



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 12, 2013

Mr. Bryan Taylor
Antea Group
4006 148th Avenue NE
Redmond, WA 98052

**Re: Opinion Pursuant to WAC 173-340-515(5) on Remedial Investigation for the
Following Hazardous Waste Site:**

- Name: Olympic Pipe Line Co. Kent
- Address: 74th Avenue South and South 259th Street, Kent
- Facility/Site No.: 2401
- VCP No.: NW2705
- Cleanup Site No.: 3070

Dear Mr. Taylor:

Thank you for submitting documents regarding your remedial investigation for the Olympic Pipe Line Co. Kent (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding a review of submitted documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Petroleum hydrocarbons (TPH), benzene, ethylbenzene, toluene and xylenes (BTEX) into soil and groundwater.

Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does



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not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding your remedial investigation:

1. Olympic Pipe Line Company Kent Block Valve Remedial Investigation Report, dated January 10, 2013, prepared by Antea Group.

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.

The Site is defined by the extent of contamination caused by the following release:

- Petroleum hydrocarbons (TPH), benzene, ethylbenzene, toluene and xylenes (BTEX) into soil and groundwater.

Based on a review of supporting documentation listed above, pursuant to **requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site, Ecology has determined:**

- Confirmational soil sampling throughout the facility to assess current soil conditions is required. Additionally, current soil conditions between the block valve property and the Valley Freeway Building remain unknown.
- Because the Site does not qualify for the exclusion, Site Specific Terrestrial Ecological Evaluation must be performed for this Site.
- To complete the soil vapor pathway investigation, refer to Ecology's "*Guidance for Evaluation Soil Vapor Intrusion in Washington State: Investigation and Remedial Action*" Review Draft October 2009, Publication No. 09-09-047.
- Environmental sampling data for all cleanup sites must be submitted both in printed and electronic form. The electronic data can be submitted using Ecology's EIM Environmental Information Management web page <http://www.ecy.wa.gov/eim/>.

This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain either of these opinions, you must submit appropriate documentation to Ecology and request such an opinion under the VCP. **This letter also does**

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not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (425) 649-4446 or by email at damy461@ecy.wa.gov.

Sincerely,



Dale Myers
Site Manager
Toxics Cleanup Program

