



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 14, 2013

Kelly Baker
13711 NE 135th Place
Kirkland, WA 98034

Re: No Further Action at the following Site:

- Name: Webb Property Auto Dismantlers
- Address: 2402 Gibson Rd., Everett, WA
- Facility/Site No.: 7444412
- CS ID: 2722
- VCP No.: NW2700

Dear Mr. Baker:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Webb Property Auto Dismantlers 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?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

This opinion is based on information and data provided in the remedial action report dated October 24, 2012. The report indicated cleanup for soil contamination was completed and groundwater was unlikely impacted during operations of the facility. Therefore, the environmental concern has been addressed at this Site.

This opinion is also 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:

- Total Petroleum Hydrocarbons – Heavy Oil Range Organics (TPH-HRO) in Soil.

Enclosure A includes diagrams of the Site (Figures 1 and 2). **Enclosure B** includes a detailed description of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcels 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. Phase I Environmental Site Assessment, July 25, 2011, Associated Environmental Group, LLC.
2. Phase II Environmental Site Assessment, October 17, 2011, Associated Environmental Group, LLC.
3. Site Cleanup Report, October 24, 2012, Associated Environmental Group, LLC.

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) 649-7235, or sending an email to nwro_public_request@ecy.wa.gov.

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

In addition, the following references were used:

1. Dragovich, J.D., Logan, H.W., Walsh, T.J., et al, 2002. Geologic Map of Washington, Northwest Quadrant, Washington Division of Geology and Earth Resources Geologic Map GM-50.

2. Smith, M., 2009. Division of Geology and Earth Resources: Preliminary Surficial Geologic Map of the Mukilteo and Everett 7.5-Minute Quadrangles, Snohomish County, Washington.

Analysis of the Cleanup

Ecology has concluded that **no further remedial action** is necessary to further clean up the contaminated soil at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined characterization of the Site is sufficient to establish cleanup standards and select cleanup actions for removal of the contaminated soil.

- a. A site investigation conducted by the Snohomish Health District on December 12, 2000 indicated chromium and TPH-HRO at concentrations exceeding MTCA Method A cleanup levels at this Site. The contamination was due to usages of the Property as an auto repair and metal dismantler facility, and as a junk yard.
- b. In July and October of 2011, Associated Environmental Group, LLC (AEG) performed Phase I and Phase II site assessments at the Site to investigate surface and subsurface contamination. Soil samples were collected in the Phase II work to evaluate presence of petroleum hydrocarbons, volatile organic compounds and chromium based on the surface site investigation.

The Phase II investigation included 14 soil borings advanced from 3 to 18 feet below ground surface (bgs). The soil sample analytical results obtained from the borings (Figure 2) revealed that all of the analytes except chromium were at non-detectable levels. Chromium was exhibited with concentrations ranging from 9 to 17 mg/kg, which is below the MTCA Method A cleanup level.

- c. During the Phase II site assessment, AEG attempted to collect groundwater samples from the 14 borings. Dense glacial till was encountered throughout the Property and refusal was encountered, which prevented drilling deeper than 18 feet bgs. As a result, AEG did not obtain groundwater samples.
- d. In October 2012, AEG and its contractor conducted a cleanup action at the Site, which included excavation of contaminated surficial soil at three locations, removal and disposal of all the junk vehicles, containers, fuel tanks, drums, and solid wastes from the property.

Following soil excavation of approximately 10 tons, confirmation samples were collected at the three excavations. The results indicated TPH-HRO and other TPH products in soil at concentrations below MTCA Method A soil cleanup levels.

2. Establishment of cleanup standards.

a. Substance-specific standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

Cleanup levels for soil contamination at this Site are defined as the MTCA Method A cleanup levels.

Cleanup levels for groundwater contamination at this Site are defined as the MTCA Method A cleanup levels, which is classified as unrestricted land use.

There is also no terrestrial habitat within 500 feet of the Site. Therefore, the Site is excluded from further considering protection for terrestrial habitat which is not applied in accordance with MTCA.

b. Action and location-specific requirements.

The requirements to clean up the Site included excavation of the contaminated soils exceeding MTCA Method A cleanup levels for non-restricted land use, and removal and disposal for all the solid waste and junk within the Site.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

a. Remediations were conducted to excavate the impacted soils and dispose solid waste and junk to a regulated facility.

b. Soil samples for laboratory analysis were collected at the three excavations to confirm success of the soil cleanup that met the MTCA Method A cleanup levels for unrestricted land use. The soil sampling results also indicated the contamination was limited within 2 feet from the surface.

- c. Groundwater was not encountered in the 14 soil borings installed from 3 to 18 feet bgs. Therefore, it is likely surface spills have not impacted the groundwater which exists at an unknown, deeper level at this Site.

4. **Cleanup.**

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site at MTCA Method A cleanup level for TPH-HRO and other petroleum hydrocarbons. This determination is dependent on the performances specified below.

- a. The petroleum hydrocarbon-contaminated soil exceeding MTCA Method A cleanup levels was excavated and disposed at an off-site regulated facility. In addition, the site assessments revealed the subsurface contamination was limited at relatively a shallow level, or within 2 feet bgs at this Site.
- b. Groundwater was not encountered in the 14 soil borings drilled to a maximum depth of 18 feet bgs. It is likely that the presence of a minimum of 16 feet of consolidated and low permeability glacial tills at the Site prevents groundwater contamination due to the surface spills.
- c. All of the solid waste and junk was removed and disposed appropriately so that the potential contamination sources have been eliminated.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- Confirmed and Suspected Contaminated Sites List.
- Hazardous Sites List.

That process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdraw this opinion.

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**:

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- 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.

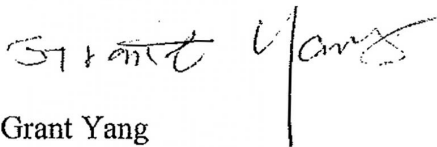
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project # NW2700.

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 or the termination of the Agreement, please contact me by phone at (425) 649-7126 or e-mail at gyan461@ecy.wa.gov.

Sincerely,



Grant Yang
NWRO/Toxics Cleanup Program

cc: Michael Chun
Associated Environmental Group, LLC
605 11th Ave., SE, Suite 201
Olympia, WA 98501

Carrie Pederson, VCP Coordinator, Ecology

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Dolores Mitchell, VCP Financial Manager, Ecology

Enclosure A - Diagrams of Site
Enclosure B - Site Description

Enclosure A DIAGRAMS OF SITE

Figure 1 Location of the Site

(Associated Environmental Group, 2011)

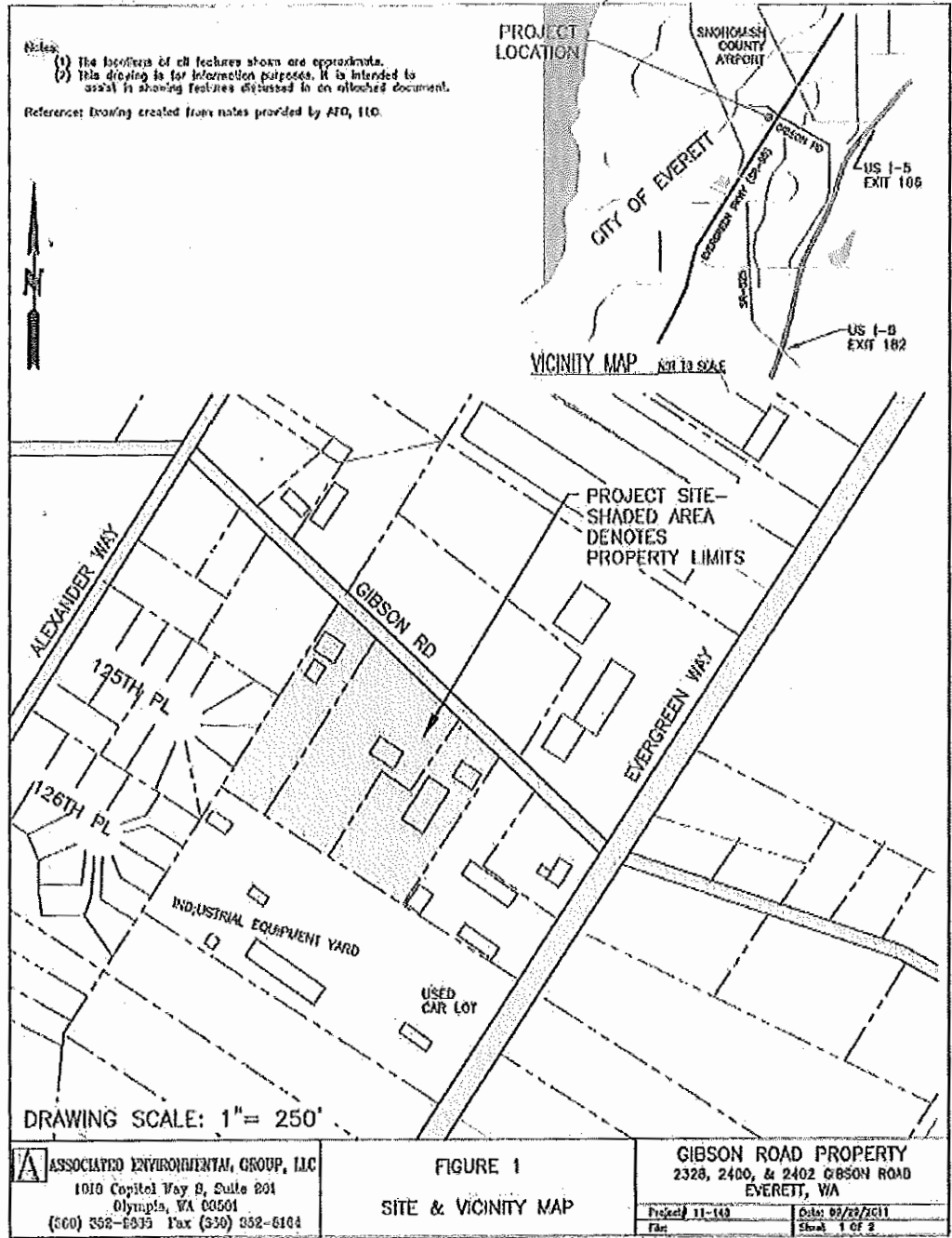


Figure 2 Locations of the Soil Borings

(Associated Environmental Group, 2011)

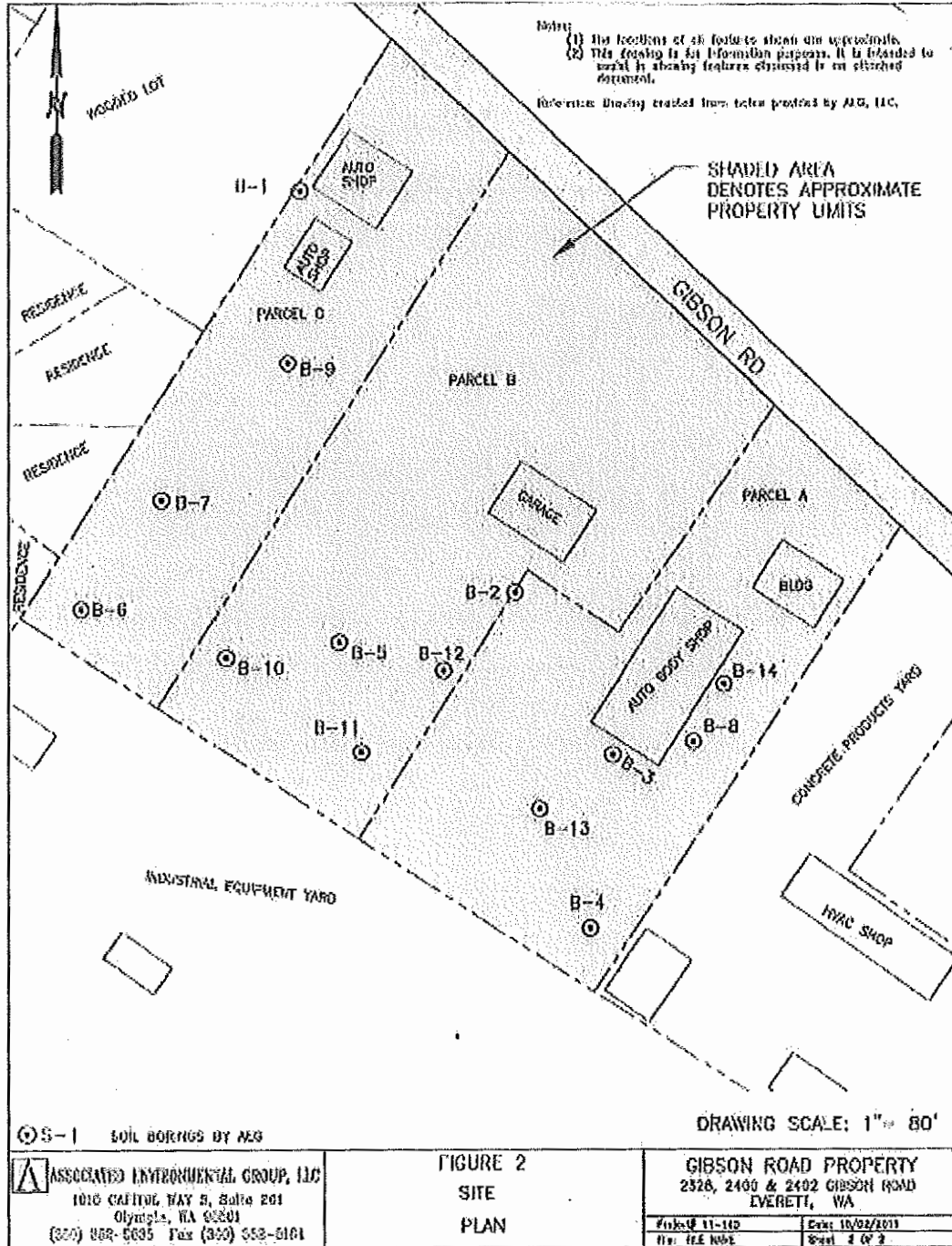


Figure 3 Locations of the Soil Excavations and Confirmation Sampling

(Associated Environmental Group, 2012)



Enclosure B

Site Description

This enclosure provides Ecology's understanding and interpretation of site conditions, and forms part of the basis for the opinions expressed in the letter.

Site: The Site is defined by the former Webb Property Auto Dismantlers at 2402 Gibson Road in Everett, Washington (Property). The Property is located on the south side of Gibson Road and west of Evergreen Way (Figure 1), and consists of three adjoining parcels totaling approximately 4 acres: Snohomish County tax parcels No. 00380900400105 (Parcel A), 00380900400104 (Parcel B) and 00380900400101 (Parcel C).

Area and Property Description: The Site is a commercial property. Bordering with the Site are the residential properties to the west and commercial districts to the north, south and east.

Property History and Current Use: The former Gibson Auto Body facility was in operation on the Property from approximately 1974 to 2005. The Property is currently improved with various buildings, but they are all unoccupied. The former usages of the Site included automotive repair and service, automobile dismantling, as well as a junk yard.

Two vacant buildings are present on Parcel A which included the three former auto body repair shops. One vacant two-story building is present on Parcel B and was used as a living corridor. There are two vacant buildings in Parcel C attached with a single home and an auto dismantling work shop.

Source of Contamination: Oil staining, unmarked drums and containers, stressed vegetation, dismantled vehicles, tires, a hydraulic hoist, and other junk were observed on the Site. The Snohomish Health District confirmed soil had been contaminated by TPH-HRO and chromium in December 2000 so the Site was listed in Ecology's Confirmed and Suspected Contaminated Site List (CSCSL). Based on records in Ecology's database, approximately 150 gallons of heating oil was released from a tanker truck in January 2001.

Physiographic Setting: The Site is located in the central Puget Sound Lowland, which is a north-south trough lying from the Canadian Border south to near Chehalis, Washington, and between the Olympic Mountains to the west and the Cascade Mountains to the east.

Surface/Storm Water System: The closest surface water to the Site is Stickney Lake, which is approximately 3,000 feet to the southeast.

Ecological Setting: There is no terrestrial habitat within 500 feet from the contaminated portions of the Site (i.e., Parcel A and Parcel B), which is surrounded by commercial areas.

Geology: The Site and vicinity area is underlain by Quaternary age Vashon Till (Smith, 2009). Vashon till, a late Pleistocene unit, is a poorly sorted glacial deposit which is moderately homogenous. Glacial till deposits typically consist of a unsorted, un-stratified, highly compacted mixture of clay, silt, sand, gravel, and boulders deposited by glacial ice, inter-bedded with stratified sand, silt and gravel (Dragovich, J.D. and others, 2002). The subsurface conditions discovered in the west and central portion of the Site are comprised of a thin (5 to 8-foot) sequence of grey to brown silty sandy gravel which graded to very dense glacial till. Observations of the glacial till in the eastern portions of the Site are made from slightly deeper depths (0-16 bgs). The soil profiles from boring locations B-3, B-4, B-8, and B-14 show silty sand and gravel underlain by very dense glacial till.

Groundwater: The compact, dense nature of glacial till and the associated soil characteristics existing at the Site limits the presence and movement of groundwater. Perched water was encountered in a thin, isolated sand lens within the till in soil boring B-14 at approximately 16 feet bgs, but it was present in less than sufficient quantity for collection of a groundwater sample.

Water Supply: Public water supply is currently provided to the Site and there are no private water wells (supplies) within at least a 1-mile radius of the Property, based on Ecology's well log database.

Releases and Extent of Soil Contamination: Due to usage of the former auto repair shop and vehicle dismantling facility, soil contamination had been confirmed by the local government and the Site has been listed in Ecology's Confirmed and Suspected Contaminated Sites List (CSCSL). Then following a site hazardous assessment, the Site was ranked and added to the Hazardous Sites List. Surface and subsurface site assessments indicated that contamination (TPH-HRO and chromium) was limited in the surface soil and groundwater was unlikely be impacted.