PERIODIC REVIEW REPORT
FINAL

PACE INDUSTRIES PUGET DIV INC
Facility Site ID#: 86715242

2011 & 2101 Mildred Street W
Tacoma, WA 98466

Southwest Region Office

TOXICS CLEANUP PROGRAM

June 2015

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1.0 INTRODUCTION

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

Cleanup activities at this Site were completed under the Voluntary Cleanup Program (VCP). The cleanup actions resulted in concentrations of total petroleum hydrocarbons and Polychlorinated Biphenyls (PCBs) in soil that exceeds MTCA Method A cleanup level. The MTCA Method A cleanup level for soil are established under WAC 173-340-740(2). WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a site every five years under the following conditions:

- Whenever the department conducts a cleanup action.
- Whenever the department approves a cleanup action under an order, agreed order or consent decree.
- Or, as resources permit, whenever the department issues a no further action (NFA) opinion.
- And one of the following conditions exists:

    (a) Institutional controls or financial assurance are required as part of the cleanup.
    (b) Where the cleanup level is based on a practical quantitation limit.
    (c) 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.
(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 Pace Industries Puget Div, Inc. Site is located at 2101 and 2011 Mildred Street West in Tacoma, Pierce County, Washington. The facility is located in a commercial area is bounded on the east by single family residences, to the south a vacant property that was once a manufacturing facility, and to the west and north by commercial and retail properties. The Site currently operates as a commercial/retail center, and consist of three commercial/retail buildings (Buildings A, B, and C) with associated paved parking and landscaped areas. A Site vicinity map and a Site Plan are available as Appendix 6.1 and Appendix 6.2 respectively.

Historically, the Site was operated as an aluminum die-casting manufacturing facility from 1959 until July 1995. In 1995, the operation was transferred to Pace Industries. As part of the operations, the facility stored, handled, and disposed of certain hazardous and/or regulated materials such as oil and lubricants. The investigations indicated that the manufacturing operations have impacted the Site soils.

2.2 Cleanup Levels

WAC 173-340-704 states that MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used.

MTCA Method A cleanup levels for unrestricted land use were determined to be appropriate for this Site. The cleanup actions conducted at the Site were determined to be “routine”, few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A Table for each hazardous substances.

2.3 Site Investigations

2.3.1 October 1995 Phase II Subsurface Investigation

In October 1995, a supplemental Phase I Environmental Site Assessment (ESA) was conducted to support the Phase II subsurface investigation. The objective of Phase II investigation was to characterize the shallow soil conditions to depths ranging from two feet to 15 feet in six potential source areas (Area 1 through Area 6).

In Area 1, Area 2, Area 4, and Area 6, a total of 14 GeoProbe soil borings were installed to depths of 4 feet to 20 feet. Following the field screening, select soil samples were collected for

the analysis of gasoline, diesel, and oil-range total petroleum hydrocarbons (TPH-G, TPH-D, and TPH-O), volatile organic hydrocarbons (VOCs), and metals. All of the results were either below MTCA Method A cleanup levels or below the laboratory detection limit.

In Area 3, four GeoProbe soil borings (P-7, P-8, P-14, and P-15) were drilled to depths of 4 feet to 20 feet. In addition, one composite soil sample (SD-1) was collected from the east of containment wall. Following the field screening, one select soil sample from boring P-7 and a composite soil sample were analyzed for the same parameters as above. Only the composite soil sample results showed a TPH-D, TPH-O, cadmium, and copper concentrations of 6,300 milligrams per kilogram (mg/Kg), 25,000 mg/Kg, 3.2 mg/Kg, and 77,000 mg/Kg, respectively, which are above the MTCA Method A cleanup levels for these compounds in soil. All other soil sample results were either below MTCA Method A cleanup levels or nondetects.

Area 5 is located in close proximity to three former diesel underground storage tanks (USTs) (20,000 gallons, 5,000 gallons, and 1,000 gallons) that were located on the property currently occupied by Towne Cleaners. In 1993, these USTs were removed and soils containing petroleum hydrocarbons were discovered during the removal of the tanks. However, there is no indication that the impacted soils were removed. It was estimated that approximately 15 to 20 cubic yards of soil was impacted.

In Area 5, eight GeoProbe soil borings were driven to a depth of three to eight feet in the vicinity of former the USTs. Eight select soil samples were collected based on the field screening results and analyzed for the same above parameters. Only two soil samples collected from UST-3 and UST-6 borings showed TPH-D concentrations of 4,300 mg/Kg, and 3,100 mg/Kg, respectively which exceeds the MTCA Method A cleanup level of 2,000 mg/Kg for diesel in soil. Phase II investigation soil boring locations and sampling results are included as Appendix 6.3.

2.3.2 January and June 1997 Supplemental Investigations

In January 1997, supplemental investigations were conducted in order to verify adequate cleanup of affected soils adjacent to the former kerosene UST in Area 1 and also to evaluate metal impacts in the area of the former septic tanks and drain lines in Area 2. As a part of this investigation, a total of five soil samples (two from Area 1 and three from Area 2) were collected from the hand augured borings. Area 1 soil samples were analyzed for TPH-D and TPH-O, and Area 2 soil samples were analyzed for Resource Conservation Recovery Act (RCRA) metals. Results of soil samples were either below the MTCA Method A or Method B cleanup levels or below the laboratory detection limits.

In June 1997, Summit Envirosolutions (Summit) conducted an additional investigation in the area of the former septic tank(s) and drain field in Area 1 to further delineate possible drain line and tank locations, and to collect soil samples for analysis of RCRA metals possibly associated with the former septic operations. Summit excavated two test pits to locate the septic tanks and drilled four hand augur borings (SP-1, SP-2, GP-1 and GP-2) for the collection of soil samples. The septic tank location could not be located. Soil sample results were either below the MTCA

Method A or Method B cleanup levels or below the laboratory detection limits. Soil boring locations of both supplemental investigations are included as Appendix 6.4.

2.3.3 November 2001 and August 2002 Supplemental Investigations

In November 2001, an additional Phase II investigation was conducted to evaluate the potential for soil and groundwater contamination based on the results of previous investigations. This investigation included nine areas, Area 1 through Area 9. Seventeen StrataProbe soil borings (SP-1 through SP-17) and two hand augured borings (HA14 and HA-15) were drilled to depths of 4 to 34 feet for the collection of soil samples. Based on the results of field screening, a total of twenty-two select soil samples were analyzed for TPH-D, TPH-O, RCRA metals, semi-volatile organic compounds (SVOCs), polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Results of the investigation revealed that TPH-O concentrations in samples SP-9 (2,560 mg/Kg), and HA-15 (3,100 mg/Kg) exceeded the MTCA Method A cleanup level of 2,000 mg/Kg. Also PCBs (Araclor 1242: 88 mg/Kg) was detected in soil sample SP-4 at a concentration greater than MTCA Method A cleanup level of 1 mg/Kg.

Based on the results of the November 2001 investigation, a supplemental investigation was conducted to further evaluate the lateral and vertical extent of TPH-O and PCB soil contamination in Area 2. Six soil borings (SP-18 through SP-23) and six hand augured borings (HA-24 through HA-29) were completed. Nineteen select soil samples were collected for TPH-D, TPH-O, and PCB analysis. The TPH-D (from 2,610 mg/Kg to 3,000 mg/Kg), TPH-O (from 2,450 mg/Kg to 6,720 mg/Kg), and PCB (from 7.1 mg/Kg to 388 mg/Kg) concentrations exceeded the MTCA Method A cleanup levels of 2,000 mg/Kg for TPH-D and TPH-O and 1 mg/Kg for PCBs in soil, respectively. Soil boring locations of both supplemental investigations are included as Appendix 6.5.

2.3.4 Groundwater Investigation

The general geologic conditions beneath the site are characterized as dense glacial till and are typical of the geologic conditions characterized throughout this general area. Published repots of geologic conditions in the area indicate that groundwater is present beneath the glacial till in the vicinity of the project site at a depth of approximately 60 feet or more. In October 2002, three groundwater monitoring wells (B-30/MW-1, B-31/MW-2 and B-32/MW-3) that were installed to depths of between 45 feet and 65 feet, east and west of the Die Cast Area, did not yield any groundwater. Even a month after the installation, these wells were dry indicating that groundwater does not exist in the upper 65 feet of the subsurface soils. The PCBs and petroleum hydrocarbons contamination in the soil extends to a maximum depth of 20 feet with a minimum of 45 feet clean glacial till beneath PCB and TPH contaminated soils. As a result, it was concluded that it is not likely that the groundwater beneath the Site is adversely impacted.

2.4 Underground Storage Tanks Removal and Contaminated Soils Cleanup

2.4.1 Area 1 through Area 6

Area 1: In December 1995, a 500-gallon kerosene UST was removed. The tank was in good condition, with the original coating intact. There were no rust, pitting, or visible holes apparent on the surface. Five conformational soil samples were collected, four from the side walls and one from the bottom of the excavation. Results of the soil samples were either below the MTCA Method A cleanup levels or below the laboratory detection limits for the analytes tested.

Area 2: In April 1996, Evergreen Environmental removed a 1000-gallon used oil collection and separation UST along with associated piping, pumps, and controls. During the tank removal, there was an indication of a release of oily fluids through the broken pipe joints impacting the surrounding soils. Analytical results indicated concentrations of TPH-D and TPH-O exceeded the MTCA Method A cleanup levels for these compounds in soil. After the tank was removed, approximately 30 cubic yards of petroleum contaminated soils were excavated and transported to a TPS facility for thermal treatment. Five conformational soil samples were collected from the side walls and bottom of the excavation. Results of the soil sample collected from the south sidewall showed TPH-D and TPH-O concentrations of 2,900 mg/Kg and 16,000 mg/Kg, respectively exceeding the MTCA Method A cleanup level of 2000 mg/Kg for these compounds in soil. However, additional excavation was not conducted because of the proximity to the building foundation leaving some of the contaminated soils in place.

Area 3: Results of the Phase II investigations revealed the presence of TPH-D, TPH-O, and metal concentrations exceeding the MTCA Method A cleanup levels in the shallow soils beneath the concrete slab. Approximately 10 cubic yards of contaminated soils were removed from the area adjacent to the former containment wall using hand-excavation methods. Additional excavation was conducted to remove additional soil when the results of the initial sampling indicated the presence of TPH-O concentrations, exceeding the MTCA Method A cleanup level.

Area 4: This area included former heating oil USTs that were used between 1964 and 1977. Records indicated that these USTs were removed in 1977. However, there was no indication that any cleanup was conducted during the removal of these USTs. Results of the Phase II investigation conducted in 1996 indicated the presence of TPH-D and TPH-O contaminated soils beneath the former USTs basin. To address the subsurface soil contamination, approximately 750 square feet of asphalt and 10 feet of clean over-burden soil were removed to access the contaminated soils. Approximately 100 cubic yards of contaminated soils were removed and transported to a TPS facility for thermal treatment. After verifying the conformational soil sample results, the excavated hole was backfilled with clean soil and repaved with asphalt.

Area 5: This area is located in close proximity to three former USTs (20,000 gallon, 5,000 gallon, and 1,000 gallon) that were used as part of a fuel-oil distribution operation. Records

indicated that these USTs were removed in 1993 and soils containing petroleum hydrocarbons were discovered during the UST removal activities. However, there is no record indicating any cleanup was conducted during this time. Results of the Phase II investigation conducted in 1996 indicated the presence of TPH-D concentrations exceeding the MTCA Method A cleanup level. Approximately 100 cubic yards of contaminated soil was excavated and transported to a TPS facility for thermal treatment. However, to maintain the structural integrity of the building, the excavation was stopped leaving some TPH-D (2,400 mg/Kg) and TPH-O (2,700 mg/Kg) contaminated soil beneath the Towne Cleaners building. These concentrations are above MTCA Method A cleanup levels for these compounds in soil.

Area 6: A 4,000 gallon UST was removed. Soil sample results indicated exceedences of TPH-D and TPH-O concentrations with respect to the MTCA Method A cleanup levels. Approximately 10 cubic yards of contaminated soils were excavated and transported to TPS for thermal treatment. Conformational soil samples results were either below the MTCA Method A cleanup level or nondetect.

Locations of USTs, former septic drainfield area, soil sampling locations and results are included as Appendix 6.3.

2.4.2 Cleanup during Property Redevelopment

In October 2003, the Pace Industries property was purchased by Bodine Enterprises and as required by the existing Restrictive Covenant, a request was sent to Ecology for approval of the property redevelopment. The property redevelopment activities included the building demolition, building construction, and parking lot construction. As part of the Site redevelopment an additional soil investigation was conducted by drilling a total of six borings to a depth of 21.5 feet each. Select soil samples were collected for TPH-D, TPH-O, VOCs, and PCBs analysis. In addition, six shallow grab soil samples were collected along the western portion of the south property line for TPH-D and TPH-O analysis.

Based on the analytical results, approximately 827 tons of contaminated soil was excavated from the area between Buildings B and C, and transported off-Site to TPS Technologies for thermal treatment. Results of confirmational soil samples collected from the excavations indicated that petroleum hydrocarbons and PCBs with concentrations exceeding MTCA Method A cleanup levels remained in the soils near the building foundations and beneath the buildings. The investigation did not successfully locate the suspected former septic tank. There is evidence to suspect there is heavy metals contamination remaining above MTCA cleanup levels beneath the asphalt, along the property line south and southeast of Building B, and is associated with an abandoned septic system. Confirmational soil sampling locations and results are included as Appendix 6.6.

In December 2006, the City of Fircrest conducted a boundary line adjustment for these parcels. The parcel boundaries were slightly altered and the parcel numbers were renamed. According to the existing Restrictive Covenant, the restriction is for contamination left in place beneath

Buildings B and C. No contamination was left in place beneath Building A or anywhere throughout parcel B.

2.5 Restrictive Covenant

The required RC (now referred to as an environmental covenant) was recorded for the Site on August 17, 2007 and the final NFA determination for the Site was issued on September 4, 2007. The Covenant was required because the Remedial Action resulted in residual concentrations of petroleum hydrocarbons and PCBs which exceed the MTCA Method A or B Residential Cleanup Levels for these compounds in soil. In addition, there is evidence to suspect there is heavy metal contamination remaining above MTCA cleanup levels beneath the asphalt, along the property line south and southeast of Building B, and associated with an abandoned septic tank. The Environmental Covenant (EC) imposes the following limitations:

1. During the Remedial Action, heavy metals concentrations elevated significantly above MTCA soil standards were confirmed in drain line sludges associated with an abandoned septic system along the property line south and southeast of Building B. This area is currently covered by asphalt. Soil samples tested from beneath the asphalt surface did not exhibit elevated concentrations of heavy metals. However, the septic tank(s) was not specifically located during the Remedial Action. The presence of heavy metal contamination in the drain line sludge makes it reasonable to expect that additional heavy metal contamination may be present under the asphalt surface associated with the former septic tank.

   The portion of the property covered by building C, the parallel portion of Building B and the asphalt parking lot between them are known to contain an unknown volume of petroleum hydrocarbons and PCB contaminated soil beneath the asphalt and concrete foundation and footings of the facility buildings. When the asphalt parking lot was installed in place of the format building section, the accessible PCB and petroleum contaminated soil was removed along with an old underground oil collection and separation tank. Under the asphalt, the levels of PCB remain above MTCA Method A standards. Due to structural concerns for the facility building, soils contaminated above MTCA Method A standards were left in place under the building footings adjacent to the tank during the Remedial Action.

   As long as known (or suspected) contamination remains present and isolated beneath the facility building foundation, footings, or adjoining asphalt pads, the Owner shall not alter, modify, or remove the existing structures in any manner that may result in the release or expose to the environment of the contaminated material or create a new exposure pathway without prior written approval from Ecology.

2. The asphalt covering the former septic system shall be well maintained and kept in good repair to minimize stormwater infiltration in the area of suspected contamination.

3. Any activity on the Property that may interfere with continued protection of human health and the environment is prohibited.

4. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

5. The owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

6. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

7. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

8. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

9. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

The EC is available in Appendix 6.7.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

Based upon the Site visit conducted on February 11, 2015, the asphalt cap and the buildings at the Site continues to eliminate direct exposure pathways (ingestion, contact) to contaminated soils. The asphalt cap is in excellent condition and no repair, maintenance or contingency actions are required at this time. A photo log is available in Appendix 6.8.

A total of approximately 1300 cubic yards of contaminated soils were excavated as part of the remedial action. However, some petroleum, and PCBs contaminated soils were left in place in close proximity to the building foundation and below the building. This soil contamination was not excavated because of the close proximity to the building. These contaminated soils remain contained beneath an asphalt paved cap. As discussed in section 2.3.4, groundwater does not exist within the upper 65 feet of the subsurface. The PCBs and petroleum hydrocarbons contamination in the soil extends to a maximum depth of 20 feet with a minimum of 45 feet of clean glacial till beneath PCB and TPH contaminated soils. As a result it is highly unlikely that there is any adverse impact to the groundwater by the contaminated soils left in place at the Site.

An EC was recorded for the Site and remains active. This EC prohibits any use of the property that is inconsistent with the Covenant or that will allow the release of contaminants remaining in soil at the Site to the environment.

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

There is no new relevant scientific information for hazardous substances remaining at the Site.

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

MTCA Method A or B cleanup levels for contaminants of concern at the Site have not changed since the NFA determination was issued on September 4, 2007.

3.4 Current and projected Site use

The Site is currently occupied by commercial buildings, and a parking lot. This use is not likely to have a negative impact on the risk posed by hazardous substances contained at the Site. There are no changes projected in the Site use.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included excavation and disposal of majority of contaminated soils and containment of remaining soils/hazardous substances. The implemented remedy 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 actions were capable of detection below Site cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

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

- Soil cleanup levels have not been met at the Site; however, under WAC 173-340-740(6)(d), the cleanup action could comply with cleanup standards if the long-term integrity of the containment system was ensured and the requirements for containment technologies in WAC 173-340-360(8) have been met.

- The contaminated soils remain contained beneath an asphalt paved cap and/or the building eliminating the direct exposure pathways (direct contact and ingestion) to the contaminated soils.

- The groundwater investigation revealed that groundwater exists at a depth greater than 65 feet beneath the Site. The PCBs and petroleum contamination in the soils extends to a maximum depth of 20 feet with a minimum of 45 feet of clean glacial till beneath PCBs and petroleum contaminated soils. As a result it is highly unlikely that the residual contaminated soils left on the Site will impact the groundwater.

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

Based on this review, Ecology has determined that the remedial actions conducted at the Site continue to be protective of human health and the environment. The requirements of the EC are being satisfactorily followed and no additional remedial actions are required at this time. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the surface cover 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

Summit Envirosolutions, Phase II Subsurface Investigation, Environmental Compliance Review, 2101 and 2011 Mildred Street West, Tacoma, Washington, October 11, 1995.

Summit Envirosolutions, IRAP Supplemental Information, 2101 and 2011 Mildred Street Weat, Tacoma, Washington, January 6, 1997.

Summit Envirosolutions, Independent Remedial Action Supplemental Information Report, 2101 and 2011 Mildred Street West, Tacoma, Washington, July 21, 1997.

Summit Envirosolutions, Independent Remedial Action Report, 2101 and 2011 Mildred Street West, Tacoma, Washington, September 3, 1997.

GeoEngineers, Phase II Environmental Site Assessment, Former Pace Industries Facility 2102 and 2011 Mildred Street West, Tacoma, Washington, November 7, 2001.

GeoEngineers, Supplemental Soil Investigation, Former Pace Industries Facility, 2101 and 2011 Mildred Street, Tacoma, Washington, August 19, 2002.

GeoEngineers, Groundwater Investigation, Former Pace Industries Facility, 2101 and 2011 Mildred Street West, Tacoma, Washington, March 6, 2003.

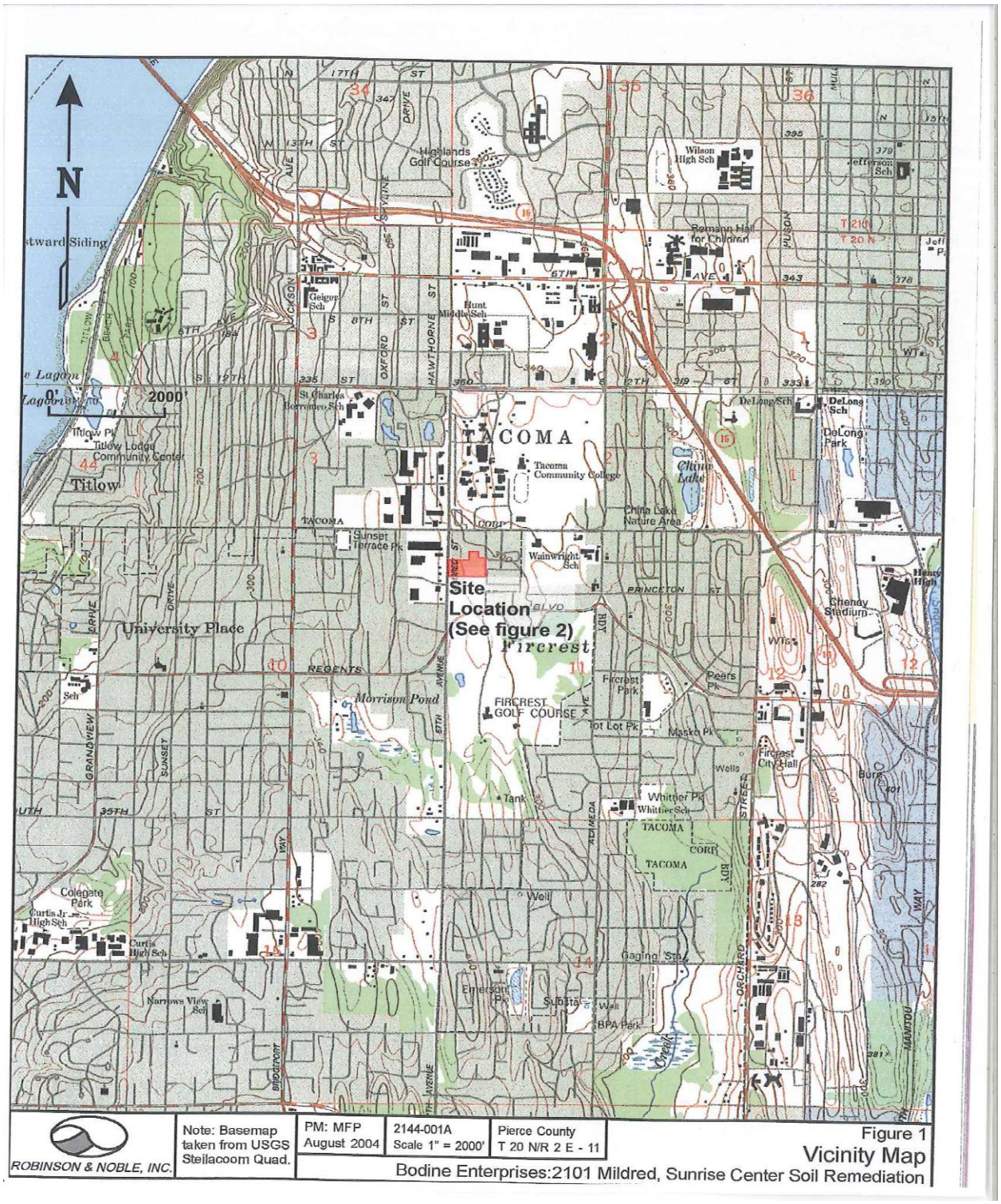
Robinson & Noble, Inc., Bodine Enterprises Sunrise Center Soil Remediation Report, 2101 South Mildred, Fircrest, Washington, August 2004.

Department of Ecology, No Further Action Determination Letter, Pace Industries Puget Div Inc., 2011 and 2101 Mildred Street West, Tacoma, Washington, September 4, 2007.

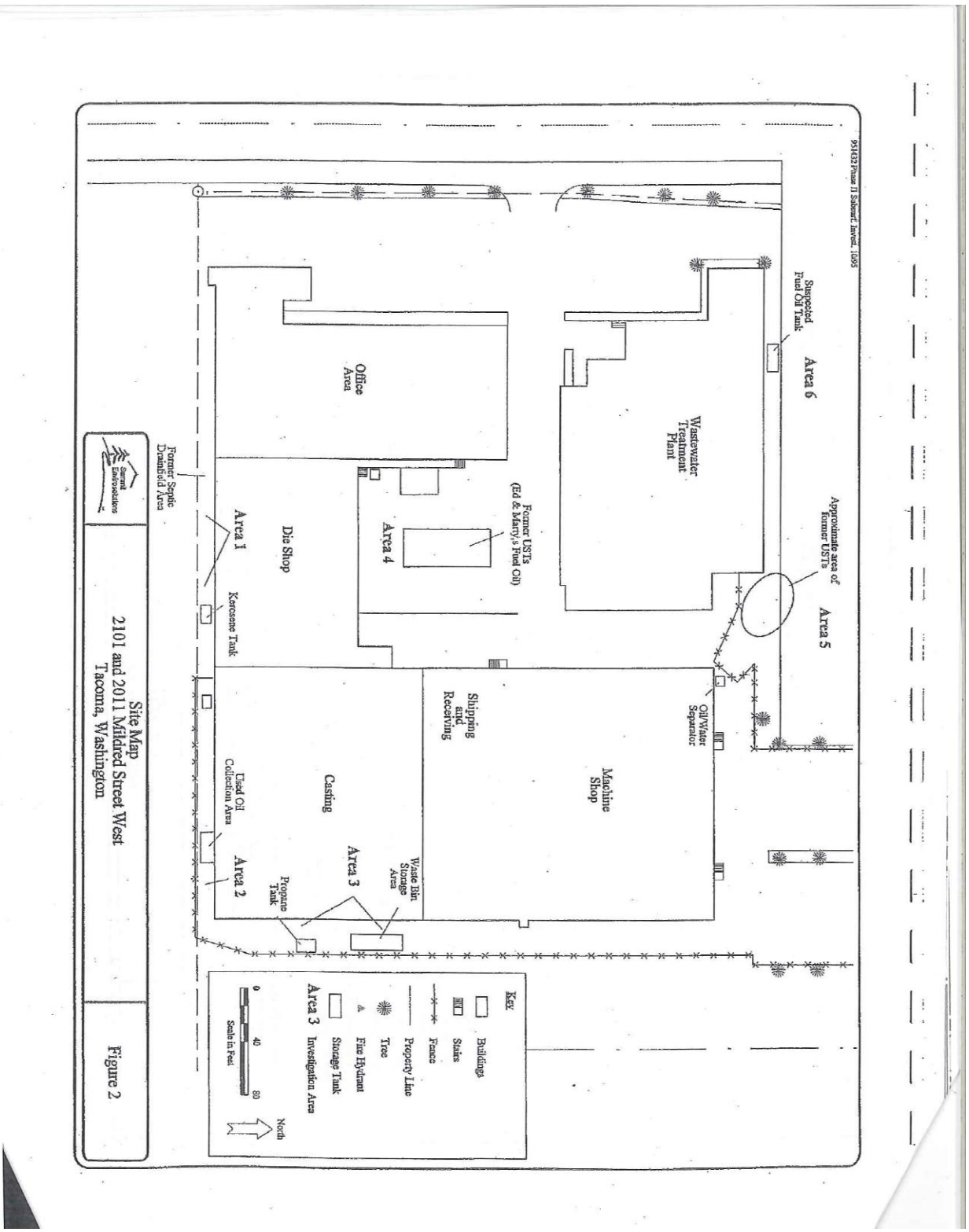
Department of Ecology, Site Visit, February 11, 2015.

6.0 APPENDICES

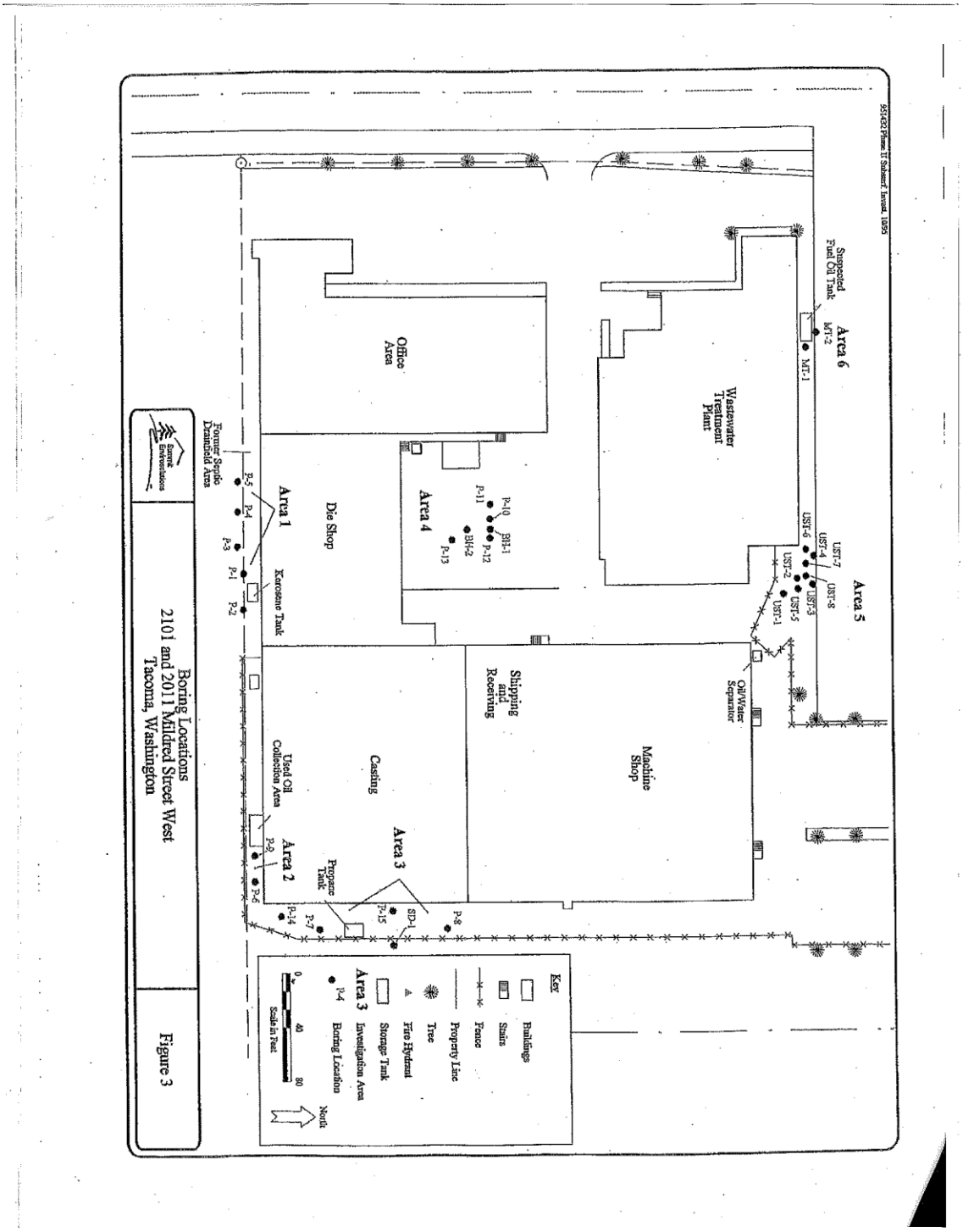
6.1 Vicinity Map



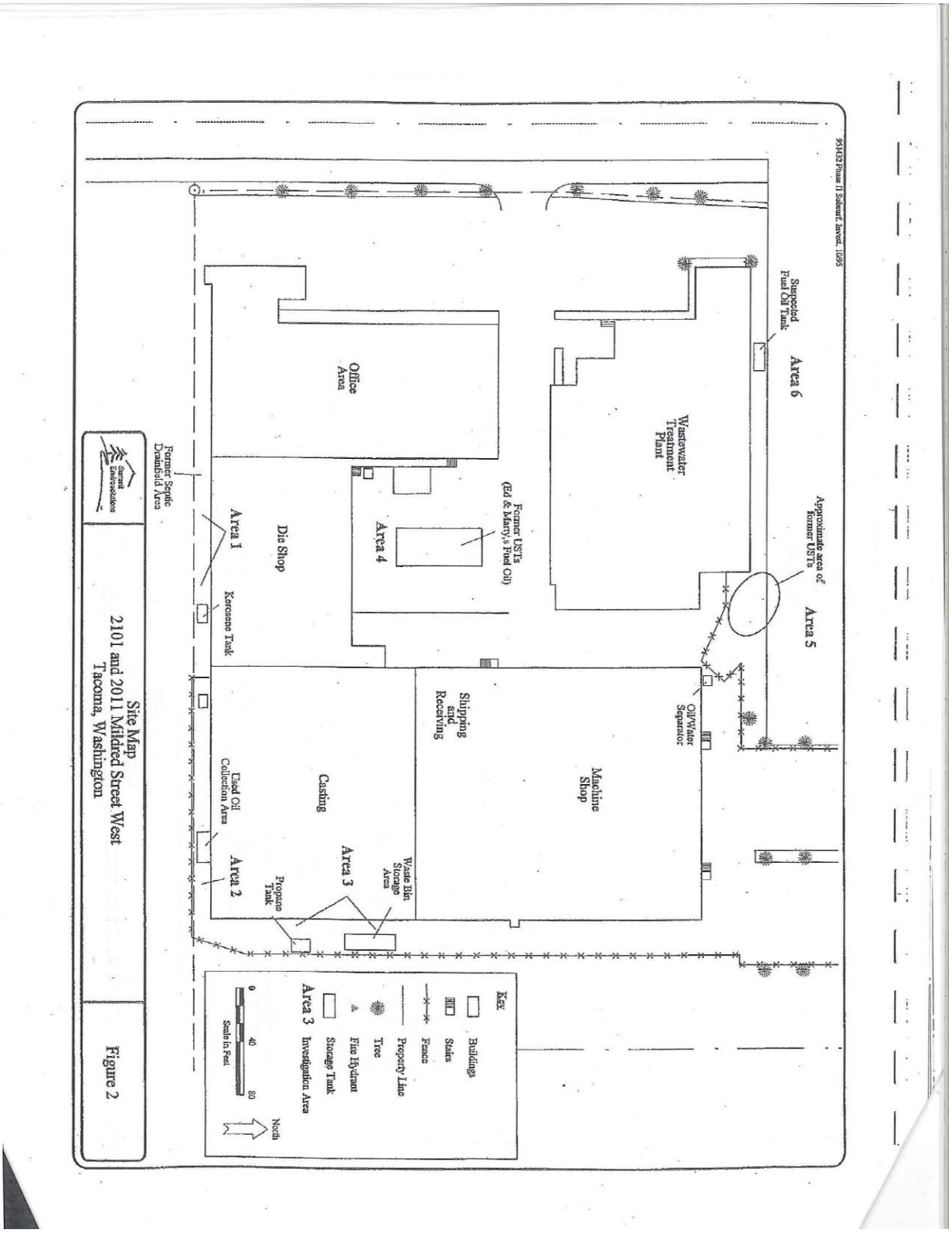
6.2 Site Plan


Suspected Fuel Oil Tank
Area 6
Office Area
Wastewater Treatment Plant
Former Septic Drainfield Area
Area 1
Die Shop
Area 4
Former USTs (Ed & Marty's Fuel Oil)
Approximate area of former USTs
Area 5
Kerosene Tank
Shipping and Receiving
Oil/Water Separator
Machine Shop
Casting
Used Oil Collection Area
Area 2
Area 3
Waste Bin Storage Area
Propane Tank
Key
Buildings
Stairs
Fence
Property Line
Tree
Fire Hydrant
Storage Tank
Area 3 Investigation Area
Scale in Feet
North
Site Map
2101 and 2011 Mildred Street West
Tacoma, Washington
Figure 2

6.3 1995 Phase II Investigation Soil Boring Locations and Results



Underground Storage Tanks and Former Septic Drainfield Area Locations



Area 1 Sample Results

Probe No.	Depth of Sample (feet)	Geoprobe Analytical (TPH-G)[1] (ppm)	Geoprobe Analytical (TPH-D)[2] (ppm)	WTPH-D Extended (ppm)		VOC's (ppm)	Metals (ppm)						
				Diesel	Heavy Oil		As	Cd	Cr	Cu[5]	Pb	Hg	Ni[5]
P1	4	<0.05	<2.0										
P1	6	<0.05	<2.0										
P1	11	<0.05	<2.0	ND	ND	ND	ND	ND	7.4	4.5	ND	ND	10
P2	4	<0.05	<2.0										
P2	8	<0.05	<2.0										
P3	4	<0.05	<2.0										
P4	4	<0.05	<2.0										
P5	4	<0.05	<2.0										
MTCA Cleanup Level[4]				200	200	See Note 3.	20	2	100	2,960	250	1	1,600

1. Measured as petroleum hydrocarbons in the gasoline range (C6-C12); <0.05 indicates no detection at the method detection limit.
2. Measured as petroleum hydrocarbons in the diesel extended range (C12-C24); <2.0 indicates no detection at the method detection limit.
3. Volatile organic compound (VOC) results from EPA methods 8010/8020. Cleanup levels are established for individual compounds. No compounds were detected by these methods.
4. MTCA cleanup levels (WAC173-340) for soil under Method A guidelines;
5. MTCA cleanup levels under Method A are not established; more conservative Method B levels are presented for Copper (Cu) and Nickel (Ni).

Note: Concentrations in bold type indicate exceedance of Ecology cleanup levels.
ND = Not detected at laboratory reporting limit
As = Arsenic, Cd = Cadmium, Cr = Chromium, Cu = Copper, Pb = Lead, Hg = Mercury, Ni = Nickel

Area 2 Sample Results

Probe No.	Depth of Sample (feet)	Geoprobe Analytical (TPH-G)[1] (ppm)	Geoprobe Analytical (TPH-D)[2] (ppm)	WTPH-D Extended (ppm)		VOC's (ppm)	Metals (ppm)						
				Diesel	Heavy Oil		As	Cd	Cr	Cu[5]	Pb	Hg	Ni[5]
P9	3	<0.05	<2.0	ND	39	ND	ND	ND	14	9.4	ND	ND	13
P9	5	<0.05	<2.0										
P9	10	<0.05	<2.0										
MTCA Cleanup Level[4]				200	200	See Note 3	20	2	100	2,960	250	1	1,600

1. Measured as petroleum hydrocarbons in the gasoline range (C6-C12); <0.05 indicates no detection at the method detection limit.
2. Measured as petroleum hydrocarbons in the diesel extended range (C12-C24); <2.0 indicates no detection at the method detection limit.
3. Volatile organic compound (VOC) results from EPA methods 8010/8020. Cleanup levels are established for individual compounds. No compounds were detected by these methods.
4. MTCA cleanup levels (WAC173-340) for soil under Method A guidelines;
5. MTCA cleanup levels under Method A are not established; more conservative Method B levels are presented for Copper (Cu) and Nickel (Ni).

Note: Concentrations in bold type indicate exceedance of Ecology cleanup levels.
ND = Not detected at laboratory reporting limit
As = Arsenic, Cd = Cadmium, Cr = Chromium, Cu = Copper, Pb = Lead, Hg = Mercury, Ni = Nickel

Area 3 Sample Results

Probe No.	Depth of Sample (feet)	Geoprobe Analytical (TPH-G)[1] (ppm)	Geoprobe Analytical (TPH-D)[2] (ppm)	WTPH-D Extended (ppm)		VOC's (ppm)	Metals (ppm)						
				Diesel	Heavy Oil		As	Cd	Cr	Cu[5]	Pb	Hg	Ni[5]
P7	4	<0.05	<2.0	23	68	N.D.	ND	ND	15	15	ND	ND	15
P7	8	<0.05	<2.0										
P7	12	<0.05	<2.0										
P7	20	<0.05	<2.0										
P8	2	<0.05	<2.0										
P8	6	<0.05	<2.0										
P8	10	<0.05	<2.0										
P8	14	<0.05	<2.0										
P8	17	<0.05	<2.0										
P14 (CR-1/2)	2			12	110		ND	ND	14	17	ND	ND	15
P15 (WL-1/2)	2			N.D.	29		ND	ND	15	74	ND	ND	15
SD-1 (Composite)	1			6,300	25,000		ND	3.2	96	77,000	200	ND	110
MTCA Cleanup Level[4]				200	200	See Note 3	20	2	100	2,960	250	1	1,600

1. Measured as petroleum hydrocarbons in the gasoline range (C6-C12); <0.05 indicates no detection at the method detection limit.
2. Measured as petroleum hydrocarbons in the diesel extended range (C12-C24); <2.0 indicates no detection at the method detection limit.
3. Volatile organic compound (VOC) results from EPA methods 8010/8020. Cleanup levels are established for individual compounds. No compounds were detected by these methods.
4. MTCA cleanup levels (WAC173-340) for soil under Method A guidelines;
5. MTCA cleanup levels under Method A are not established; more conservative Method B levels are presented for Copper (Cu) and Nickel (Ni).

Note: Concentrations in bold type indicate exceedance of Ecology cleanup levels.
ND = Not detected at laboratory reporting limit
As = Arsenic, Cd = Cadmium, Cr = Chromium, Cu = Copper, Pb = Lead, Hg = Mercury, Ni = Nickel

Area 4 Sample Results

Probe No.	Depth of Sample (feet)	Geoprobe Analytical (TPH-G)[1] (ppm)	Geoprobe Analytical (TPH-D)[2] (ppm)	WTPH-D Extended (ppm) Diesel	Heavy Oil	VOC's (ppm)	Metals (ppm) As	Cd	Cr	Cu[5]	Pb	Hg	Ni[5]
P10	4	<0.05	<2.0										
P10	10	<0.05	90.30	1,200	110	N.D.	ND	ND	14	10	ND	ND	21
P10	12	<0.05	<2.0										
P11	6	<0.05	<2.0										
P12	3	<0.05	<2.0										
P12	10	<0.05	16.40										
P12	12	<0.05	5.43										
BH-1	12.5-13			N.D.	N.D.								
MTCA Cleanup Level[4]				200	200	See Note 3	20	2	100	2,960	250	1	1,600

1. Measured as petroleum hydrocarbons in the gasoline range (C6-C12);. <0.05 indicates no detection at the method detection limit.
2. Measured as petroleum hydrocarbons in the diesel extended range (C12-C24); <2.0 indicates no detection at the method detection limit.
3. Volatile organic compound (VOC) results from EPA methods 8010/8020. Cleanup levels are established for individual compounds. No compounds were detected by these methods.
4. MTCA cleanup levels (WAC173-340) for soil under Method A guidelines;
5. MTCA cleanup levels under Method A are not established; more conservative Method B levels are presented for Copper (Cu) and Nickel (Ni).

Note: Concentrations in bold type indicate exceedance of Ecology cleanup levels.
ND = Not detected at laboratory reporting limit
As = Arsenic, Cd = Cadmium, Cr = Chromium; Cu = Copper, Pb = Lead, Hg = Mercury, Ni = Nickel

Area 5 Sample Results

Probe No.	Depth of Sample (feet)	Geoprobe® Analytical (TPH-G)[1] (ppm)	Geoprobe® Analytical (TPH-D)[2] (ppm)	WTPH-D Extended (ppm) Diesel	Heavy Oil	VOC's (ppm)	Metals (ppm) As	Cd	Cr	Cu[5]	Pb	Hg	Ni[5]
UST-1	2		<2.0										
UST-1	5		<2.0	48	290								
UST-3	2		<2.0										
UST-3	7		707	4,300	170								
UST-3	12		<2.0										
UST-4	2		<2.0										
UST-5	4		<2.0	N.D.	N.D.								
UST-7	3		<2.0										
UST-7	6		113	3,100	120								
UST-8	4		<2.0										
MCTA Cleanup Level[4]				200	200	See Note 3	20	2	100	2,960	250	1	1,600

1. Measured as petroleum hydrocarbons in the gasoline range (C6-C12); <0.05 indicates no detection at the method detection limit.
2. Measured as petroleum hydrocarbons in the diesel extended range (C12-C24); <2.0 indicates no detection at the method detection limit.
3. Volatile organic compound (VOC) results from EPA methods 8010/8020. Cleanup levels are established for individual compounds. No compounds were detected by these methods.
4. MTCA cleanup levels (WAC173-340) for soil under Method A guidelines;
5. MTCA cleanup levels under Method A are not established; more conservative Method B levels are presented for Copper (Cu) and Nickel (Ni).

Note: Concentrations in bold type indicate exceedance of Ecology cleanup levels.
ND = Not detected at laboratory reporting limit
As = Arsenic, Cd = Cadmium, Cr = Chromium, Cu = Copper, Pb = Lead, Hg = Mercury, Ni = Nickel

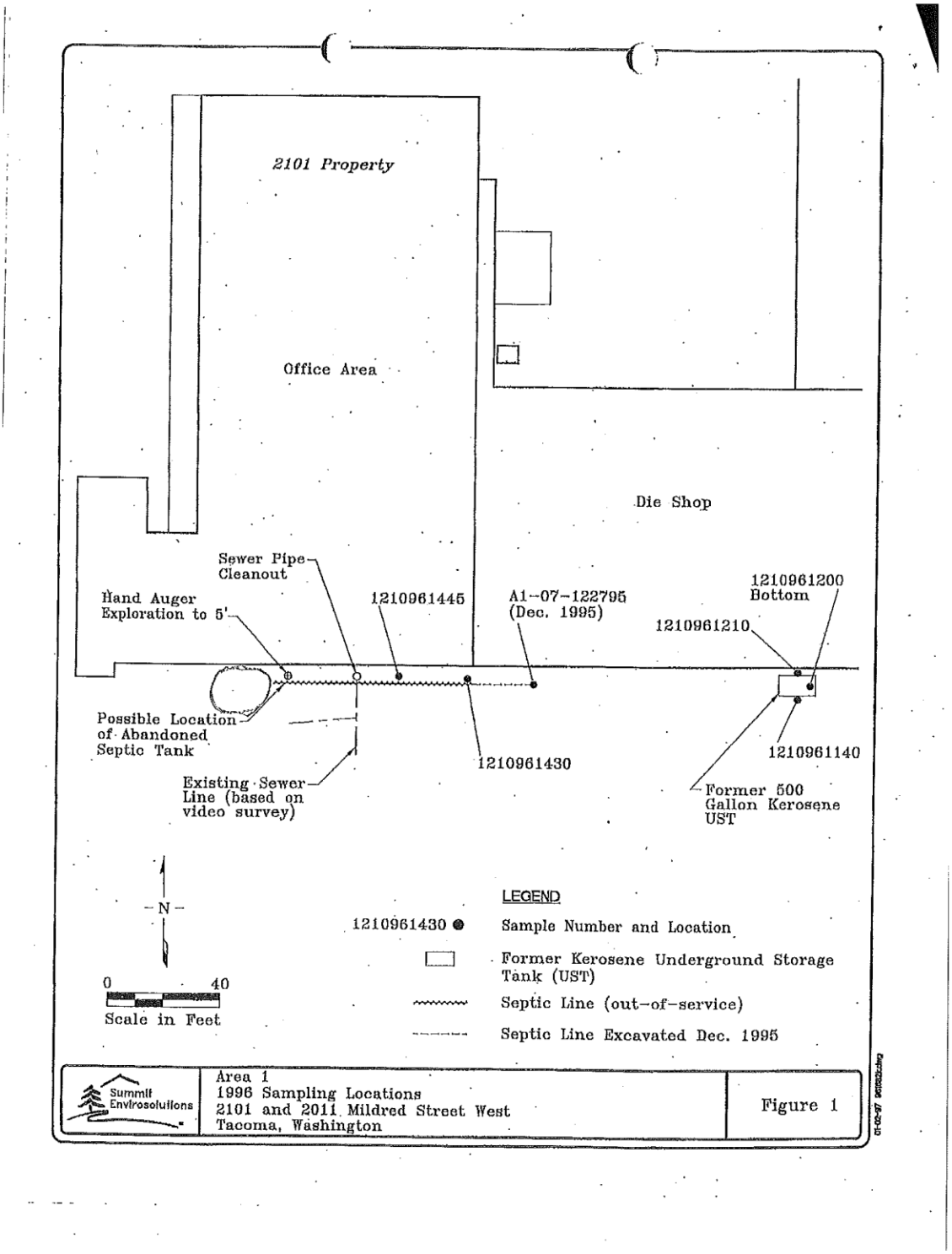
Area 6 Sample Results

Probe No.	Depth of Sample (feet)	Geoprobe Analytical (TPH-G)[1] (ppm)	Geoprobe Analytical (TPH-D)[2] (ppm)	WTPH-D Extended (ppm) Diesel	Heavy Oil	VOC's (ppm)	Metals (ppm) As	Cd	Cr	Cu[5]	Pb	Hg	Ni[5]
MT-1	2		<2.0										
MT-1	5		<2.0	N.D.	N.D.								
MT-2	2		<2.0										
MT-2	4		<2.0	N.D.	N.D.								
Ecology Cleanup Level[4]				200	200	See Note 3	20	2	100	2,960	250	1	1,600

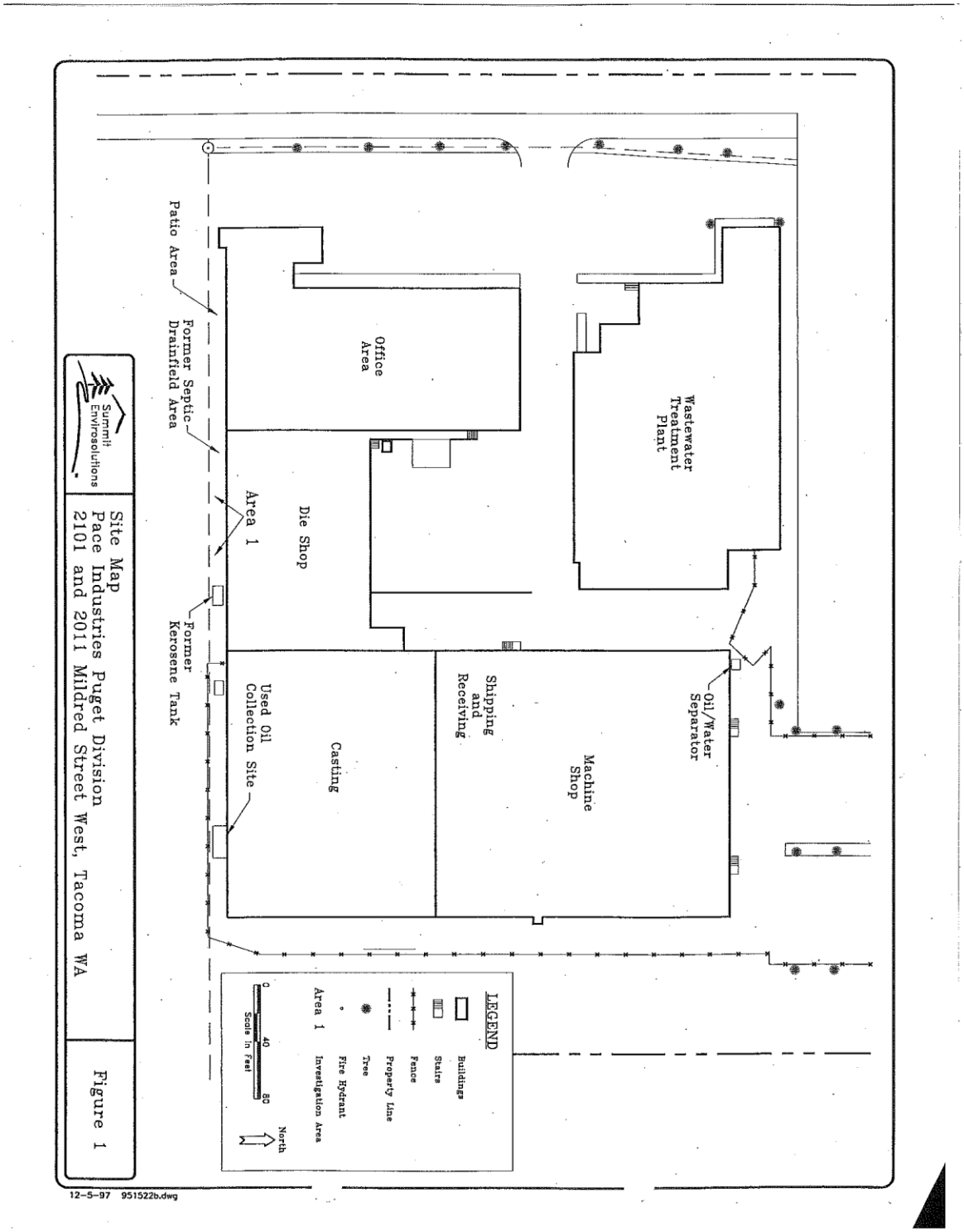
1. Measured as petroleum hydrocarbons in the gasoline range (C6-C12);. <0.05 indicates no detection at the method detection limit.
2. Measured as petroleum hydrocarbons in the diesel extended range (C12-C24); <2.0 indicates no detection at the method detection limit.
3. Volatile organic compound (VOC) results from EPA methods 8010/8020. Cleanup levels are established for individual compounds. No compounds were detected by these methods.
4. MTCA cleanup levels (WAC173-340) for soil under Method A guidelines;
5. MTCA cleanup levels under Method A are not established; more conservative Method B levels are presented for Copper (Cu) and Nickel (Ni).

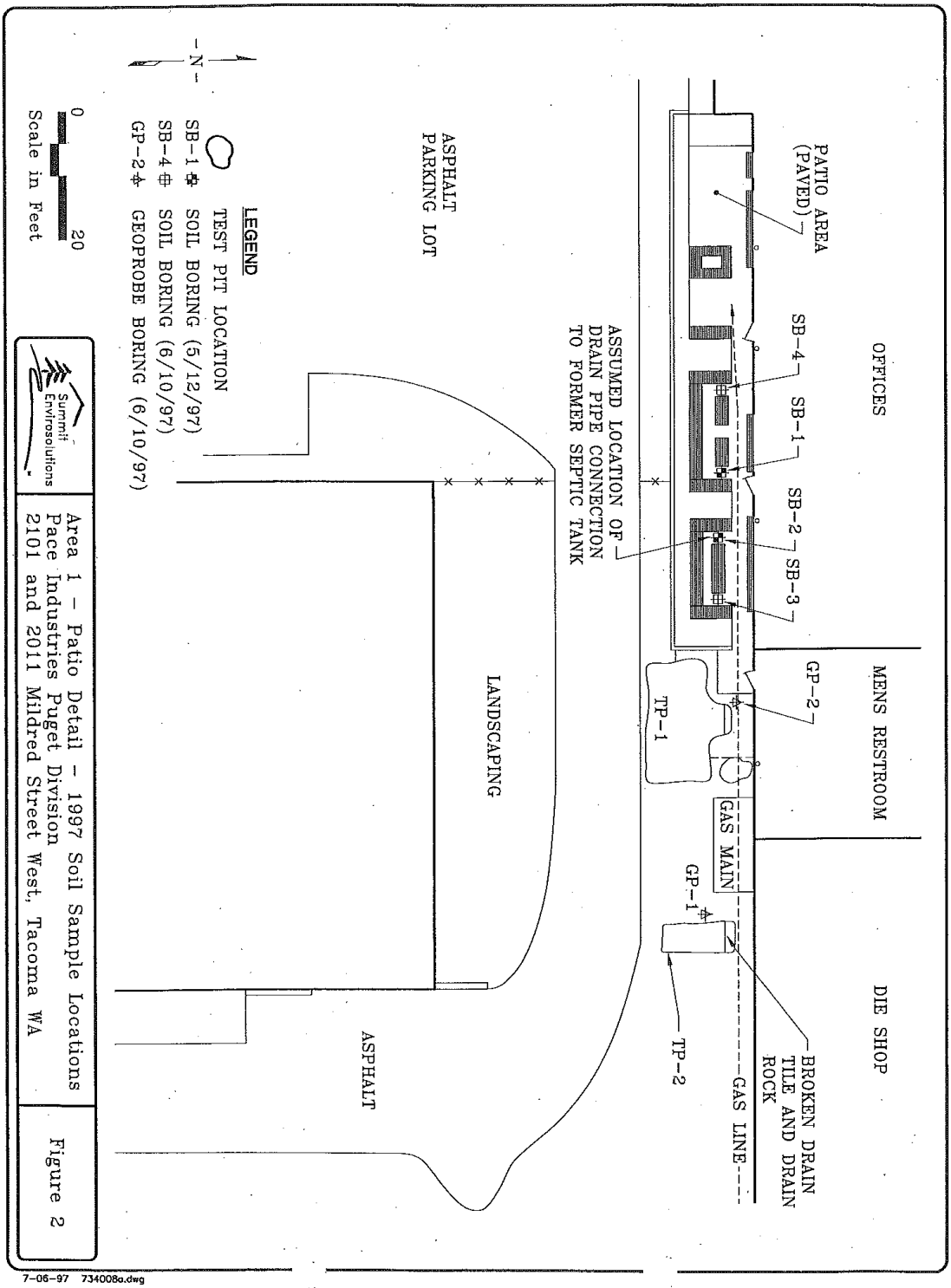
Note: Concentrations in bold type indicate exceedance of Ecology cleanup levels.
ND = Not detected at laboratory reporting limit
As = Arsenic, Cd = Cadmium, Cr = Chromium, Cu = Copper, Pb = Lead, Hg = Mercury, Ni = Nickel

6.4 January 1997 Supplemental Investigation Soil Sampling Locations

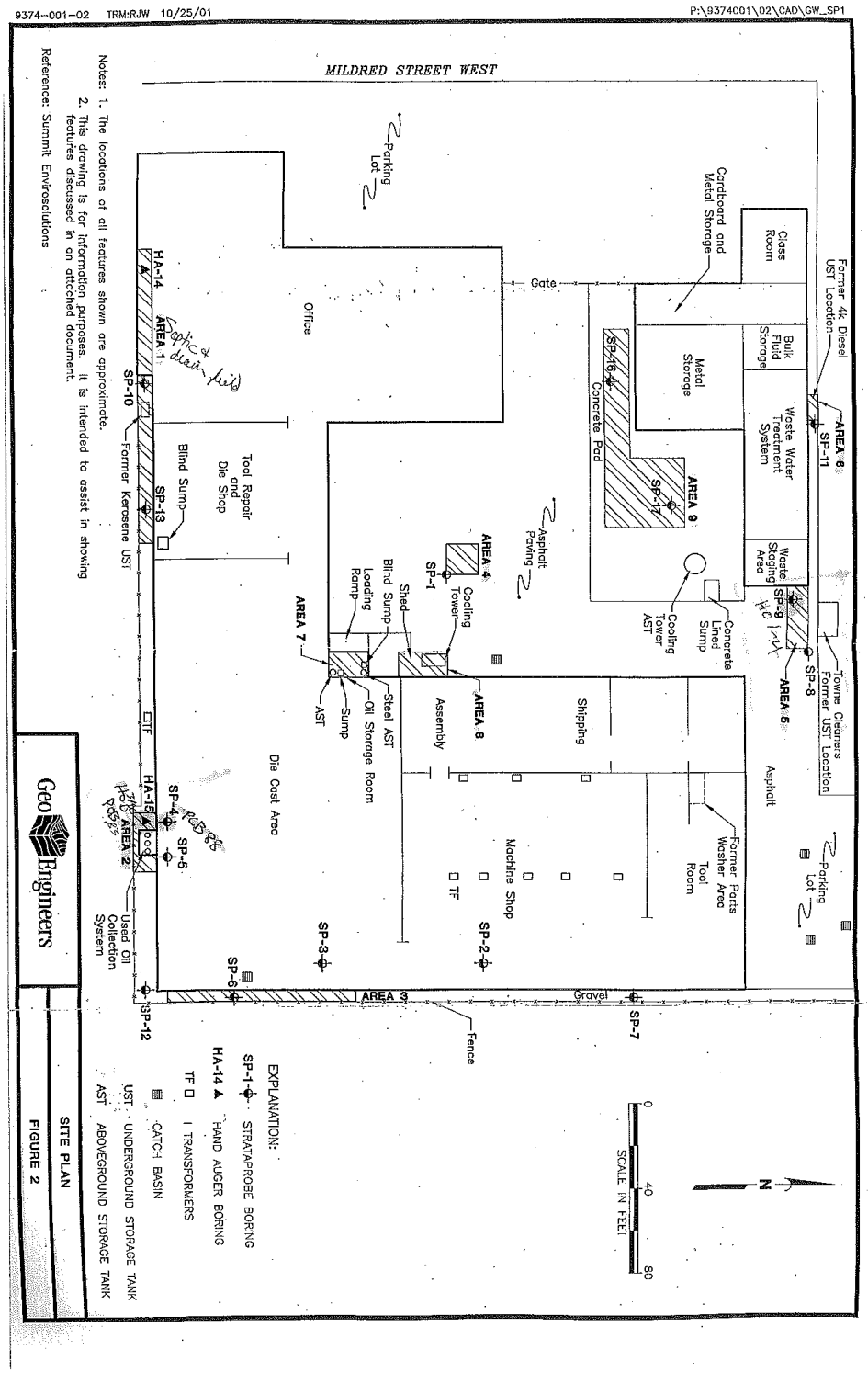


June 1997 Supplemental Investigation Soil Sampling Locations

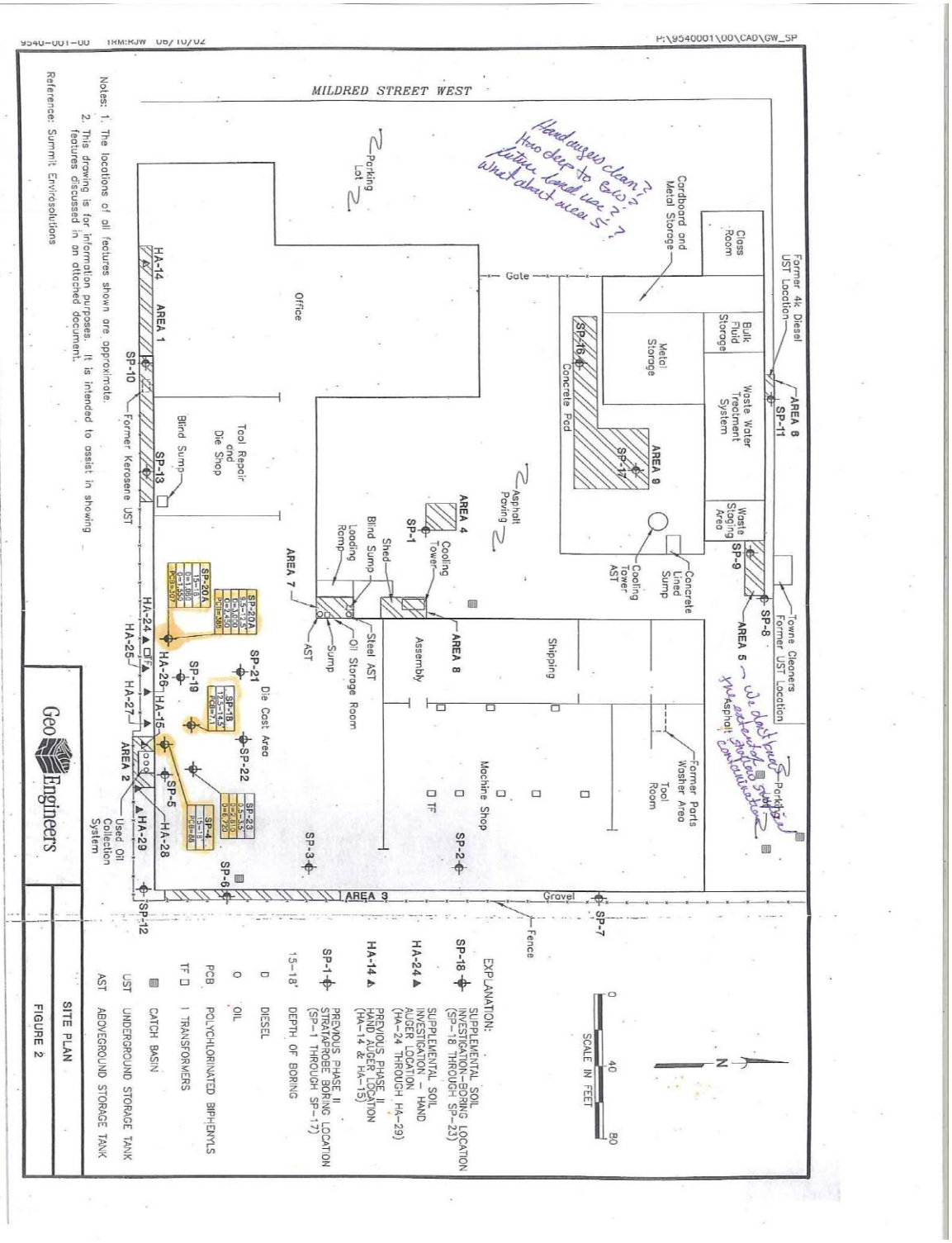



OFFICES
PATIO AREA (PAVED)
SB-4
SB-1
SB-2
SB-3
GP-2
MENS RESTROOM
DIE SHOP
TP-1
GAS MAIN
GP-1
TP-2
BROKEN DRAIN TILE AND DRAIN ROCK
GAS LINE
ASSUMED LOCATION OF DRAIN PIPE CONNECTION TO FORMER SEPTIC TANK
ASPHALT PARKING LOT
LANDSCAPING
ASPHALT
- N -
LEGEND
TEST PIT LOCATION
SB-1 SOIL BORING (5/12/97)
SB-4 SOIL BORING (6/10/97)
GP-2 GEOPROBE BORING (6/10/97)
0
20
Scale in Feet
Summit Envirosolutions
Area 1 - Patio Detail - 1997 Soil Sample Locations
Pace Industries Puget Division
2101 and 2011 Mildred Street West, Tacoma WA
Figure 2
7-06-97 734008a.dwg

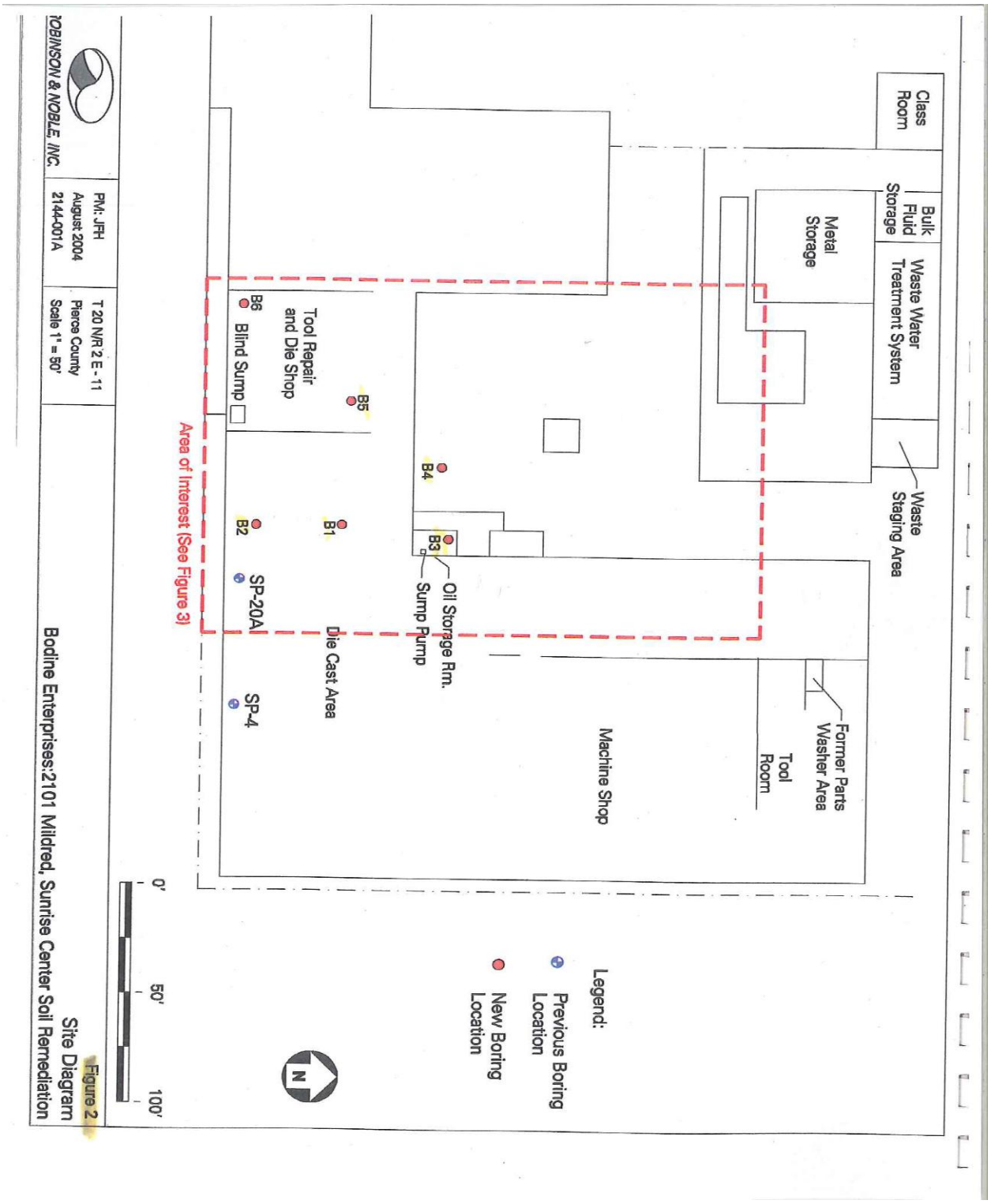
6.5 November 2001- Phase II Environmental Site Assessment Soil Boring Locations



August 2002 – Supplemental Soil Investigation Soil Sampling Locations and Results



6.6 August 2004 Soil Cleanup: New Soil Boring Locations, Extent of Contaminated Soil Excavation and Confirmational Soil Sample Results



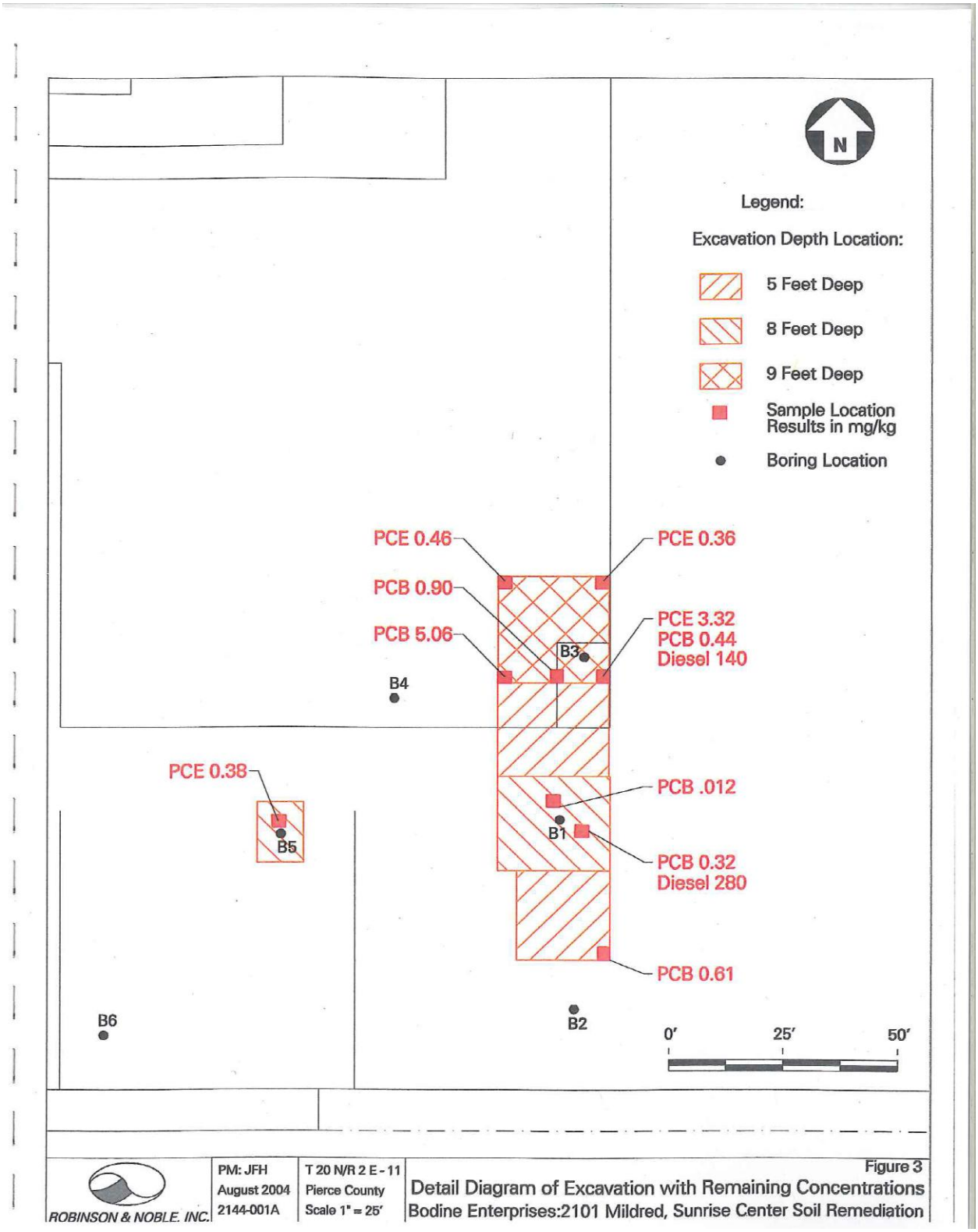

N
Legend:
Excavation Depth Location:
5 Feet Deep
8 Feet Deep
9 Feet Deep
Sample Location
Results in mg/kg
Boring Location
PCE 0.46
PCE 0.36
PCB 0.90
PCB 5.06
PCE 3.32
PCB 0.44
Diesel 140
B3
B4
PCE 0.38
B5
PCB .012
B1
PCB 0.32
Diesel 280
PCB 0.61
B6
B2
0'
25'
50'
ROBINSON & NOBLE. INC.
PM: JFH
August 2004
2144-001A
T 20 N/R 2 E - 11
Pierce County
Scale 1" = 25'
Figure 3
Detail Diagram of Excavation with Remaining Concentrations
Bodine Enterprises:2101 Mildred, Sunrise Center Soil Remediation

Table 1: Suspected Septic Tank Drainfield Area Samples

Location	NWTPH-Dx/Dx-Ext (mg/kg)	Lead (mg/kg)	Chromium (mg/kg)	Cadmium (mg/kg)	Arsenic (mg/kg)	Mercury (mg/kg)
Soil Sample 1 (West)	nd / nd / nd	22	2.5	nd	3.2	nd
Soil Sample 2	nd / nd / nd	41	4.1	nd	4.1	1.5
Soil Sample 3	nd / nd / nd	16	2.3	nd	3.9	1.0
Soil Sample 4	nd / nd / nd	14	2.4	nd	6.3	0.60
Soil Sample 5	nd / nd / nd	31	3.0	nd	5.4	0.90
Soil Sample 6 (East)	nd / nd / nd	55	3.6	nd	7.9	nd
Detection Limit (mg/kg)	Diesel (D) = 20 Mineral Oil (M) = 40 Oil (O) = 40	1.0	2.0	1.0	2.0	0.5
MTCA Cleanup Limit (mg/kg)	Diesel (D) = 2000 Mineral Oil (M) = 2000 Oil (O) = 4000	-- 250	240	80	24	24

Nd – not detected

Table 2: Excavation Soil Analysis Results

Location	NWTPH-Dx/Dx-Extended (mg/kg)	Tetrachloroethylene EPA 8021B (mg/kg)	PCB's EPA 8082 (mg/kg)
Southeast corner	nd	nd	0.61
Bottom, east of B-1	D = 280 M = nd O = nd	nd	0.32
Bottom, north of B-1	nd	nd	0.12
Corner, north of step, west side	nd	nd	5.06
Southwest of B-3, bottom	nd	nd	0.90
Southeast of B-3, bottom corner	D=140 M = nd O = nd	3.32	0.44
Northwest corner	nd	0.46	nd
Northeast corner	nd	0.36	nd
B-5 Excavation, bottom	nd	0.38	nd
Detection Limit (mg/kg)	Diesel (D) = 20 Mineral Oil (M) = 40 Oil (O) = 40	0.02	0.05
MTCA Cleanup Limit (mg/kg)	Diesel (D) = 2000 Mineral Oil (M) = 2000 Oil (O) = 4000	19.6 Direct contact only	10 Industrial Limit

Nd = not detected

6.7 Environmental Covenant

200708170825 9 PGS
08/17/2007 2:49pm $48.00
PIERCE COUNTY, WASHINGTON

RECEIVED
'07 AUG 31 A10:15
WA STATE
DEPARTMENT OF ECOLOGY
SW REGIONAL OFFICE

Name & Return Address:

2101 Mildred, LLC

c/o Robinson, Noble & Saltbush, Inc.

3011 S. Huson Street, Suite A, Tacoma, WA 98409

Please print legibly or type information.

Document Title(s) Environmental Restricive Covenant
Grantor(s) 2101 Mildred LLC ____ Additional Names on Page _____ of Document
Grantee(s) Washington State Department of Ecology ____ Additional Names on Page 8 of Document
Legal Description (Abbreviated: i.e., lot, block & subdivision name or number OR section/township/range and quarter/quarter section) Complete Legal Description on Page _____ of Document
Auditor's Reference Number(s)
Assessor's Property Tax Parcel/Account Number(s) 0220112102, 0220112104
The Auditor/Recorder will rely on the information provided on this cover sheet. The Staff will not read the document to verify the accuracy or completeness of the indexing information provided herein. **I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.** _____ **Signature of Requesting Party (Required for non-standard recordings only)** **Gpcovst.doc rev 4/02**

Page 1

Model Restrictive (Environmental) Covenant

After Recording Return to:

Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775

Environmental Covenant

Grantor: 2101 Mildred, LLC
Grantee: State of Washington, Department of Ecology
Legal: Section 11 Township 20 Range 02 Quarter 22 PARCEL A DBLR 2006-12-14-5001 DESC AS FOLL COM AT NW COR SEC 11 TH S 01 DEG 38 MIN 11 SEC W 660.31 FT TO S LI OF NW OF NW OF NW TH S 89 DEG 07 MIN 37 SEC E 35 FT TO E MARG OF MILDRED ST & POB TH CONT S 89 DEG 07 MIN 37 SEC E 186.09 FT TH N 01 DEG 23 MIN 18 SEC E 206.91 FT TH N 88 DEG 41 MIN 11 SEC W 184.40 FT TO E MARG MILDRED ST TH S 06 DEG 16 MIN 09 SEC W 9.61 FT TH S 01 DEG 38 MIN 11 SEC W 198.78 FT TO POB OUT OF 2-099 & 2-100 SEG 2007-0594BL 01-22-07BL]

Section 11 Township 20 Range 02 Quarter 22 PARCEL C DBLR 2006-12-14-5001 DESC AS FOLL COM AT NW COR SD SEC 11 TH S 89 DEG 04 MIN 24 SEC E 530.04 FT TH S 01 DEG 38 MIN 11 SEC W 229.57 FT TO POB TH N 89 DEG 04 MIN 24 SEC W 175.75 FT TH S 0 DEG 20 MIN 58 SEC E 99.40 FT TH N 89 DEG 06 MIN 33 SEC W 86.09 FT TH S 0 DEG 17 MIN 03 SEC W 124.54 FT TH N 88 DEG 41 MIN 11 SEC W 54.40 FT TH S 01 DEG 23 MIN 18 SEC W 206.91 FT TO S LI OF NW OF NW OF NW THS 89 DEG 07 MIN 37 SEC E 308.96 FT TH N 01 DEG 38 MIN 11 SEC E 430.25 FT TO POB OUT OF 2-070, 2-099 & 2-100 SEG 2007-0594BL 01-22-07BL

Tax Parcel Nos.: 0220112102 and 0220112104
Cross Reference: 200611030824

Grantor, 2101 Mildred LLC, hereby binds Grantor, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") made this 2nd day of August, 2007 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics

Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by 2101 Mildred, LLC its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

A remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following document[s]:

- Independent Remedial Action Report, 2101 and 2011 Mildred Street West, Tacoma, Washington, September 3, 1997, Summit Envirosolutions, Inc.
- IRAP Supplemental Information Report, 2101 and 2011 Mildred Street West, Tacoma, Washington, January 6, 1997, Summit Envirosolutions, Inc.
- IRAP Supplemental Information Report, 2101 and 2011 Mildred Street West, Tacoma, Washington, July 21, 1997, Summit Envirosolutions, Inc.
- No Further Action Letter for Independent Remedial Actions, November 25, 1997, to Mr. Rufus Lund, Puget Corporation of Washington, from Ecology.
- Report Phase II Environmental Site Assessment Former Pace Industries Facility 2101 and 2011 Mildred Street West, Tacoma, Washington, November 7, 2001, GeoEngineers
- Report Supplemental Environmental Soil Investigation Former Pace Industries Facility 2101 and 2011 Mildred Street West, Tacoma, Washington, August 19 2002, GeoEngineers
- Report Groundwater Investigation Former Pace Industries Facility 2101 and 2011 Mildred Street West, Tacoma, Washington, March 6, 2003, GeoEngineers
- Report Bodine Enterprises Sunrise Center soil Remediation 2101 South Mildred, Fircrest, Washington, August 2004

These documents are on file at Ecology's Southwest Reginoal Office Office.

This restrictive covenant is required because the Remedial Action resulted in residual concentrations of petroleum hydrocarbons and Polychlorinated Biphenyls (PCB) which exceed

the Model Toxics Control Act Methods A and B Residential Cleanup Level (s) for soil established under WAC 1 73-340-740. In addition, there is evidence to suspect there is heavy metal contamination remaining above MTCA standards beneath the asphalt, along the property line south and southeast of Building B, and is associated with an abandoned septic system.

The undersigned, 2101 Mildred, LLC is the fee owner of real property (hereafter "Property") in the County of Pierce, State of Washington, that is subject to this Covenant. The Property is legally described in Attachment A and is made a part of this document by reference.

2101 Mildred, LLC makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. During the Remedial Action, heavy metals concentrations elevated significantly above MTCA soil standards were confirmed in drainline sludges associated with an abandoned septic system along the property line south and southeast of Building B. This area is currently covered by asphalt. Soil samples tested from beneath the asphalt surface did not exhibit elevated concentrations of heavy metals. However, the septic tank (s) was not specifically located during the Remedial Action. The presence of heavy metal contamination in the drainline sludges makes it reasonable to expect that additional heavy metal contamination may be present under the asphalt surface, associated with the former septic system.

The portion of the property covered by Building C, the parallel portion of Building B and the asphalt parking lot between them are known to contain an unknown volume of petroleum hydrocarbon and PCB contaminated soil beneath the asphalt and concrete foundation and footings of the facility buildings. When the asphalt parking lot was installed in place of the former building section, the accessible PCB and petroleum contaminated soil was removed along with an old underground oil collection and separation tank. Under the asphalt, the levels of PCB remain above MTCA Method A cleanup standards. Due to structural concerns for the

page 4

facility building, soils contaminated above MTCA Method A Standards were left in place under the building footings adjacent to the tank during the Remedial Action.

As long as known or suspected contamination remains present and isolated beneath the facility building foundation, footings, or adjoining asphalt pads, the Owner shall not alter, modify, or remove the existing structures in any manner that may result in the release or exposure to the environment of the contaminated material or create a new exposure pathway without prior written approval from Ecology.

Section 2. The asphalt covering the former septic system shall be well maintained and kept in good repair to minimize stormwater infiltration in the area of suspected contamination.

Section 3. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 4. Any activity of the Property may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 5. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 6. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

Section 7. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 8. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take

samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 9. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

2101 Mildred, LLC

Bruce Bodine
~~Owner~~ Manager
Dated: 8/2/07

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Marian L. Abbett for Rebecca Lawson
[Name of Person Acknowledging Receipt]
~~[Title]~~ Acting Section Manager
Dated: 8/15/07

Page 6

[INDIVIDUAL ACKNOWLEDGMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20__, I certify that _____ personally appeared before me, and acknowledged that **he/she** is the individual described herein and who executed the within and foregoing instrument and signed the same at **his/her** free and voluntary act and deed for the uses and purposes therein mentioned.

Notary Public
State of Washington
JULIE A BODINE
MY COMMISSION EXPIRES
February 4, 2011

_____
Notary Public in and for the State of Washington, residing at _____.
My appointment expires_____.

[CORPORATE ACKNOWLEDGMENT]

STATE OF Washington
COUNTY OF Pierce

On this 2nd day of August, 2007, I certify that Bruce Bodine personally appeared before me, acknowledged that **he/she** is the managing member of the corporation that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that **he/she** was authorized to execute said instrument for said corporation.

Julie Bodine
Notary Public in and for the State of Washington, residing at
Pierce Co.
My appointment expires 2/4/11.

[REPRESENTATIVE ACKNOWLEDGEMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20__, I certify that _____ _____ personally appeared before me, acknowledged that **he/she** signed this instrument, on oath stated that **he/she** was authorized to execute this instrument, and acknowledged it as the

Page 7

_____ [type of authority] of _____ [name of party being represented] to be the free and voluntary act and deed of such party for the uses and purposes mentioned in the instrument.

_____
Notary Public in and for the State of Washington, residing at _____.
My appointment expires _____.

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Exhibit A
Legal Description

PARCEL A

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 20 NORTH, RANGE 2 EAST OF THE WILAMETTE MERIDIAN, PIERCE COUNTY, WA. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11:
THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER SOUTH 01'38'11" WEST, 660.31 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, OF THE NORTHWEST CORNER OF SAID SECTION 11;
THENCE ALONG SAID SOUTH LINE SOUTH 89'07'37' EAST, 35.00 FEET TO THE EAST MARGIN OF MILDRED STREET AND THE TRUE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID SOUTH LINE SOUTH 89'07'37' EAST, 186.09 FEET;
THENCE NORTH 01'23'18' EAST, 206.91 FEET;
THENCE NORTH 88'41'11 WEST, 184.40 FEET TO THE EAST MARGIN OF MILDRED STREET;
THENCE ALONG SAID EAST MARGIN SOUTH 06'16'09' WEST, 9.61 FEET;
THENCE CONTINUING ALONG SAID EAST MARGIN SOUTH 01'38'11' WEST 198.78 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL C

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 20 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, PIERCE COUNTY, WA. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11;
THENCE ALONG THE NORTH LINE OF SAID SECTION 11 SOUTH 89'04'24'; EAST, 530.04 FEET;
THENCE SOUTH 01'38'11' WEST, 229.57 FEET TO THE TRUE POINT OF BEGINNING;
THENCE PARALLEL TO SAID NORTH LINE OF SECTION 11, NORTH 89'04'24' WEST, 175.75 FEET;
THENCE SOUTH 00'20'58' EAST, 99.40 FEET;
THENCE NORTH 89'06'33' WEST, 86.09 FEET;
THENCE SOUTH 00'17'03 WEST, 124.54 FEET;
THENCE NORTH 88'41'11' WEST, 54.40
THENCE SOUTH 01'23'18 WEST, 206.91 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11;
THENCE ALONG SAID SOUTH LINE SOUTH 89'07'37' EAST, 308.96 FEET;
THENCE NORTH 01'38'11' EAST, 430.25 FEET TO THE TRUE POINT OF BEGINNING.

6.8 Photo Log

Photo 1: Building below which contaminated soils left in place, Looking East

Phtoto 2: Previously excavated area, current parking lot-Looking Northeast

Photo 3: Retaining wall in Area 5 and Area 6, Looking Northwest

Photo 4: Former Towne Cleaners in Area 5 some contaminated soils left below the building foundation-Looking West

Photo 5: Previously Excavated Area, Current Parking Lot, Looking North

Photo 6: Previous Area 4, Current Parking Lot, Looking Southwest

Photo 7: Previously Excavated Area 4, Current Parking Lot, Looking North

Photo 8: Previous Area 3, behind the Current Building, Looking South