



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 16, 2015

Mr. Paul Fairbairn
Stantec, Inc.
11130 NE 33rd Place, Suite 200
Bellevue, WA 98004-1465

Re: Opinion Pursuant to WAC 173-340-515(5) on Remedial Investigation Work Plan for the Following Hazardous Waste Site:

- **Name:** Southland 7-11 22866
- **Address:** 14207 Pacific Highway South, Tukwila, WA 98168
- **Facility/Site No.:** 23544274
- **Cleanup Site ID No.:** 8378
- **VCP No.:** NW2802

Dear Mr. Fairbairn:

Thank you for submitting the *Southland 7-11 22866 Remedial Investigation Work Plan* to further delineate the nature and extent of contamination, and media of concern, for the **Southland 7-11 22866** facility (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates 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 constitutes an advisory opinion regarding a review of the submitted report pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following releases at the Site:

- TPH-G (gasoline-range total petroleum hydrocarbons), Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX), and Lead into the Soil.
- TPH-G, BTEX, and Lead into the Ground Water.

Ecology is 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 the 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.



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Ecology's Toxics Cleanup Program has reviewed the following information regarding your proposed remedial action:

1. Stantec Consulting Services, Inc. (Stantec), *Southland 7-11 22866 Remedial Investigation Work Plan, 7-Eleven Store No. 22866; 14207 Pacific Highway South, Tukwila, WA*, dated January 9, 2015.
2. Stantec, *Underground Storage Tank System Removal Report, 7-Eleven Store No. 22866; 14207 Pacific Highway South, Tukwila, WA*, dated December 9, 2010.
3. Secor International, Inc. (Secor), *Geoprobe Assessment Report for 7-Eleven Inc., 14207 Pacific Highway South, Tukwila, WA*, dated April 25, 2005.
4. Secor, *Fourth Quarter 2001 and First Quarter 2002 Remediation Progress Report, 7-Eleven Store No. 22866, 14207 Pacific Highway South, Tukwila, WA*, dated October 2, 2002.

The reports listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7235, or via email at nwro_public_request@ecy.wa.gov.

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

- TPH-G (gasoline-range total petroleum hydrocarbons), Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX), and Lead into the Soil.
- TPH-G, BTEX, and Lead into the Ground Water.

Based on a review of supporting documentation listed above, pursuant to **requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following releases at the Site, Ecology has determined:**

- The impacted area that comprises the Site, both on- and off-Property, and all media of concern, needs to be fully characterized. Complete Site characterization is a necessary prerequisite for determining an appropriate cleanup action and cleanup standards. Ecology requires current data in order to evaluate Site conditions and make a determination as to the adequacy of cleanup actions. The objectives and scope presented in the submitted Remedial Investigation (RI) Work Plan will most likely achieve this goal.
- The objective of the proposed RI is to define existing data gaps, to collect soil samples in areas at the Site with historical soil impacts to assess current conditions, and gather sufficient information to support the development of feasible cleanup alternatives. An annotated outline of a Remedial Investigation (RI) report is presented in **Enclosure A** to provide an understanding of Ecology's expectations for conducting and documenting the Site Remedial Investigation.

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- The RI Work Plan stipulates that once current data is obtained, the data will be used to establish Site-specific MTCA Method B cleanup levels. **Enclosure B** presents additional informational outlines which provide Ecology's perspective on developing MTCA Method B cleanup levels.
- It is unclear whether the soil vapor intrusion pathway is complete at this Site. Please refer to Ecology's *Draft Guidance for Evaluating Soil Vapor Intrusion in Washington State: Investigation and Remedial Action*, dated October 2009, for addressing potential soil vapor issues.
- The cleanup action selected must meet the minimum requirements in WAC 173-340-360(2).
- Additional Site maps, the updated data, boring logs, cross-sections, and figures showing groundwater elevation contours and indicating the flow direction would aid in describing the Site conditions, and enable review of the proposed remedy for Ecology's formal determination. Please provide a Rose diagram depicting current and historical ground water flow directions measured on the Site.
- The Site is located in a mixed residential and commercial area. The Site does not meet the MTCA definition of an industrial property; therefore soil cleanup levels suitable for unrestricted land use are appropriate. For unrestricted land use, through protection of direct contact, and protection of leaching to ground water, either Method A or Method B cleanup levels can be used.
- Note that for both MTCA Method A and Method B cleanup levels for soil the point of compliance for protection of human health (direct contact) is throughout the Site to a depth of 15 feet below the ground surface (reference WAC 173-340-740(6)(d)).
- A Terrestrial Ecological Evaluation (TEE) has not yet been performed at this Site. The TEE is necessary to meet substantive requirements of MTCA, and to set cleanup levels that are protective of terrestrial species, and to determine an appropriate cleanup action. Additional information on satisfying this requirement can be found at the following link:
www.ecy.wa.gov/programs/tcp/policies/terrestrial/TEEHome.htm
- Electronic submittal of all sampling data into Ecology's electronic Environmental Information Management (EIM) database is a requirement in order to receive a final Ecology opinion for this Site. At the appropriate time, Jenna Durkee (email jedu461@ecy.wa.gov, or via telephone at 509-454-7865) is Ecology's contact and resource on entering data into EIM.

This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain either of these opinions, you must submit appropriate documentation to Ecology

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and request such an opinion under the VCP. **This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.**

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.

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, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me by phone at (425) 649-4422 or by email at gcar461@ecy.wa.gov.

Sincerely,



Glynis A. Carrosino
Project Manager
Toxics Cleanup Program

Enclosures: A – Ecology Remedial Investigation Report Outline
B – Ecology Informational Outlines: Determining MTCA Method B

By Certified Mail [7011 0470 0003 3682 5988]

cc: Jose Rios, 7-Eleven, Inc.
Sonia Fernandez, VCP Coordinator, Ecology