



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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January 7, 2008

Ms. Sue Copeland
Finrow Properties Partnership
P. O. Box 803
Bothell, Washington 98041-0803

Dear Ms. Copeland:

Re: No Further Action Determination under WAC 173-340-515(5) for the following Hazardous Waste Site:

Verax Chemical Company
20102 Broadway Ave., Snohomish, WA 98296
Facility/Site No. 2722
VCP No.: NW 1708

Dear Ms. Copeland:

Thank you for submitting your independent remedial action report - *November 20, 2007 package of reports* - for the Verax Chemical Company facility (Site) for review by the State of Washington Department of Ecology (Ecology or we) under the Voluntary Cleanup Program (VCP). We appreciate 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 is an advisory opinion about whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. We are 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 not have 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 the Site:

- 1) VCP Application December 14, 2006.
- 2) Final Remedial Investigation Report, Verax Chemical Company, ERRG, Inc. November 2006.
- 3) Final Verax Chemical Company Phase II Site Investigation Report, ERRG, Inc., August 2006.



- 4) November 20, 2007 package of reports.
 - a. Letter Report from Finrow Properties.
 - b. Phase I Environmental Assessment, The RETEC Group, 1-25-06.
 - c. Memorandum Trip Report, Verax Chemical Company, Maltby, WA, Ecology and Environment, 5-27-87.
 - d. Verax Chemical, Snohomish County, Maltby, WA Washington State Department of Health, 7-27-95.
 - e. Site Investigation Work Plan, ERRG, 4-17-06.
 - f. Remedial Action Work Plan, 20102 Broadway, ERRG, 9-15-06.

The documents listed above will be kept in the Central Files of our Northwest Regional Office (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7239.

The Site is defined by the extent of contamination caused by the following release:

- Gasoline range organics in soil.

The Site is more particularly described in Enclosure A to this letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) conducted at the Site are sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the contamination at the Site.** Therefore, pursuant to WAC 173-340-515(5), we are issuing this opinion that **no further remedial action is necessary at the Site under MTCA.**

Based on this no further action determination, Ecology will update the status of the Site on its site database and remove the Site from the Confirmed and Suspected Contaminated Sites List. This no further action determination does not apply to any other release(s) or potential release(s) of contaminant(s) that may impact any other portion of any property impacted by this Site, or any other property owned or operated by Verax Chemical.


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 and further remedial action may be required at the Site.

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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, we appreciate your initiative in successfully completing cleanup under the Voluntary Cleanup Program (VCP). If you have any questions regarding this opinion, please contact me at 360-407-7239.

Sincerely,

A handwritten signature in black ink that reads "Michael Kuntz". The signature is written in a cursive style with a large, stylized initial "M" and "K".

Michael Kuntz, PLG., PLHG
HQ Toxics Cleanup Program

Enclosure

SITE PLAN:

