



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

November 15, 2013

Brian Kolb
2103 Harrison Avenue Northwest, #2-653
Olympia, WA 98502

RE: Satisfaction of Agreed Order No. DE 2953, Dated 3/27/2006
Brumfield Twidwell
FSID #57759125
Restrictive Covenant Recording No. 20076 – 06160114, Dated 6/16/2006

Dear Mr. Kolb:

The Washington State Department of Ecology (Ecology) worked with you to investigate and clean up a facility generally located at 301 East Pioneer, Montesano, WA. The facility had served, amongst other uses, as a service station and motor vehicle garage. Site soils and groundwater were determined to be contaminated with petroleum hydrocarbons, particularly gasoline range petroleum hydrocarbons (GRPH). Ecology and Bryan and Kathleen Kolb (Kolb) entered into an Agreed Order to perform the cleanup work March 27, 2006. Some removal of contaminated soils and underground storage tanks preceded the Agreed Order; additional work was performed after the order was signed. Additionally, on June 19, 2006 Kolb entered into an assignment in which they irrevocably "assign[ed], transfer[ed], and set over unto the State of Washington, Department of Ecology rights and title to Savings Account No. 4000589137 in Columbia Bank for \$30,000" ... for financial assurance to enhance certainty that work compliant with the Agreed Order would be performed. Kolb then performed the cleanup work in general compliance with the Agreed Order, which was documented as follows:

- *Remedial Investigation Work Plan*, Associated Environmental Group, LLC, February 2006.
- *Final Remedial Investigation/Feasibility Study Report*, Associated Environmental Group, LLC, October 2011.
- *FINAL Cleanup Action Plan*, Associated Environmental Group, LLC, September 2011.
- Performed injection of Organic Releasing Compounds to enhance bioremediation of residual GRPH in accordance with the FS and CAP, January 2012.
- Various Groundwater Monitoring/Sampling Events Reports .
- *Site Remedial Action, Groundwater Summary Report and "No Further Action Request*, Associated Environmental Group, September 2013.

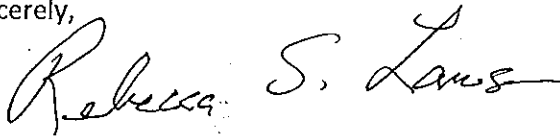


- On June 16, 2006 Kolb filed a Restrictive Covenant (Environmental Covenant), Recording No. 20076 – 061601114 at the behest of Ecology with the Grays Harbor County Auditor. The covenant runs with the title for the property. Its purpose is to provide information to potential buyers, lessees, government agencies or any others with an interest in the property, that there are outstanding environmental issues with the property. In this case, an area of soils in the northwest corner of the property continues to contain GRPH above MTCA standards.

Please note that a separate letter is being sent from Ecology to Columbia Bank releasing Kolb from the Irrevocable Assignment for Financial Assurance. This completes the cleanup activities of Agreed Order No. DE 2953 and, therefore, no additional remedial action is necessary at this site unless new or different information becomes known. Compliance with the Restrictive Covenant will continue to be required.

Ecology will close out Agreed Order No. DE 2953 and update our database. If you have any questions regarding this letter, please contact Ecology's Site Manager, Marv Coleman, at (360) 407-6259.

Sincerely,



Rebecca S. Lawson, P.E., LHG
Section Manager
Southwest Regional Office
Toxics Cleanup Program

RSL/MLC/ksc:Satisfaction Letter financial assurance release

By Certified Mail: (7012 2210 0002 6581 1086)

cc: Michael Chun, AEG, LLG
John Level, Ecology AAG
Scott Rose, Ecology
Panjini Balaraju, Ecology
Marv Coleman, Ecology



ASSOCIATED
ENVIRONMENTAL
GROUP, LLC

June 14, 2006

Mr. Brian Kolb
2103 Harrison Avenue NW, #2-653
Olympia, WA 98502

Ref: Groundwater Monitoring Schedule
Twidwell / Kolb Property
301 East Pioneer Avenue
Montesano, WA 98563

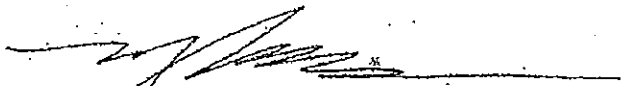
Dear Mr. Kolb:

This letter is to inform you that the implementation of the feasibility study has been completed. The groundwater monitoring wells have been installed and the balance of the project will consist of quarterly monitoring events which will conclude on April 2007. The costs associated with the monitoring events are as follows:

- Quarterly groundwater monitoring for one calendar year (three additional monitoring events are remaining) \$8,350.00
- Additional annual monitoring events, if needed \$2,775.00 per event

If you have any questions, please feel free to contact our office at 360/352-9835.

Sincerely,



MICHAEL S. CHUN
Principal/General Manager

IRREVOCABLE ASSIGNMENT

This Assignment is made for purposes of providing security for performance of required monitoring of the premises as described in the Agreement attached hereto and made part hereof. The undersigned does hereby irrevocably assign, transfer and set over unto State of Washington, Department of Ecology rights and title to Savings Account No. 4000589137 in Columbia Bank for \$30,000 for DE 2593, in the name of Bryan and Kathleen Kolb with full power and
(Order Number) (Developer/Owner)

authority to demand, collect and receive said deposit for the use and purpose of completing the required monitoring described in said Agreement if not completed by Bryan M and Kathleen Kolb
(Developer/Owner)

pursuant to said agreement. It is understood and agreed that Columbia Bank holds the account
(Financial Institution)

In its possession and agrees to hold the sum of \$30,000 therein until release or partial release of this Assignment is received from Department of Ecology pursuant to the terms of the attached Agreement. Developer is to receive any and all interest generated by the above mentioned account.

Dated this 19TH day of June, 2006.

Attest:

BY:

Bryan Kolb
(Title)

BY:

Kathleen R. Kolb
(Title) owner

The undersigned hereby confirms the deposit of \$30,000 in Savings Account Number 4000589137 in accordance with the terms set forth herein and agrees to administer said account as provided herein above until all such funds are released by Thurston County.

ATTEST:

Judith Palmer

Columbia Bank

BY: Cai Benjamin

Title: LSO

Address: 2830 Harrison Ave
Olympia, WA 98502

completion of the sampling schedule set forth in Exhibit B, Ecology will then determine whether additional monitoring is needed, based on the first round of data. If such additional monitoring is required by Ecology, Ecology and Owner shall meet to discuss the appropriate extent and schedule of such additional monitoring. Such additional sampling shall also be at the sole cost of Owner. Samples will be analyzed for gasoline and gasoline constituents in accordance with the Remedial Investigation Work Plan, AEG, LLC, February 2006, a copy of which is on file with Ecology.

B. The integrity of monitoring wells placed on or adjacent to the Property for the purpose of groundwater monitoring shall be maintained by Owner for a minimum of three years from the date the monitoring wells are constructed and commence operation, or for a longer period if required by Ecology, if deemed necessary as a consequence of monitoring results. In the event future construction activities on the Property require abandonment or removal of monitoring wells on the Property, such removal or abandonment shall not occur without the prior written approval of Ecology. If groundwater monitoring wells are constructed on the Property but later need to be replaced, the monitoring wells shall be replaced in a manner approved by Ecology.

Section 4.

Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Exhibit B

6.0 SELECTION OF REMEDIAL ALTERNATIVE

On the basis of the analysis of the four alternatives and their comparison to the MTCA criteria of WAC 173-340-360, alternative 4; Soil Source Removal with Disposal, Groundwater Treatment, and Monitoring was selected for implementation at the site. This alternative is protective of both human health and the environment, is consistent with current and anticipated future use of the site, and is cost-effective. The primary exposure pathways at the site will be eliminated or substantially reduced (i.e., direct soil contact will be eliminated and groundwater deed restriction will be placed on the property deed). The remedial components of this alternative are technically implementable, are expected to meet administrative (agency) requirements, and can be constructed in a reasonable time frame at a reasonable cost.

Residual COCs in the groundwater are expected to be reduced over time through natural attenuation. Quarterly groundwater monitoring will further enhance this alternative's protectiveness. MW-1 to MW-6 will be sampled on quarterly bases for four consecutive quarters (twelve calendar months) and corresponding quarterly status report will be generated and submitted to Ecology for review. Upon completion of the fourth quarter groundwater monitoring sample analysis, Ecology will be contacted to review the data and to discuss any future sampling requirements.

The top of the well casings for each of the groundwater monitoring wells will be surveyed from the top of the PVC casing and referenced to NAVD 88 vertical datum reference point to construct a relative groundwater flow direction model. Prior to collecting the sample, the static groundwater levels will be measured and three times the well casing volume will be purged from each well. The groundwater samples will be collected in laboratory supplied and labeled 40-milliliter glass vials and submitted to an independent laboratory to be analyzed for gasoline (NWTPH-Gx) and gasoline constituents; benzene, toluene, ethylbenzene, and xylenes (BTEX by EPA method 8021b)