

PERIODIC REVIEW

Garden Plaza
Facility Site ID#: 2475

500 and 535 Park Avenue North
Renton, Washington 98055

Northwest Region Office

TOXICS CLEANUP PROGRAM

November, 2008

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1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup site conditions and monitoring data to assure that human health and the environment are being protected at the Garden Plaza Site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA), Chapter 173-340 Washington Administrative Code (WAC).

Cleanup activities at this Site were completed under the Voluntary Cleanup Program. The cleanup actions resulted in residual concentrations of total petroleum hydrocarbons (TPH) exceeding MTCA Method A cleanup levels for soil and vinyl chloride and arsenic exceeding MTCA Method A cleanup levels for groundwater. The MTCA Method A cleanup levels for soil are established under WAC 173-340-740(2). The MTCA Method A cleanup levels for groundwater are established under WAC 173-340-720(3). WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a site every five years under the following conditions:

(a) Whenever the department conducts a cleanup action
(b) Whenever the department approves a cleanup action under an order, agreed order or consent decree
(c) Or, as resources permit, whenever the department issues a no further action opinion and one of the following conditions exists
    1. Institutional controls or financial assurance are required as part of the cleanup
    2. Where the cleanup level is based on a practical quantitation limit
    3. Where, in the department‟s judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

(a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the site;
(b) New scientific information for individual hazardous substances of mixtures present at the site;
(c) New applicable state and federal laws for hazardous substances present at the Site;
(d) Current and projected site use;
(e) Availability and practicability of higher preference technologies; and
(f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The department shall publish a notice of all periodic reviews in the site register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site History

The Garden Plaza facility is located in the City of Renton in King County, Washington (Vicinity Map - Appendix 6.1). Following remedial activities, a Restrictive Covenant was recorded for the property in 1994 and was replaced with an updated Restrictive Covenant in 2001. The Site received a „No Further Action" determination in 1994, which was also updated in 2001 following the completion of groundwater monitoring at the Site. The Site is now occupied by office buildings and is located in an area occupied by commercial facilities.

Industrial and commercial use of the Site reportedly began in 1943 with the construction of a Shell heating oil distributor on the northwestern corner of the Site. Sunset Coal and Oil operated the distribution facility between 1950 and 1967. The Renton Boilerworks occupied the east-central portion of the property from 1960 to 1970. The Fifth and Park building was constructed in 1979. The Garden Plaza building and garage were constructed in 1988. A site plan is available as Appendix 6.2.

2.2 Site Investigations and Remediation

Earth Consultants, Inc. (ECI) in 1988 conducted a geotechnical study of the proposed Garden Plaza Building and discovered that soil from under the center of the building contained 1,200 parts per million (ppm) of TPH.

Rittenhouse-Zeman and Associates, Inc. in 1989 advanced nine soil borings and one groundwater monitoring well around the perimeter of the Fifth and Park Building. A groundwater sample indicated the presence of TPH at 13 ppm and two soil borings indicated additional TPH soil contamination at 4,700 and 1,300 ppm.

Landau Associates, Inc. (LAI) installed three additional monitoring wells in 1989. Sample results from a monitoring well near the northeastern corner of the Site indicated the presence of vinyl chloride at a concentration of 45 parts per billion (ppb). A second well was found to have TPH concentrations of 56 ppm. The vinyl chloride contamination was located near the Pacific Car and Foundry (PACCAR) site, a Superfund site known to contain vinyl chloride contaminated groundwater. The PACCAR site is located east and hydrologically upgradient from the contaminated well, and this well is located upgradient from the rest of the Garden Plaza Site.

Geotech Consultants, Inc. (GCI) installed eleven additional monitoring wells in 1993. Soil samples collected during the monitoring well installation confirmed the presence of low levels of TPH in soil across the Site. TPH groundwater contamination was confirmed at low levels in several wells.

An independent remedial action program (IRAP) report was prepared in 1994 by GCI and submitted to Ecology for review. Ecology issued a „No Further Action" determination pending

the filing of a deed restriction with the property deed noting contaminated soil and groundwater existing beneath the Site. The deed restriction also noted that semi-annual groundwater monitoring was to continue for a period of five years in three monitoring wells, MW-4, MW-13, and MW-14.

2.3 Groundwater Monitoring

As part of the deed restriction filed in 1994, semi-annual groundwater monitoring was started in February 1995. During the first three sampling events, diesel-range petroleum hydrocarbons (TPH-D) were detected in MW-4. No contaminants were detected in any of the wells during the following four sampling events, ending in November 1998. This groundwater monitoring data is available in appendix 6.3. Ecology issued a letter in April 2001 stating that groundwater monitoring, as required by the „No Further Action" Letter in 1994, was no longer required. This letter also stated that the Restrictive Covenant may be altered for the Site. The Boeing Company was authorized to remove the restrictions regarding TPH for the Site.

2.4 Restrictive Covenant

Two Restrictive Covenants have been in place at the Site. The first Restrictive Covenant was recorded in 1994 and required groundwater monitoring to continue at the Site due to the presence of TPH in soil and groundwater. The Restrictive Covenant was modified in 2001 to eliminate the need for groundwater monitoring, but to continue limitations on the use of groundwater at the Site due to the presence of arsenic and vinyl chloride in groundwater. This Restrictive Covenant is available as Appendix 6.4. The following limitations are found in the current Restrictive Covenant:

1. No groundwater may be taken for any use from the Property.
2. Any activity that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the remedial action is prohibited.
3. Any activity that may interfere with the integrity of the remedial action is prohibited.
4. The owner or successor owner of the Site must give written notice of intent to convey any interest in the Site.
5. The owner must restrict leases to uses and activities consistent with the Covenant.
6. The owner or successor owner must notify and obtain approval from Ecology prior to any use of the Site that is inconsistent with the terms of the Covenant.
7. The owner or successor owner shall grant Ecology the right to enter the site at reasonable times.
8. The owner or successor owner reserves the right to remove this Covenant with Ecology"s approval.

Following the recording of the second Restrictive Covenant in 2001, a new „No Further Action" determination was issued by Ecology. This determination stated that groundwater use must be restricted, but Ecology understood that the vinyl chloride and arsenic in groundwater were not likely due to current or past operations at the Site, and were being monitored as part of remediation activities being conducted at the adjacent PACCAR site.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

Based upon the site visit conducted on August 20, 2008, the building and asphalt cover at the Site continue to eliminate the exposure of contaminated soils by ingestion and direct contact. The asphalt appears in satisfactory condition and no repair, maintenance or contingency actions have been required. The Site continues to operate as a commercial office building plaza. A photo log is available as Appendix 6.5.

The Restrictive Covenant for the Site was recorded and is in place. This Restrictive Covenant prohibits the use of groundwater from the Site, as well as activities that will result in the release of contaminants contained as part of the cleanup without Ecology"s approval, and prohibits any use of the property that is inconsistent with the Covenant. This Restrictive Covenant serves to assure the long term integrity of the cap.

Results of the Periodic Review:

- Soils with TPH concentrations higher than MTCA Method A cleanup levels are still present at the Site.
- The structures and asphalt surface prevent human exposure to this contamination by ingestion and direct contact with soils.
- Groundwater with arsenic and vinyl chloride concentrations slightly higher than MTCA Method A cleanup levels may also be present at the Site.
- The Restrictive Covenant for the property will ensure that groundwater from the Site will not be used, and that the caps will be protected through maintaining the current use of the Site.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

There is no new scientific information for the petroleum contaminants related to the Site.

3.3 New applicable state and federal laws for hazardous substances present at the Site

The cleanup at the site was governed by Chapter 173-340 WAC (1996 ed.). WAC 173-340-702(12) (c) [2001 ed.] provides that,

"A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the

previous cleanup action is no longer sufficiently protective of human health and the environment."

Although cleanup levels changed for TPH as a result of modifications to MTCA in 2001, contamination remains at the site above MTCA Method A cleanup levels and the cleanup action is still protective of human health and the environment. A table containing MTCA Method A cleanup levels relevant to the Site is located below:

Analyte	1991 MTCA Soil Cleanup Level (ppm)	2001 MTCA Method A Soil Cleanup Level (ppm)	1991 MTCA Method A Groundwater Cleanup level (ppb)	2001 MTCA Method A Groundwater Cleanup Level (ppb)
Arsenic	20	20	5	5
TPH	NL	NL	1000	NL
TPH-Gas	100	100/30	NL	1000/800
TPH-Diesel	200	2000	NL	500
TPH-Oil	200	2000	NL	500
Vinyl Chloride	NL	NL	0.2	0.2
NL = None listed				

3.4 Current and projected site use

The site is currently used for commercial purposes. There have been no changes in current or projected future site or resource uses.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection below MTCA Method A cleanup levels. The presence of improved analytical techniques would not effect decisions or recommendations made for the site.

4.0 CONCLUSIONS

- The cleanup actions completed at the Site appear to be protective of human health and the environment.

- Soil and groundwater cleanup levels have not been met at the Site; however, under WAC 173-340-740(6)(d), the cleanup action is determined to comply with cleanup standards, since the long-term integrity of the containment system is ensured and the requirements for containment technologies in WAC 173-340-360(8) continue to be met. Please note these citations are for the MTCA regulations in effect at the time the remedy was implemented, and are not correct if applied to the similar relevant wording in the current regulations.

- The Restrictive Covenant for the property is in place and continues to be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, the Department of Ecology has determined that the requirements of the Restrictive Covenant continue to be met. No additional cleanup actions are required by the property owner. It is the property owner‟s responsibility to continue to inspect the site to assure that the integrity of the cap is maintained.

4.1 Next Review

The next review for the site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

Landau Associates, Inc. Property Assessments. July 1989.

Landau Associates, Inc. Groundwater Sampling – November 1991. February 1992.

Geotech Consultants. Subsurface Exploration and Testing. November 1993.

Geotech Consultants. Supplemental Subsurface Exploration and Testing. December 1993.

Geotech Consultants. Voluntary Cleanup Program Report. October 1999.

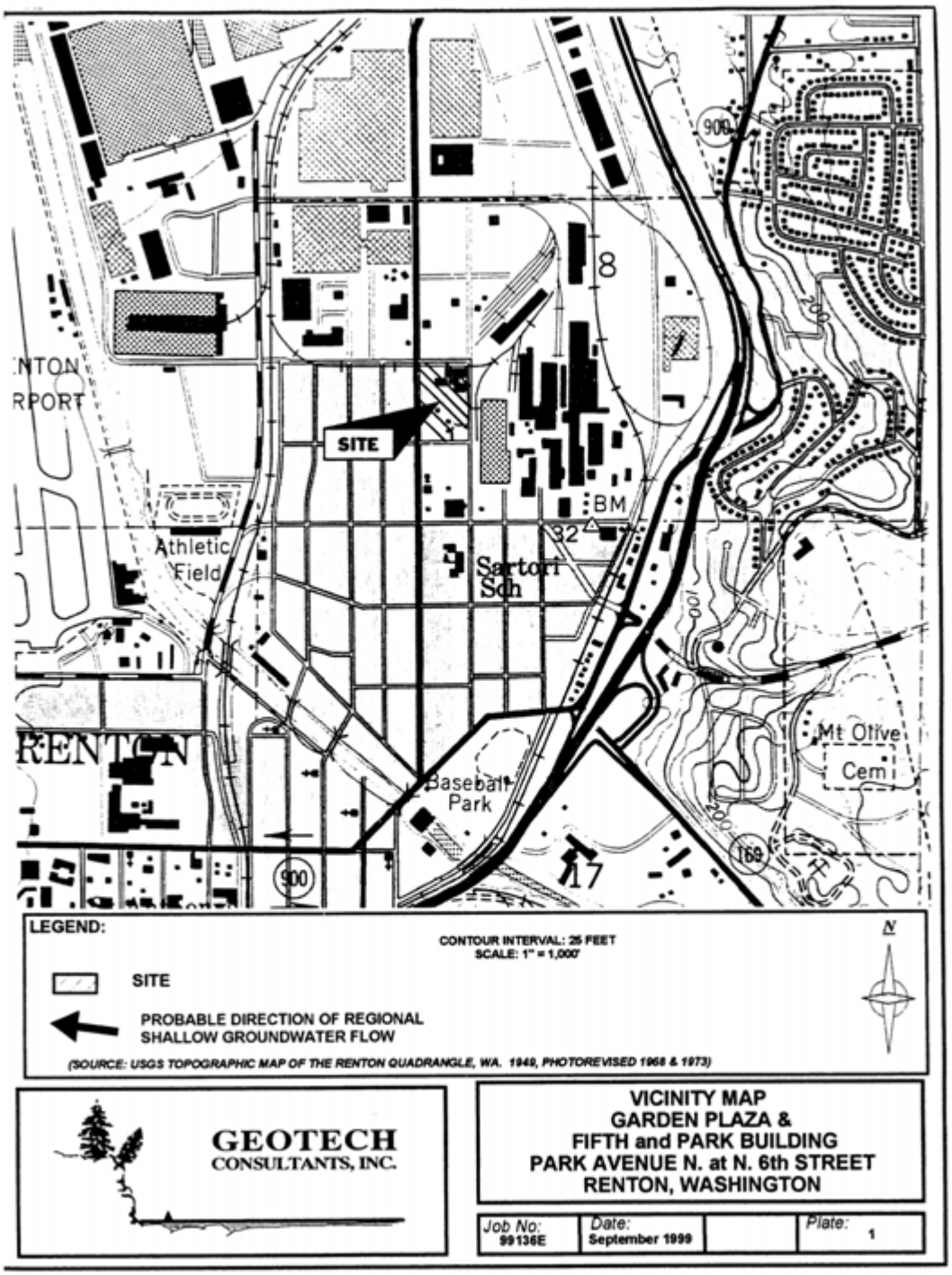
Ecology. Restrictive Covenant, 1994.

Ecology. Restrictive Covenant. 2001

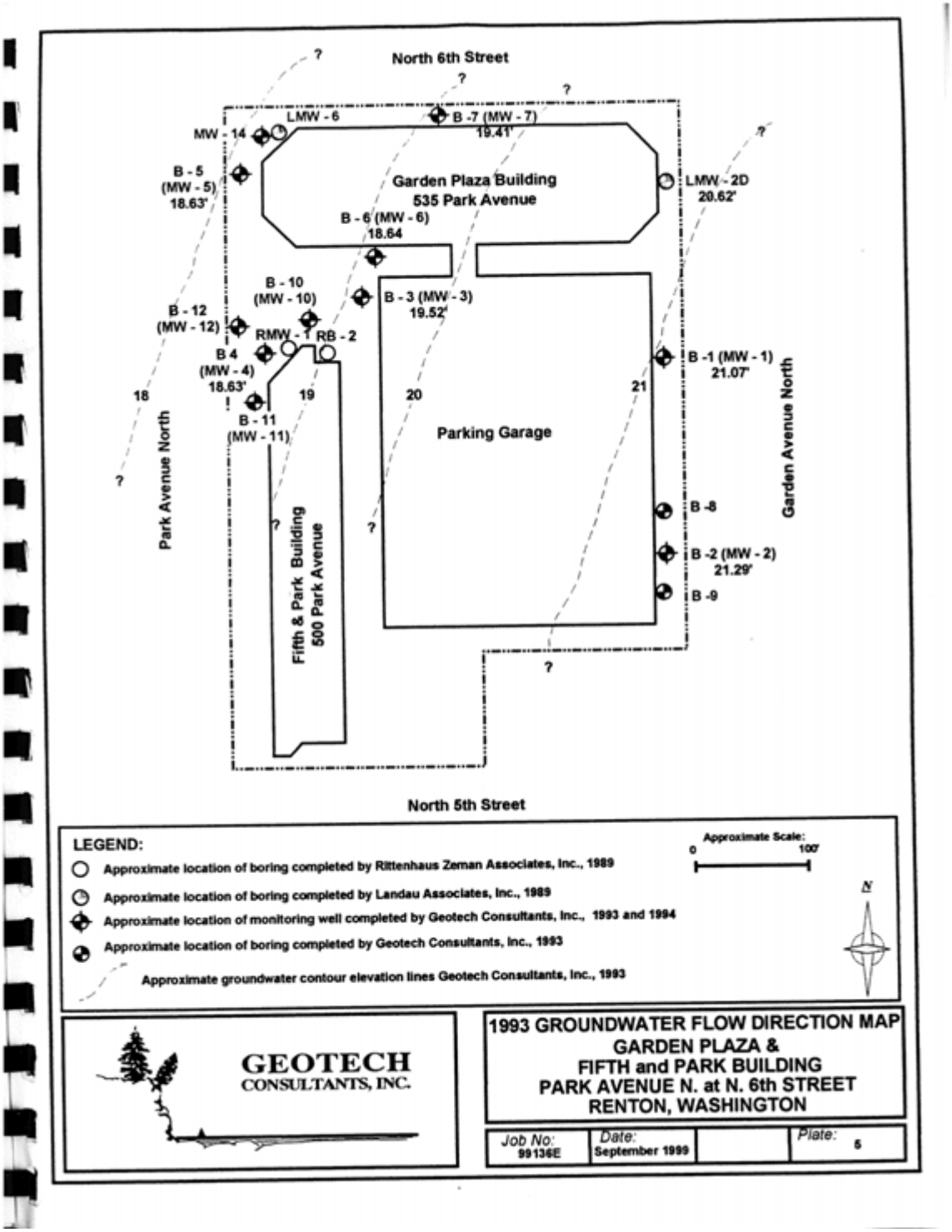
Ecology. Site Visit. August 20, 2008.

6.0 APPENDICES

6.1 Vicinity Map



6.2 Site Plan


North 6th Street
LMW - 6
B -7 (MW - 7)
19.41'
MW - 14
B - 5
(MW - 5)
18.63'
Garden Plaza Building
535 Park Avenue
LMW - 2D
20.62'
B - 6 (MW - 6)
18.64
B - 10
(MW - 10)
B - 3 (MW - 3)
19.52'
B - 12
(MW - 12)
RMW - 1
RB - 2
B 4
(MW - 4)
18.63'
B -1 (MW - 1)
21.07'
18
19
20
21
B - 11
(MW - 11)
Parking Garage
Park Avenue North
Garden Avenue North
Fifth & Park Building
500 Park Avenue
B -8
B -2 (MW - 2)
21.29'
B -9
North 5th Street
LEGEND:
Approximate location of boring completed by Rittenhaus Zeman Associates, Inc., 1989
Approximate location of boring completed by Landau Associates, Inc., 1989
Approximate location of monitoring well completed by Geotech Consultants, Inc., 1993 and 1994
Approximate location of boring completed by Geotech Consultants, Inc., 1993
Approximate groundwater contour elevation lines Geotech Consultants, Inc., 1993
Approximate Scale:
0
100'
N
GEOTECH
CONSULTANTS, INC.
1993 GROUNDWATER FLOW DIRECTION MAP
GARDEN PLAZA &
FIFTH and PARK BUILDING
PARK AVENUE N. at N. 6th STREET
RENTON, WASHINGTON
Job No:
99136E
Date:
September 1999
Plate:
5

6.3 Groundwater Monitoring Data

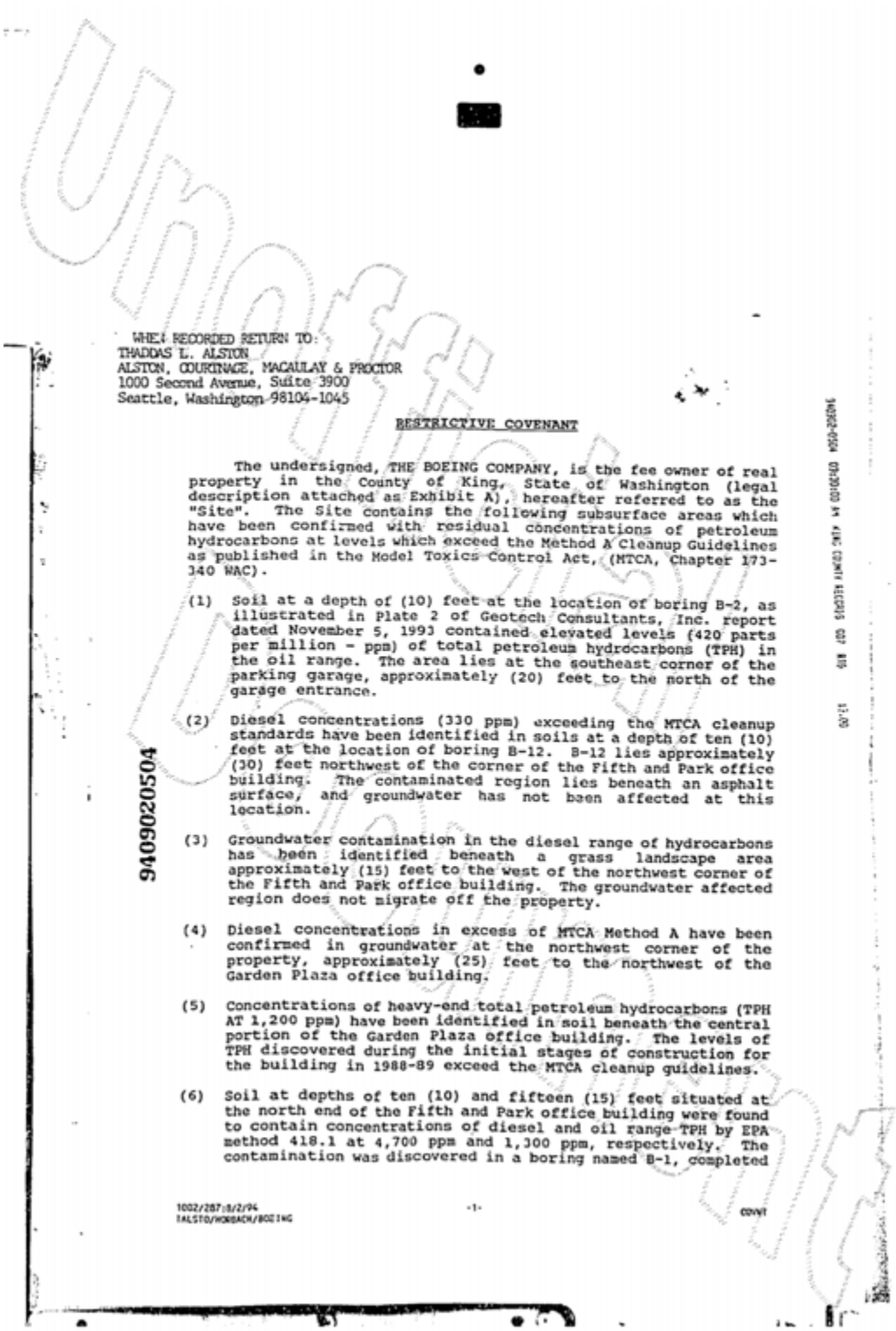
TABLE 2
LABORATORY RESULTS[1]
GROUNDWATER SAMPLES - MONITORING WELLS
FEBRUARY 1995 through NOVEMBER 1998

Well ID Number	Date Sampled	Depth to Water (feet)	Diesel[2,3]	Oil[3]
MW-4	2/22/95	8.23	**2.2**[2]	NR[4]
MW-4	8/25/95	10.27	**9.9**[2]	NR
MW-4	10/1/96	9.68	**1.4**[3]	<1.0[3]
MW-4	1/20/97	7.52	<0.5[3]	<1.0[3]
MW-4	10/31/97	9.34	0.69[3]	<0.5[3]
MW-4	4/9/98	6.84	0.31[3]	<0.5[3]
MW-4	11/25/98	7.25	<0.20[3]	<0.5[3]
MW-13	2/22/95	NA[5]	<0.5[2]	NR
MW-13	8/25/95	NA	NT[6]	NT
MW-12[7]	8/25/95	9.83	0.68[2]	NR
MW-12	10/1/96	9.36	<0.5[3]	<1.0[3]
MW-12	1/20/97	6.59	<0.5[3]	<1.0[3]
MW-12	10/31/97	8.45	<0.5[3]	<0.5[3]
MW-12	4/9/98	8.21	<0.25[3]	<0.5[3]
MW-12	11/25/98	8.65	<0.20[3]	<0.5[3]
MW-14	2/22/95	7.39	<0.50[2]	NR
MW-14	8/25/95	9.15	0.53[2]	NR
MW-14	10/1/96	8.75	<0.5[3]	<1.0[3]
MW-14	1/20/97	6.72	<0.5[3]	<1.0
MW-14	10/31/97	8.40	<0.5[3]	<.0.5[3]
MW-14	4/9/98	8.16	<0.25[3]	<0.5[3]
MW-14	11/25/98	8.60	<0.20[3]	<0.5[3]
Method A Cleanup Standards[8]			**1.0**	

Notes:
1. Results are reported in parts per million (ppm).
2. Diesel by Washington Method WTPH-D.
3. Diesel and Oil by Washington Method WTPH-Dx (extended).
4. NR signifies "not reported". Concentrations of oil-range hydrocarbons were not reported for samples analyzed in 1995.
5. NA denotes not available due to damage of well from nearby construction.
6. NT denotes not tested.
7. MW-12 replaced MW-13 for the remainder of the project due to damage to MW-13.
8. Method A Cleanup Levels - Groundwater the Model Toxics Control Act (MTCA) 173-340-720.
9. Bold Values in table are above Method A Cleanup levels.

GEOTECH CONSULTANTS, INC.

6.4 Environmental Covenant



WHEN RECORDED RETURN TO:
THADDAS L. ALSTON
ALSTON, COURTNAGE, MACAULAY & PROCTOR
1000 Second Avenue, Suite 3900
Seattle, Washington 98104-1045

RESTRICTIVE COVENANT

The undersigned, THE BOEING COMPANY, is the fee owner of real property in the County of King, State of Washington (legal description attached as Exhibit A), hereafter referred to as the "Site". The Site contains the following subsurface areas which have been confirmed with residual concentrations of petroleum hydrocarbons at levels which exceed the Method A Cleanup Guidelines as published in the Model Toxics Control Act, (MTCA, Chapter 173-340 WAC).

(1) Soil at a depth of (10) feet at the location of boring B-2, as illustrated in Plate 2 of Geotech Consultants, Inc. report dated November 5, 1993 contained elevated levels (420 parts per million - ppm) of total petroleum hydrocarbons (TPH) in the oil range. The area lies at the southeast corner of the parking garage, approximately (20) feet to the north of the garage entrance.

(2) Diesel concentrations (330 ppm) exceeding the MTCA cleanup standards have been identified in soils at a depth of ten (10) feet at the location of boring B-12. B-12 lies approximately (30) feet northwest of the corner of the Fifth and Park office building. The contaminated region lies beneath an asphalt surface, and groundwater has not been affected at this location.

(3) Groundwater contamination in the diesel range of hydrocarbons has been identified beneath a grass landscape area approximately (15) feet to the west of the northwest corner of the Fifth and Park office building. The groundwater affected region does not migrate off the property.

(4) Diesel concentrations in excess of MTCA Method A have been confirmed in groundwater at the northwest corner of the property, approximately (25) feet to the northwest of the Garden Plaza office building.

(5) Concentrations of heavy-end total petroleum hydrocarbons (TPH AT 1,200 ppm) have been identified in soil beneath the central portion of the Garden Plaza office building. The levels of TPH discovered during the initial stages of construction for the building in 1988-89 exceed the MTCA cleanup guidelines.

(6) Soil at depths of ten (10) and fifteen (15) feet situated at the north end of the Fifth and Park office building were found to contain concentrations of diesel and oil range TPH by EPA method 418.1 at 4,700 ppm and 1,300 ppm, respectively. The contamination was discovered in a boring named B-1, completed

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ALSTO/HORBACH/BOEING

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COVNT

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instrument may be recorded only with the consent of the Department of Ecology, or of a successor agency. Public notice and comment may be sought by the Department of Ecology or a successor agency prior to the recording of such an instrument.

DATED this ___ day of August, 1994.

THE BOEING COMPANY

BY: _____ Signature

J.S. Nelson Print Name

ITS: Dir. Facilities - BCAG Title

BY: _____ Signature

_____ Print Name

ITS: _____ Title

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1002/287:8/2/94
TALSTO/HORBACH/BOEING

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CONT

Unofficial Document

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 26TH day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared J.J. NELSON known to me to be the DIRECTOR OF FACILITIES of THE BOEING COMPANY, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

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

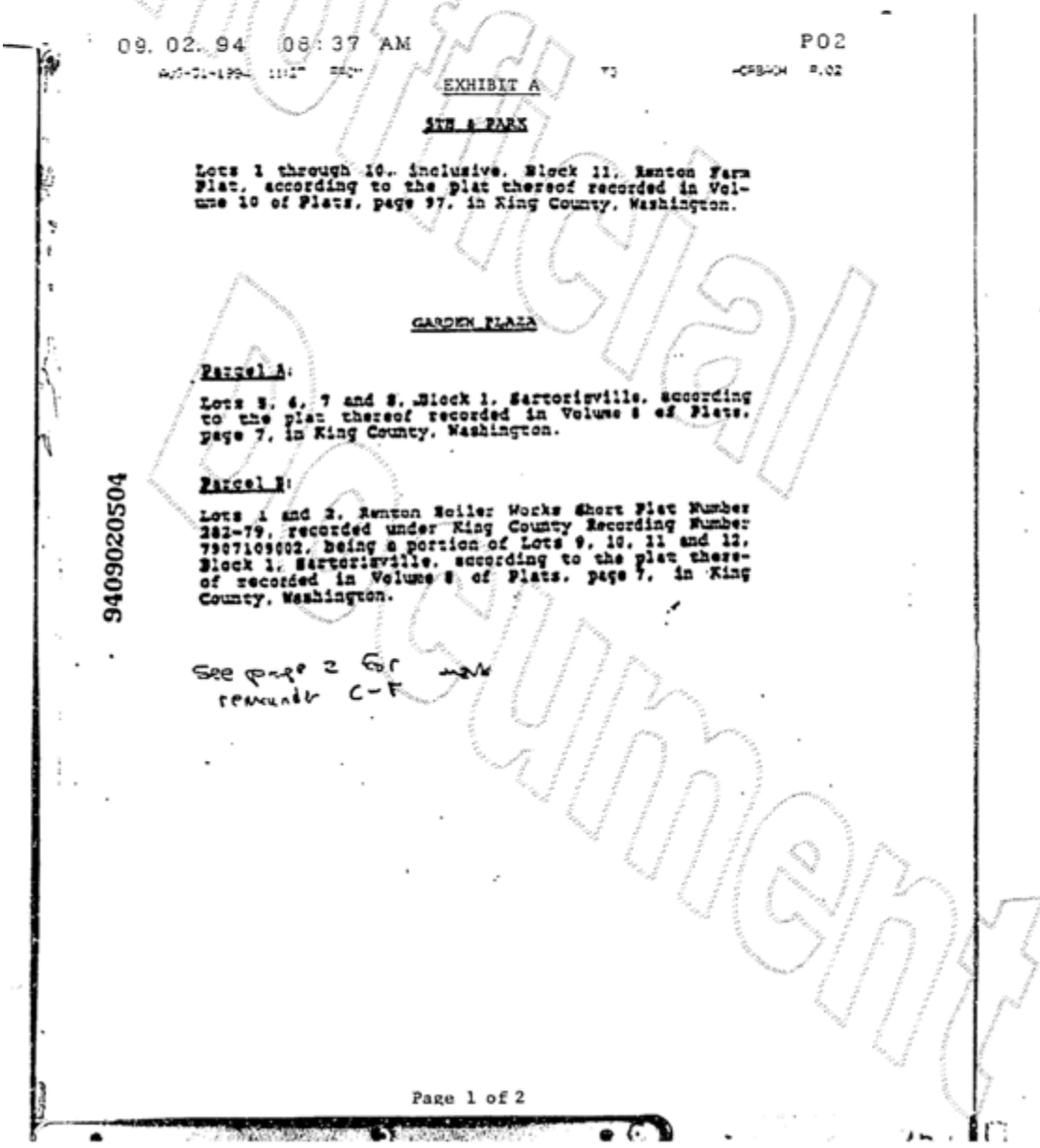
Signature
JEFFREY ADELSON
Print Name
NOTARY PUBLIC in and for the State of Washington, residing at ISSAQUAH.
My commission expires SEPT 2, 1995.

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TALSTO/HORBACK/BOEING

-4-

COVAT



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EXHIBIT A

SYR & PARK

Lots 1 through 10, inclusive, Block 11, Renton Farm Plat, according to the plat thereof recorded in Volume 10 of Plats, page 97, in King County, Washington.

GARDEN PLAZA

Parcel A:

Lots 5, 6, 7 and 8, Block 1, Sartorigville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington.

Parcel B:

Lots 1 and 2, Renton Boiler Works Short Plat Number 282-79, recorded under King County Recording Number 7907109002, being a portion of Lots 9, 10, 11 and 12, Block 1, Sartorigville, according to the plat thereof recorded in Volume 8 of Plats, page 7, in King County, Washington.

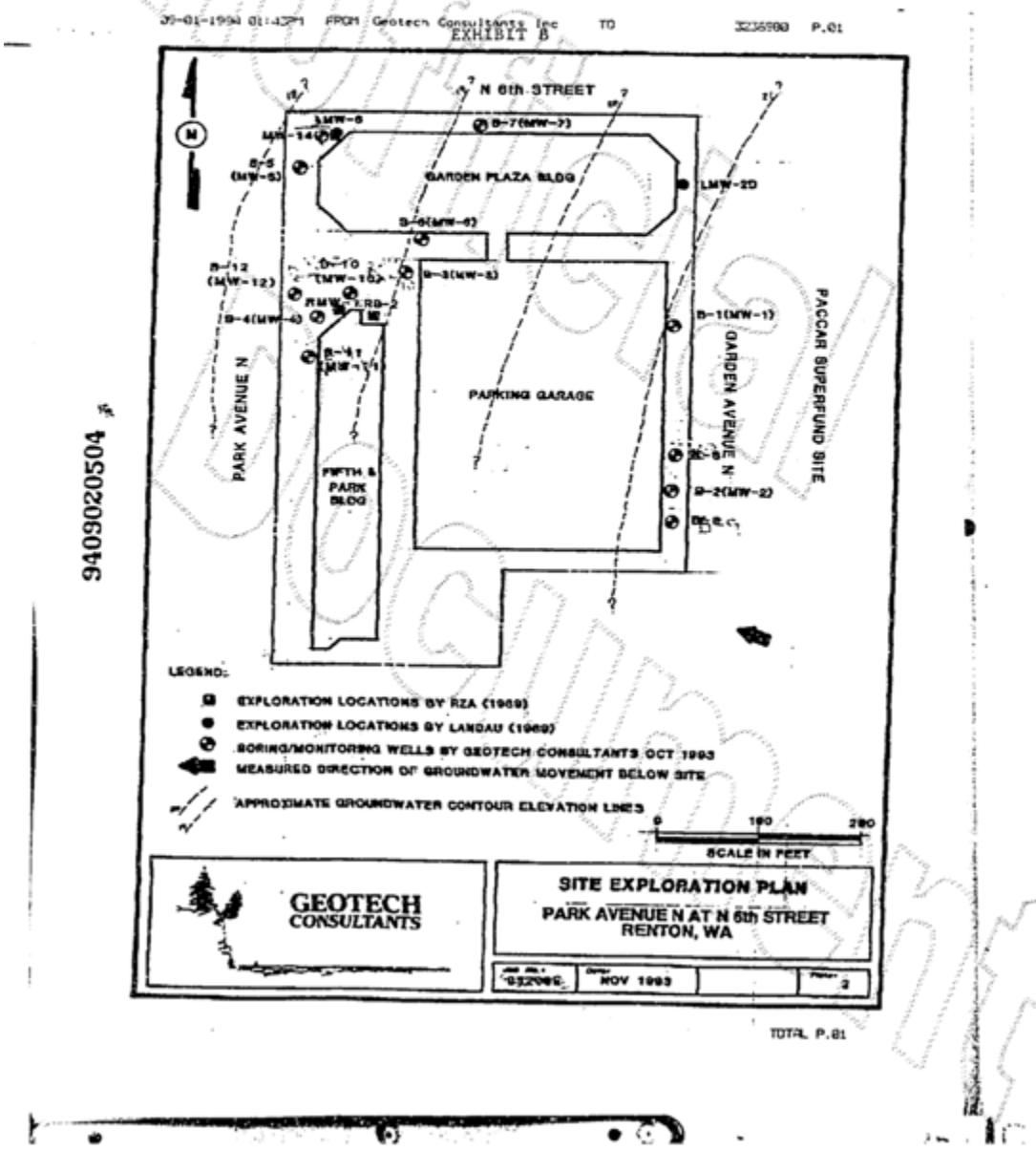
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See page 2 for remainder C-F

Page 1 of 2

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6.5 Photo log

Photo 1: Entrance Between Building and Parking Garage - from the east

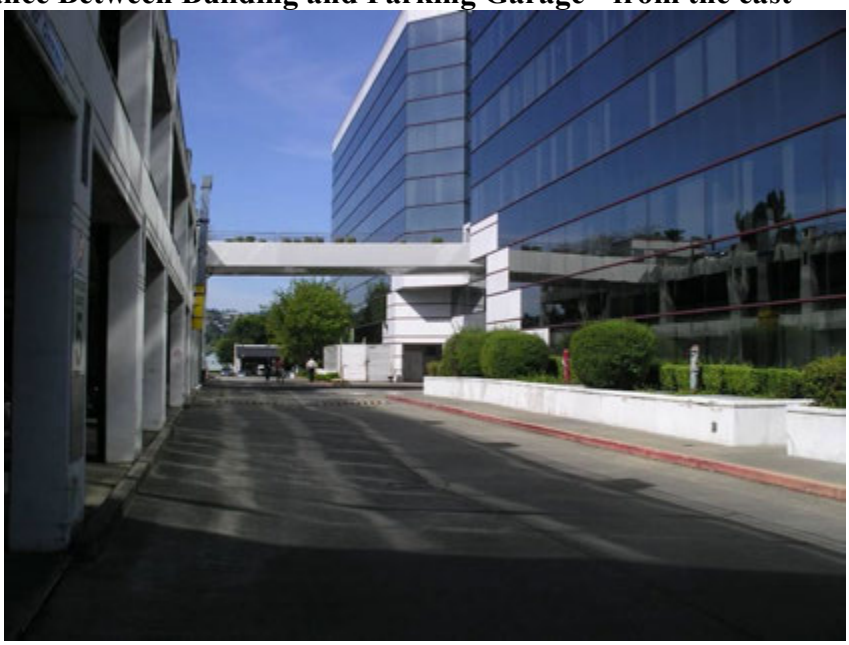


Photo 2: North Side of Building – from the northwest

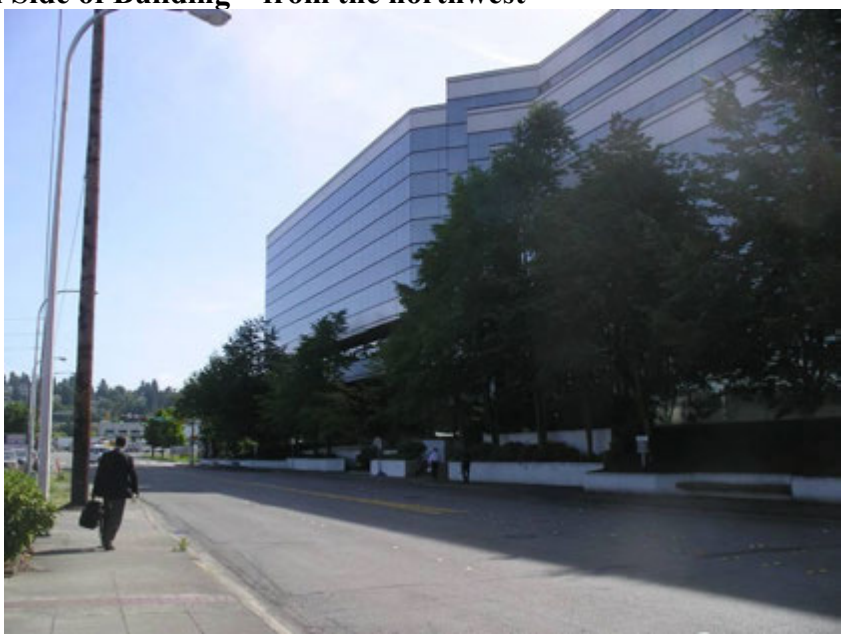


Photo 3: South End of Parking Garage – from the south.



Photo 4: Interior of Parking Garage – from the south

