



Southwest Regional Office
Toxics Cleanup Program
PO Box 47775
Olympia, WA 98504-7775
360-407-6240

TRANSMITTAL MEMO

Date: May 8, 2014

TO: Ms. Patty Boyden
Port of Vancouver

RE: Automotive Services Inc.
SW0281

Subject: Explanation of Timeline

NOTE: The determination date is the date Ecology approved the No Further Action status for the site. Final payment, EIM Data submission, once received, the NFA letter was released.

Ecology Determination date: March 7, 2014

Payment received date: May 6, 2014

EIM Data successfully uploaded: July 17, 2009

Ecology Determination letter mailed/sent: May 8, 2014



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 7, 2014

Ms. Patty Boyden
Director of Environmental Services
Port of Vancouver
3103 Lower River Road
Vancouver, WA 98660-1927

Re: No Further Action at the following Site:

- **Site Name:** Automotive Services Inc
- **Site Address:** 2327 W Mill Plain Blvd, Vancouver
- **Facility/Site No.:** 4380
- **Cleanup Site ID No.:** 5210
- **VCP Project No.:** SW0281

Dear Ms. Boyden:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Automotive Services 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.

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 dependent on the continued performance and effectiveness of the post-cleanup controls and monitoring specified below.

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:

- Diesel-range petroleum hydrocarbons (TPH-D) into the Soil and Groundwater.
- Kerosene into the Soil and Groundwater.

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. April 2012 Groundwater Monitoring Report, ASI/Glacier Site, Port of Vancouver USA, Vancouver, WA, dated June 20, 2012 by Kennedy/Jenks.
2. December 2010 Groundwater Monitoring Report, ASI/Glacier Site, Port of Vancouver USA, Vancouver, WA, dated March 29, 2011 by Kennedy/Jenks.
3. Revised Long-Term Groundwater Monitoring Plan for ASI/Glacier Site, dated May 10, 2010 by Kennedy/Jenks.
4. Letter from Ms. Deonne Knill (Kennedy/Jenks) to Mr. Scott Rose (Ecology), RE: Automotive Services Inc. – Long Term Groundwater Monitoring, Request for Groundwater Sampling Reduction, dated February 19, 2010.
5. April 2009 Groundwater Monitoring Report, ASI/Glacier Site, Port of Vancouver USA, Vancouver, WA, dated July 31, 2009 by Kennedy/Jenks.
6. Letter Report for the First Round of Confirmational Groundwater Monitoring Plan at the ASI/Glacier Site, 2210 NW Mill Plain Blvd, Vancouver, WA, dated December 19, 2007 by Coles Environmental Consulting, Inc. (CEC).
7. Long Term Confirmational Groundwater Monitoring Plan for the ASI/Glacier Site, 2210 NW Mill Plain Blvd, Vancouver, Washington, dated March 9, 2007 by CEC.
8. Letter to Mr. Lars Amlie from Mr. Scott Rose (Ecology), RE: Further Action Determination, Automotive Services Inc Car Wash, dated October 11, 2006.
9. Letter to Ms. Patty Boyden (Port of Vancouver) from Mr. Scott Rose (Ecology), RE: Further Action Determination, Automotive Services Inc Diesel Release, dated September 19, 2006.
10. Confirmatory Monitoring Plan for the ASI/Glacier Site Groundwater Investigation Related to Diesel Contamination, dated June 5, 2006 by CEC.

11. Final Report on the Post-Remediation Groundwater Investigation at the Automotive Services, Inc.'s Former Leasehold, Port of Vancouver, Washington, dated January 25, 2005 by CEC.
12. Final Report on the Investigation and Remediation of Diesel-Contaminated Soil at the Automotive Services, Inc.'s Former Leasehold, Port of Vancouver, Washington, dated August 30, 2001 by CEC.
13. Final Report on the Investigation and Remediation of Kerosene-Contaminated Soil at the Former Location of Automotive Services, Inc.'s Car Wash, Port of Vancouver, Washington, dated July 17, 2001 by CEC.
14. Final Confirmatory Soil-Sample Analysis Results for Remediation of Soil Contaminated with Diesel from the West Side of the Former ASI Car-Wash Leasehold, Vancouver, Washington, dated May 30, 2001 by CEC.
15. Final Soil Sample Analysis Results for Remediation of Soil Contaminated with Kerosene at the Former ASI Car-Wash Operation (Analytical Results), dated September 28, 2000 by CEC.
16. Final Soil Sample Analysis Results for Remediation of Soil Contaminated with Kerosene at the Former ASI Car-Wash Operation (Narrative), dated September 5, 2000 by CEC.
17. Five figures received during April 27, 2000 meeting with CEC and Port of Vancouver representatives, dated April 27, 2000 by CEC.
18. Work Plan for the Excavation and Treatment of Kerosene-Impacted Soil, ASI Car-Wash Facility, Port of Vancouver, WA. Dated June 21, 1999 by CEC.
19. Seven figures, one table, and an article received during March 11, 1999 meeting with CEC and Port of Vancouver representatives, dated March 11, 1999 by CEC.
20. Report on Subsurface Investigation at the Automotive Services, Inc. Site, Port of Vancouver, WA, dated November 4, 1996 by CEC.
21. Report Relating to Removal of Four Underground Storage Tanks at Automotive Services, Inc., 2001 West Fourth Plain, Vancouver, Washington, dated September 16, 1991 by Enviro-Logic, Inc.

Those documents are kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. You can make an appointment by calling the SWRO resource contact at (360) 407-6365.

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 Automotive Services Inc (ASI) Site is located at 2327 West Mill Plain Boulevard in Vancouver, Clark County, Washington (*see attached Figure 1*). The 4.33-acre property is owned by the Port of Vancouver (Port) and currently leased to CalPortland (formerly Glacier Northwest, Inc.) for its West Vancouver Ready Mix Plant. According to the Clark County Assessor, the current tax parcel number is 059115-068.

The Site was an agricultural field until the ASI car wash facility was constructed in 1972-1973. That facility used hot water with kerosene to clean a Cosmoline-based protective coating from new import cars after they arrived at the Port via ship. The original car wash facility covered a larger area than the current parcel noted above, and had an address of 2001 West Fourth Plain Boulevard. However, in 1998, the new Mill Plain Boulevard extension was constructed, which dissected the former facility. The former car wash and areas of residual contamination are now located within the parcel noted above at 2327 West Mill Plain Boulevard (*see attached Figures 2 and 3*).

Petroleum soil contamination related to the car wash was recognized since at least 1980 when a process upset of the facility's water treatment system occurred and water with kerosene flowed onto the ground surface west of the car wash building.

In 1991, four underground storage tanks (USTs) (two 6,500-gallon kerosene, one 6,500-gallon gasoline, and one 8,000-gallon diesel) associated with the car wash facility were removed from three separate excavation areas (Pit #1, #2, and #3) (*see attached Figure 4*).

Confirmation soil samples collected from the final limits of the excavations (and analyzed for total petroleum hydrocarbons [TPH] by EPA Method 418.1) indicated that residual contamination was present in the south and west sidewalls of Pit #3 (one of the kerosene USTs) at 7,700 and 9,600 milligrams per kilogram (mg/kg), respectively. Reportedly, any further excavation in this area would have undermined the boiler room building.

In 1992, diesel-contaminated soil was found on the west side of the Site near the adjacent Tesoro tank farm. The source for the diesel was not determined but based on field evidence, it appeared to be from an old (circa 1960s) surface spill. There are no physical indications linking this release to any facilities near the diesel release location. The diesel release is believed to have occurred before sand and silt dredge spoils from the Columbia River were used as fill over the existing soil surface in this area of the Port. This is evident from excavation work done to remove the diesel contamination. The diesel contamination was

found below the pre-existing soil surface after excavating through the dredge fill material. The soil types were reportedly visually different and easy to recognize in the field. Other evidence that this was a surface spill is from a blackened area reportedly seen on an aerial photograph taken in the mid-1960s. This blackened area coincides with a topographic low spot and the location of the diesel contamination. There was no grass covering that location in the photo. The aerial photo was taken before the site was filled with dredge spoils.

A total of seven monitoring wells (GL-1 through GL-7) have been installed throughout the Site to date (*see attached Figure 5*). GL-1, -2, and -3 (originally identified as MW-1, -2, and -3) were installed in 1991, and the remaining four wells were installed in 2002. Wells MW-4I and -4D (also shown on Figure 5) were installed as part of the adjacent Cadet Manufacturing site investigation, and are not monitored for this Site. The depth to groundwater seasonally ranges from about 14 to 21 feet bgs. The groundwater gradient at the Site is nearly flat, so the flow direction is seasonally variable to the northwest and south-southeast. The presence of TPH-D in groundwater above MTCA cleanup levels has historically been limited to wells GL-1 and GL-2. The latest data collected to date detected TPH-D in GL-2 at 920 micrograms per liter ($\mu\text{g/L}$), which exceeds the MTCA cleanup level of 500 $\mu\text{g/L}$ (*see attached Tables 1, 2, and 4*).

The investigative history of this Site, dating back to at least 1991, has defined the lateral and vertical extent of diesel and kerosene in soil and groundwater above MTCA cleanup levels. Those investigations included sampling of soil and groundwater for the required constituents in MTCA Table 830-1. Following the cleanup actions conducted to date (*see Section 4 for more details*), the current extent of residual impacts to soil and groundwater are limited to within the property boundaries, and do not appear to be migrating off the property.

Since these releases are associated with the portion of the former operations that are now located on a single property currently owned by the Port (who has been tasked with implementing institutional controls and long-term monitoring), this opinion is intended to address both the diesel and kerosene releases as one Site, which is limited to Clark County Tax Parcel # 059115-068.

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.

MTCA Method A cleanup levels for unrestricted land use were used at the Site to demonstrate compliance for soil and groundwater.

Standard points of compliance were used for the Site. The point of compliance for protection of groundwater was established in the soils throughout the Site. For soil cleanup levels based on human exposure via direct contact or other exposure pathways where contact with the soil is required to complete the pathway, the point of compliance was established in the soils throughout the Site from the ground surface to 15 feet below ground surface (bgs). In

In addition, the point of compliance for the groundwater was established throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth that could potentially be affected by the Site.

3. Selection of cleanup action.

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

Cleanup actions conducted to date have included the excavation and on-Site treatment (via land farming) of petroleum-contaminated soils.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site. This determination is dependent on the continued performance and effectiveness of the post-cleanup controls and monitoring specified below.

During UST removal activities in 1991, about 1,500-1,800 cubic yards (yd³) of soil was excavated from three pits. According to the UST removal report, the soil was stockpiled on Site and remaining the responsibility of ASI. There is no mention of the soil having ever been disposed, and was likely either placed back in the excavation or landfarmed on Site as described below.

On-Site bioremediation of the kerosene- and diesel-impacted soils was selected as the most cost effective treatment process and was conducted at the same time. Bioremediation treatment of kerosene-impacted soil occurred from September 1999 through July 2000, and the diesel-impacted soil treatment occurred from September 1999 through February 2001. The diesel treatment took longer than the kerosene because of the two separate diesel excavation events and diesel takes longer to bioremediate because of the greater component of heavy-fraction molecules than found in kerosene compounds.

Following excavation, the soil was placed in windrows or was stockpiled until space was available for spreading and treatment. During the bioremediation process, the diesel- or kerosene-impacted soils were not mixed. Windrows were constructed in lifts of approximately 1.5 feet deep. During periodic tilling, the soil was inoculated with hydrocarbon-degrading microbes and fertilizer (nitrogen, phosphorous, and potassium) was added in a liquid matrix to the soil. Tilling was frequent and soil moisture levels were monitored and maintained. When treatment was complete, the soil was either placed back in excavations that remained open or were spread and compacted on the Site surface.

The initial kerosene and diesel excavations were conducted in August 1999. During excavation in the diesel release area, contamination was evaluated by visual and olfactory means and by headspace scanning of soil samples with a photoionization detector. The excavation depth was 16 feet bgs. Going deeper was not possible as groundwater was

encountered at 17 feet bgs where there was a change in lithology from silty sand to unconsolidated medium-coarse grained sand. It was feared this wet sand would not have supported the excavator that had been moved into the excavation bottom.

Obvious contamination remained on the south and west walls, and contamination was left in place at these locations. The pit was not extended to the west because it would have undermined the fence along the Tesoro property boundary. The excavation was stopped because no further space was available to expand the excavation or stockpile the removed soil. It was determined that the excavation needed to be filled so that excavation in the kerosene release area could be completed and excavated soils could be spread for on-Site treatment. The space where the diesel excavation was located was needed to lay out soil remediation cells. The location of the excavation walls were measured and documented, confirmation soil samples were collected, and the excavation was filled with clean overburden soil and treated soil (Ecology approved) from the former Swan Manufacturing excavation. Due to the large amount of soil removed from the kerosene and diesel excavations and the limited room for soil treatment, two phases of excavation were needed for the diesel area and three phases of soil remediation were needed for the kerosene and diesel soils.

In July 2000, the second event of excavation of diesel-contaminated soil resumed. This excavation surrounded the initial excavation to remove contamination left on the original excavation walls. The excavation depth varied from 17 to 20 feet deep bgs, which was deeper than the initial excavation of 16 feet bgs. In the northern section of the new excavation, soil was only removed to a depth of 17 feet bgs, leaving a bench of contaminated soil (approximately 139 yd³) extending the north wall of the excavation. This soil was left in place because of the need to refill the pit before the confirmation soil sample analytical results became available, which was done to prevent excavating equipment from becoming idled. A pedestal of contaminated soil from the initial excavation (at 16 feet bgs, approximately 250 yd³) was left below fill material. This soil was not removed in 1999 because the water table was higher and the soil too wet to maneuver excavating equipment in the pit bottom. This pedestal was not removed during the second excavation event as it would require the removal of approximately 3,000 yd³ of fill to recover approximately 250 yd³ of contaminated soil. Approximately 139 yd³ of contaminated soil was left in place in the northern portion of the diesel excavation and approximately 250 yd³ of contaminated soil was left in place in the center bottom of the excavation.

The second excavation followed the contamination in all directions and was expanded into the Tesoro property. The total volume of excavated soil from the combined diesel pits was estimated by CEC to be 9,120 yd³ with an estimated volume of impacted soil placed into the treatment cells of 7,250 yd³, or 9,400 yd³ of fluffed soil material that was remediated. Thus, the combined fluff volume of soil treated in the cells for both the kerosene and diesel sites was approximately 18,000 yd³.

Thirty-four confirmatory samples were collected from the walls and bottom of the final diesel excavation. Residual diesel concentrations in the walls of the excavation were all non-detect except for one sample in the southwest corner that had a concentration of 362 mg/kg diesel.

Two samples from the north floor had diesel detections of 8,000 and 4,000 mg/kg (at approximately 17 feet bgs) and a floor sample from the south floor (at approximately 19 feet bgs) had a diesel detection of 722 mg/kg. Two samples at 16 feet bgs from the pedestal remaining from the initial excavation had diesel detections of 21,300 mg/kg and 12,600 mg/kg. CEC estimated that approximately 389 yd³ of diesel-impacted soil remains below 16 feet.

The second diesel excavation was filled with treated clean (Ecology approved) kerosene-contaminated and clean overburden soil.

Currently, areas of petroleum-impacted soil remain in place on Site beneath the CalPortland facility (*see attached Figures 6 and 7*). Groundwater impacts are limited to the area of well GL-2, and long-term monitoring of the groundwater on an 18-month frequency has been ongoing since 2009 (*see attached Table 4*). In 2010, Ecology and the Port agreed to remove wells GL-5 and GL-7 from the monitoring network as the remaining wells were deemed sufficient to monitor the localized area of TPH-D in groundwater around GL-2. Wells GL-5 and GL-7 have since been decommissioned.

An Environmental Covenant was filed with Clark County in September 2013 to address the remaining areas of contamination.

Post-Cleanup Controls and Monitoring

Post-cleanup controls and monitoring are remedial actions performed after the cleanup to maintain compliance with cleanup standards. This opinion is dependent on the continued performance and effectiveness of the following:

1. Compliance with institutional controls.

Institutional controls prohibit or limit activities that may interfere with the integrity of engineered controls or result in exposure to hazardous substances. The following institutional controls are necessary at the Site:

- Restrictions on land use for uses other than industrial.
- Restrictions on groundwater use for drinking water.
- Restrictions on any activity that may interfere with the remedial action, or result in creating a new exposure pathway.

To implement those controls, an Environmental Covenant has been recorded on the following parcel of real property in Clark County:

- 059115-068.

Ecology approved the recorded Covenant. A copy of the Covenant is included in **Enclosure B**.

2. Performance of confirmational monitoring.

Confirmational monitoring is necessary at the Site to confirm the long-term effectiveness of the cleanup. The monitoring data will be used by Ecology during periodic reviews of post-cleanup conditions. Ecology has approved the monitoring plan you submitted. A copy of the plan is included as an exhibit to the Covenant in **Enclosure B**.

Periodic Review of Post-Cleanup Conditions

Ecology will conduct periodic reviews of post-cleanup conditions at the Site to ensure that they remain protective of human health and the environment. If Ecology determines, based on a periodic review, that further remedial action is necessary at the Site, then Ecology will withdraw this opinion.

Listing of the Site

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

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.**

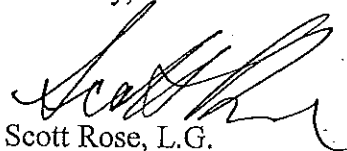
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. See RCW 70.105D.030(1)(i).

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 (#SW0281).

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 (360) 407-6347 or via email at sros461@ecy.wa.gov.

Sincerely,



Scott Rose, L.G.
Unit Supervisor
SWRO Toxics Cleanup Program

SIR/ksc: ASI site NFA 05082014

Enclosures (2): A – Description and Diagrams of the Site
B – Environmental Covenants for Institutional Controls

By certified mail: (7012 2210 0002 6581 2137)

cc: Bryan DeDoncker – Clark Co. Health Dept.
Paul Turner – Ecology
Panjini Balaraju – Ecology
Dolores Mitchell – Ecology

Enclosure A

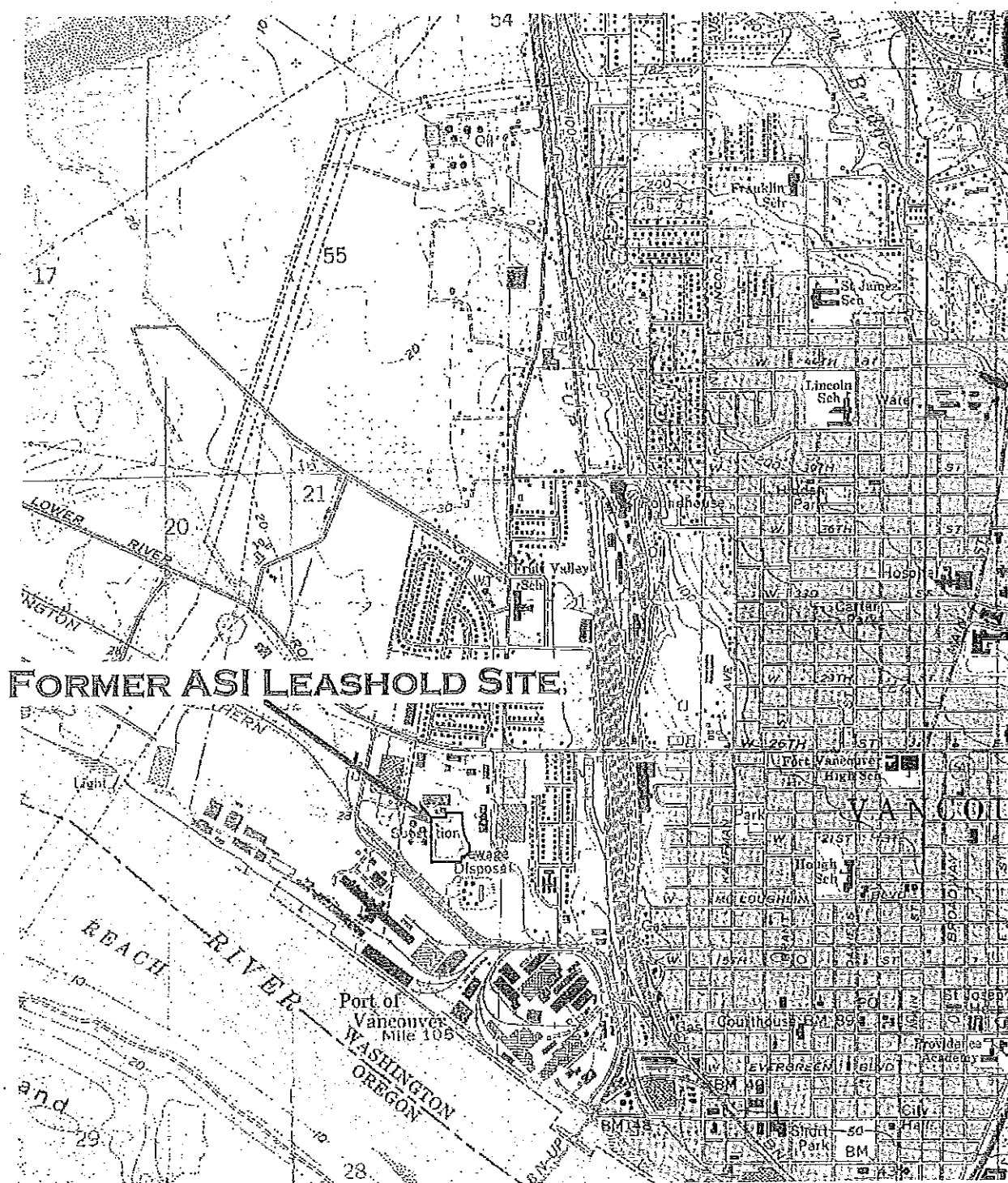
Description and Diagrams of the Site

Site Description

The Automotive Services Inc (ASI) Site is located at 2327 West Mill Plain Boulevard in Vancouver, Clark County, Washington (*see attached Figure 1*). The 4.33-acre property is owned by the Port of Vancouver (Port) and currently leased to CalPortland (formerly Glacier Northwest, Inc.) for its West Vancouver Ready Mix Plant. According to the Clark County Assessor, the current tax parcel number is 059115-068.

The Site was an agricultural field until the ASI car wash facility was constructed in 1972-1973. That facility used hot water with kerosene to clean a Cosmoline-based protective coating from new import cars after they arrived at the Port via ship. The original car wash facility covered a larger area than the current parcel noted above, and had an address of 2001 West Fourth Plain Boulevard. However, in 1998, the new Mill Plain Boulevard extension was constructed, which dissected the former facility. The former car wash and areas of residual contamination are now located within the parcel noted above at 2327 West Mill Plain Boulevard (*see attached Figures 2 and 3*).

Soil at the Site is classified by the US Soil Conservation Service as Hillsboro loam with a swath of McBee silty clay loam located diagonally across the center of the property from the northwest corner to the southeast corner. These soils were formed from Columbia River alluvium (likely flood deposits). Based on field observations, the soils become more sandy with depth (10-15 feet) with more of a coarse sand observed at 18-20 feet. The depth to groundwater seasonally ranges from about 14 to 21 feet bgs. The groundwater gradient at the Site is nearly flat, so the flow direction is seasonally variable to the northwest and south-southeast.



from the USGS 7.5 min. Vancouver, Wash.--Oreg.
Quadrangle Map
(photorevised 1978)


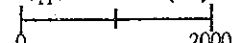
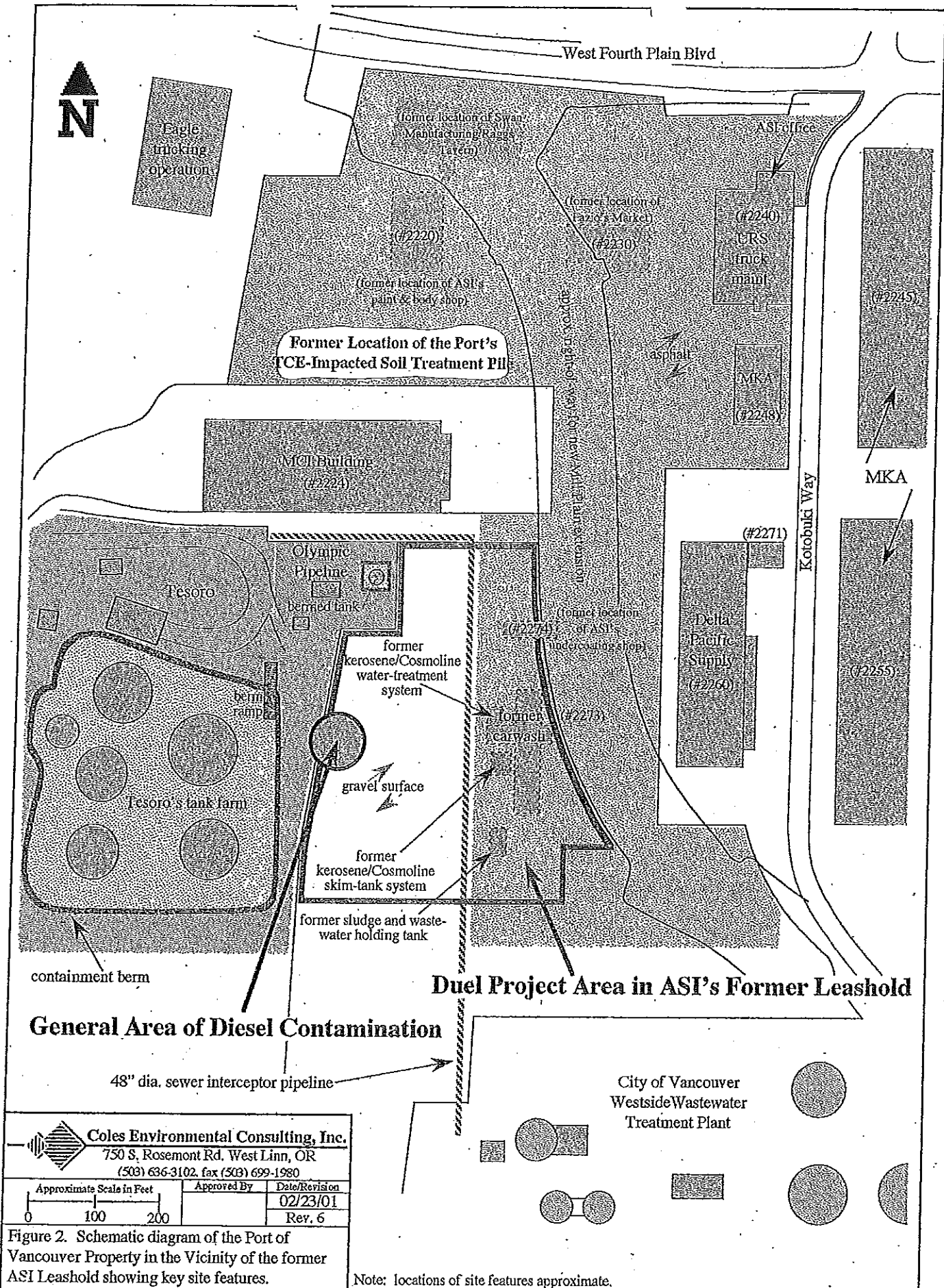
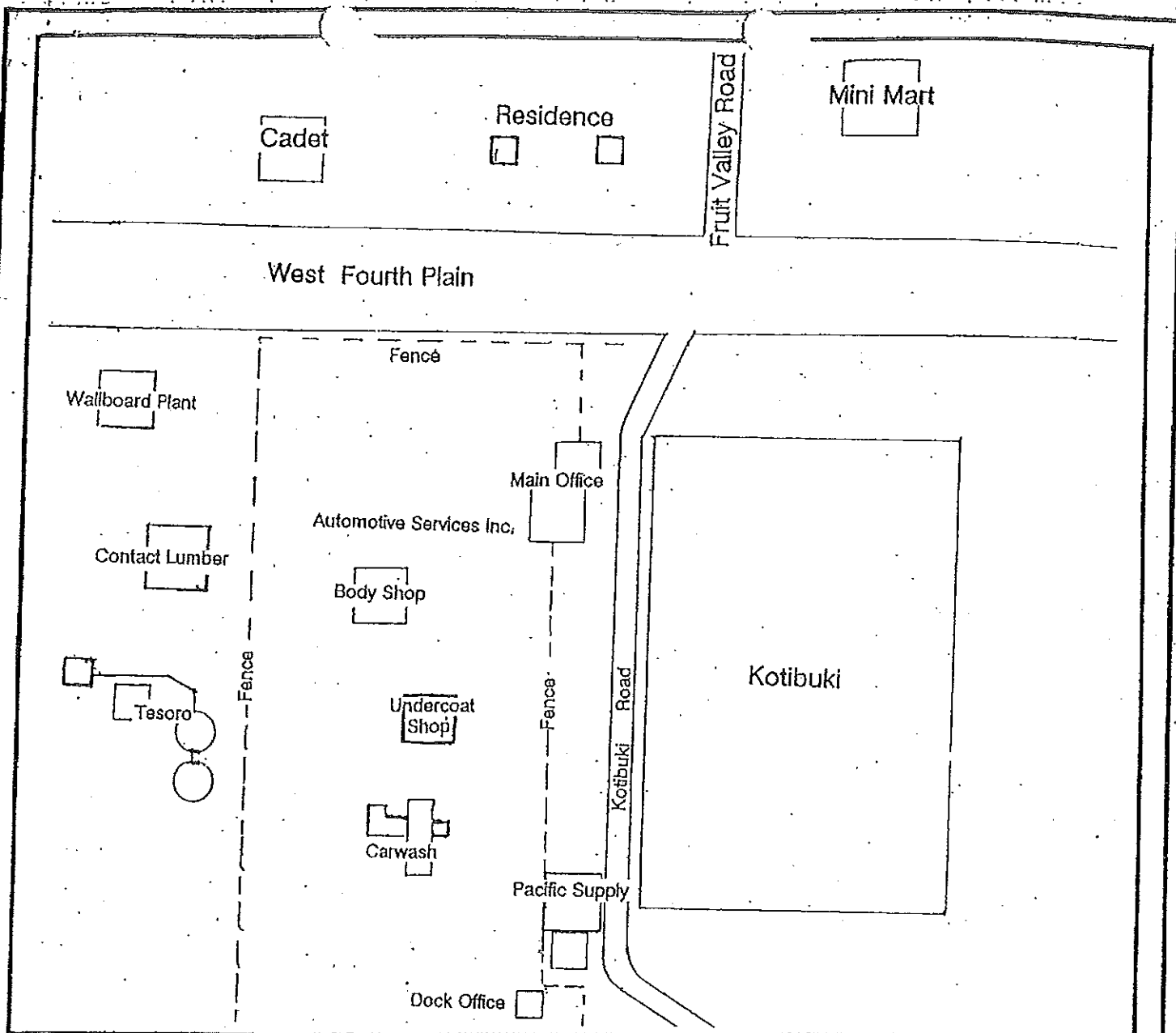
| | | |
|---|-------------|--------------------|
|  Coles Environmental Consulting, Inc. 750 S. Rosemont Rd. West Linn, OR (503) 636-3102, fax (503) 699-1980 | | |
| approximate scale (feet) | Approved By | Date/Revision |
|  | | 11/03/04 Rev. 2 |

Figure 1. Topographic map of the area surrounding the former ASI Leasehold site, Port of Vancouver, USA, showing the subject site's location.






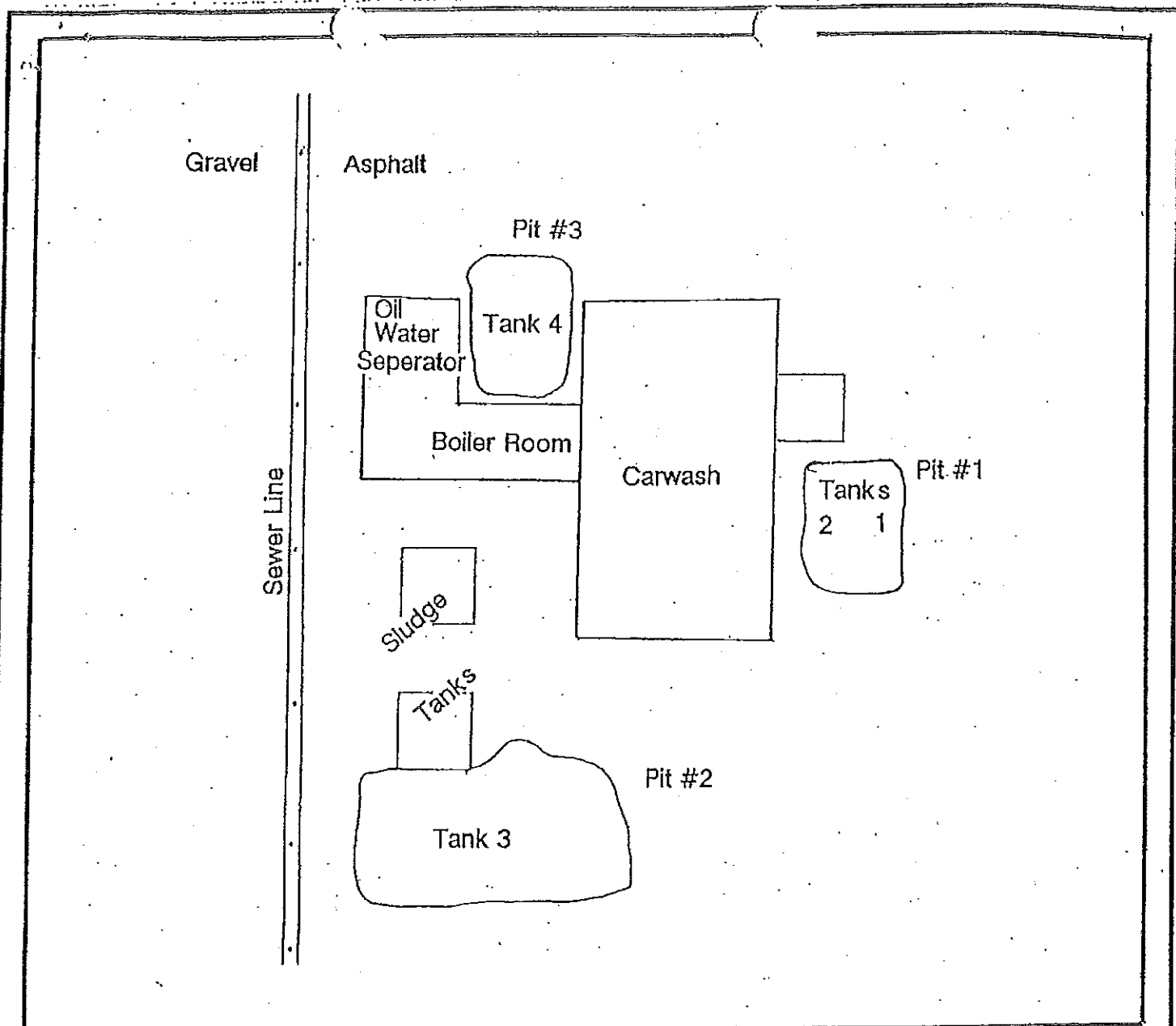
ENVIRO-LOGIC, Inc. 
 ENVIRONMENTAL AND GEOLOGIC CONSULTANTS

PROJECT NO. 91025-TP

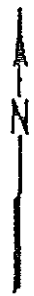
ADJACENT PROPERTIES MAP
 Automotive Services, Inc.
 2001 West Fourth Plain

PLATE


 Figure
 3



DRAWING IS DIAGRAMATIC



ENVIRO-LOGIC, Inc.

ENVIRONMENTAL AND GEOLOGIC CONSULTANTS

GENERALIZED SITE PLAN

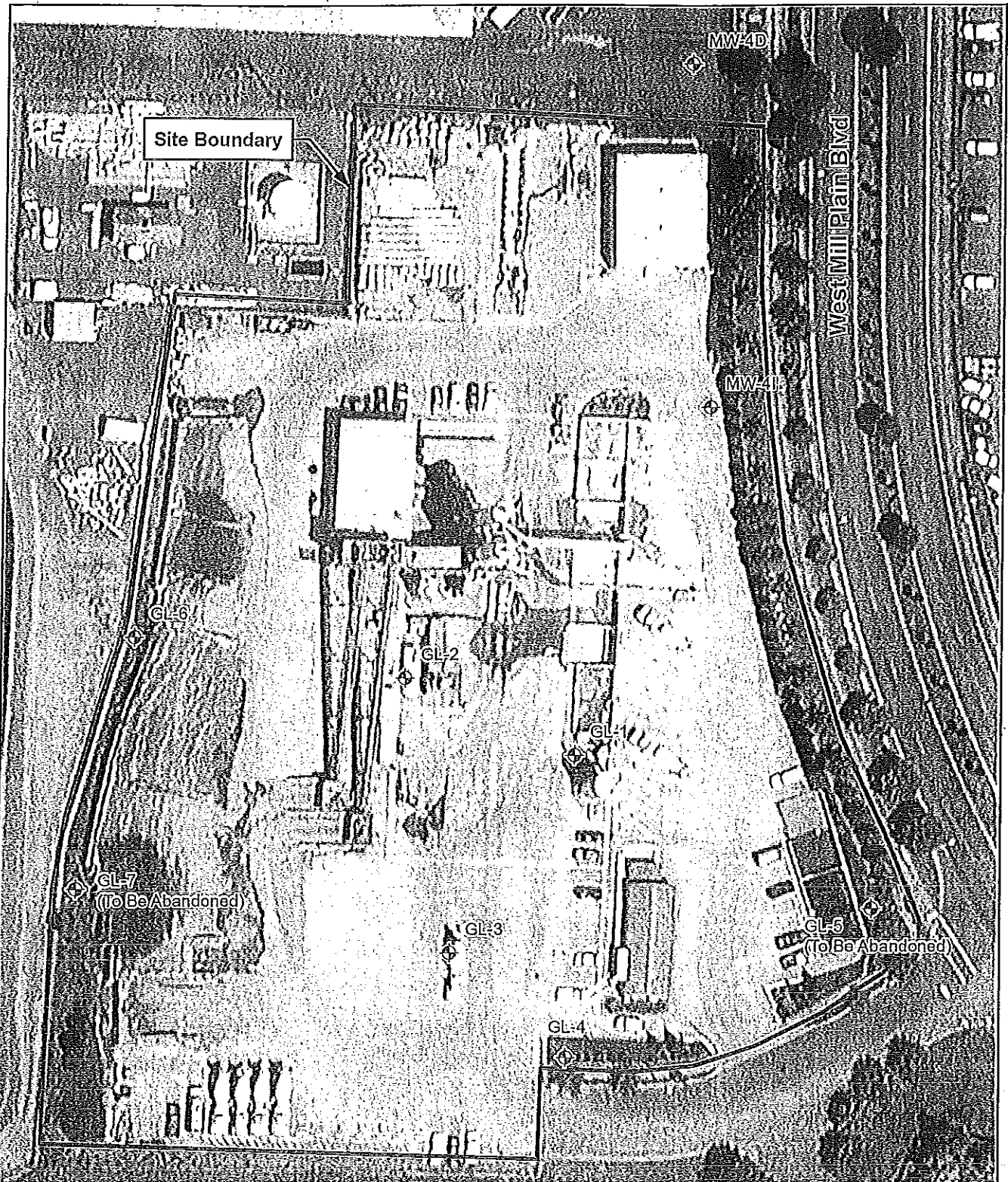
Automotive Services, Inc.
2001 West Fourth Plain

PLATE

Figure 4

PROJECT NO. 91025-TP

Path: Z:\Projects\PortOfVancouver\Events\20110103_AS\IMXD\Fig1_SiteMap.mxd



Notes:

- 1 - (c)2009 Microsoft Corporation.
- 2 - All locations are approximate.

Legend

- GL-3 — Well Designation
- ⊕ Monitoring Well
- ⊕ Site Boundary



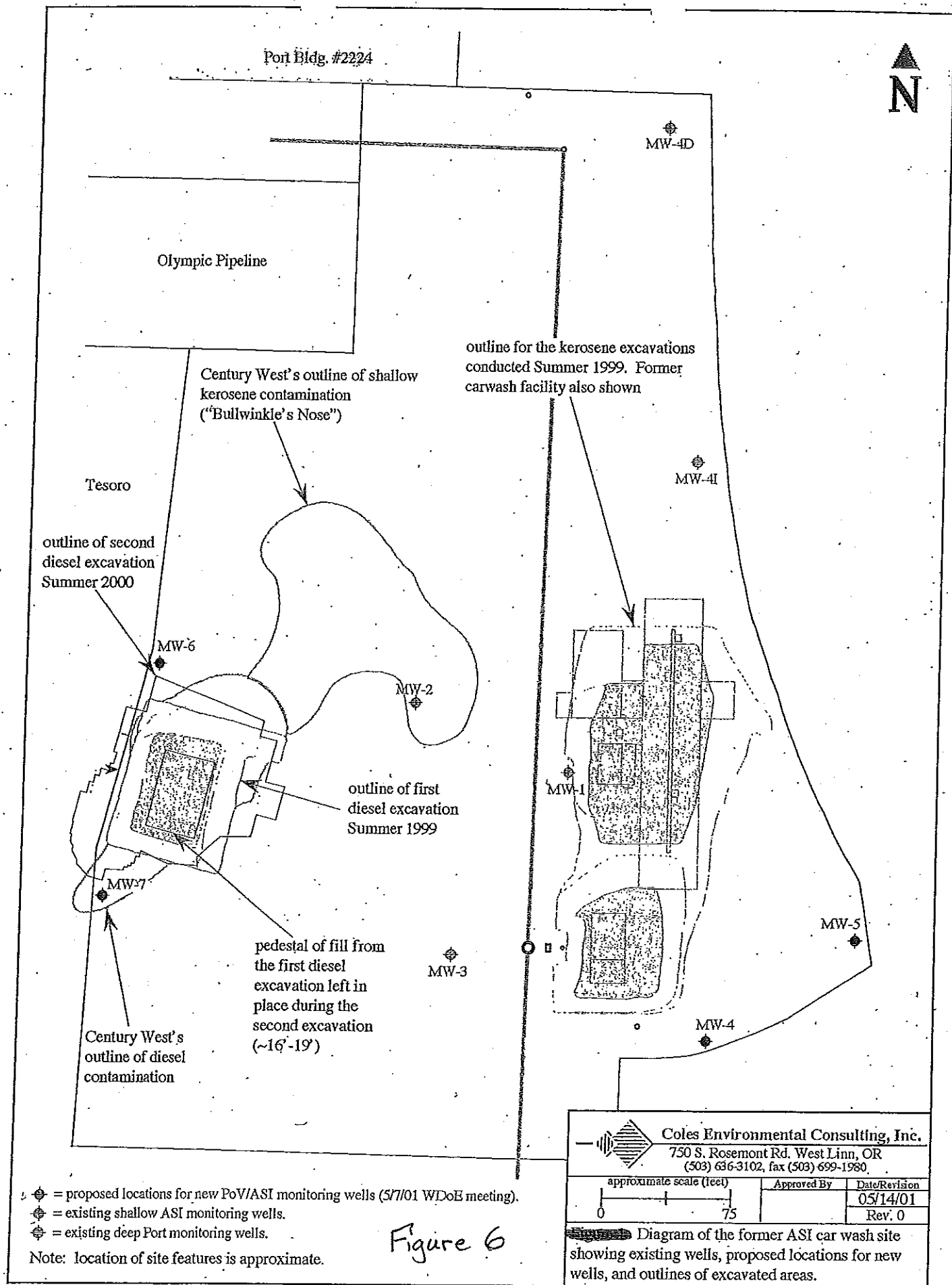
Kennedy/Jenks Consultants

Port of Vancouver
Automotive Services, Inc.
Vancouver, Washington

Site Map

K/J 0992001*00

Figure 5



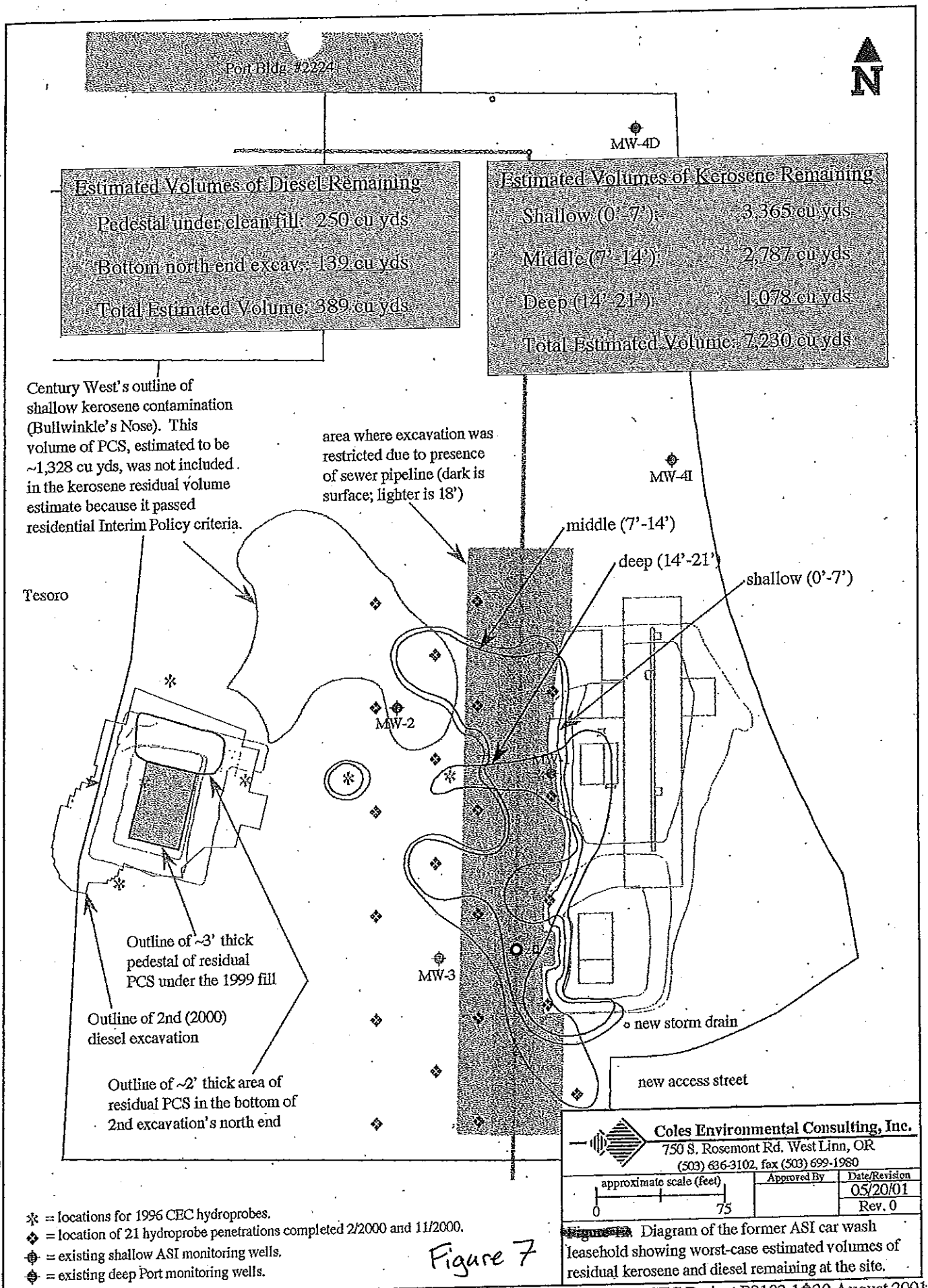


Table 1: Groundwater Monitoring Results, Port of Vancouver/Glacier Site (former ASI Site), page 1 of 2.

| Date/Well ID | field measurements | | | | | | mg/l ^a | µg/l | | | | | |
|--------------------------|---------------------------------|------------------|----------------------|------|------------------|-------------------------|------------------------------------|----------------|------------------|-------------------|--------------|------------------|-----------------|
| | groundwater elevation (ft amsl) | temperature (°F) | conductivity (µS/cm) | pH | Eh (mV) | dissolved oxygen (mg/l) | diesel-range TPH | n-butylbenzene | sec-butylbenzene | tert-butylbenzene | ethylbenzene | isopropylbenzene | n-propylbenzene |
| 1/16/03 | | | | | | | | | | | | | |
| GL-1 | 5.40 | 55.9 | 835 | 7.07 | oor ^b | 0.4 | 0.611 | 7.17 | 15.7 | 1.22 | 3.74 | 45.3 | 99.2 |
| GL-2 | 5.41 | 56.2 | 614 | 7.03 | 140 | 1.7 | ND | ND | ND | ND | ND | ND | ND |
| GL-3 | 5.40 | 50.2 | 136 | 7.07 | 125 | 6.0 | ND | ND | ND | ND | ND | ND | ND |
| GL-4 | 5.39 | 55.9 | 304 | 6.88 | 45 | 1.3 | 0.280 | ND | ND | ND | ND | ND | ND |
| GL-5 | 5.44 | 56.5 | 1,605 | 7.32 | 165 | 0.6 | ND | ND | ND | ND | ND | ND | ND |
| GL-6 | 5.87 | 54.5 | 106 | 6.95 | 180 | 5.9 | ND | ND | ND | ND | ND | ND | ND |
| GL-7 | 5.57 | 56.0 | 380 | 7.03 | 175 | 6.0 | ND | ND | ND | ND | ND | ND | ND |
| 4/17/03 | | | | | | | | | | | | | |
| GL-1 | 8.76 | 55.0 | 256 | 6.46 | -60 | 0.3 | ND | NA | NA | NA | NA | NA | NA |
| GL-2 | | | | | | | No Samples Collected, Well Damaged | | | | | | |
| GL-3 | 8.75 | 53.5 | 187 | 6.35 | 140 | 0.9 | ND | NA | NA | NA | NA | NA | NA |
| GL-4 | 8.73 | 56.0 | 330 | 6.74 | 170 | 2.0 | ND | NA | NA | NA | NA | NA | NA |
| GL-5 | 8.68 | 56.0 | 1,437 | 6.79 | 140 | 0.8 | ND | NA | NA | NA | NA | NA | NA |
| GL-6 | 8.67 | 52.9 | 66 | 6.06 | 160 | NA | ND | NA | NA | NA | NA | NA | NA |
| GL-7 | 8.76 | 55.6 | 295 | 6.35 | 165 | 6.0 | ND | NA | NA | NA | NA | NA | NA |
| reference concentrations | | | | | | | 0.500 | 240 | 240 | 240 | 1,300 | 660 | 240 |

^aDetection limit for diesel is 0.25 mg/l.

^boor = out of range (too low to report)

^aDetection limit for diesel is 0.25 mg/l; ^boor = out of range (too low to measure). Note: dissolved oxygen concentration in water equilibrated with the atmosphere at 56°F is approx. 11 mg/l. Reference values for diesel-range hydrocarbons and ethylbenzene are from MTCA Method A (Table 720.1) while values for the other aliphatic-substituted aromatic compounds are from the Region 9 PRGs (revised 10/20/04). Note that 8260 VOC results only show detected analytes of the 65 compounds analyzed by this method.

Table 1: Groundwater Monitoring Results, Port of Vancouver/Glacier Site (former ASI Site), page 2 of 2.

| Date/Well ID | field measurements | | | | | | | mg/l ^a | µg/l | | | | | |
|--------------------------|---------------------------------|------------------|----------------------|------|------------------|------------------------------------|------------------|-------------------|------------------|-------------------|--------------|------------------|-----------------|--|
| | groundwater elevation (ft amsl) | temperature (°F) | conductivity (µS/cm) | pH | Bh (mV) | dissolved oxygen (mg/l) | diesel-range TPH | n-butylbenzene | sec-butylbenzene | tert-butylbenzene | ethylbenzene | isopropylbenzene | n-propylbenzene | |
| 7/24/03 | | | | | | | | | | | | | | |
| GL-1 | 4.16 | 56.2 | 916 | 6.62 | oor ^b | 0.6 | 0.423 | ND | 14.6 | 1.25 | 1.83 | 34.6 | 57.2 | |
| GL-2 | 4.19 | | | | | No Samples Collected, Well Damaged | | | | | | | | |
| GL-3 | 4.18 | 55.5 | 633 | 6.00 | 150 | 4.1 | ND | ND | ND | ND | ND | ND | ND | |
| GL-4 | 4.16 | 56.1 | 342 | 7.35 | 20 | 2.0 | ND | ND | ND | ND | ND | ND | ND | |
| GL-5 | 4.21 | 56.5 | 1,152 | 7.03 | 95 | 2.0 | ND | ND | ND | ND | ND | ND | ND | |
| GL-6 | 4.21 | 53.4 | 59 | 6.47 | 145 | 7.2 | ND | ND | ND | ND | ND | ND | ND | |
| GL-7 | 4.27 | 56.4 | 447 | 6.50 | 120 | 4.5 | ND | ND | ND | ND | ND | ND | ND | |
| 10/15/03 | | | | | | | | | | | | | | |
| GL-1 | 3.66 | 56.3 | 714 | 6.58 | oor ^b | 0.4 | 0.28 | NA | NA | NA | NA | NA | NA | |
| GL-2 | 3.68 | 56.0 | 595 | 6.49 | 175 | 0.9 | ND | ND | ND | ND | ND | ND | ND | |
| GL-3 | 3.69 | 56.4 | 1,016 | 5.84 | 190 | 4.0 | ND | NA | NA | NA | NA | NA | NA | |
| GL-4 | 3.67 | 56.3 | 456 | 6.50 | 115 | 0.8 | ND | NA | NA | NA | NA | NA | NA | |
| GL-5 | 3.72 | 55.9 | 1,024 | 6.85 | 225 | 1.4 | ND | NA | NA | NA | NA | NA | NA | |
| GL-6 | 3.70 | 54.6 | 73 | 6.08 | 220 | 6.8 | ND | NA | NA | NA | NA | NA | NA | |
| GL-7 | 3.75 | 55.5 | 472 | 6.27 | 250 | 6.1 | ND | NA | NA | NA | NA | NA | NA | |
| reference concentrations | | | | | | | 0.500 | 240 | 240 | 240 | 1,300 | 660 | 240 | |

^aDetection limit for diesel is 0.25 mg/l; ^boor = out of range (too low to measure). Note: dissolved oxygen concentration in water equilibrated with the atmosphere at 56°F is approx. 11 mg/l. Reference values for diesel-range hydrocarbons and ethylbenzene are from MTCA Method A (Table 720.1) while values for the other aliphatic-substituted aromatic compounds are from the Region 9 PRGs (revised 10/20/04). Note that 8260 VOC results only show detected analytes of the 65 compounds analyzed by this method.

Table 1: Groundwater Monitoring Results, Port of Vancouver/Glacier Site (former ASI Site), page 3 of 3.

| Date/Well ID | field measurements | | | | | | mg/l ^a | µg/l | | | | | |
|--------------------------|---------------------------------|------------------|----------------------|------|---------|-------------------------|--------------------|----------------|------------------|-------------------|--------------|------------------|-----------------|
| | groundwater elevation (ft amsl) | temperature (°F) | conductivity (µS/cm) | pH | Eh (mV) | dissolved oxygen (mg/l) | diesel-range TPH | n-butylbenzene | sec-butylbenzene | tert-butylbenzene | ethylbenzene | isopropylbenzene | n-propylbenzene |
| 10/18/07 | | | | | | | | | | | | | |
| GL-1 ^c | 3.63 | 55. | 740 | 6.62 | -50 | 3.2 | 0.978 ^b | ND | ND | ND | ND | ND | ND |
| GL-2 | 3.58 | 55. | 801 | 6.72 | 165 | 5.4 | 2.40 | ND | ND | ND | ND | ND | ND |
| GL-3 | 3.59 | 54. | 338 | 6.23 | 175 | 6.2 | ND | ND | ND | ND | ND | ND | ND |
| GL-4 | 3.57 | 55. | 360 | 6.62 | 110 | 2.4 | ND | ND | ND | ND | ND | ND | ND |
| GL-5 | 3.61 | 55. | 708 | 6.77 | 135 | 3.4 | ND | ND | ND | ND | ND | ND | ND |
| GL-6 | 3.68 | nm | 87.0 | 6.60 | 165 | 6.6 | ND | ND | ND | ND | ND | ND | ND |
| GL-7 | 3.77 | nm | 389 | 6.37 | 170 | 5.9 | 0.283 | ND | ND | ND | ND | ND | ND |
| reserved | | | | | | | | | | | | | |
| GL-1 | | | | | | | | | | | | | |
| GL-2 | | | | | | | | | | | | | |
| GL-3 | | | | | | | | | | | | | |
| GL-4 | | | | | | | | | | | | | |
| GL-5 | | | | | | | | | | | | | |
| GL-6 | | | | | | | | | | | | | |
| GL-7 | | | | | | | | | | | | | |
| reference concentrations | | | | | | | 0.500 | 240 | 240 | 240 | 1,300 | 660 | 240 |

^aDetection limit for diesel is 0.25 mg/l; ^bDuplicate had 1.19 mg/l diesel which is good agreement. Note: dissolved oxygen concentration in water equilibrated with the atmosphere at 56°F is approx. 11 mg/l. Reference values for diesel-range hydrocarbons and ethylbenzene are from MTCA Method A (Table 720.1) while values for the other aliphatic-substituted aromatic compounds are from the Region 9 PRGs (revised 10/20/04). Note that 8260 VOC results only show detected analytes of the 65 compounds analyzed by this method. ^cTetrachloroethene was detected in sample GL-1 at a concentration of 1.16 µg/l, near its method-reporting-limit (MRL) of 1.00 µg/l.

Table 2. Historical ground-water analysis results for samples collected from ASI monitoring wells.

| date Monitoring Well | TPH-D ^a (mg/l) | | 8260 ^a (µg/l) | | | | | 8270 |
|----------------------------|---------------------------|-------------------|--------------------------|--------------|------------------|-----------------|---------|--------------|
| | diesel-related | heavy-oil-related | sec-butylbenzene | ethylbenzene | isopropylbenzene | n-propylbenzene | benzene | all analytes |
| 7/09/96^b | | | | | | | | |
| MW-1 | 3.5 | ND | 19. | 3.3 | 47. | 86. | ND | ND |
| MW-2 | 0.88 | ND | ND | ND | ND | ND | ND | ND |
| MW-3 | 0.44 | ND | ND | ND | ND | ND | ND | ND |
| Trip Blank | ND | ND | ND | ND | ND | ND | ND | ND |
| 7/22/97 | | | | | | | | |
| MW-1 ^c | 1.93 | ND | 12.8 | ND | 29. | 57.6 | ND | NA |
| MW-2 | 0.41 | ND | ND | ND | ND | ND | ND | NA |
| MW-3 | 0.34 | ND | ND | ND | ND | ND | ND | NA |
| Trip Blank | ND | ND | ND | ND | ND | ND | ND | NA |
| 11/20/97 | | | | | | | | |
| MW-1 | 3.26 | ND | 11.9 | ND | ND | 73.8 | ND | NA |
| MW-2 | 0.97 | ND | ND | ND | ND | ND | ND | NA |
| MW-3 | ND | ND | ND | ND | ND | ND | ND | NA |
| 3/26/99 | | | | | | | | |
| MW-1 ^d | 5.90 | ND | 20.1 | ND | 60.6 | 117. | ND | NA |
| MW-2 | 0.64 | ND | ND | ND | ND | ND | ND | NA |
| MW-3 | ND | ND | ND | ND | ND | ND | ND | NA |
| reference concs | 0.50 | 0.50 | 240 | 1,300 | 660 | 240 | 0.35 | NA |

ND = not detected above analytical detection limit. NA = not analyzed. Note that 8260 results only show detected analytes of the 65 compounds analyzed by this method.

^a1996-1997 analyses used Method WTPH-D (Ex); 1999 analysis used the new Method NWTPH-Dx.

^bData from CEC (1996) and CEC (2001a).

^cAlso contained 7.70 ppb n-butyl benzene (PRG tap-water reference value = 240 µg/l).

^dAlso contained 9.75 ppb n-butyl benzene (PRG tap-water reference value = 240 µg/l).

^eReference concentrations for TPH from MTCA; for other analytes from EPA Region 9 PRGs.

Table 4: Total Petroleum Hydrocarbons in Groundwater

| Sample Location | Sample Date | TPH as Diesel mg/L ^(a) | TPH as Fuel Oil mg/L |
|--------------------------------|-------------|-----------------------------------|----------------------|
| GL-1 | 04/01/09 | 0.29 | 0.4 U ^(b) |
| GL-1 DUP ^(c) | 04/01/09 | 0.36 | 0.42 U |
| GL-1 | 12/16/10 | 0.077 | 0.38 U |
| GL-1 DUP | 12/16/10 | 0.077 U | 0.38 U |
| GL-1 | 04/26/12 | 0.49 | 0.38 U |
| GL-2 | 04/01/09 | 0.78 | 0.4 U |
| GL-2 | 12/16/10 | 0.8 | 0.40 U |
| GL-2 | 04/26/12 | 0.92 | 0.38 U |
| GL-3 | 04/01/09 | 0.084 | 0.42 U |
| GL-3 | 12/16/10 | 0.080 U | 0.40 U |
| GL-3 | 04/26/12 | 0.077 U | 0.38 U |
| GL-4 | 04/01/09 | 0.19 | 0.41 U |
| GL-4 | 12/16/10 | 0.077 | 0.38 U |
| GL-4 | 04/26/12 | 0.28 | 0.38 U |
| GL-5 | 04/01/09 | 0.12 | 0.41 U |
| GL-5 | 12/16/10 | --- ^(d) | --- |
| GL-5 | 04/26/12 | --- | --- |
| GL-6 | 04/01/09 | 0.082 U | 0.41 U |
| GL-6 | 12/16/10 | 0.34 | 0.38 U |
| GL-6 | 04/26/12 | 0.079 U | 0.40 U |
| GL-6 DUP | 04/26/12 | 0.080 U | 0.40 U |
| GL-7 | 04/01/09 | 0.11 | 0.42 U |
| GL-7 | 12/16/10 | --- | --- |
| GL-7 | 04/26/12 | --- | --- |
| MTCA Method A GW Cleanup Level | | 0.5 | 0.5 |

Notes:

a mg/L = Milligrams per liter

b U = Constituent not detected at or above the laboratory reporting limit.

c DUP = Duplicate sample

d --- = Well is no longer sampled.

Values in **bold** were detected above the laboratory reporting limit.

Shaded values exceed the MTCA Method A GW Cleanup Level.

MTCA values were obtained from the Department of Ecology Cleanup Level and Risk Calculations database in June 2009.

<https://fortress.wa.gov/ecy/clarc/CLARCHome.aspx>

Enclosure B

Environmental Covenants for Institutional Controls

5015545 COV

RecFee - \$139.00 Pages: 18 - PORT OF VANCOUVER
Clark County, WA 09/18/2013 03:11



RETURN ADDRESS
PORT OF VANCOUVER USA
3103 NW Lower River Rd
Vancouver, WA 98660

Please print neatly or type information
Document Title(s)

Environmental Covenant Correction

Reference Number(s) of related documents:

4837692 COV

Additional Reference #'s on page ____

Grantor(s) (Last, First and Middle Initial)

Port of Vancouver USA

Additional grantors on page ____

Grantee(s) (Last, First and Middle Initial)

State of Washington Dept. of Ecology

Additional grantees on page ____

Legal Description (abbreviated form: i.e. lot, block plat or section, township, range, quarter/quarter)

Tax Parcel No. 059115-068 SW quarter Section 21, T2N, R1E

Additional legal is on page ____

Assessor's Property Tax Parcel/Account Number

Additional parcel #'s on page ____

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

[Signature]
Signature of Requesting Party

RECEIVED

AUG 29 2013

WA State Department
of Ecology (SWRC)

ENVIRONMENTAL COVENANT CORRECTION

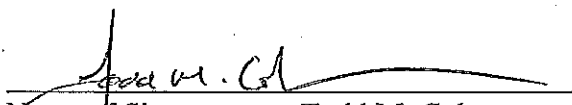
An ENVIRONMENTAL COVENANT dated February 9, 2012 was recorded under Auditor's File Number 4837692 COV on March 12, 2012. That document incorrectly stated that it was applicable to Parcel Numbers 059115-030 and 059115-020.

This ENVIRONMENTAL COVENANT CORRECTION corrects the scrivener's errors to the ENVIRONMENTAL COVENANT dated February 9, 2012 recorded under Auditor's File Number 4837692 COV on March 12, 2012, with added and deleted text as follows:

Page 1 – Tax Parcel Nos.: (Add) 059115-068; (Delete) 059115-030 and 059115-020.

No change to the substantive requirements of the ENVIRONMENTAL COVENANT is made by this CORRECTION document.

Port of Vancouver, USA


Name of Signatory Todd M. Coleman
Title CEO/Executive Director
Dated 8.26.13

NOTARY AND ACKNOWLEDGEMENT BLOCKS
ON FOLLOWING PAGE

4837692 COV

RecFee - \$75.00 Pages: 14 - PORT OF VANCOUVER
Clark County, WA 03/12/2012 02:47



After Recording Return to:

Scott Rose
Department of Ecology
PO Box 47775
Olympia, WA 98504-7775

Environmental Covenant

Grantor: Port of Vancouver
Grantee: State of Washington, Department of Ecology
Legal: SW quarter Section 21, T2N, R1E
Tax Parcel Nos.: 059115-030, 059115-020
Cross Reference: 3407456

Grantor, Port of Vancouver, hereby binds Grantor, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") made this 9th day of February, 2012 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by the Port of Vancouver, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

The Port of Vancouver is the fee owner of real property (hereafter "Property") in the County of Clark, State of Washington, that is subject to this Covenant. The Property is legally described in Attachment A of this covenant and made a part hereof by reference.

A remedial action (hereafter "Remedial Action") occurred at the Property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following document[s]:

- 1) *Report Relating to Removal of Four Underground Storage Tanks at Automotive Services, Inc. 2001 West Fourth Plain Vancouver, Washington, Enviro-Logic, Inc., (September 16, 1991).*

RECEIVED

AUG 29 2013

STATE OF WASHINGTON)
) ss.
County of Clark)

WA State Department
of Ecology (SWRO)

I certify that I know or have satisfactory evidence that Todd M. Coleman signed this instrument, on oath stated that he was authorized to execute this instrument and acknowledged it as the CEO/Executive Director of the Port of Vancouver, USA to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26th day of August, 2013.



Michelle Allan

Michelle Allan

NOTARY PUBLIC for Washington

Residing in Clark County

My Commission Expires: 6/1/17

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Marcia J. Abbott for Rebecca Lawson
Name of Person Acknowledging Receipt _____
Title Section Manager
Dated: 9/9/13

After Recording Return to:

Scott Rose

Department of Ecology

PO Box 47775

Olympia, WA 98504-7775

Environmental Covenant

Grantor: Port of Vancouver

Grantee: State of Washington, Department of Ecology

Legal: SW quarter Section 21, T2N, R1E

Tax Parcel Nos.: 059115-068

Cross Reference: 3407456

Grantor, Port of Vancouver, hereby binds Grantor, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") made this ^{6th} day of February, 2012 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

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A remedial action (hereafter "Remedial Action") occurred at the Property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following document[s]:

- 1) *Report Relating to Removal of Four Underground Storage Tanks at Automotive Services, Inc. 2001 West Fourth Plain Vancouver, Washington, Enviro-Logic, Inc., (September 16, 1991).*

- 2) *Report on a Subsurface Investigation at the Automotive Services, Inc. Site, Port of Vancouver, Washington, CEC (November 4, 1996).*
- 3) *Seven figures, one table and an article received during March 11, 1999, meeting with Coles Environmental Consulting, Inc., and Port of Vancouver Representatives, CEC (March 11, 1999).*
- 4) *Work Plan for the Excavation and Treatment of Kerosene-impacted Soil Former ASI Car-Wash Facility, Port of Vancouver, Washington, CEC (June 21, 1999).*
- 5) *Five figures received during April 27, 2000, meeting with Coles Environmental Consulting, Inc., and Port of Vancouver Representatives, CEC (April 27, 2000).*
- 6) *Final Soil Sample Analysis Results for Remediation of Soil Contaminated with Kerosene at the Former ASI Car-Wash Operation (Narrative), CEC (September 5, 2000).*
- 7) *Final Soil Sample Analysis Results for Remediation of Soil Contaminated with Kerosene at the Former ASI Car-Wash Operation (Analytical Results), CEC (September 28, 2000).*
- 8) *Final Confirmatory Soil-Sample Analysis Results for Remediation of Soil Contaminated with Diesel from the West Side of the Former ASI Car-Wash Leasehold, Vancouver, Washington, CEC (May 30, 2001).*
- 9) *Final Report on the Investigation and Remediation of Kerosene-Contaminated Soil at the Former Location of Automotive Services, Inc.'s Car Wash, Port of Vancouver, Washington, CEC (July 17, 2001).*
- 10) *Final Report on the Investigation and Remediation of Diesel-Contaminated Soil at the Automotive Services, Inc.'s Former Leasehold, Port of Vancouver, Washington, CEC (August 30, 2001).*
- 11) *Final Report on the Post-Remediation Groundwater Investigation at the Automotive Services, Inc.'s Former Leasehold, Port of Vancouver, Washington, CEC (January 25, 2005)*
- 12) *Long Term Confirmational Groundwater Monitoring Plan for the ASI/Glacier Site, 2210 NW Mill Plain Blvd, Vancouver, Washington, CEC (March 9, 2007)*
- 13) *Revised Long Term Groundwater Monitoring Plan for ASI/Glacier Site, Kennedy Jenks (May 10, 2010)*

These documents are on file at Ecology's Southwest Regional Office.

This Covenant is required because the Remedial Action resulted in residual concentrations of diesel and kerosene in soil and groundwater that exceed the Model Toxics Control Act Method A Unrestricted Land Use Cleanup Level(s) established under WAC 173-340-740. These residual concentrations are being managed under a soil and asphalt cap with monitoring of conditional points of compliance wells (wells GL-3, GL-4, and GL-6) along the downgradient Property boundary, and source area wells (wells GL-1 and GL-2). Monitoring frequency is every 18 months in accordance with the Revised Long-Term Groundwater Monitoring Plan (attached as Exhibit B).

The undersigned, Port of Vancouver, is the fee owner of real property (hereafter "Property") in the County of Clark, State of Washington, that is subject to this Covenant. The Property and legal description is described in Exhibit A.

Port of Vancouver makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. The following restrictions apply to the Property:

1. The Property shall be used only for traditional industrial uses, as described in RCW 70.105D.020(23) and defined in and allowed under the city of Vancouver's zoning regulations codified in the City of Vancouver Municipal Codes- Title 20-Zoning Ordinance as of the date of this Restrictive Covenant.
2. No groundwater may be taken for potable use from the Property.
3. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. 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.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with this Covenant and notify all lessees of the restrictions on the use of the Property.

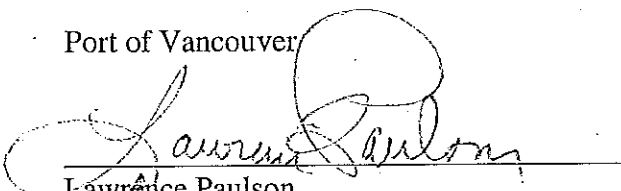
Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

Section 9. The Owner will conduct groundwater monitoring according to the Revised Long-Term Confirmational Groundwater Monitoring Plan (dated May 10, 2010) until such time Ecology approves termination of the monitoring plan. A copy of the Revised Long-Term Groundwater Monitoring Plan is attached as Exhibit B.

Port of Vancouver


Lawrence Paulson
Executive Director

Dated: 2/5/12

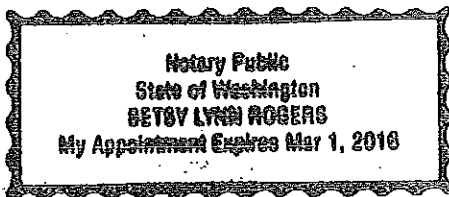
STATE OF WASHINGTON)

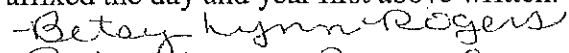
) ss.

COUNTY OF CLARK)

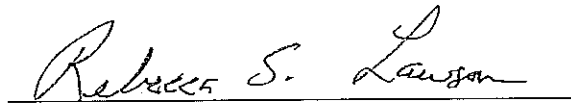
On this 9th day of February, 2012, before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared LAWRENCE PAULSON, to me known to be the Executive Director of the Port of Vancouver, the municipal corporation that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of that municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the instrument on behalf of the municipal corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.




Betsy Lynn Rogers
Notary Public in and for the State of
Washington, residing at Vancouver.
My appointment expires Mar 1, 2016.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY


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

Dated: 2/27/2012

Exhibit A
Legal Description

128331d3
7/21/99
MRN/ed
Rev'd 8-4-99

Mackay & Sposito Inc.

M & S ENGINEERS SURVEYORS PLANNERS
1703 MAIN STREET VANCOUVER, WASHINGTON 98660

| | | | |
|------------------------------|-----------------------|--------------------------|------------------------|
| WASHINGTON (360) 695-3411 | FAX (360) 695-0833 | OREGON (503) 289-8728 | EMAIL msinc@e-z.net |
|------------------------------|-----------------------|--------------------------|------------------------|

LEGAL DESCRIPTION
PORT OF VANCOUVER
PARCEL OF LAND EAST OF TESORO
ADJACENT TO MILL PLAIN
VANCOUVER, WASHINGTON

Real property situated in the City of Vancouver, Clark County, Washington, being a portion of the George Malick Donation Land Claim, lying in the Southwest quarter of Section 21, Township 2 North, Range 1 East of the Willamette Meridian, more particularly described as follows:

Beginning at a 2 inch diameter iron pipe marking the Northwest corner of the Amos Short Donation Land Claim as shown in Survey Book 39, Page 125, records of said county; thence along the West line of said Donation Land Claim South 02° 19' 42" West 712.40 feet to the Southeast corner of the United States of America tract as Described in the Declaration of Taking, recorded under the Auditors File No. F0981, deed records of said county; thence North 88° 25' 03" West 529.26 feet to a point on the Westerly right of way line of Mill Plain Boulevard, as described in the Interlocal Agreement between the Port of Vancouver and the City of Vancouver, Washington for the "Mill Plain Extension Project", said point being 75.00 feet from centerline of said Boulevard when measured at right angles, said point also being the True Point of Beginning of the parcel to be described; thence along said Westerly right of way line, and the Northerly right of way line of the "B" line of said Mill Plain Extension Project the following courses:

South 00° 01' 59" East 82.60 feet to a point of curvature with a 715.00 foot radius curve; thence along said curve to the left, through a central angle of 26° 47' 42", an arc distance of 334.38 feet; thence South 10° 10' 05" East 46.73 feet; thence South 57° 17' 57" West 52.17 feet to a point of curvature with a 170.00 foot radius curve; thence along said curve to the right, through a central angle of 34° 17' 00", an arc distance of 101.72 feet;

12833ld3
7/21/99
MRN/ed
Rev'd 8-4-99

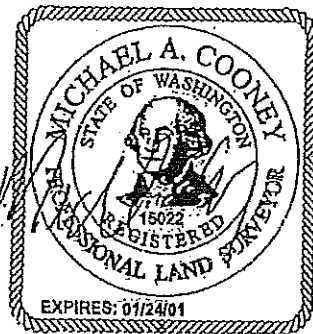
thence continuing along said Northerly right of way line, and the Westerly extension thereof, North 88° 25' 03" West 315.37 feet to a point on the East line of the adjusted Tesoro Lease Area; thence along said East line the following courses:

North 04° 03' 52" East 112.48 feet; thence North 16° 11' 21" East 118.66 feet; thence North 07° 06' 59" East 171.30 feet

to a point on the South line of the adjusted Olympic Pipeline Lease; thence along said South line South 88° 23' 11" East 97.44 feet to the Southeast corner of said lease; thence along the East line of said lease North 01° 59' 17" East 109.63 feet to the Northeast corner thereof, said point being on the South line of said United States of America Tract; thence along said South line South 88° 25' 03" East 207.04 feet to the True Point of Beginning.

Containing 172,095 square feet or approximately 3.951 acres.

Subject to easements and restrictions of record.



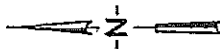
Mackay & Sposito Inc.



ENGINEERS SURVEYORS
PLANNERS

1703 MAIN STREET VANCOUVER, WA. 98660
(360)695-3411 FAX 695-0833. (503)289-6725

BEARINGS BASED ON
BOOK 39, PAGE 125



SCALE: 1" = 150'



ADJUSTED OLYMPIC
PIPELINE LEASE

TRUE POINT OF BEGINNING

S88°25'03"E

207.04'

109.63'

N01°59'17"E

97.44'

S88°23'11"E

171.30'

N07°06'59"E

118.66'

N16°11'21"E

112.48'

N04°03'52"E

315.37'

N88°25'03"W

52.17'

S57°17'57"W

46.73'

S10°10'05"E

136.36'

N02°19'42"E

502.19'42"W

2782.40'

S02°19'42"W

712.40'

529.26'

N88°25'03"W

POINT OF BEGINNING, FOUND 2"

IRON PIPE WITH COPPER WIRE IN

CASE WITH COVER AT THE NORTHWEST

CORNER OF THE AMOS SHORT DLC

AS SHOWN IN R.O.S. BK. 39, PG. 125

EAST LINE OF THE GEORGE MALICK DLC
WEST LINE OF THE AMOS SHORT DLC

FOUND CITY BRASS CAP IN CASE
ON DLC LINE AT THE ORIGIN (0.0)
OF THE 1940 CITY COORDINATE
SYSTEM AS SHOWN IN R.O.S. BK.
39, PG. 125.

POSITION OF SOUTHWEST CORNER
OF THE AMOS SHORT DLC AS
SHOWN IN R.O.S. BK. 39, PG. 125.

MILL PLAIN BOULEVARD

$\Delta = 26°47'42"$
 $R = 715.00'$
 $L = 334.38'$

APPROX.
3.951 ACRES

$\Delta = 34°17'00"$
 $R = 170.00'$
 $L = 101.72'$



SHEET 3 OF 3
12833553
7-22-99
REVISED 8-4-99

Exhibit B
Revised Long-Term Groundwater Monitoring Plan

Kennedy/Jenks Consultants

Engineers & Scientists

200 S.W. Market Street, Suite 500
Portland, Oregon 97201
503-295-4911
FAX: 503-295-4901

10 May 2010

Mr. Scott Rose
Acting Unit Manager
Toxic Cleanup Program -- Southwest Region Office
Washington State Department of Ecology
PO Box 47775
Olympia, WA 98504-7775

Subject: Automotive Services Inc. - REVISED Long Term Groundwater Monitoring Plan
K/J 0992001*00

Dear Mr. Rose:

On behalf of the Port of Vancouver (Port), this letter serves as an amendment to the 9 March 2007 "Revised Long-Term Confirmational Groundwater Monitoring Plan for the ASI/Glacier Site" prepared by Coles Environmental. For future monitoring events, this letter will serve as the guiding document for monitoring well network sampling frequency and analyses until the next 5-year review (set for 2013).

This plan is being revised to reduce the number of wells sampled during each event. Two monitoring wells, GL-5 and GL-7, will be permanently abandoned. Frequency will remain the same, with sampling occurring every 18 months.

Monitoring Well Network

The monitoring well network will consist of five wells: GL-1, GL-2, GL-3, GL-4, and GL-6. The location of these wells is included on Figure 1.

Field Parameters

Depth to groundwater will be measured in each well. Survey data from top of casing (TOC) will allow for calculation of groundwater elevation in feet above mean sea level (MSL). This data will be used to determine a groundwater gradient and flow direction at the time of sampling.

Field parameters will be measured as part of the field sampling operations. Monitoring well purging parameters include temperature, pH, dissolved oxygen, and specific conductivity.

Kennedy/Jenks Consultants

Mr. Scott Rose
Washington State Department of Ecology
10 May 2010
Page 2

Sampling Method and Laboratory Analyses

Low-flow sampling techniques will continue to be used for sampling at this site. This change was approved by Ecology, received by email 26 March 2009.

Samples will be collected in pre-cleaned, laboratory supplied containers. Samples will be labeled, packed on ice, and delivered to the Port's analytical laboratory under chain-of-custody procedures. Samples will be submitted for analysis of volatile organic compounds (VOCs) using EPA Method 8260B, and diesel-range and oil-range organics using Method NWTPH-Dx.

Investigation Derived Wastes

Purge water, disposable tubing, and disposable bailers are the only investigation-derived wastes generated during the sampling activities. Disposable tubing and bailers will be disposed in the trash dumpster at the site. Purge water will be collected into a Port-provided container with lid (e.g. 55-gallon drum) for Port characterization and disposal.

Data Quality

One field duplicate will be collected from a randomly selected monitoring well. Chemical analyses will include VOCs and NWTPH-Dx.

A field blank and a trip blank will also be used during sampling events. Each sample will be analyzed for VOCs. There will be no equipment blank analyzed because all sampling equipment is disposable.

Results from laboratory Quality Control (QC) checks will also be reviewed. Laboratory QC results are included with the data package of analytical results. Anomalies in laboratory QC results will be summarized in the summary report of sampling events. If the QC results indicate challenges with data quality and the acceptability of the data for reporting purposes, the laboratory and the Port will be notified to discuss next steps (e.g. re-sampling).

Reporting

A summary letter report of the sampling events and results will be prepared and submitted to Ecology for the file. Analytical results will be compared to MTCA Method A cleanup levels and summarized in a table. Depth to groundwater and field parameters will also be summarized. Finally, a site figure illustrating well location and estimated groundwater flow direction will be included.

Upcoming Events

Future monitoring events are scheduled for October 2010 and April 2012.

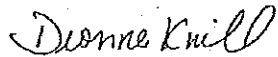
Kennedy/Jenks Consultants

Mr. Scott Rose
Washington State Department of Ecology
10 May 2010
Page 3

We believe the above changes in the sampling approach continue to be protective of human health and the environment, and are in compliance with WAC 173-340-410(b) performance monitoring. Should you have any questions or comments, please contact me at 503-423-4019 or Jessi Belston, Port of Vancouver, at 360-992-1138.

Very truly yours,

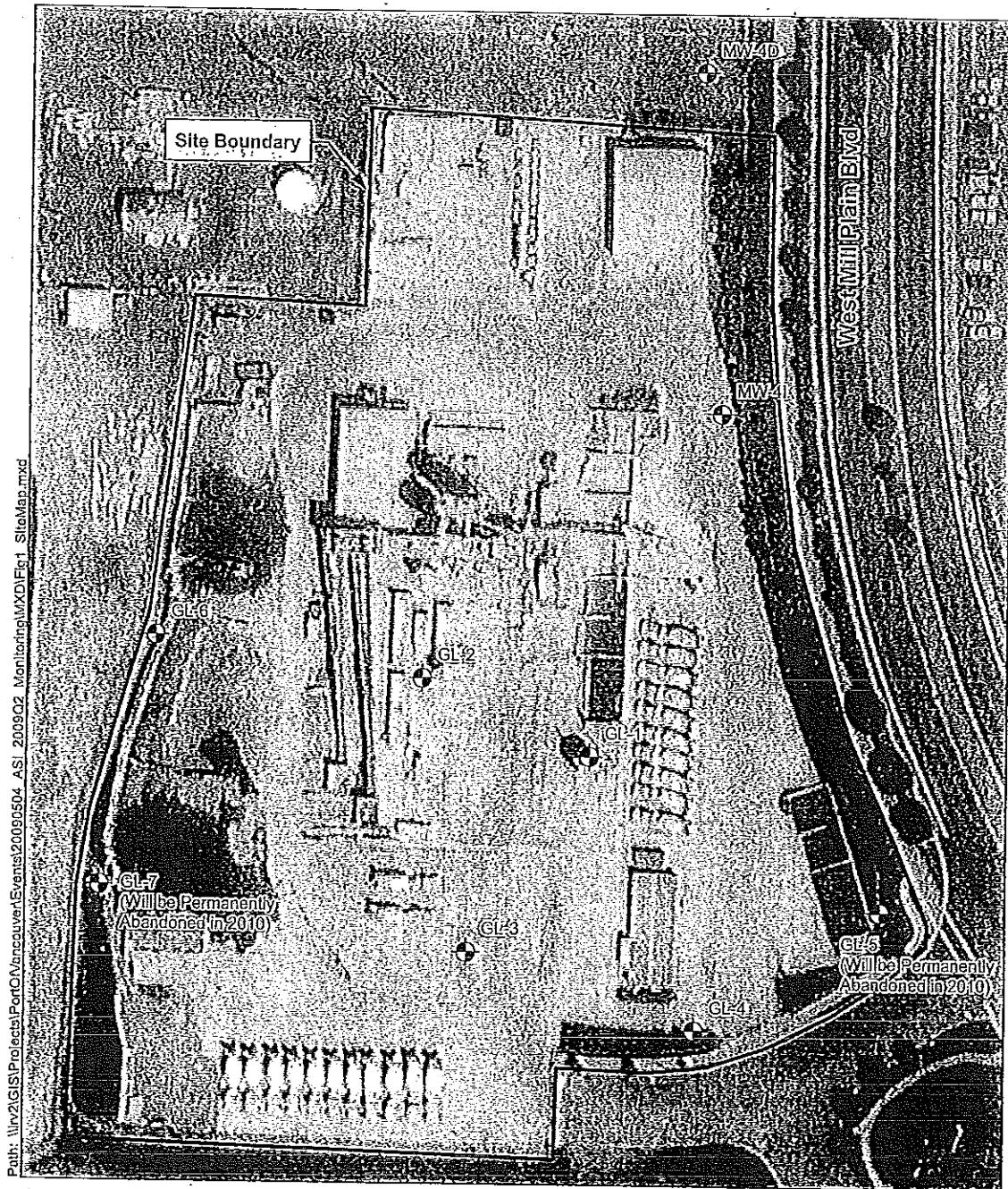
KENNEDY/JENKS CONSULTANTS



Deonne Knill
Project Manager

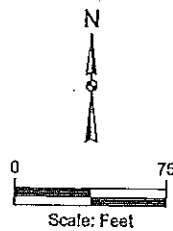
Enclosure

cc: Jessi Belston, Port of Vancouver



Path: \\n2\GIS\Projects\PortOfVancouver\Events\20090504_ASI_200902_Monitoring\MXD\Fig1_SiteMap.mxd

Notes:
 1 - (c)2009 Microsoft Corporation.
 2 - All locations are approximate.



Kennedy/Jenks Consultants

Port of Vancouver
 Automotive Services, Inc.
 Vancouver, Washington

Site Map

K/J 0992001'00

Figure 1