



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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July 14, 2013

Mr. Larry Steele  
Aurora Rents, Inc.  
19022 Aurora Avenue North  
Shoreline, WA 98133

**Re: No Further Action at a Property associated with a Site:**

- **Site Name:** Aurora Rents, Inc.
- **Property Address:** 17230 Aurora Avenue N, Shoreline, WA
- **Facility/Site No.:** 1948477
- **VCP Project No.:** NW2619
- **Cleanup Site ID No.:** 11938

Dear Mr. Steele:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of a Property associated with the Aurora Rents, Inc. 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.

**Issues Presented and Opinion**

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1. Is further remedial action necessary at the Property to clean up contamination associated with the Site?

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

2. Is further remedial action still necessary elsewhere at the Site?

**YES. Ecology has determined that further remedial action is still necessary elsewhere 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 Property and the Site**

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This opinion applies only to the Property and the Site described below. This opinion does not apply to any other sites that may affect the Property. Any such sites, if known, are identified separately below.

#### **1. Description of the Property.**

The Property includes the following tax parcel in King County, which was affected by the Site and addressed by your cleanup:

- 072604-9038.

The Property does not include a portion of the following right-of-way easement, which are located on 072604-9038:

- The southeastern corner of the Property into the public right-of-way of Ronald Place North.

**Enclosure A** includes a diagram of the Site that illustrates the location of the Property within the Site (Figure 1).

#### **2. Description of the Site.**

The Site is defined by the nature and extent of contamination associated with the following releases:

- Total Petroleum Hydrocarbons-Gasoline Range Organics (TPH-GRO), Total Petroleum Hydrocarbons-Diesel Range Organics (TPH-DRO), and Benzene, Ethylbenzene and Xylenes (BEX) into the Soil.

Those releases have affected more than one parcel of real property, including the public right-of-right easement identified above.

**Enclosure A** also includes a detailed description and diagrams of the Site (Figure 2, 3

and 4), as currently known to Ecology.

**3. Identification of Other Sites that may affect the Property.**

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the Property is affected by other sites.

**Basis for the Opinion**

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

1. Environmental Associates, Inc. Phase I Environmental Site Assessment, August 2010.
2. Environmental Partners, Inc. (EPI), Property Cleanup Report, July 2012.
3. EPI, Additional Groundwater Information, March 2013.

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](mailto:nwro_public_request@ecy.wa.gov).

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

**Analysis of the Cleanup**

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**1. Cleanup of the Property located within the Site.**

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

**a. Characterization of the Site.**

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards for the Site and select a cleanup for the Property. The Site is described above and in **Enclosure A**.

Based on a previous Site assessment conducted in 2010, which stated, a total of 10 test pits were excavated as deep as 19 feet below the ground surface (bgs) on February 7 and 8, 2011. The purpose of the test pit excavations was to



characterize the nature and extent of soil contamination. The laboratory results obtained from 23 samples collected in the test pits indicated the soil had been impacted by TPH-GRO, -DRO, and BEX which exceeds the MTCA Method A cleanup levels.

On February 15 and 16, 2011, 4 soil borings were advanced at the locations near and along the eastern boundary of the Property, where the soil contamination previously demonstrated elevated concentration levels. The primary objective of this further assessment was to characterize the vertical extent of the soil contamination and, if encountered, to collect groundwater samples. Depth of the borings extended from 30 to 50 feet bgs. Twenty soil samples were obtained for laboratory analysis at 5-foot intervals in the borings. Exceedances of TPH-GRO, -DRO and BEX were discovered from various intervals at the soil borings (detailed in Figure 3)

While the soil contamination was adequately characterized in most areas within the Property, the status of the soil contamination was uncharacterized beyond the eastern boundary due to lack of accessibility (Figure 2 and Figure 3).

Neither groundwater nor intermittent moist soil horizons were encountered during drilling of the soil borings or test pit excavations. The additional groundwater study requested by Ecology in March 2013 (EPI, 2013) indicated that the groundwater table exists at a depth of approximately 150 feet bgs at and near the Property.

**2. Establishment of cleanup standards for the Property of the Site.**

**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.

There is no terrestrial habitat within 500 feet of the Site, therefore in accordance with MTCA, the Site is excluded from further consideration for the protection for terrestrial habitat.

**b. Action and location-specific requirements.**

The requirements to clean up the Site include characterization of the soil contamination and removal of the impacted soils exceeding MTCA Method A cleanup levels.

Please note that other requirements apply to the cleanup based on the type of the action or location of the Property. Those requirements are specified in the Property Cleanup Report (EPI, 2012).

**c. Selection of Cleanup for the Property.**

Ecology has determined the cleanup you selected for the Property meets the substantive requirements of MTCA. The cleanup meets the minimum cleanup requirements and does not exacerbate conditions or preclude reasonable cleanup alternatives elsewhere at the Site.

1) Site characterization has identified the nature and extent of soil contamination at the Property within the Property boundary (Figure 3 and Figure 4).

2) A total of 605 tons of soil containing TPH-GRO, -DRO and BEX exceeding the MTCA Method A cleanup level was excavated (Figure 4) and disposed at a regulated landfill facility for unrestricted land use. Soil samples collected in the excavation confirmed the success of the soil remediation to meet the cleanup levels.

3) Groundwater was not encountered in the borings and excavation advanced to the maximum depth of 50 feet bgs. An additional groundwater study concluded ground water would not be present within a depth of 150 feet bgs at the Property. Therefore, it is unlikely that surface spills related to the Site have impacted the groundwater underling the Property.

**3. Cleanup of the Site as a whole.**

However, Ecology has concluded that **further remedial action** under MTCA is still necessary elsewhere at the Site due to the contaminated soil remained at the area beyond the eastern boundary of the Site. In other words, while your cleanup constitutes the final action for the Property, it constitutes only an **“interim action”** for the Site as a whole.

**Listing of the Site**

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Based on this opinion, Ecology will update the status of remedial action at the Site on our database of hazardous waste sites. However, because further remedial action is still necessary elsewhere at the Site, we will not remove the Site from our lists of hazardous waste sites.

Furthermore, the Property will remain listed as part of the Site because the cleanup of the Property does not change the boundaries of the Site.

### **Limitations of the Opinion**

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**1. Opinion does not settle liability with the state.**

Liabe 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**:

- 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 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).

### **Contact Information**

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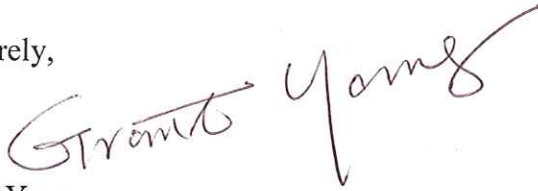
Thank you for cleaning up your Property under the Voluntary Cleanup Program (VCP). We look forward to working with you to clean up the remainder of the Site.

For more information about the VCP and the cleanup process, please visit our web site: [www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm](http://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](mailto:gyan461@ecy.wa.gov).



Mr. Larry Steele  
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Sincerely,

A handwritten signature in dark ink, reading "Grant Yang". The signature is written in a cursive style, with the first name "Grant" and the last name "Yang" clearly legible.

Grant Yang  
NWRO/Toxics Cleanup Program

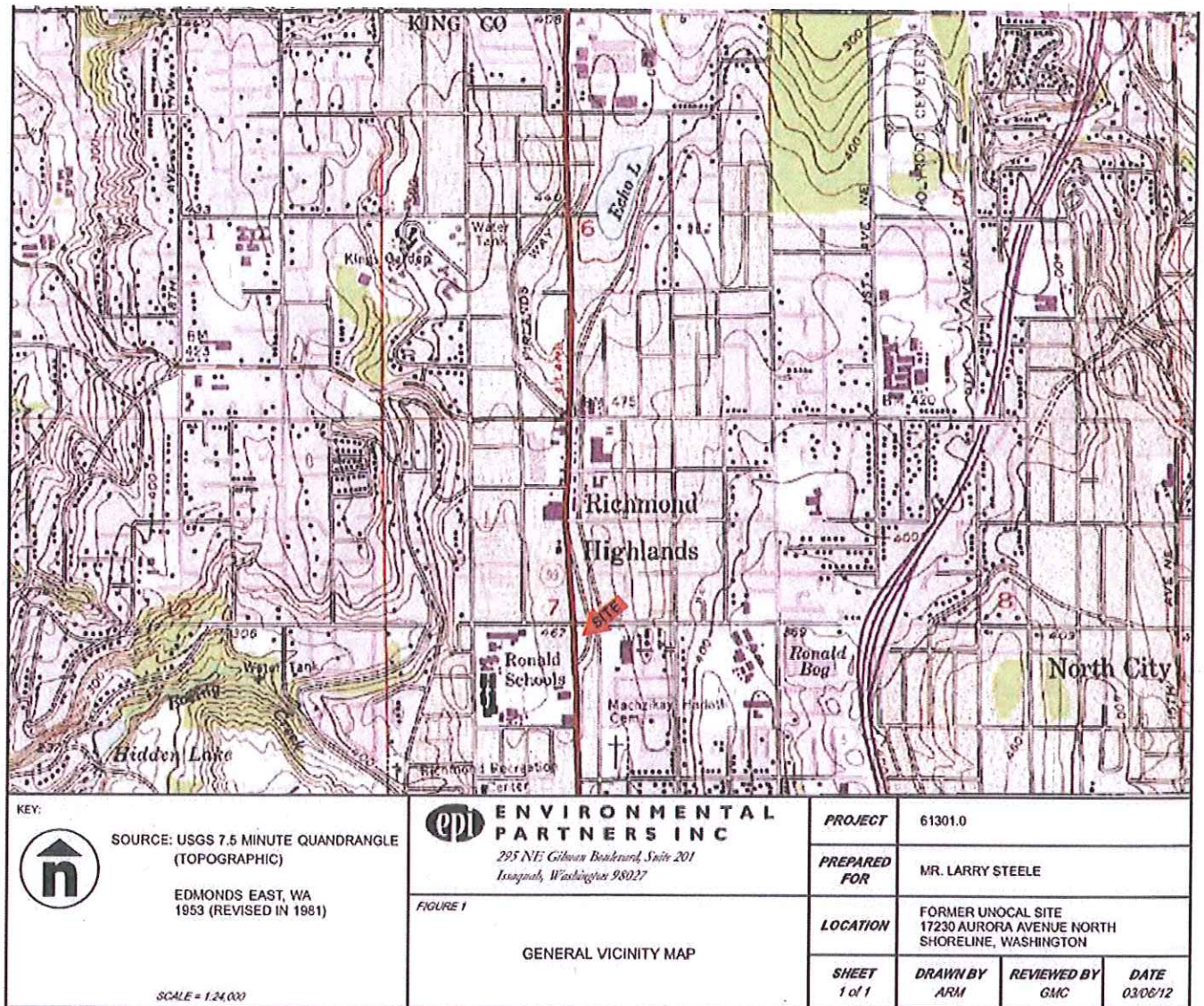
Enclosures: A Description and Diagrams of the Site (including the Property)

cc: Greg McCormick

Environmental Partners Inc, 295 NE Gilman Blvd, Suite 201, Issaquah, WA 98027

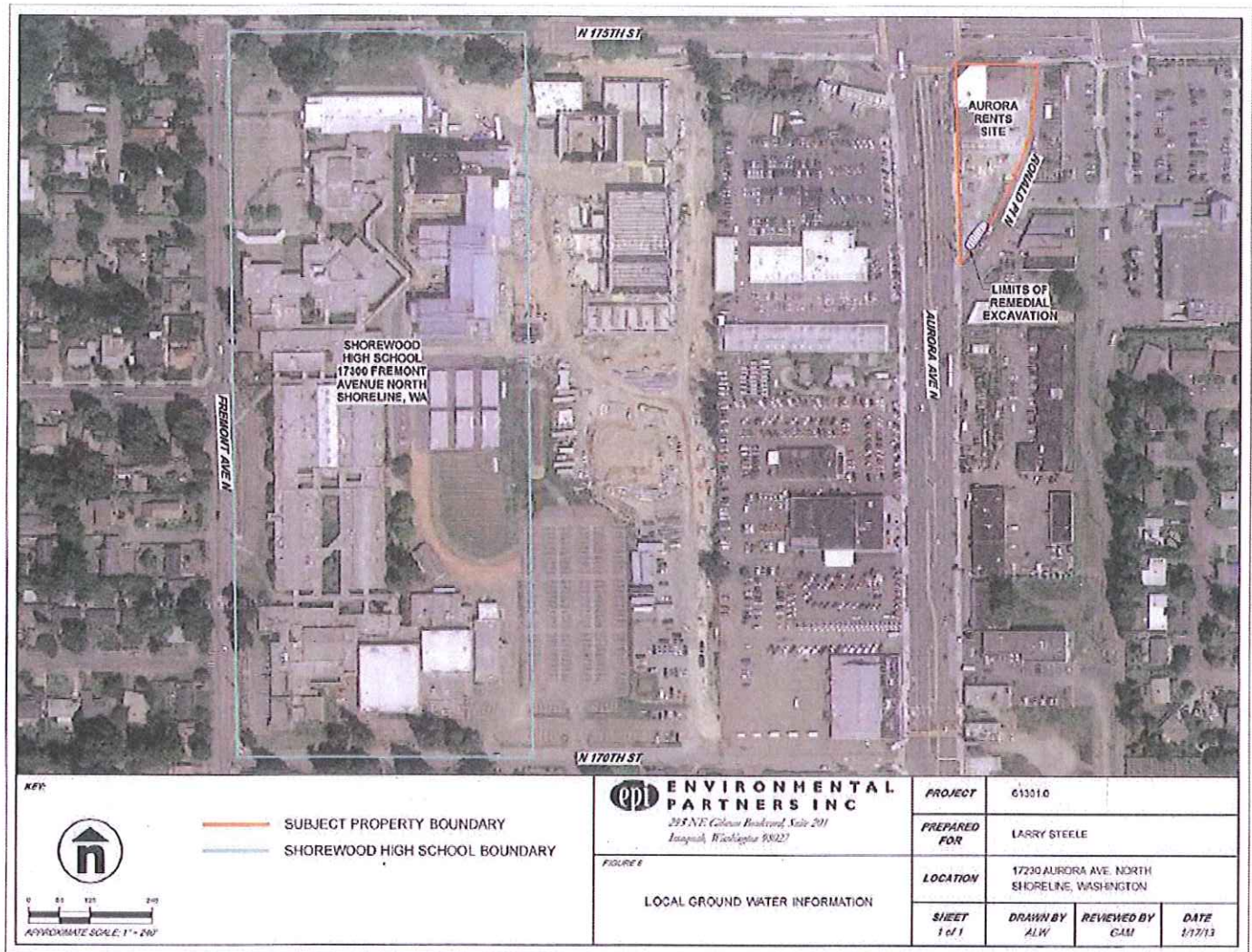
## Enclosure A Diagrams of the Site

Figure 1 Location of the Site

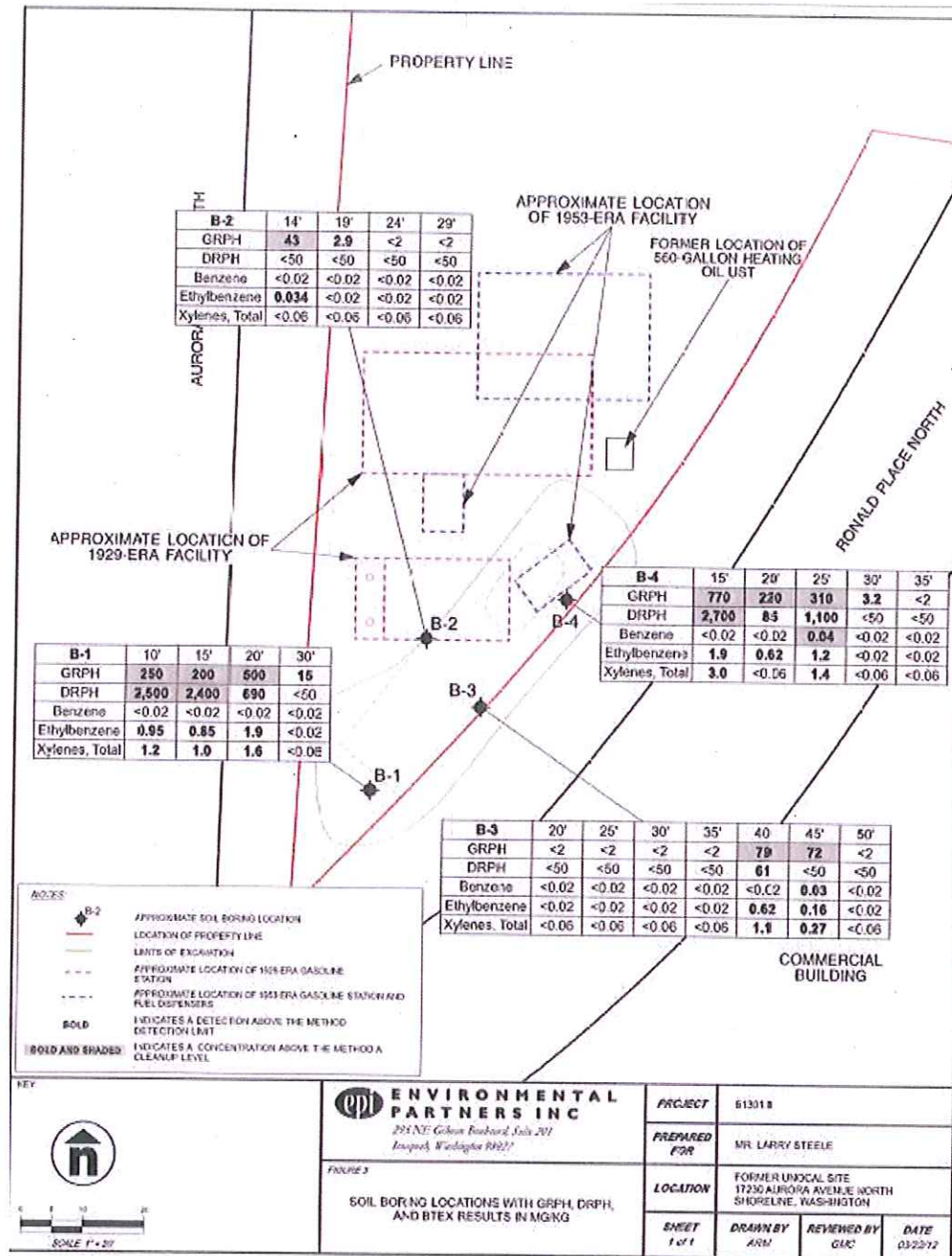




**Figure 2 General Vicinity Map Showing  
 Boundary of the Site**

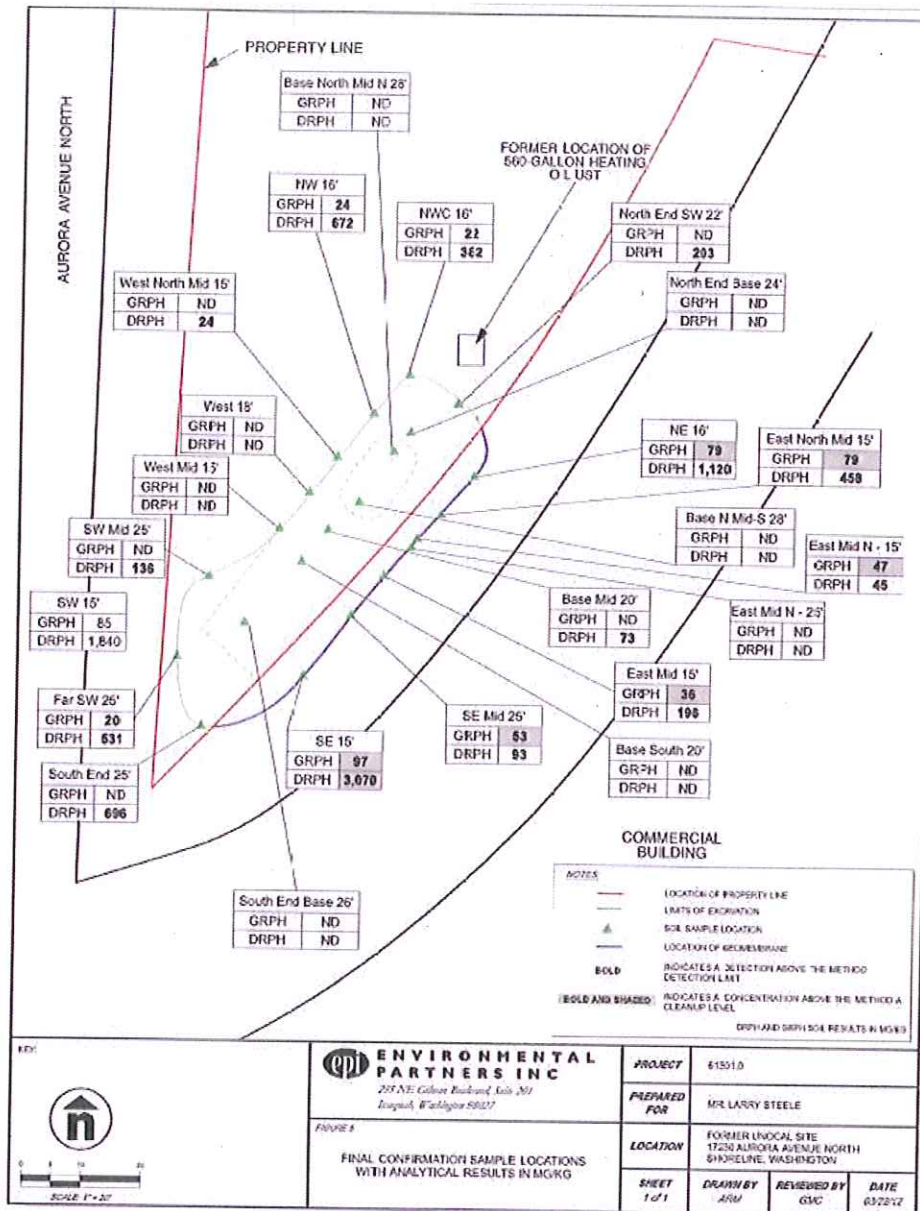


**Figure 3 Soil Sampling Locations with Analytical Results (mg/kg)**





**Figure 4 Confirmation Sampling Locations with Analytical Results (mg/kg) at the Excavation**





## 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 as petroleum hydrocarbon contamination in soil at 17230 Aurora Avenue N, Shoreline, Washington (Property). The Property is a 1.25-acre, triangular-shaped parcel of land located at the intersection of Aurora Avenue North and Ronald Place North. It is designated as King County Parcel No. 072604-9038.

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

**Property History and Current Use:** The Site was formerly a service station with a total of 11 USTs installed in the 1920s and 1950s, ranging from 500-gallon to 5,000-gallon of diesel and gasoline. Petroleum product-contaminated soil was detected during an intensive and major facility redevelopment in 2011, which included removing the USTs at the southern portion of the Site. Contaminated soil was encountered at approximately 9 feet below the ground surface (bgs) after the upper layer of soil was removed in the course of construction.

The former service station will be redeveloped to a commercial property.

**Source of Contamination:** The soil was contaminated due to releases from the USTs and surface spills during the facility operations in the past as a service station.

The modifications based on the comments will be completed when I get the file back from you.)

**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 Echo Lake, which is approximately 1,200 feet to the north.

**Ecological Setting:** There is no terrestrial habitat within 500 feet from the contaminated portions of the Site (Figure 2), which is surrounded by commercial areas. Most land surfaces in the Site vicinity are covered by commercial properties.

**Geology:** The Site and vicinity area are underlain by Quaternary age Vashon Till. Vashon till, a late Pleistocene unit, is a poorly sorted glacial deposit which is moderately homogenous. The

soil profile consists of very dense glacial till at the property to at least 50 feet bgs.

**Groundwater:** The compact, dense nature of glacial till and the associated soil characteristics existing at the Site limits the presence and movement of groundwater. Local and regional groundwater studies concluded that ground water was present at this area at more than 150 feet below the ground surface. A review of well logs in Ecology's database indicates that the deepest borings located east of the Site did not encounter ground water at the depth of 100 feet bgs.

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

**Releases and Extent of Soil Contamination:** Soil contamination was confirmed by a Site assessment. Following the Site assessment, the soils exceeding Method A cleanup levels were removed from within the Property and appropriately disposed off-site. However, remediation of the contaminated soil exceeding Method A cleanup levels remaining beyond the eastern Property boundary (Figure 4) is required to characterize and cleanup the Site.