



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

March 2, 2009

CERTIFIED MAIL

7008 1140 0000 2360 2279

Mr. Balbir Singh Gill
12932 SE 257th St
Kent, WA 98031

Dear Mr. Balbir Singh Gill:

RE: Revised Contained-Out Determination for Soils Contaminated with F002 Listed
Dangerous Waste Constituents at the Former Unocal Service Station #6248
(WAD988515854), 11845 Des Moines Way South, Seattle, WA 98168

Reference: (1) ENSR/AECOM Electronic Mail and Attached Data, dated February 12, 2009,
from M. Lam (ENSR/AECOM) to Dean Yasuda (Ecology).
(2) ENSR/AECOM Electronic Mail, dated February 24, 2009,
from T. Slotta (ENSR/AECOM) to Dean Yasuda (Ecology).

The Washington State Department of Ecology (Ecology) received a contained-out determination request (reference 1) from your environmental consultant, ENSR/AECOM, for additional F002 listed waste (perchloroethylene) soil cuttings that were generated during remedial investigation and cleanup activities at the Former Unocal Service Station #6248, located at 11845 Des Moines Way South, Seattle, WA 98168.

ENSR/AECOM submitted soil analytical data (references 1 and 2) to Ecology to determine if the contaminated soils should be managed as dangerous wastes according to the "Contained-In Policy." Ecology understands that these soils do not designate under federal characteristics (Washington Administrative Code [WAC] 173-303-090) or State-only criteria (WAC 173-303-100).

Based on information submitted, Ecology has determined that the additional eighteen (18) 55-gallon drums of contaminated soils from borings MW-13 through MW16 and VP1 through VP3 do not require management as dangerous wastes if all of the following conditions are implemented. Ecology understands that you are the owner of the property and defined as the generator of these Resource Conservation and Recovery Act (RCRA) F002 listed waste contaminated soils. You or your environmental consultant shall:

- Deliver the additional eighteen (18) 55-gallon drums of contaminated soils "directly" to a permitted solid waste landfill meeting the requirements of Chapter 173-351 WAC, such as the Rabanco Roosevelt Regional Landfill or to a permitted Subtitle D solid waste landfill outside Washington State such as Columbia Ridge Landfill (Arlington, Oregon).



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“Directly” means that there will be no offloading of the contaminated soils to any temporary staging/transfer/offload area (located between the Site and the permitted landfill).

- Plastic-line the delivery trucks/roll-off bins for direct delivery to the solid waste landfill if the soils are not delivered in drums. Cover all loads and take adequate measures to prevent spills and dispersion due to wind or rain erosion. You must ensure that measures are taken to prevent unauthorized contact with these soils at all times.
- Provide instructions to the landfill operator that these soils are not to be used for daily, intermediate, or final cover.
- Provide copies of all soil analytical data to the landfill operator, upon request.
- Send copies of all signed solid waste landfill receipt records for these contaminated soils to Ecology, attention of Dean Yasuda, **within 15 days of your receipt**. This is an important verification step for you and your environmental consultant in order for this Ecology decision to be valid.
- Do not send these contaminated soils to any incinerator, thermal desorption unit, or recycling facility unless that facility is a RCRA Subtitle C permitted hazardous waste treatment, storage, and disposal facility.
- Dispose of the soils at the WAC 173-351 or Subtitle D permitted landfill by March 31, 2009. This contained-out determination letter is no longer valid after March 31, 2009. After this date, you are required to manage these soils as dangerous wastes.

Ecology issued this determination based on the information provided and reviewed to date. This written decision does not apply to any other area or other media. Local agencies have the authority to impose additional requirements on this waste stream.

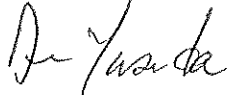
This letter is not a No Further Action (NFA) letter and not written approval for your proposed cleanup action plan. Instead, this letter only addresses the procedures for disposal of contaminated soils according to the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC). The Ecology Toxics Cleanup Program assigned project manager will provide regulatory decisions regarding the cleanup action, applicable soil and groundwater cleanup levels and appropriate exposure pathways under the voluntary cleanup action program.

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If you fail to comply with the terms of this letter, Ecology may issue an administrative order and/or penalty as provided by the Revised Code of Washington (RCW) Sections 70.105.080 and/or .095 (Hazardous Waste Management Act).

If you have any questions concerning this letter, please contact me at (425) 649-7264 or by email at dyas461@ecy.wa.gov.

Sincerely,



Dean Yasuda, PE
Hazardous Waste and Toxics Reduction Program

DY:SA

cc: Lisa Brown, Ecology HWTR
Samuel Iwenofu, Ecology HWTR
K Seiler, Ecology HWTR
Daylin Davidson, HWTR
Byung Maeng, Ecology HWTR
Joe Hickey, Ecology TCP/VCP
Greg Caron, Ecology HWTR
Michael Lam, ENSR/AECOM
Central Files: WAD988515854 DW File HZW5.4.1