



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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December 17, 2013

Mr. Nicholas Echelbarger
Mill Creek Crossing LLC
22833 Bothell-Everett Highway
Bothell, WA 98021

Re: Opinion Pursuant to WAC 173-340-515(5) on Supplemental Remedial Investigation and Pilot Study Work Plan for the Following Hazardous Waste Site:

- **Name:** Mill Creek Crossing – Dry Cleaner
- **Address:** 18001 Bothell-Everett Highway, Suite 125, Bothell
- **Facility/Site No.:** 19816
- **VCP No.:** NW2571
- **Cleanup Site No.:** 11775

Dear Mr. Echelbarger:

Thank you for submitting documents regarding your Supplemental Remedial Investigation and proposed Pilot Study Work Plan for the Mill Creek Crossing – Dry Cleaner (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:

- Tetrachloroethylene (PCE), trichloroethylene (TCE), cis-1,2-dichloroethylene (cis-1,2-DCE), benzene, ethylbenzene, toluene, and xylenes (BTEX) and gasoline range petroleum hydrocarbons (tph-g) 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 and proposed pilot study work plan:

1. Supplemental Remedial Investigation and Pilot Study Work Plan, dated September 12, 2013, prepared by Zipper Geo Associates, LLC.

The report 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 defined by the extent of contamination caused by the following release:

- Tetrachloroethylene (PCE), trichloroethylene (TCE), cis-1,2-dichloroethylene (cis-1,2-DCE) 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:**

- Ecology has received and reviewed the above cited report.
- Ecology has reviewed and concurs with your analysis and conclusions that gasoline range petroleum hydrocarbons, benzene, ethylbenzene, toluene, and xylenes are not a chemical of concern at this Site.
- Ecology concurs with your choice of MTCA Method B unrestricted land use air cleanup values as appropriate, and your plan for the Soil Gas and Indoor Air Investigation as likely sufficient to characterize this pathway.
- Ecology concurs with your work plan for additional soil sampling and Monitoring Well Installation.
- Ecology concurs with your bioremediation pilot test as a useful study to determine the effectiveness of "enhanced reduction dechlorination" at the Site.
- Ecology concurs with your Soil Vapor/Dual-Phase Extraction (SVE/DPE) pilot test work plan to estimate the effectiveness of this approach at this Site.

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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.

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

cc: Mr. Jon Einarsen, Zipper Geo Associates, LLC

