



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

July 9, 2013

MR MIKE ZIRKLE
WSCO PETROLEUM CORPORATION
2929 NW 29TH AVENUE
PORTLAND, OR, 97210

Re: Opinion pursuant to WAC 173-340-515(5) on Remedial Action for the following Hazardous Waste Site:

- **Name:** Brookside Deli & Gas 619
- **Address:** 32201 Auburn Black Diamond Rd., Auburn, WA
- **Facility/Site No.:** 93565538
- **CS ID:** 11973
- **VCP No.:** NW2706

Dear Mr. Zirkle:

Thank you for submitting documents regarding your remedial actions for the Brookside Deli & Gas 619 (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 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 at the Site:

- Total Petroleum Hydrocarbons – Gasoline, benzene, toluene, ethylbenzene, and xylenes (TPH-G; BTEX) into the soil.

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 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.



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

1. White Shield, Inc., Underground Storage Tank Site Check Report, Brookside Deli & Gas-619, 32201 Auburn-Black Diamond Road, Washington, November 11, 2010.
2. White Shield, Inc., Soil Sampling Report for WSCO Brookside Deli & Gas-619, 32201 Auburn-Black Diamond Road, Washington, December 19, 2012.

The reports listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at 425.649.7235, or sending an email to nwro_public_request@ecy.wa.gov.

The Site is shown in Figure 2 to this letter, which includes a detailed Site diagram.

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:**

- Two additional soil borings should be advanced in native materials as close as possible to the former soil excavation boundary. The recommended locations are shown as red stars on Figure 4. Soil samples collected in the borings should be analyzed for TPH-G and BTEX analysis. The purpose of the analysis is to confirm that soil remaining in place at the time of the excavation is now below MTCA Method A cleanup levels.
- Groundwater samples should be collected for TPH-G and BTEX analysis if groundwater is encountered in the soil borings. A No Further Action (NFA) letter will be released only if the TPH-G and BTEX concentrations in groundwater do not exceed MTCA Method A cleanup levels.
- Any Site map(s) submitted to Ecology for its review for the reports in the future should be prepared to scale. .

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

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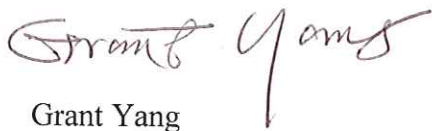
Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

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 a NFA under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (425) 649-7126, or gyan461@ecy.wa.gov.

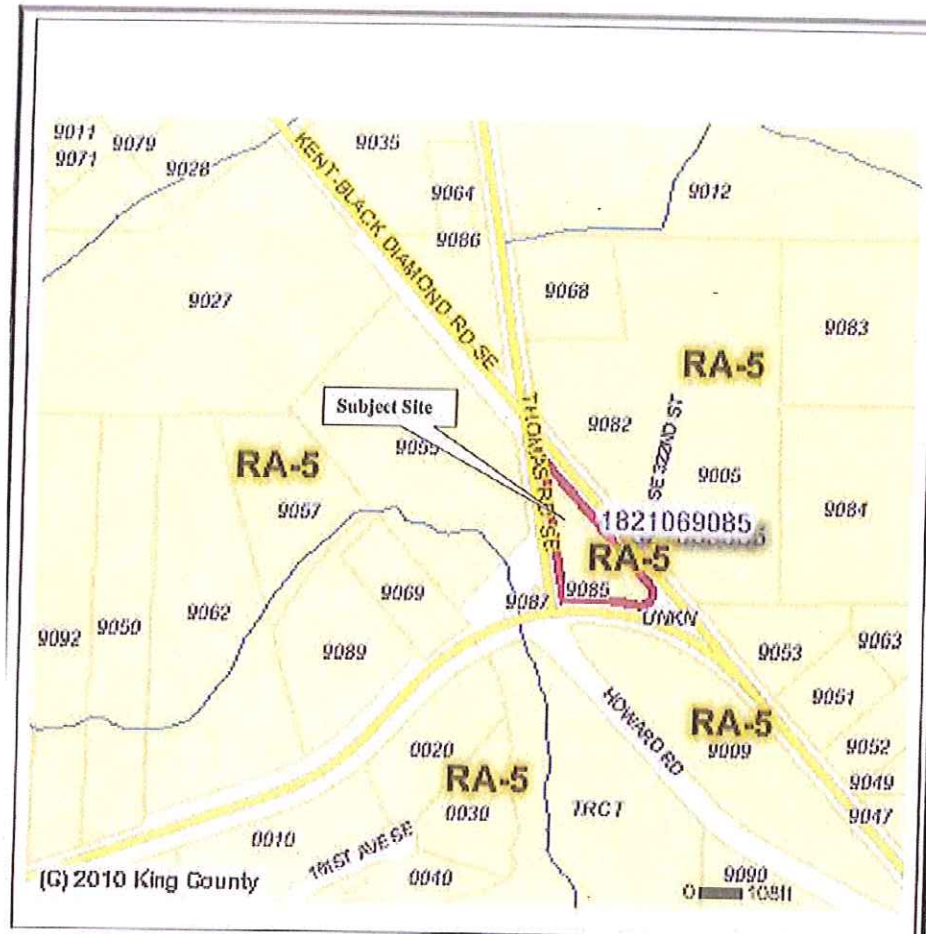
Sincerely,




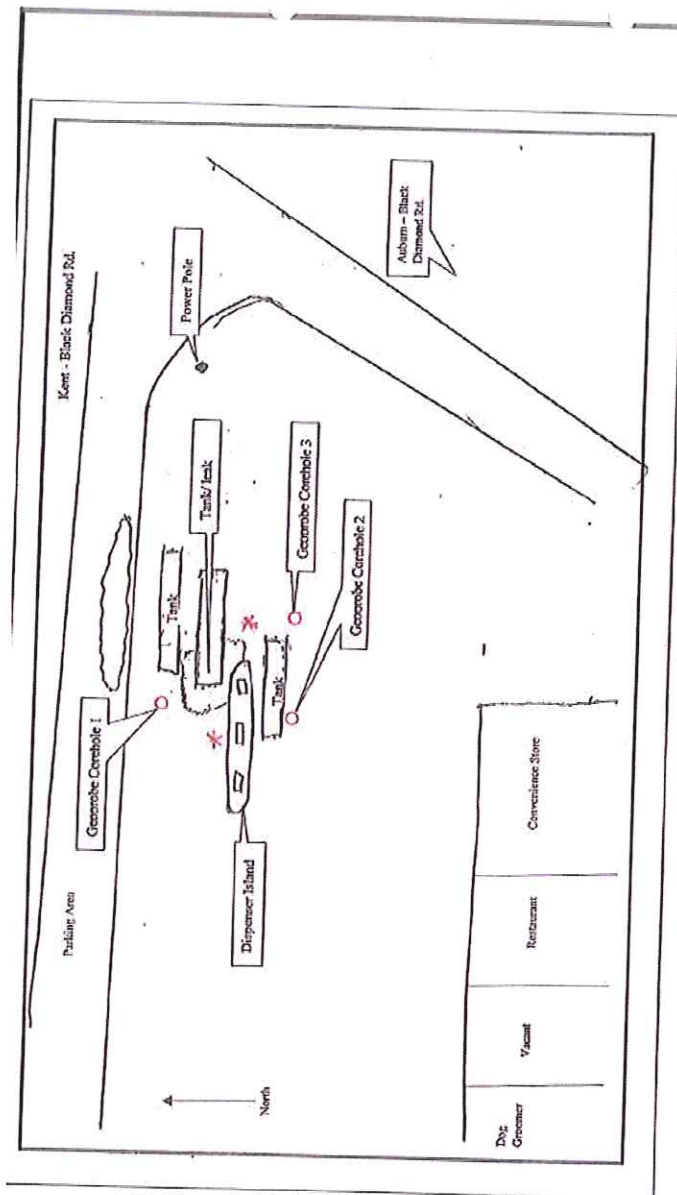
Grant Yang
Site Manager
NWRO Toxics Cleanup Program

Enclosures: Figure 2 and Figure 4.

cc: Sonia Fernandez, VCP Coordinator, Ecology



 <p>WHITE SHIELD, INC.</p> <p>23412 68TH AVE S, KENT, WA, 98032 PHONE: 253-867-6070 Fax: 253-867-6075</p>	<p>Figure 2</p> <p>Parcel Map</p> <p>Brookside Deli and Gas #619</p> <p>32201 Auburn - Black Diamond Road</p> <p>Auburn, Washington</p>	<p>ION No. 210-038-02</p> <p>DATE 12/19/2012</p> <p>SHEET _____</p> <p>01'</p>
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Not to Scale

JOB No.
 210-038-02
 DATE
 12/15/2012
 SHEET
 CF

Figure 4
 Site Map

Brookside Deli and Gas #619
 32201 Auburn - Black Diamond Road
 Auburn, Washington

WHITE SHIELD, INC.
 22412 68TH AVE S.
 KENT, WA 98022
 PHONE: 253-357-6570
 FAX: 253-657-6075