



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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November 17, 2014

Mr. James Hogan
ECC Horizon
8383 Craig Street, Suite 110
Indianapolis, IN 46250

Re: Opinion Pursuant to WAC 173-340-515(5) on the Vapor Intrusion Investigation for the Following Hazardous Waste Site:

- **Name:** Cherry Street Cleaners
- **Address:** 2510 E. Cherry St., Seattle WA 98122
- **Facility/Site No.:** 4765174
- **VCP No.:** NW2009
- **Cleanup Site No.:** 4175

Dear Mr. Hogan:

Thank you for submitting documents regarding your Vapor Intrusion Assessment (VIA) for the **Cherry Street Cleaners** (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding a review of submitted documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release at the Site:

- Chlorinated volatile organic compounds (cVOCs), specifically tetrachloroethene (PCE) and related degradation products trichloroethene (TCE), cis-1,2-dichloroethene (c-DCE) and vinyl chloride (VC) into soil and groundwater.

Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does



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not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding your VIA:

1. *Remedial Investigation for Former Cherry Custom Cleaners, dated September 2014, prepared by ECC Horizon.*

The report listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7235 or sending an email to nwro_public_request@ecy.wa.gov.

Based on a review of supporting documentation listed above, pursuant to **requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing Vapor Intrusion at the Site, Ecology has determined:**

The Site is associated with releases at 2510 E. Cherry Street (Property). The Site also extends to 2516 and 2518 E. Cherry Street. This Opinion Letter is in response to a request for Ecology's opinion on the VIAs associated with the portion of the Site located at the 2516 and 2518 E. Cherry Street properties. A separate Opinion Letter will be issued for the Remedial Investigation (RI) report for the Site that was submitted to Ecology on September 4, 2014.

Both of the 2516 and 2518 E. Cherry Street properties are currently leased as commercial businesses through April 2017, unless the leasehold contracts are terminated before then. Therefore, the exposure scenario is currently non-residential and will remain so until the current land use changes to include residential. As a result, Commercial MTCA Method C Carcinogenic Indoor Air Screening Levels (MTCA C CIASLs) are applicable.

Non-Residential, Non-Industrial Buildings

Where a building of concern is being used commercially (but is not located on an industrial property), and the most highly exposed receptors are workers, the Method B exposure assumptions in WAC 173-340-750, Equations 750-1 and 750-2, are likely to be overly conservative. For example, the average body weight in Equation 750-1, is 16 kilograms (kg) (representing a child), whereas the receptors of concern at most commercial properties will be adults with an average weight closer to 70 kg. In addition, the amount of exposure time will often be less than default values. Most receptors in a commercial building will not be exposed to contaminated indoor air 24 hours per day, seven days a week, all year long. Therefore, while source concentrations must eventually be remediated to cleanup levels derived from Method B air cleanup levels to free the property of any future development restrictions, current receptors

can be considered protected if indoor air concentrations are higher than Method B but less than Method C air cleanup levels.

Cleanup Levels (Table 6 CLARC Guidance Tetrachloroethylene, September 2012)

- Commercial MTCA Method C Carcinogenic Indoor Air Screening Levels:
PCE = 40 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)
- MTCA Method B Carcinogenic Indoor Air Screening Levels:
PCE = $9.6 \mu\text{g}/\text{m}^3$
- MTCA Method B Soil Gas Screening Levels:
PCE = $96 \mu\text{g}/\text{m}^3$

ECC Horizon, representing the Property owner, collected paired subslab soil gas and indoor air samples in October 2012 as part of the above-referenced RI activities. In addition, Sound Earth Strategies, Inc., representing a prospective purchaser for the 2516 and 2518 E. Cherry Street properties, collected indoor air samples in April and May 2013.

All of the indoor air concentrations from these VIAs comply with the applicable commercial MTCA C CIASLs. The data was also compared to the residential MTCA B CIASLs to evaluate exposure potential in the event that future land use changes to include residential. All of the ECC Horizon data from the October 2012 event comply with the MTCA B CIASLs; however, the SES data collected from the 2516 E. Cherry Street building and a portion of the 2518 E. Cherry Street building are above MTCA B CIASLs but below MTCA C CIASLs. In particular, PCE was detected up to $25 \mu\text{g}/\text{m}^3$ within 2516 E. Cherry Street and up to $20 \mu\text{g}/\text{m}^3$ within the western portion of the 2518 E. Cherry Street building.

After reviewing all VIA data, it is Ecology's opinion that under the current land use, Commercial MTCA C CIASLs are applicable. Data described above also shows that indoor air quality meets the requirements of MTCA C CIASLs. However, if the land use was to change to residential over commercial, then the more stringent MTCA Method B Carcinogenic Indoor Air Screening Levels (MTCA B CIASLs) would apply.

Ecology notes that the former Cherry Street Cleaners building was demolished in July 2013. The removal of the building and its foundation may have triggered off-gassing of the underlying soil, thereby releasing vapors that were previously entrapped beneath the concrete.

This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain either of these opinions, you must submit appropriate

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documentation to Ecology and request such an opinion under the VCP. **This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.**

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (425) 649-4446 or by email at damy461@ecy.wa.gov.

Sincerely,



Dale Myers
Site Manager
Toxics Cleanup Program

cc: Sonia Fernandez, VCP Coordinator, Ecology