



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 10, 2010

Corinne Dobbins,
Regulatory Compliance Manager
Gaco Western LLC
18700 Southcenter Parkway
Tukwila, Washington 98188

COPY

Re: Further Action at the following Site:

- **Site Name:** Gaco Western LLC
- **Site Address:** 18700 Southcenter Parkway
- **Facility/Site No.:** 2402
- **VCP Project No.:** NW2217

Dear Ms. Dobbins:

The Washington State Department of Ecology (Ecology) received your request for a No-Further-Action opinion on your independent cleanup of the Gaco Western LLC facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

YES. Ecology has determined that further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

Description of the Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following releases:

- Volatile organic compounds (VOCs) into the Soil and Groundwater.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this site are affected by other sites.

Basis for the Opinion

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

1. Envirocon, Inc., Findings from the UST Site Assessment Performed at the GACO Western Facility, November 26, 1991.
2. WA State Dept. of Ecology, Agreed Order No. DE 92 HS – N28S, November 16, 1992.
3. WA State Dept. of Ecology, Periodic Review, Gaco Western FS ID#: 2402, May, 2009.
4. Farallon Consulting, Summary of Subsurface Investigation and Preliminary Remedial Alternatives, Gaco Western, Inc. Facility, January 26, 2010.
5. Gaco Western, Summary of Detected Chemical Constituents in Groundwater, February 9, 2010.

Those documents are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. You can make an appointment by calling the NWRO resource contact at (425) 649-7190.

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

Analysis of the Cleanup

Ecology has concluded that **further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined characterization of the Site is not sufficient to establish cleanup standards and select a cleanup action.

Soil and groundwater data acquired at the Site during November 2009 by ten direct-push borings and by sampling four existing monitoring wells indicated that concentrations of VOCs currently persist in the soil and groundwater above established cleanup levels. Concentrations in groundwater were found to be particularly high in the former north tank excavation, and to extend an unknown distance from there beneath the building.

The presence of contaminated groundwater and soil beneath the building implies a potential for vapor intrusion. Furthermore, levels of benzene above or near the Method A cleanup level were detected near the eastern and southern property boundaries.

Given the recent data, additional characterization of the Site is warranted. The extent of high concentrations in soil and groundwater and also concentrations in soil gas beneath the building should be determined as possible. Installation of additional monitoring wells would be appropriate at the southern and eastern property boundaries, and also (as possible) in the north central part of the building to determine accurate, long-term contaminant levels and trends in groundwater.

2. Establishment of cleanup standards.

Ecology has determined the cleanup standards (cleanup levels and points of compliance) for the Site do not meet the substantive requirements of MTCA.

Method A and Method B cleanup levels for soil and groundwater were used for the Site. There was an apparent conditional point of compliance for groundwater at the property boundary. A feasibility study (FS) which includes a cost/benefit analysis is needed to evaluate cleanup action alternatives for the Site. The FS should consider the additional data recommended for acquisition in the above Section 1. Whether or not a conditional point of compliance (in lieu of the standard point of compliance) for soil and groundwater at the Site is appropriate will have to be demonstrated in a FS.

3. Selection of cleanup action.

Ecology has determined the cleanup actions selected for the Site do not meet the substantive requirements of MTCA.

Cleanup actions that have been accomplished at the Site include: Contaminated soil (~7 cyds.) was removed from the Site along with the removal of 14 underground storage tanks (USTs). A soil-vapor-extraction system covering the two areas where former USTs were located operated for about four months during 1993. Ostensibly natural attenuation was also considered a part of the remedy for the Site. Ten monitoring wells (6 shallow and 4 deeper) were installed and monitored regularly during 1992 – 1996, and once again during 2007. The Site is paved outside the building, which occupies much of the property, and a Restrictive Covenant was recorded on the property.

These cleanup actions may have reduced contaminant levels at the site, but recent data indicate significant levels of contamination persist in soil and groundwater and that vapor intrusion into the building is a possible issue.

A feasibility study (FS) which includes a cost/benefit analysis is needed to evaluate cleanup action alternatives and select a cleanup action for the Site. The FS should consider the additional data recommended for acquisition in the above Section 1. Cleanup actions must achieve cleanup of the Site to the maximum extent practicable. The extent that the cleanup actions accomplished to date have achieved that end, and the need for possible additional cleanup actions to achieve that end will have to be evaluated and demonstrated in a FS.

In summary, Ecology opines that: (1) data is needed regarding soil gas beneath the building, along with additional data for soil and groundwater, and (2) a FS must be completed. These actions are needed for now to ultimately receive a No-Further Action determination for the Site from Ecology through the VCP.

Limitations of the Opinion

1. 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 **does not**:

- 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 Ecology under RCW 70.105D.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 substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

3. 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 70.105D.030(1)(i).

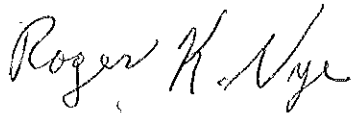
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Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion, please contact me by phone at (425) 649-7251 or e-mail at mye461@ecy.wa.gov.

Sincerely,



Roger K. Nye
Site Manager, NWRO Toxics Cleanup Program

cc: Sara Nied, VCP Coordinator, Ecology NWRO