



State of Washington
POLLUTION LIABILITY INSURANCE AGENCY
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www.plia.wa.gov

March 17, 2025

Daniel Park
224 157th Place SW
Lynnwood, WA 98087 USA

Re: No Further Action at the Following Site:

- **Facility/Site Name:** Boulevard Grocery
- **Facility/Site Address:** 5304 61st Street NE, Marysville, 98270
- **Facility Site ID:** 67311524
- **Cleanup Site ID:** 17073
- **Technical Assistance Program No.:** P-NW2931

Dear Daniel Park:

The Washington State Pollution Liability Insurance Agency (PLIA) received your request for an opinion on the independent cleanup located at 5304 61st Street NE, Marysville, 98270 (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 identified petroleum release at the Site located at 5304 61st Street NE, Marysville, 98270 and includes Snohomish County tax parcel 00539700900101. This opinion does not apply to any other hazardous substance releases that may affect the Property (parcels).

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), oil-range organics (ORO); and BTEX (benzene, toluene, ethylbenzene, and xylene) into the soil, groundwater, and air.

Basis of the Opinion

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

1. *Cleanup Summary Report*. Prepared by Stratum Group. December 5, 2024.
2. *Limited Phase II Environmental Site Assessment*. Prepared by Envitechnology. January 31, 2019
3. *Tank Closure Environmental Site Assessment*. Prepared by Envitechnology. January 31, 2020
4. *Well Development and April 2020 Groundwater Monitoring*. Prepared by Stratum Group. May 19, 2020
5. *July 2020 Groundwater Monitoring*. Prepared by Stratum Group. July 24, 2020
6. *Insitu Remediation & Groundwater Monitoring*. Prepared by Stratum Group. February 15, 2021
7. *Groundwater Monitoring Summary Report*. Prepared by Stratum Group. October 9, 2023

These reports are available for download at: [**P-NW2931/Boulevard Grocery 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**](mailto:pliamail@plia.wa.gov).

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

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:

Cleanup of the Site:

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. The Site history is detailed in the documents cited above.

PLIA has determined that the cleanup action(s) performed meet cleanup standards established for the Site. The following cleanup actions have been performed at the Site:

i. Soil:

- Approximately 43.63 tons of petroleum contaminated soil (PCS) were excavated and transported off-Site for disposal at a permitted facility. The excavation extended approximately 31.5' by 7.5' by 17' deep below ground surface (bgs).
- The results of confirmation samples demonstrate that PCS with concentrations of COCs exceeding the applicable CULs was removed from the Site.

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

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with human or ecological receptors or leach into groundwater.

ii. Groundwater:

- Depth to groundwater recorded at the Site being present at 15' bgs. The groundwater flow direction beneath the Site is predominantly north-northwest.
- Concentrations of COCs were less than MTCA Method A CULs in four consecutive quarterly groundwater performance samples.

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 petroleum-contaminated groundwater (PCGW) within the lateral inclusion zone and vertical separation distance of Site buildings was successfully remediated to concentrations of COCs less than the MTCA Method A CUL.

Result: The data indicate the vapor intrusion pathway is incomplete at this Site. The remedial action 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, Allen Creek, is approximately 800' to the northwest of the Site.

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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.

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-NW2931.

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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:

C5F9873C6885454...

Johnathon Yu
Hydrogeologist

Enclosure A: Figure 1: Site Vicinity Map
 Figure 2: Site Plan Map
 Table 1: Groundwater Sampling Data
 Table 2: Groundwater Sampling Data Cont.

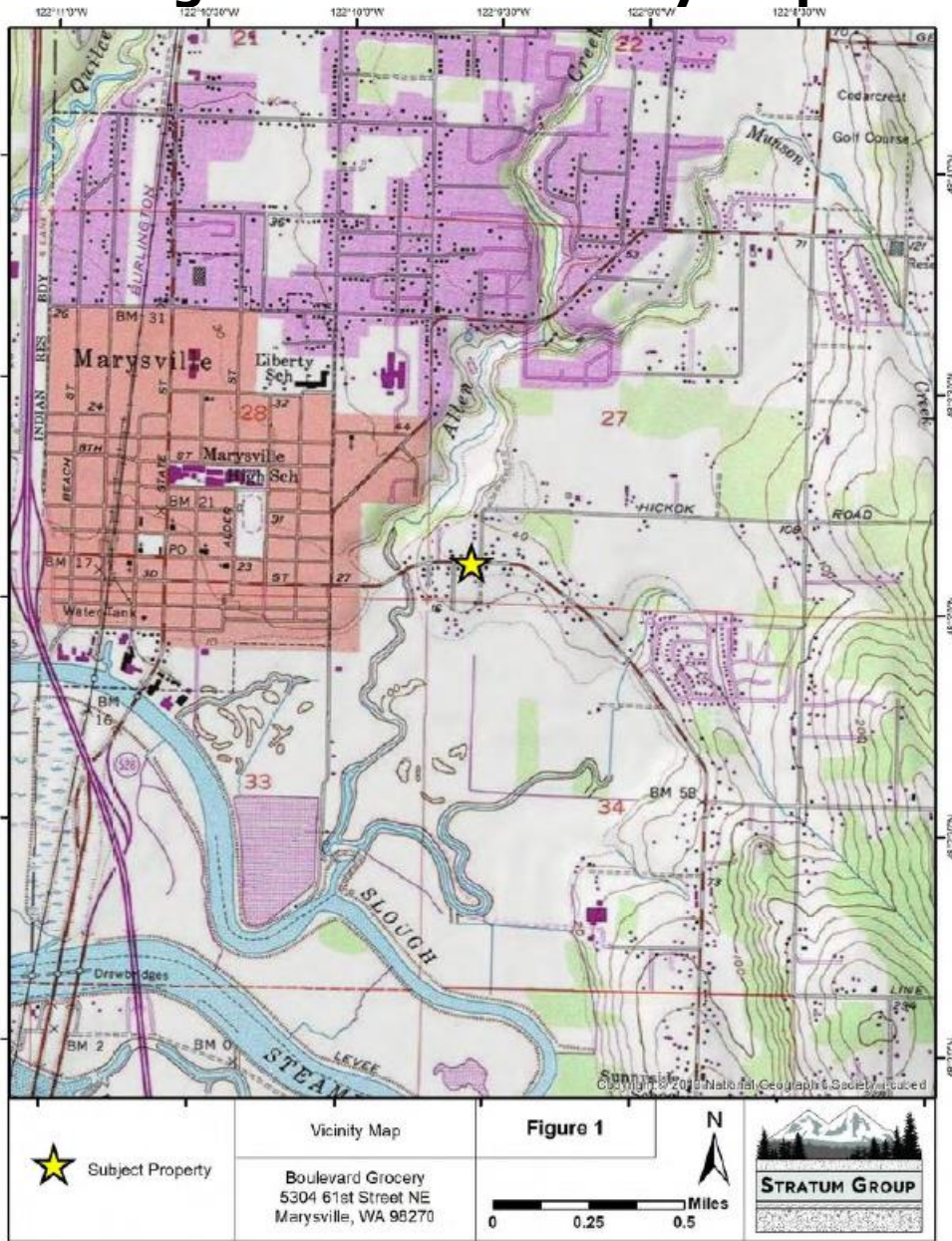
cc: Ben Carlson (by email)

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Enclosure A:
TAP Project No. P-NW2931
5304 61st Street NE, Marysville

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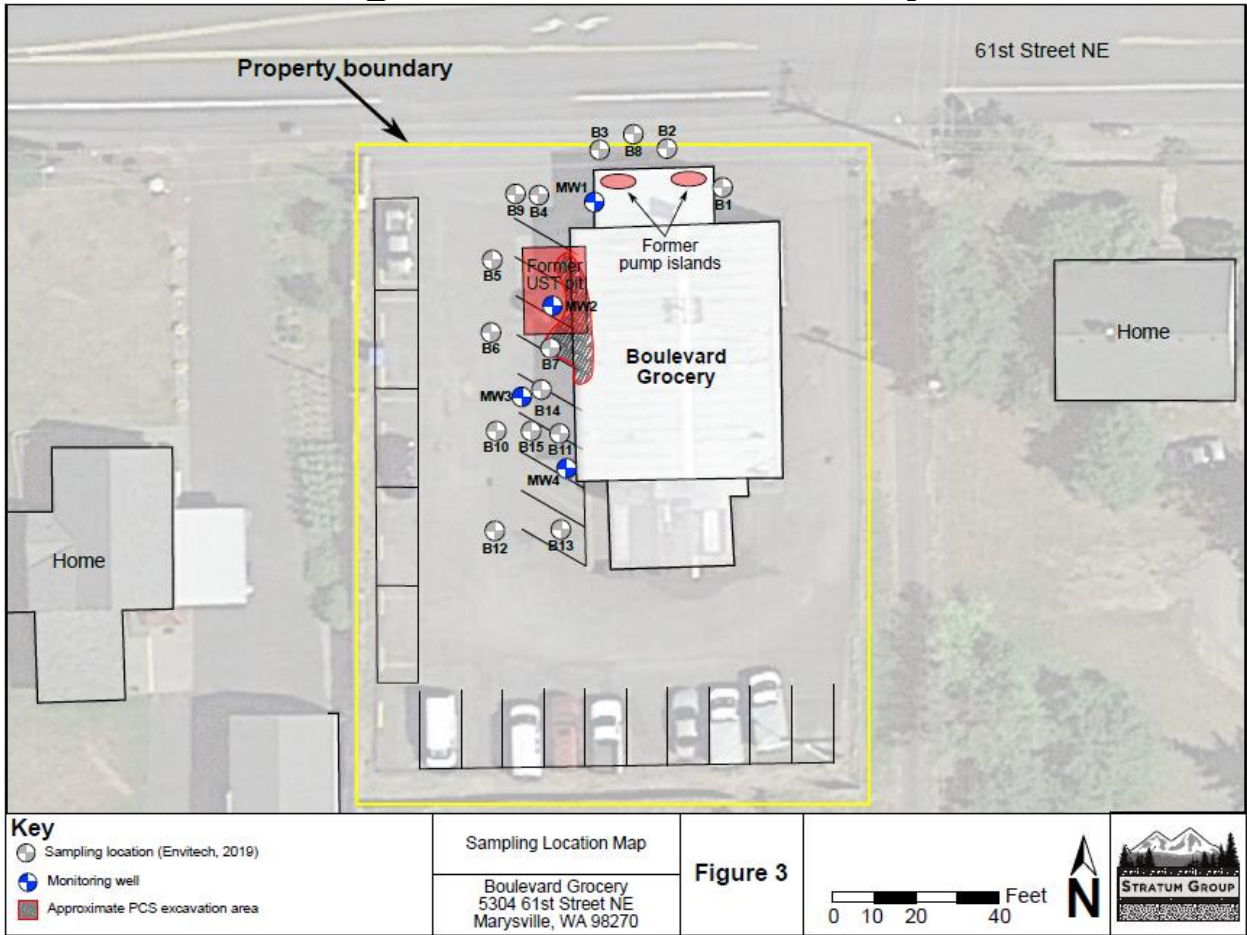
Figure 1: Site Vicinity Map



Source: *Cleanup Summary Report*. Prepared by Stratum Group.
December 05, 2024.

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Figure 2: Site Plan Map



Source: *Cleanup Summary Report*. Prepared by Stratum Group.
December 05, 2024.

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Table 1: Groundwater Sampling Data

Well ID	Sampling Date	Contaminant Concentrations (µg/L)							
		Diesel	Oil	Gasoline	Benzene	Toluene	Ethylbenzene	Xylenes	MTBE
MW-1	4/21/2020	U<130	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	7/14/2020	270	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	1/15/2021	U<130	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	8/26/2021	240	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/2/2021	190	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/5/2022	210	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	3/8/2023	97	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	6/8/2023	U<50	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
MW-2	9/7/2023	U<50	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	4/21/2020	2,900	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	7/14/2020	3,300	U<250	54	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	1/15/2021	1,300	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	8/26/2021	180	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/2/2021	730	370	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/5/2022	280	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	3/8/2023	210	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
MW-3	6/8/2023	94	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	9/7/2023	U<50	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	4/21/2020	170	U<250	55	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	7/14/2020	270	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	1/15/2021	480	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	8/26/2021	U<130	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/2/2021	210	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/5/2022	U<50	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
MTCA Method A CULs		500	500	800/1,000 _s	5	1,000	700	1,000	20

Source: Cleanup Summary Report. Prepared by Stratum Group.
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Table 2: Groundwater Sampling Data Cont.

Well ID	Sampling Date	Contaminant Concentrations (µg/L)							
		Diesel	Oil	Gasoline	Benzene	Toluene	Ethylbenzene	Xylenes	MTBE
MW-4	4/21/2020	U<130	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	7/14/2020	140	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	1/15/2021	U<130	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	8/26/2021	U<130	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/2/2021	U<130	U<250	U<50	U<1.0	U<1.0	U<1.0	U<3.0	U<3.0
	12/5/2022	130	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	3/8/2023	U<50	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	6/8/2023	U<50	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
	9/7/2023	U<50	U<250	U<100	U<1.0	U<1.0	U<1.0	U<3.0	-
MTCA Method A CULs		500 ^a		800/1,000 ^b	5	1,000	700	1,000	20

Source: *Cleanup Summary Report*. Prepared by Stratum Group.
December 05, 2024.