATION ID  
WITH GROUNDWATER ELEVATION (AUGUST 31, 2024)

716.00'

GROUNDWATER CONTOUR WITH ELEVATION IN FEET;  
DASHED WHERE INFERRED

GROUNDWATER FLOW DIRECTION

GRPH

GASOLINE-RANGE PETROLEUM HYDROCARBONS

DRPH

DIESEL-RANGE PETROLEUM HYDROCARBONS

MTCA

WASHINGTON STATE MODEL TOXICS CONTROL ACT

ORPH

OIL-RANGE PETROLEUM HYDROCARBONS

**ehsi**  
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BUCKLEY, WASHINGTON  
EHSI PROJECT #: 11101-04

GROUNDWATER CONTOUR MAP WITH  
COMPLIANCE MONITORING RESULTS

PROJECT MANAGER: T. CAMMARATA

DRAWN BY: F. DIMALANTA

FIGURE 6