



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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October 11, 2012

Mr. Jose Rios
Environmental Services
7-Eleven, Inc.
P.O. Box 711
Dallas, TX 75221-0711

Re: No Further Action at the Following Site:

- **Site Name:** 7 – 11 Southland Store 17381
- **Site Address:** 9436 Rainier Avenue South, Seattle, WA 98118
- **Facility/Site No.:** 13876787
- **VCP Project No.:** NW2312

Dear Mr. Rios:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the 7-Eleven Southland Store 17381 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.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination 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 Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following releases:



Mr. Jose Rios
October 11, 2012
Page 2

- Gasoline-range petroleum hydrocarbons, benzene, ethylbenzene, toluene, total xylenes, and total lead into the Soil.
- Gasoline-range petroleum hydrocarbons, benzene, ethylbenzene, toluene, total xylenes, and total lead into the Ground Water.

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this Site are affected by other sites.

Basis for the Opinion

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

1. SECOR International, Inc., *Final Underground Storage Tank Removal Site Assessment Subsurface Investigation Report*, 7-Eleven Facility Number 17381, 9436 Rainier Avenue South, Seattle, Washington, VCP # NW 2312, Apr 23, 2003.
2. Shaw Group, *Second Quarter 2002 Groundwater Sampling Results*, 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW 2312, October 16, 2002.
3. Shaw Group, *Third Quarter 2002 Groundwater Sampling Results*, 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW 2312, August 20, 2002
4. Kleinfelder, Inc., *Supply Line Leak Emergency Response*, 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312, June 26, 1990
5. Kleinfelder, Inc., *Phase II Subsurface Exploration*, 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312, December 23, 1989.
6. Kleinfelder, Inc., *Phase I Soil and Groundwater Assessment*, 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312, April 25, 1989.
7. Earth Consultants, Inc., *Supplemental Sampling and Analysis*, 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312, August 11, 1988.
8. Earth Consultants, Inc., *Interim Report: Environmental Issues*; 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312, February 29, 1988.

9. Earth Consultants, Inc., *Subsurface Sampling for Potential Hydrocarbon Contamination, 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312*, November 7, 1985.
10. Stantec, Inc., *Additional Subsurface Investigation Report; 7-Eleven Facility Number 17381, 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312*, July 26, 2010.
11. *Numerous Project Quarterly Groundwater Monitoring and Remediation Progress Reports for 7-Eleven Facility No. 17381, , 9436 Rainier Ave South, Seattle, Washington, VCP # NW2312*, from 2005 through 2010.

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 via email at NWRO_public_review@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

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

1. Characterization of the Site.

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

The characterization work identified concentrations and extent of hydrocarbons in soil and groundwater at the Site sufficiently to establish cleanup standards and select a cleanup action.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

Soil

Cleanup Levels:

Based on investigations conducted thus far, appropriate soil cleanup levels are the WAC 173-340 Method A Table 740-1 values of 30 mg/kg for TPH – GRO, 0.03 mg/kg for Benzene, 7 mg/kg for Toluene, 6 mg/kg for Ethylbenzene, 9 mg/kg for Xylenes, 250 mg/kg for lead, 0.1 mg/kg

The Site does not meet the MTCA definition of an industrial property; therefore soil cleanup levels suitable for unrestricted land use are appropriate. For unrestricted land use, direct contact, either Method A or Method B cleanup levels can be used. EPH/VPH analyses necessary to establish Method B cleanup levels for total petroleum hydrocarbons at this Site were not done, therefore Method A cleanup levels for TPH are applicable.

Cleanup levels protective of terrestrial ecological receptors are also potentially applicable. However, they were deemed non-applicable for this Site based on exclusion relating to WAC 173-340-7491(1)(c)(i), which specifies that no further evaluation is required if there is less than 1.5 acres of contiguous undeveloped land present on or within 500 feet of the Site.

Point of Compliance: For soil cleanup levels based on human contact, the point of compliance is defined as throughout the Site from the ground surface to fifteen feet below the ground surface.

Groundwater

Cleanup Levels:

Appropriate groundwater cleanup levels are the WAC 173-340 Method A Table 720-1 values of 800 ug/l for TPH – GRO, 5 ug/l for Benzene, 1,000 ug/l for Toluene, 700 ug/l for Ethylbenzene, 1,000 ug/l for Xylenes, 15 ug/l for lead,

Point of Compliance: The point of compliance for groundwater is throughout the site, which is a standard point of compliance.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

The cleanup action selected consisted of the excavation of 1,480 tons of petroleum contaminated soil, as well as soil vapor extraction and air sparging, plus performance monitoring, and confirmational ground water monitoring.

The selected cleanup action meets applicable minimum requirements for cleanup actions stipulated in WAC 173-340-360: protect human health and the environment, comply with cleanup standards, use permanent solutions, and provide for reasonable restoration times.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

The cleanup action performed consisted of the excavation of 1,480 tons of petroleum contaminated soil, as well as soil vapor extraction and air sparging, plus performance monitoring. The monitoring demonstrated that soil and groundwater at the site currently complies with cleanup standards. Previous remedial work also consisted of excavation of PCS (in the area north-northeast of the dispenser island) to approximately 12 feet below ground surface. Approximately 55 tons of impacted soils were excavated, removed and transported off the Site in 2001; and 1,425 tons of impacted soils were excavated, removed and transported off the Site in 2003 during the removal of the affected USTs. Also, in 2000, nitrate was injected into site ground water wells VW-2 and B-1A.

Four consecutive quarters of ground water monitoring results below Method A cleanup levels were completed in the selected wells on the Site. The samples were analyzed for TPH-G and BTEX.

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List and Leaking Underground Storage Tank List.

Limitations of the Opinion

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**:

- 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-

Mr. Jose Rios
October 11, 2012
Page 6

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).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (NW2312).

For more information about the VCP and the cleanup process, please visit our web site: 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) 649-4422 or e-mail at gcar461@ecy.wa.gov.

Sincerely,



Glynis A. Carrosino, Project Manager
Toxics Cleanup Program

Enclosure: A – Description and Diagrams of the Site

cc: Paul Fairbairn, Stantec Consulting Corporation
Sonia Fernandez, VCP Coordinator, Ecology
Dolores Mitchell, VCP Financial Manager, Ecology

Enclosure A

Description and Diagrams of the Site

Site Description

This enclosure provides Ecology's understanding, and interpretation of site conditions, and forms the basis for the opinions expressed in the letter.

Site Definition: The Site is defined by the extent of releases to soil of gasoline-range petroleum hydrocarbons (TPH-GRO), benzene, ethylbenzene, toluene, total xylenes, and total lead associated with a property located at 9436 Rainier Avenue South, in Seattle, WA (the Property).

Area Description: The Property is located approximately 300 feet west of Lake Washington, on the northwest corner of the intersection of Rainier Avenue South and Seward Park Avenue South, in Seattle, Washington. The area comprises commercial businesses and residential properties. The King County Assessor parcel number for the Property which comprises the Site is: 712930-4846, with a legal description of Township 24 N; Range 4E; Section 35; Quarter-Quarter SW. The property coordinates are: Latitude 47 degrees, 52 minutes, 033 seconds; Longitude 122 degrees, 26 minutes, 307 seconds.

Property History and Current Use: Past use of the Property was primarily as a retail petroleum service station from 1969 through 1974; then as both a retail petroleum service station and convenience store in the most recent configuration from approximately from 1975 through 2002. A leak in the product line to the dispenser island was discovered in 1985. Remedial soil excavation was conducted. In 2003, three Underground Storage Tanks (USTs), associated product lines, and the single dispenser island, were removed from the Site. Current use of the Site consists of the 2,400 square foot building as a consumer lending facility.

Contaminant Sources and History of Releases: The potential contaminant source for this Site includes three unleaded underground storage tanks (USTs) locations, associated product lines, and the single dispenser island, (One tank was 8,000 gallon sized, another tank was 10,000 gallon sized, and the third tank was a 12,000 gallon underground storage tank). The USTs were decommissioned and removed in January and February 2003.

Physiographic Setting: The topography of the Site surface is relatively flat, with a gradual slope towards the north-northeast. The nearest water body is Lake Washington. The Site is located approximately 300 feet west-southwest of the Lake.

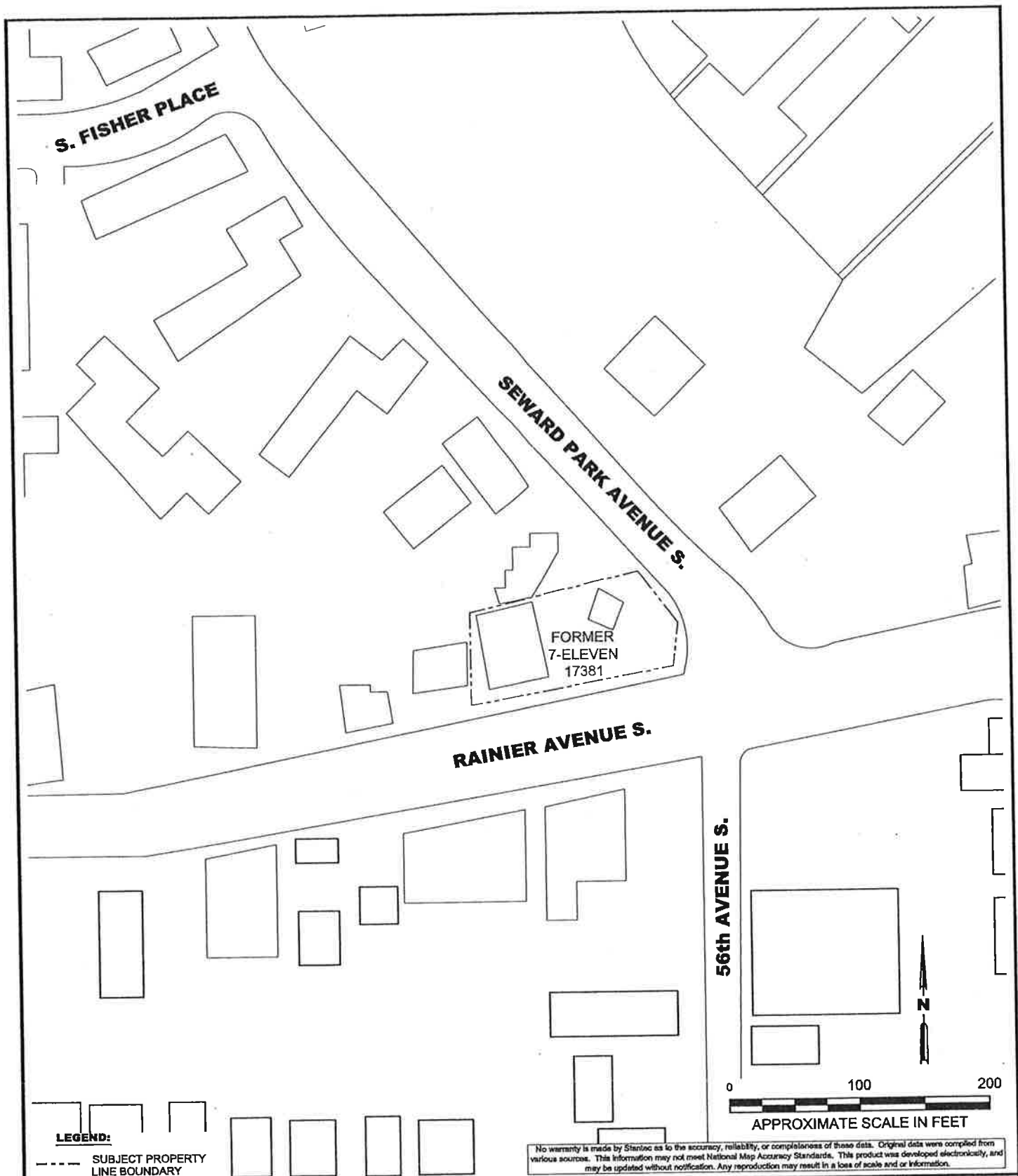
Geology: The project Site is located on top of pre-Fraser glaciation age deposits that consist of coarse and fine grained material. The deposits are made up of sand and gravel, clean to silty with silt layers as deep as 15 meters in the surrounding area.



Ecological Setting: Little undeveloped land exists immediately around the Site. Lake Washington is located less than 300 feet east of the Site.

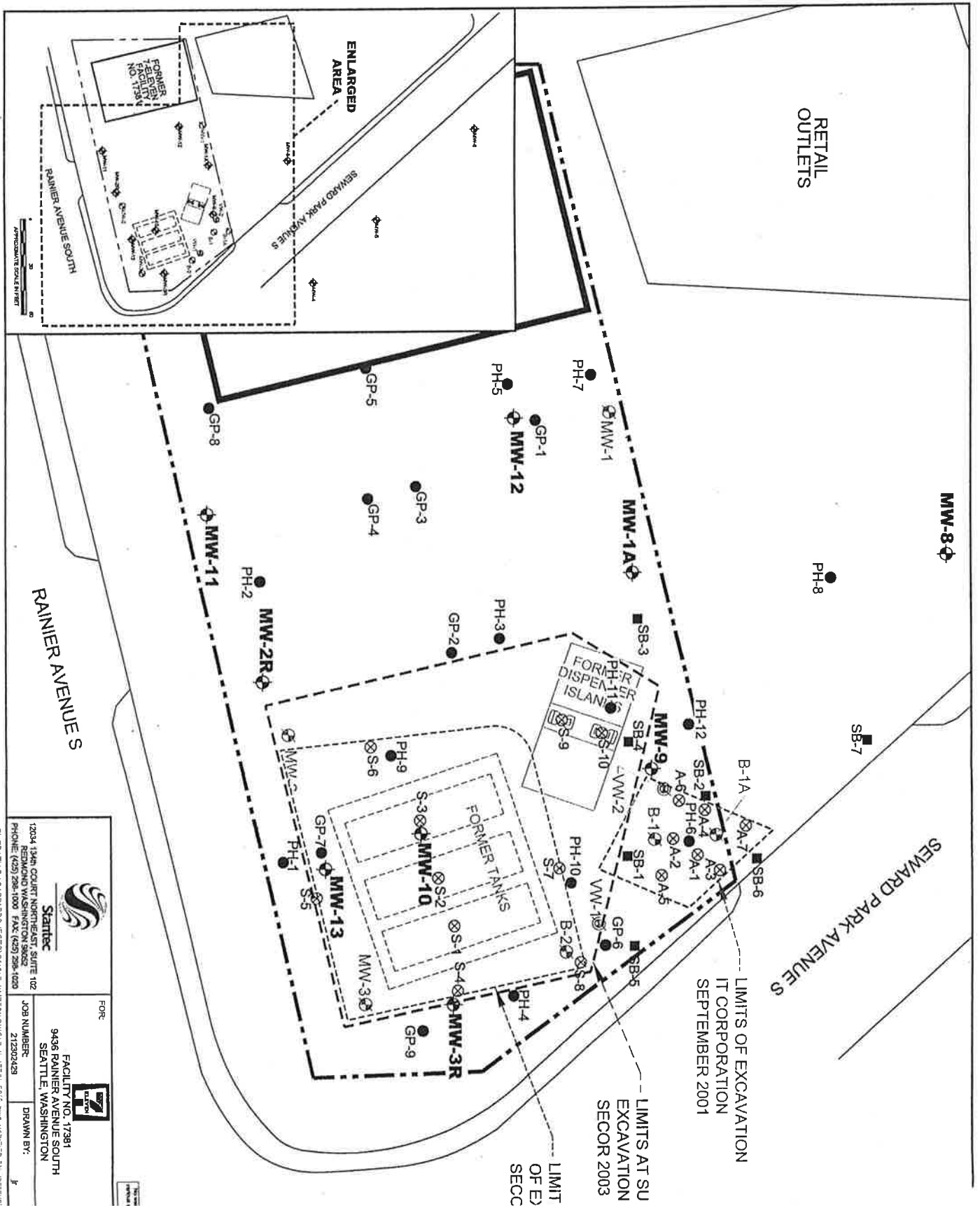
Ground Water: Ground water has been investigated via geotechnical borings and monitoring wells. Ground water depth ranges from approximately 10 to 13 feet bgs, and shallow ground water beneath the Site flows in a northeasterly direction at an average hydraulic gradient of 0.04 feet per foot

Release and Extent of Contamination - Soil: Petroleum hydrocarbons in the form of TPH-G, benzene, ethylbenzene, toluene, total xylenes, and total lead were the known contaminants present in soil at the Site, to a depth of 12 feet below ground surface.

Extent of Contamination - Groundwater: The ground water has been investigated and petroleum hydrocarbons in the form of TPH-G, benzene, ethylbenzene, total xylenes, and total lead were the known contaminants present in ground water at the Site. Groundwater flow direction appears to vary, but generally is toward the east or northeast. Ground water monitoring wells were screened at depths of 10 to 13 feet below ground surface, were sampled quarterly, and eventually showed no contamination above MTCA Method A.



 <p>Stantec 12034 134th COURT NORTHEAST, SUITE 102 REDMOND WASHINGTON 98052 PHONE: (425) 298-1000 FAX: (425) 298-1020</p>	<p>FOR:</p>  <p>FACILITY NO. 17381 9436 RAINIER AVENUE SOUTH SEATTLE, WASHINGTON</p> <p>JOB NUMBER: 212302429</p>	<p>SITE VICINITY MAP</p> <p>CHECKED BY: _____</p> <p>APPROVED BY: _____</p>	<p>FIGURE: 2</p> <p>DATE: 6/24/10</p>
	<p>DRAWN BY: Jr</p>		

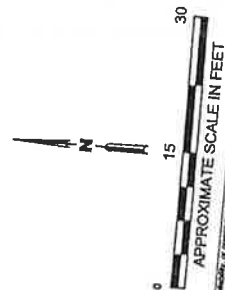


LEGEND:

- SUBJECT PROPERTY LINE BOUNDARY
- ⊕ GROUNDWATER MONITORING WELL LOCATION
- ⊙ ABANDONED VAPOR EXTRACTION WELL MONITORING WELL
- ⊗ SOIL SAMPLE FROM EXCAVATION
- SB ■ SOIL BORING LOCATION (IT CORP. DECEMBER 2000)
- GP ● SOIL BORING LOCATION (SECOR DECEMBER 2004)
- PH ● PROBEHOLE LOCATION (STANTEC MARCH & APRIL 2010)

RFACE OF

SAT FLOOR
CAVATION
R 2003



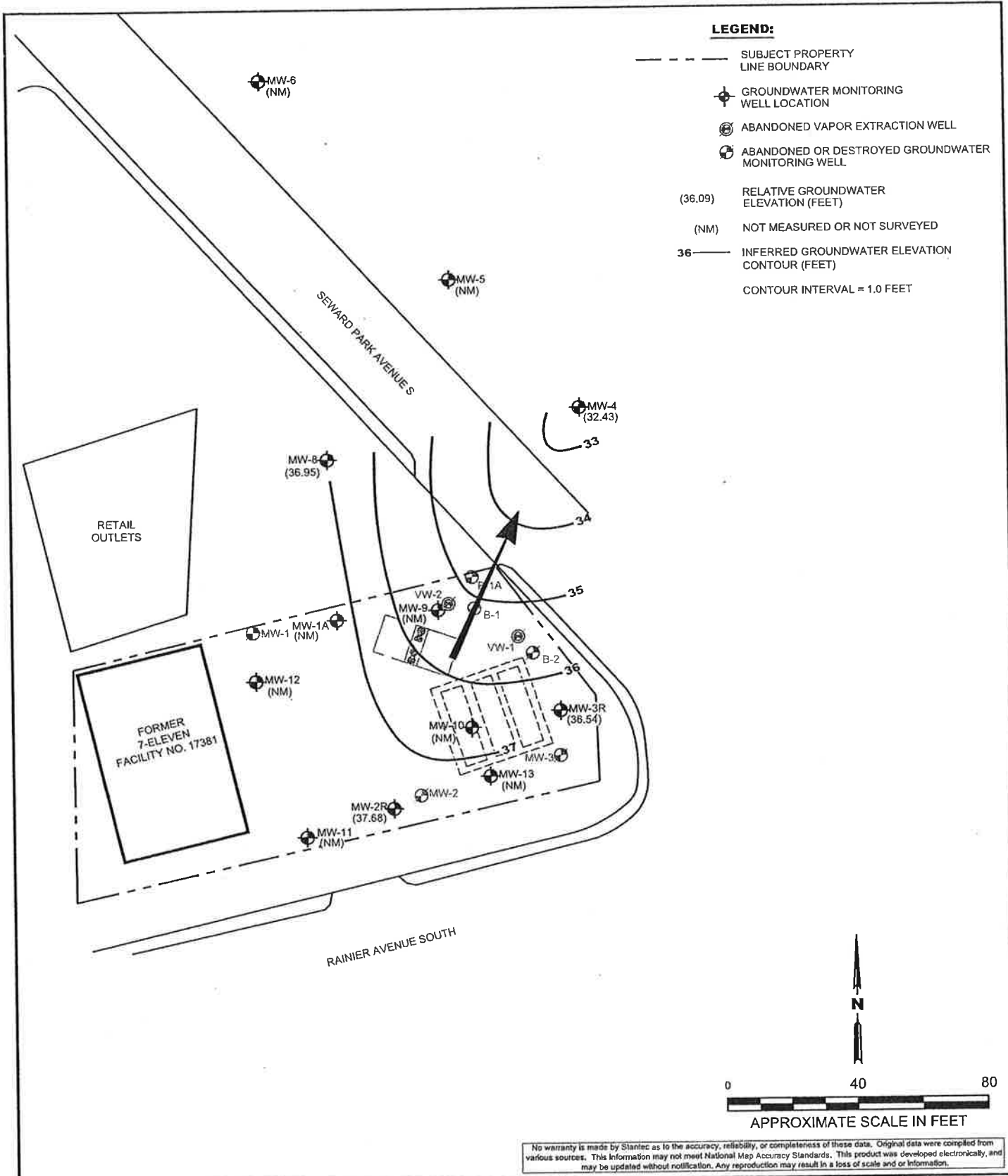
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FIGURE:		3
DATE:	05/4/10	
APPROVED BY:		

SITE PLAN

LEGEND:

- SUBJECT PROPERTY LINE BOUNDARY
- ⊕ GROUNDWATER MONITORING WELL LOCATION
- ⊗ ABANDONED VAPOR EXTRACTION WELL
- ⊗ ABANDONED OR DESTROYED GROUNDWATER MONITORING WELL
- (36.09) RELATIVE GROUNDWATER ELEVATION (FEET)
- (NM) NOT MEASURED OR NOT SURVEYED
- 36 INFERRED GROUNDWATER ELEVATION CONTOUR (FEET)
- CONTOUR INTERVAL = 1.0 FEET



 <p>Stantec</p> <p>12034 134th COURT NORTHEAST, SUITE 102 REDMOND WASHINGTON 98052 PHONE: (425) 298-1000 FAX: (425) 298-1020</p>	<p>FOR:</p>  <p>FACILITY NO. 17381 9436 RAINIER AVENUE SOUTH SEATTLE, WASHINGTON</p> <p>JOB NUMBER: 212302429</p> <p>DRAWN BY: jr</p>	<p>GROUNDWATER ELEVATION CONTOUR MAP JANUARY 20, 2010</p> <p>CHECKED BY:</p> <p>APPROVED BY:</p>	<p>FIGURE:</p> <p>4</p> <p>DATE: 6/24/10</p>
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LEGEND:

- SUBJECT PROPERTY LINE BOUNDARY
- ⊕ GROUNDWATER MONITORING WELL LOCATION
- ⊙ ABANDONED VAPOR EXTRACTION WELL
- ⊗ ABANDONED OR DESTROYED GROUNDWATER MONITORING WELL
- (NS) NOT SAMPLED
- NA NOT ANALYZED
- μg/L MICROGRAMS PER LITER

ANALYTE

B	BENZENE
T	TOLUENE
E	ETHYLBENZENE
X	XYLENES
TPH-G	GASOLINE
MTBE	METHYL TERTIARY-BUTYL ETHER
EDB	1,2-DIBROMOETHANE
EDC	1,2-DICHLOROETHANE

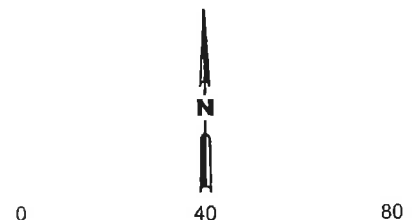
MW-8 μg/L	
1/20/10	
B	4.4
T	<1.0
E	<1.0
X	<2.0
TPH-G	<100
MTBE	<0.20
EDB	<0.0098
EDC	<0.20

MW-9 μg/L	
4/16/10	
B	<1
T	<1
E	<1
X	<3
TPH-G	<100
MTBE	NA
EDB	NA
EDC	NA

MW-4 μg/L	
1/20/10	
B	<1.0
T	<1.0
E	<1.0
X	<2.0
TPH-G	<100
MTBE	<0.20
EDB	<0.0096
EDC	<0.20

MW-3R μg/L	
1/20/10	
B	1.2
T	<1.0
E	<1.0
X	<2.0
TPH-G	<100
MTBE	0.42
EDB	<0.0096
EDC	<0.20

MW-2R μg/L	
1/20/10	
B	1.9
T	<1.0
E	<1.0
X	<2.0
TPH-G	<100
MTBE	<0.20
EDB	<0.0096
EDC	<0.20



APPROXIMATE SCALE (FEET)

No warranty is made by Stantec as to the accuracy, reliability, or completeness of these data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed electronically, and may be updated without notification. Any reproduction may result in a loss of scale and/or information.



Stantec

12034 134th COURT NORTHEAST, SUITE 102
REDMOND WASHINGTON 98052
PHONE: (425) 298-1000 FAX: (425) 298-1020

FOR:



FACILITY NO. 17381
9436 RAINIER AVENUE SOUTH
SEATTLE, WASHINGTON

JOB NUMBER:
212302429

DRAWN BY:

Jr

GROUNDWATER ANALYTICAL RESULTS **JANUARY 20 & APRIL 16, 2010**

CHECKED BY:

APPROVED BY:

FIGURE:

5

DATE:

6/24/10