



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 8, 2014

Frank Stauff
PMF Investments, LLC
15015 Main Street, Suite 203
Bellevue, WA 98007

Re: Further Action at the following Site:

- **Site Name:** 395 Cleaners
- **Site Address:** 128 South Ely Street, Kennewick
- **Facility/Site No.:** 20896
- **VCP Project No.:** CE0404

Dear Mr. Stauff:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the above-referenced 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?

YES. Ecology has determined that 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 release:

- Tetrachloroethylene and trichloroethylene into the soil.
- Tetrachloroethylene, trichloroethylene, dichloroethylene;1,2-,cis (DCE) dichloroethylene;1,2-



,trans (DCE), vinyl chloride, dichloroethylene;1,1- (DCE), benzene, trimethylbenzene;1,2,4-, trimethylbenzene;1,3,5-, butadiene;1,3-, acrolein (Propenal), and naphthalene into the soil gas.

- Dichloroethane;1,2- (DCA), acrolein (Propenal), benzene, methyl methacrylate, and methylene chloride into the indoor air, although the source of these contaminants could be a nail salon currently operating in the building.

Please note a parcel of real property can be affected by multiple sites. The Hiland Auto Garage facility (# 4438) also affects parcel(s) of real property associated with this Site. This opinion does not apply to any contamination associated with the Hiland Auto Garage facility.

Basis for the Opinion

This opinion is based on the information contained in the documents listed below:

1. SLR International Corporation, July 30, 2013. *Additional Subsurface Investigation Report Former 395 Cleaners Facility – Kennewick Plaza Shopping Center 128 South Ely Street Kennewick, Washington.*
2. SLR International Corporation, July 22, 2013. *Subsurface Investigation Report Former 395 Cleaners Facility – Kennewick Plaza Shopping Center 128 South Ely Street Kennewick, Washington.*
3. ATC Associates Inc., May 5, 2000. *Report of Subsurface Investigation 395 Cleaners & Laundromat Kennewick Plaza Shopping Center 128 South Ely Street Kennewick, Washington 99336.*
4. Contents of file, Central Regional Office files.

Those documents are kept at the Central Regional Office (CRO) of Ecology for review by appointment only. You can make an appointment by calling the CRO resource contact, Roger Johnson, at 509-454-7658.

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 **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 not sufficient to select a cleanup action.

In December 1999, January 2000, and March 2000, tetrachloroethylene (PCE) and trichloroethylene (TCE) contaminated soil was identified beneath the 395 Cleaners laundromat building and adjacent parking lot in soil samples collected from hand auger borings, soil probe borings, and vapor probe borings. Contamination varied from depths of 0.5 ft. below ground surface (bgs) to 9 ft. bgs. PCE, TCE, dichloroethylene;1,2-,cis (DCE), dichloroethylene;1,2-,trans (DCE), vinyl chloride, dichloroethylene;1,1- (DCE), and benzene exceeded current Method B soil gas screening levels. Toluene was also detected in soil gas samples, but below current screening levels. Soil gas screening level exceedances occurred at depths throughout the site ranging from 2.5 ft. bgs to 12 ft. bgs. Groundwater was not encountered during the investigation.

In June 2013, trimethylbenzene;1,2,4-, trimethylbenzene;1,3,5-, butadiene;1,3-, acrolein (Propenal), benzene, naphthalene, and PCE exceeded current Method B soil gas screening levels. A number of other volatile organic compounds (VOCs) were detected in soil gas samples, but did not exceed screening levels. Dichloroethane;1,2- (DCA), acrolein (Propenal), benzene, methyl methacrylate, and methylene chloride exceeded Method B indoor air cleanup levels for an indoor air sample that was collected. These were attributed to nail salon operating in the building at the time of the sampling. A number of other VOCs were detected in the indoor air sample, but were below cleanup levels. Groundwater was not encountered in the deepest soil boring drilled by air rotary (51.5 ft. bgs.). Drilling conducted during the June 2013 study was not able to access soil identified as contaminated during the 1999/2000 study, thus limiting characterization of current conditions.

The vertical and lateral extent of PCE and TCE identified in soil has not been fully characterized. The vertical and lateral extent of soil gas exceeding screening levels has also not been fully characterized.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels you established for the Site meet the substantive requirements of MTCA. A point of compliance for soil, groundwater, and air has not been established for the Site.

a. Cleanup levels.

The use of MTCA Method A soil cleanup levels, Method B indoor air cleanup levels, and Method B soil gas screening levels for Unrestricted Land Uses are appropriate throughout the Site.

b. Terrestrial Ecological Evaluation (TEE).

The TEE is required to be completed. If appropriate, please provide the basis and supporting documentation for an exemption from the TEE process.

3. Selection of cleanup action.

No cleanup action has been selected for the Site.

4. Cleanup.

No cleanup has occurred at the Site.

5. Professional License Requirements

Any site investigation/cleanup document containing geologic or engineering work (generally, interpretation of geologic or groundwater data, design calculations, plans, or as-built plans) must be submitted under the seal of the appropriately licensed professional.

6. Environmental Information Management System (EIM)

In accordance with WAC 173-340-840(5) and Ecology Toxics Cleanup Program Policy 840 (Data Submittal Requirements), data generated for Independent Remedial Actions shall be submitted simultaneously in both a written and electronic format. For additional information regarding electronic format requirements, see the website <http://www.ecy.wa.gov/eim>.

Data must be submitted to Ecology in this format for Ecology to issue a No Further Action determination.

An EIM data submittal has been received for the 2013 remedial investigations for this Site.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liable 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-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

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

Frank Stauff
PMF Investments, LLC
April 8, 2014
Page 6

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, please contact me by phone at (509) 454-7835 or e-mail at matthew.durkee@ecy.wa.gov.

Sincerely,

A handwritten signature in black ink that reads "Matthew D. Durkee". The signature is written in a cursive style with a large initial "M".

Matthew Durkee, LG
Site Manager
CRO Toxics Cleanup Program

cc: Dolores Mitchell, Ecology
Timothy Jackson, Wallace Properties-Kennewick, LLC
Greg Lish, SLR International Corporation