



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 30, 2014

Tom Bartholomew
Lennar Multifamily Investors
1325 Fourth Ave, Suite 1700
Seattle, WA 98101

Re: Request for Contained-Out Determination, Gilman Square
Site Address: 675 NW Gilman Boulevard, Issaquah, WA 98027 (address of
Former drycleaner)

References: (a) Letter, Stuart Hyde (G-Logics) to D. Yasuda (Ecology), dated April 29, 2014,
Request for Contained Out Determination, 675 NW Gilman Boulevard, Issaquah, WA
98027 (address of former drycleaner)
(b) Electronic Mail, Stuart Hyde (G-Logics) to D. Yasuda (Ecology), dated May 13,
2014, Follow Up Information for Contained Out Determination, 675 NW Gilman
Boulevard, Issaquah, WA 98027 (address of former drycleaner)

Dear Mr. Bartholomew:

The Washington State Department of Ecology (Ecology) received a contained-out determination request (references a and b) from your environmental consultant, G-Logics on April 29, 2014, for soil contaminated with F002¹ listed waste constituents to be generated during site cleanup activities at 675 NW Gilman Boulevard, Issaquah, WA 98027 (address of former drycleaner).

Ecology received this information to determine if the contaminated soils, once excavated, may be exempt from management as dangerous wastes under the "Contained-In Policy." Based on the information provided and reviewed to date, Ecology's regulatory determination is as follows:

The approximately **600 tons** of F002 (PCE) listed waste contaminated soils represented by soil samples GL-B-9, -10, and -11, to be generated during site excavation activities at the Site (attached Figure 6) and excavated to a depth of 6.0 feet below grade, do not require management as dangerous wastes and Ecology will not require disposal of these contaminated soils as F002 (PCE) listed wastes at a RCRA permitted dangerous waste treatment, storage and disposal (TSD) facility, provided all of the conditions below are implemented.

Ecology suspects that PCE contaminated soils outside of the area delineated by GL-B9 through -11 exist. Adequate soil sample analytical data is required for soils from this outside suspected area before Ecology can determine if a contained out determination is justified. Further soil sampling in those outside suspected contaminated areas and chemical analysis with lower reporting limits² is required. Furthermore, Ecology understands that your consultants have requested a contained out determination for PCE soils below the water table at GL-B-19. Ecology does not understand the rationale for wanting to excavate these

¹ Perchloroethylene (PCE)

² Ecology notes that most Ecology accredited laboratories are able to achieve reporting limits of 1.0 µg/kg for PCE and daughter products. 

PCE contaminated soils since the replacement soils will shortly become contaminated with PCE due to contact with upgradient PCE contaminated groundwater. Those PCE soils are not approved under this contained out determination.

For the approximately **600 tons** of F002 listed waste contaminated soils (attached Figure 6), 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). For these **600 tons** of F002 listed waste contaminated soils, you or your consultant shall comply with the following requirements:

- a. Ensure no standing water is present within any container holding the PCE contaminated soil. All water must be removed to the maximum extent possible from each of these containers and managed as F002 listed dangerous wastes without exception. The contaminated groundwater or infiltrated surface water should be removed from the contaminated soils prior to shipment to the landfill. Contaminated water cannot be disposed of into a RCRA Subtitle D (or C) landfill directly.
- b. This Ecology approval letter does not pertain to any decontamination water or groundwater.
- c. Deliver these contaminated soils directly to a permitted RCRA Subtitle D landfill (outside Washington State) such as the Columbia Ridge Solid Waste Landfill in Arlington, Oregon OR a Washington State solid waste landfill permitted under Chapter 173-351 WAC such as the Roosevelt Regional Landfill.
- d. Do not consolidate these contaminated soils with other soils that do not pertain to this contained out determination.
- e. Do not offload these contaminated soils at any temporary staging/transfer/reloading area.
- f. These contaminated soils shall not be used as fill at the Site or any other Property.
- g. Plastic line the containers or delivery trucks for direct delivery to the solid waste landfill.
- h. Cover all excavated soils and take adequate measures to prevent spills and dispersion due to wind or rain erosion.
- i. Take measures to prevent unauthorized contact with these soils at all times.
- j. Provide instructions to the landfill operator that these soils are not to be used for daily, intermediate, or final cover.
- k. Provide copies of all soil analytical data to the landfill operator, upon request.
- l. 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. Also indicate the total volume/weight of all contaminated soils disposed of under the Ecology approved contained-in determination, and indicate if this total amount is above, below or equal to the total amount approved by this Ecology letter. This is an important verification step for you and your environmental consultant to follow in order for this Ecology decision to be valid.

- m. 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 TSD facility.
- n. Dispose of the **600 tons** of PCE-contaminated soils by August 30, 2014. This contained-out determination for these contaminated soils is no longer valid after August 30, 2014. After this date, you are required to manage these contaminated soils as dangerous wastes.
- o. This written decision for the contaminated soils does not apply to any other area or other media. Local agencies have the authority to impose additional requirements on this waste stream.
- p. Notify Ecology immediately once you are aware that to-be-excavated soils under this letter will exceed the permitted amount. Ecology needs to make sure that the additional soil qualifies for this contained out determination.


This letter only addresses the procedures for disposal of the above described PCE contaminated soils generated at the Site in accordance with the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC). This letter is not an Ecology approval for dangerous waste designation process or disposal of soils that may be generated in the future or already excavated outside the locations for which this contained out approval letter applies. Designation (as dangerous wastes or non-dangerous wastes) and proper disposal of those "outside" soils is a responsibility of the generator of excavated soils.

This letter is not a No Further Action (NFA) letter and not written approval for any cleanup action plan you may have submitted. Regulatory decisions regarding the cleanup action, applicable soil and groundwater cleanup levels and any other cleanup issues must comply with the requirements under Ecology Model Toxics Control Act (MTCA).

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 feel free to contact me at (425) 649-7264 or by email at dvas461@ecy.wa.gov.

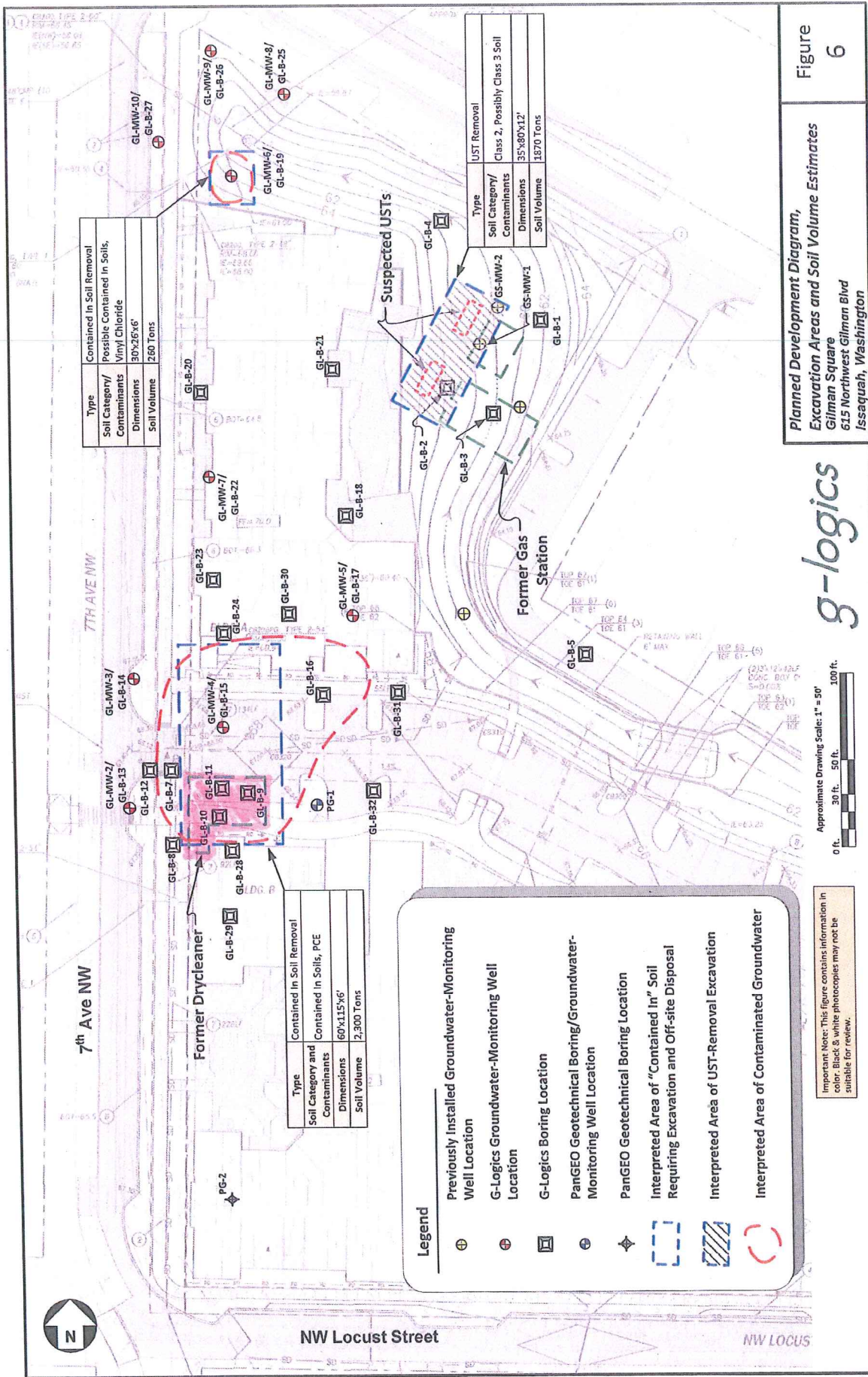
Sincerely,


Dean Yasuda, PE

Hazardous Waste and Toxics Reduction Program

By certified mail: 7012 3460 0000 3272 4656

cc: Stuart Hyde, G-Logics
Bill Lasby, Seattle-King County Public Health (Bill.Lasby@kingcounty.gov)
Dave Christensen, Seattle-King County Public Health
(david.christensen@kingcounty.gov)
Lisa Brown, Ecology-ERO, Greg Caron, Ecology-CRO, Samuel Iwenofu, Ecology-SWRO
Byung Maeng, Donna Musa, Louise Bardy, Glynis Carrosino, Ecology-NWRO
HZW 5.4.1 CS No. 12286 FS No. 15541



Planned Development Diagram, Excavation Areas and Soil Volume Estimates
 Gilman Square
 615 Northwest Gilman Blvd
 Issaquah, Washington

g-logics

Approximate Drawing Scale: 1" = 50'
 0 ft. 30 ft. 50 ft. 100 ft.

Important Note: This figure contains information in color. Black & white photocopies may not be suitable for review.

PCE SOILS (0-6' bgs) APPROVED FOR CONTAINED OUT DETERMINATION PER CONDITIONS IN ECOLOGY LETTER.