STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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July 30, 2015

COPY

Mr. Curt Pryde
Pryde & Johnson
419 NE 70th Street
Seattle, WA 98115

Re: No Further Action at the Following Site:

- **Site Name:** Ballard Library
- **Site Address:** 5711 24th Avenue NW, Seattle, WA
- **Facility/Site No.:** 8716
- **VCP Project No.:** NW2484
- **CSID No.:** 11655

Dear Mr. Pryde:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Ballard Library facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

Description of the Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release:

- Petroleum Hydrocarbons into the Soil.

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel associated with this Site is affected by other sites.

Basis for the Opinion

This opinion is based on the information contained in the following documents:

1. Basalt Environmental Consulting, Final Remediation Report, Former Ballard Library, April 14, 2015.

2. Basalt Environmental Consulting, Status Report, Former Ballard Library, December 16, 2013.

3. Washington Department of Ecology, Letter - Opinion on Proposed Cleanup - Ballard Library Site, November 9, 2011.

4. Basalt Environmental Consulting, Remedial Action Plan for the Former Ballard Library, 5711 24th Avenue NW, Seattle, WA, June 2011.

5. Basalt Environmental Consulting, Limited Phase II Evaluation, Former Ballard Library, June 15, 2011.

6. Geotech Consultants, Inc., Phase II Site Assessment, Former Ballard Library Property, 5711 24th Avenue, Northwest, February 6, 2006.

7. Shannon & Wilson, Inc., Phase I and Phase II Site Assessment, Ballard Library, Seattle, WA, February 2005.

Those documents are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. You can make an appointment by calling the NWRO resource contact at (425) 649-7235 or by e-mail to nwro_public_request@ecy.wa.gov.

This opinion is void if any of the information contained in the documents is materially false or misleading.

Analysis of the Proposed Cleanup

Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. **Characterization of the Site.**

   Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A.**

Characterization of the Site was accomplished by placing a total of 21 direct-push soil borings throughout the Property. The work was completed during three separate time periods: (1) February 2005 (8 borings with 16 soil samples and 6 grab ground water samples). (2) December 2005 (7 borings with 8 soil samples), and (3) May 2011 (6 borings with 6 soil samples). Soil sample locations at depth were based on field screening methods. Depths of exploration were limited from 9 to 12 feet below ground surface (bgs) because of refusal encountered in dense glacial till material present at the Property. Ground water was encountered in six 2005 borings, but at no other times.

The soil and ground water samples were analyzed for appropriate compounds selected according to the historical uses of the Property, and included total petroleum hydrocarbons (TPH) in the gasoline, diesel, and oil ranges (TPH-G, TPH-D, TPH-O), benzene, toluene, ethylbenzene, xylenes (BTEX), volatile organic compounds (VOCs), and metals. Of the 36 samples acquired throughout the Property, analytical results indicated only three soil samples with contaminant concentrations (TPH-G) above the Method A cleanup levels. Two proximate samples characteristic of mineral spirits were located in the eastern area of the Property at ~7 feet bgs, and one shallow sample characteristic of gasoline was located in the southern area of the Property. There were dispersed low-level detections of TPHs and metals in other areas of the Property.

The characterization work found two localized areas of soil contamination. There was no evidence of large areas of contamination, or that contamination extended outside the Property. Perched ground water encountered on the Property was not impacted, and was not found to be a permanent saturated zone. Depth and flow direction of deeper permanent ground water were not determined. The characterization work was sufficient to establish cleanup standards for the Site and to determine a suitable cleanup action.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

Method A cleanup levels for soil and ground water were established for the Site. Cleanup levels protective of terrestrial organisms do not apply because the general area surrounding the Site consists of densely-spaced buildings and extensive paved surfaces. The standard point of compliance (Method A cleanup levels achieved throughout the Site) was selected. These cleanup standards are appropriate for this Site.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

The Property was slated for development as Department of Housing & Urban Development sponsored housing. Construction of a new apartment building would include demolition of the library building and Property-wide excavation of 10 to15 feet bgs to accommodate underground parking. The two identified areas of contaminated soil above Method A cleanup levels and any other soil potentially above Method A cleanup levels would be removed from the Property during

this construction. Appropriate confirmation samples would be acquired at the limits of excavation. The data indicate that perched ground water was not contaminated and likely was not a permanently saturated zone. Ground water conditions would be confirmed and/or further evaluated if encountered during the construction.

4. **Cleanup.**

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

During 2013, the Ballard Library building was demolished. All soil throughout the Property was removed to an average depth of about 13 feet bgs. The soil was field screened by means of a photo-ionization detector, as well as visual and olfactory methods. Any soils exhibiting signs of petroleum contamination were segregated and transported to a permitted facility. Approximately 7,688 tons of contaminated soil (as determined by field screening) was disposed of at the Cemex, Inc. facility in Everett. Given the complete removal of soil throughout the Property, the actual extents and volumes of soil contaminated above cleanup levels were not determined. Ground water was reportedly not encountered or observed during the excavation of the Property.

Eight confirmation soil samples were acquired within the Property-wide excavation and analyzed using NWTPH-HCID. Sample locations included the areas of contamination. Results were non-detectable except for a detection of TPH-G above its reporting limit in one sample. All results were non-detectable in a follow up analyses of this sample for TPH-G and BTEX. Ecology considers that this remedial action done during construction of the new building was adequate to address the contamination within the Property.

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List.

Limitations of the Opinion

1. **Opinion does not settle liability with the state.**

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion **does not**:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70.105D.040(4).

2. **Opinion does not constitute a determination of substantial equivalence.**

   To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you proposed will be substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

3. **State is immune from liability.**

   The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (# NW2484).

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (425) 649-7251 or e-mail at rnye461@ecy.wa.gov.

Sincerely,

Roger K. Nye

Roger K. Nye
Toxics Cleanup Program

Enclosure: A - Description and Diagrams of the Site

By Certified Mail [7011 0470 0003 3682 5858]

cc: Greg Peterson, Basalt Environmental LLC
Sonia Fernandez, VCP Coordinator, Ecology
Dolores Mitchell, VCP Financial Manager, Ecology

Enclosure A: Site Description and Diagrams

This section provides Ecology's understanding and interpretation of Site conditions and is the basis for the opinion expressed in the body of the letter.

Site: Petroleum hydrocarbons were released within the Property. Two localized areas of TPH-G (as gasoline and mineral spirits) above cleanup levels in soil were identified. These known releases and any other remnant contamination from historical activities on the Property comprise the Site. The Property is located at 5711 24th Avenue NW in Seattle, WA.

Property and Area Description: The Property is rectangular and 0.46 acres in size (King County Parcel No. 2767605130). The area surrounding the Property (Ballard area) consists of dense residential housing, commercial businesses, and extensive paved surfaces. There are two nearby sports field areas: Ballard Playground (~1,000 feet to the northwest), and Ballard Commons Park (~600 feet to the east).

Property History and Current Use: Historical use of the Property was primarily for automobile servicing and repair. A gas station / auto repair shop occupied the north part of the Property from 1936 to 1962, and a separate auto-repair facility operated from about 1940 to 1955 in the south area of the Property. A clothes cleaners briefly operated on the Property between these facilities (near the detections of mineral spirits) during the late 1930s. A library building and paved parking were constructed and occupied the Property from 1962 to 2005. The library building was demolished during 2013, and a new residential building with a single level of underground parking currently occupies the entire Property.

Sources of Contamination: The operations of the automobile servicing / repair facilities, and possibly the clothes cleaners were the sources of contamination.

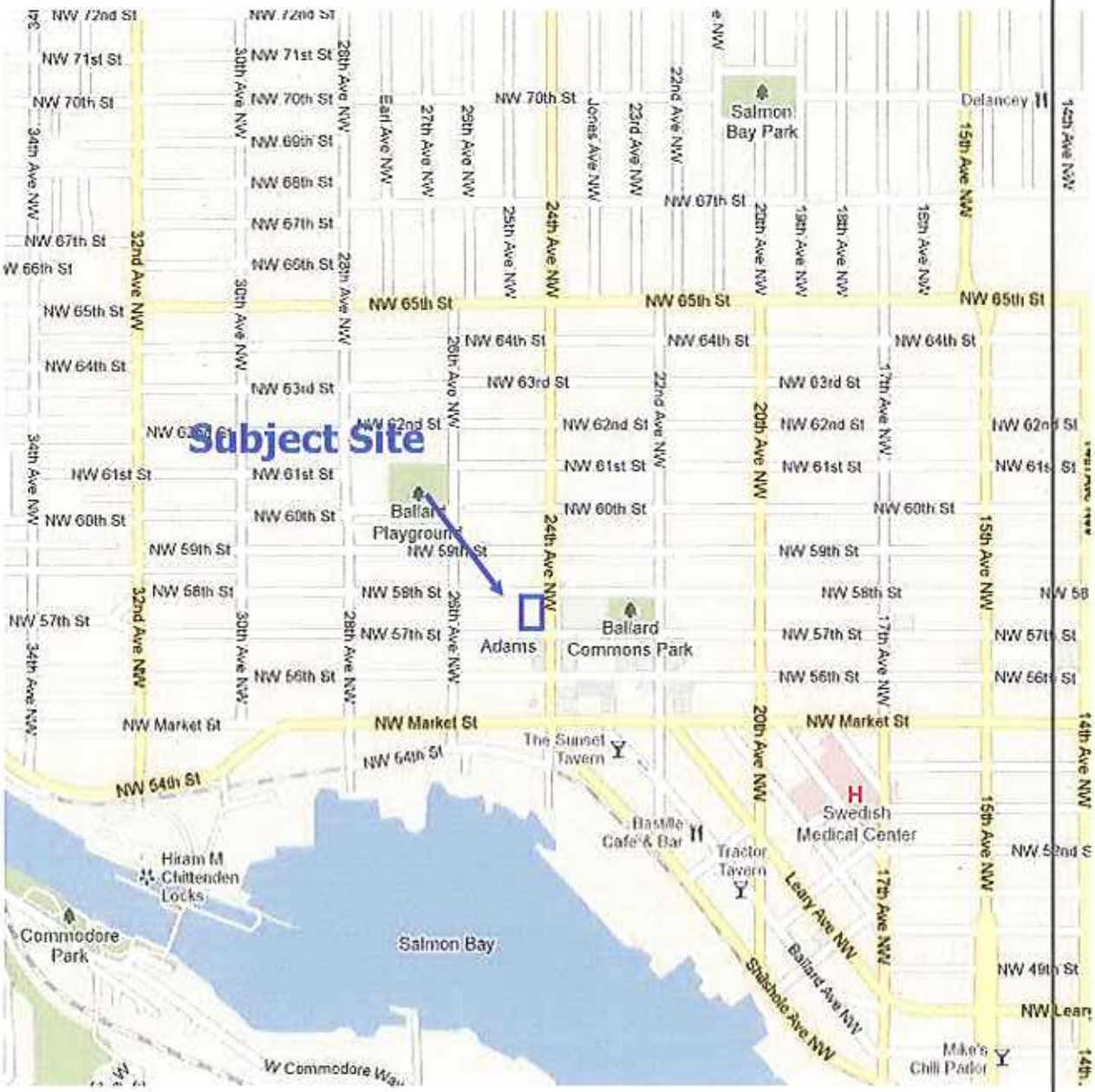
Physiographic Setting: The elevation of the Site is ~75-80 feet above mean sea level, and the land slopes down gently south-southwest to Salmon Bay ~1,500 feet away.

Ecological Setting: There is no habitat for terrestrial ecological receptors in the general area.

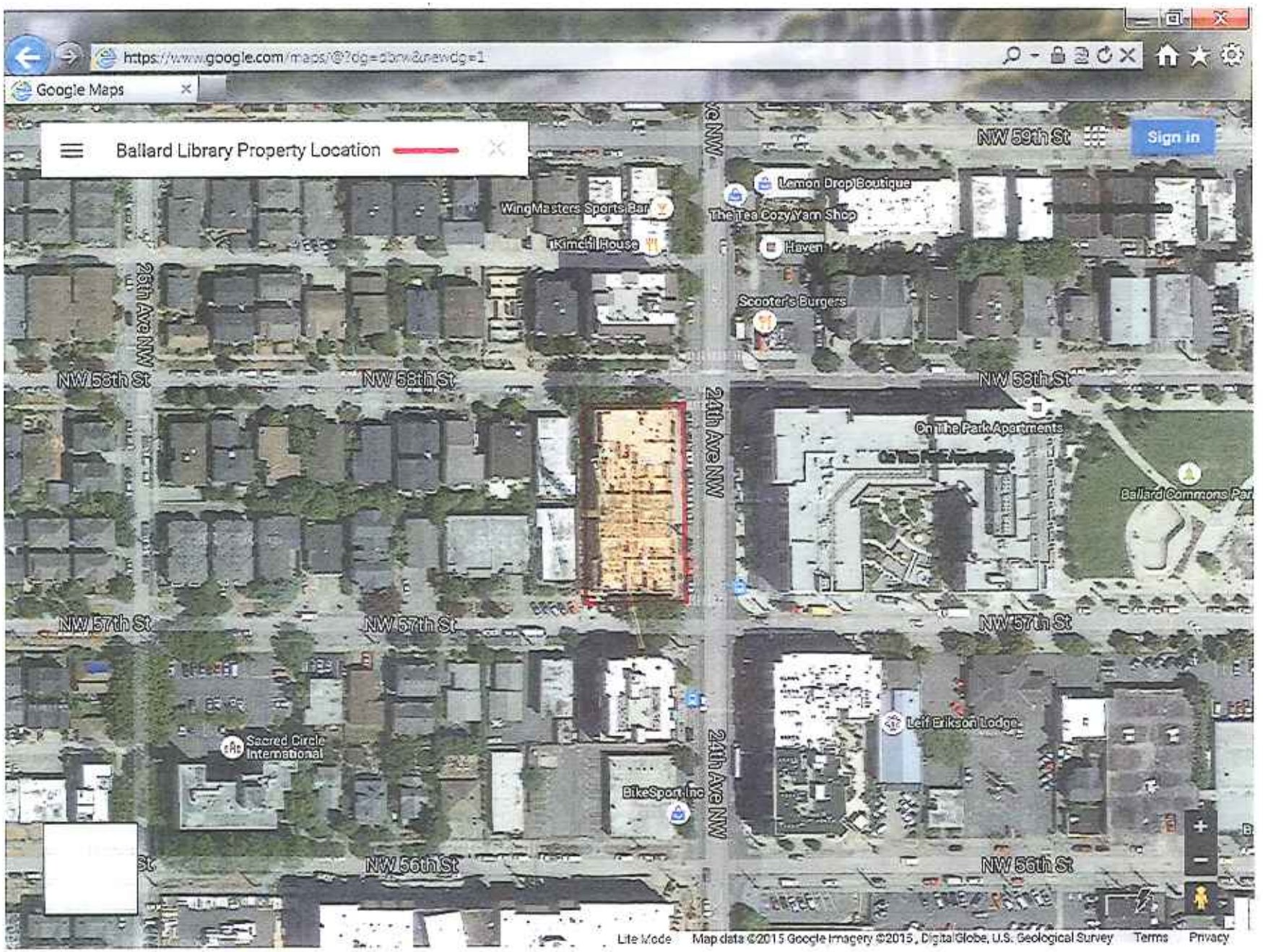
Geology: Geology consists of fill material as interpreted (sand and gravel) of variable thickness (3 to 8 feet). Native glacial till material beneath is sand and silt with some gravel. Soil density increases with depth, and direct-push equipment encountered refusal between 9 and 12 feet bgs.

Ground Water: Perched ground water was encountered once during the work in February 2005 at 7-9 feet bgs. Based on well logs for nearby parcels, ground water is 20 to 30 feet bgs in the local area. Ground water likely flows towards Salmon Bay to the south-southwest.

Extent of Contamination: The initial sampling work showed that the two areas of contaminated soil were limited in extent. However, the entire Property was excavated and the exact extents of these areas were not defined during the construction. The limited perched ground water encountered in February 2005 was not contaminated.



TOPOGRAPHIC MAP	Source: Google Maps, No scale	N↑
BASALT 68 20 36th Ave. NE Seattle, WA 98115	Site Name:	Former Ballad Library 5711 24th Avenue NW Seattle, WA
	Project Number:	110421-1


https://www.google.com/maps/@?dg=dbw&newdg=1
Google Maps
Ballard Library Property Location
Sign in
NW 59th St
Lemon Drop Boutique
The Tea Cozy Yarn Shop
Haven
Scooter's Burgers
WingMasters Sports Bar
Kimchi House
25th Ave NW
24th Ave NW
NW 58th St
NW 57th St
NW 56th St
On The Park Apartments
Ballard Commons Park
Leif Erikson Lodge
Sacred Circle International
BikeSport Inc
Lite Mode
Map data ©2015 Google Imagery ©2015, DigitalGlobe, U.S. Geological Survey
Terms
Privacy

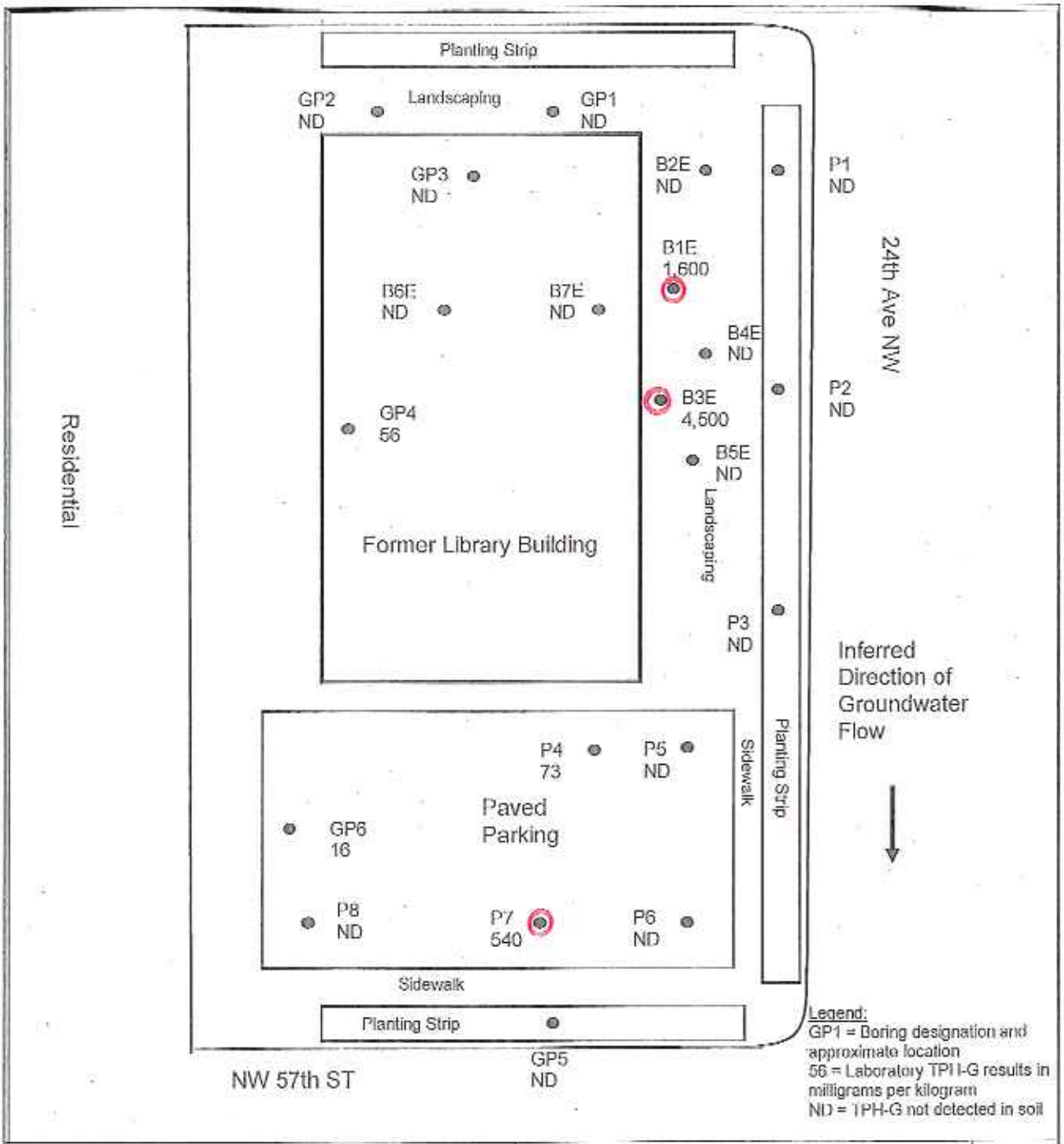


Figure 3 - Site and Exploration Plan	Scale (approx) 40' = ——— Sample above cleanup level	N↑
BASALT **68 20 36th Ave. NE Seattle, WA 98115**	**Site Name:** **Project Number:**	**Former Ballad Library 5711 24th Avenue NW Seattle, WA 110421-1**

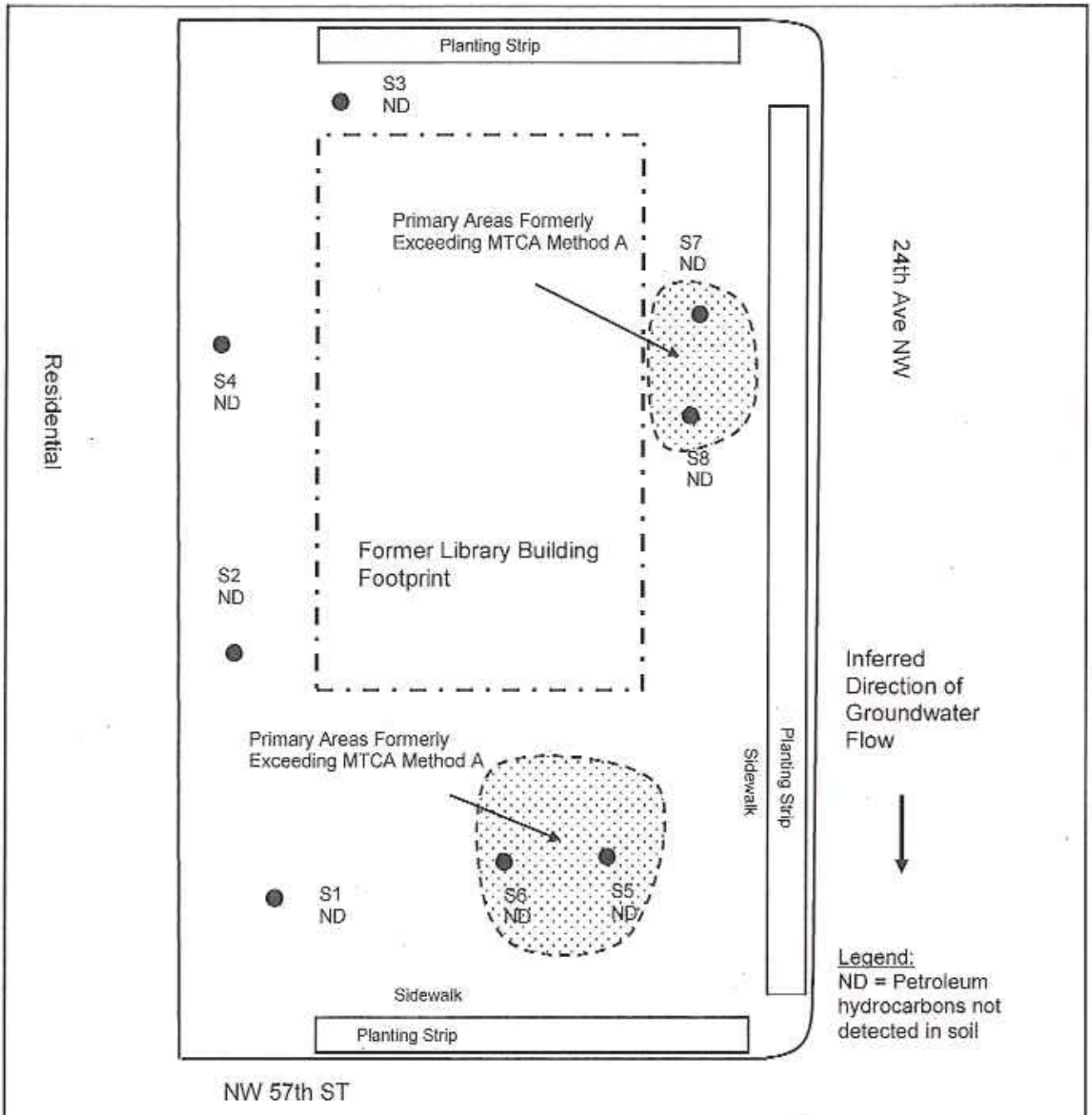


Figure 4 - Post Excavation Sampling Results	Scale (approx) 40' = _____	N↑
68 20 36th Ave. NE Seattle, WA 98115	**Site Name:** **Former Ballad Library 5711 24th Avenue NW Seattle, WA** **Project Number:** **110421-1**	