STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

August 23, 2011

Mr. Alan J. Wertjes
1800 Cooper Point Road, Building 3
Olympia, Washington 98502

Re: Further Action at the following Site:

- **Site Name:** John's Auto Wrecking
- **Site Address:** 411 93rd Avenue Southeast, Olympia, Washington 98501-9701
- **Facility/Site No.:** 57665495
- **VCP Project No.:** SW1127

Dear Mr. Wertjes:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the John's Auto Wrecking 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?

YES. Ecology has determined that 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 releases:

- Total petroleum hydrocarbons (TPH) in the oil-range (TPH-O) into the Soil.
- Volatile Organic Compounds into the Soil.
- Glycol into the Soil.
- Polychlorinated Biphenyls (PCBs) into the Soil.

- Metals into the Soil.
- Petroleum Hydrocarbons into the Groundwater.
- Volatile Organic Compounds into the Groundwater.
- Glycol into the Groundwater.
- Metals into the Groundwater.

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(s) associated with this Site are affected by other sites.

Basis for the Opinion

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

1. Robinson Noble Saltbush, Inc., **Site Remediation of the Havens Property (aka Johns Auto Wrecking), 411 93rd Avenue SE, Olympia, Washington,** dated December 10, 2009.

2. Robinson Noble Saltbush, Inc., **Site Investigation/characterization, Havens Property (aka) Johns Auto Wrecking, 411 93rd Avenue SE, Olympia, Washington,** dated April 21, 2009.

3. Department of Ecology Response Letter, **Site Investigation Work Plan Johns Auto Wrecking, 411 93rd Avenue SE, Olympia, Washington prepared by Associated Environmental Group, LLC, dated June 15, 2006,** dated June 26, 2006.

4. Associated Environmental Group, LLC, **Site Investigation Work Plan Johns Auto Wrecking, 411 93rd Avenue SE, Olympia, Washington,** dated June 15, 2006.

5. Department of Ecology Opinion Letter, **Opinion Pursuant to WAC 173-340-515(5) on Proposed Remedial Action for the following Hazardous Waste Site: John's Auto Wrecking,** dated February 23, 2006.

6. Associated Environmental Group, LLC, **Site Investigation Work Plan Johns Auto Wrecking, 411 93rd Avenue SE, Olympia, Washington,** dated June 15, 2005.

7. EarthSafe Environmental, **Sampling and Analysis Plan, Johns Auto Wrecking and Towing,** received June 7, 2002.

Those documents are kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. You can make an appointment by calling the SWRO resource contact at (360) 407-6365.

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

Analysis of the Cleanup

Ecology has concluded that **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 not sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A.**

The Site is located at 411 93rd Avenue SE in Olympia, Washington approximately 0.5 miles southeast of the Olympia Regional Airport. The 15-acre Site is comprised of six tax parcels, and operated as an automobile wrecking yard for approximately 22 years until its closure sometime in the early 2000s. A perennial creek named Hopkins Ditch (Salmon Creek) runs across the southern portion of the Site. Almost half the Site lies within the 300-foot High Groundwater Buffer, the Hopkins Ditch Wetland, or wetland buffer identified on the Thurston County GeoData Center Website. The Site has a shallow groundwater table and two areas of the Site are identified as High Groundwater Hazards, one in the southwest corner of parcel 12723210000 and the other in the southeast corner of parcel 12723210400 and the northeast corner of parcel 12723210700. Approximately 50 percent of the parcels were located within the High Groundwater Hazards buffer area. Groundwater hazard areas have a history of flooding events and impacting groundwater.

In March 2002, Thurston County Environmental Health Department (TCEH) issued a *Notice of Violation - Order to Correct* Letter to John's Auto Wrecking for several hazardous materials and state-regulated dangerous waste storage issues. TCEH subsequently performed a Site Hazard Assessment (SHA) and the Site was determined to have a ranking of 1 in February 2004. In June 2004, EarthSafe Environmental produced a remedial investigation and cleanup work plan, identifying six major areas of concern (AOCs). The Site was entered into the Voluntary Cleanup Program (VCP) under VCP account number SW0652 in March 2005. In June 2005, Associated Environmental

Group LLC (AEG) provided a Site characterization work plan for Ecology review. In February 2006, Ecology provided a Further Action Opinion Letter detailing deficiencies in the AEG work plan. In June 2006, AEG submitted another work plan for review. Also in June 2006, Ecology reviewed the plan and provided additional comments detailing the lack of response to Ecology's earlier 2006 comments. In September 2007, Ecology terminated the VCP agreement due to lack of activity.

Sometime around 2007, the Site was cleared of most of the wrecked vehicles, batteries, tires, hazardous material, dangerous waste, and other associated debris that resulted in the original 2002 TCEH complaint.

In April 2009, Robinson, Noble and Saltbush, Inc. (Robinson) conducted Site investigation activities. Robinson identified a total of nine AOCs based on the past locations of major Site operations. TPH-O soil contamination above the applicable MTCA Method A Soil Cleanup Level (CUL) for unrestricted land uses was identified in two areas: AOC 1 and AOC 6 (see Figure 2). Robinson also advanced 11 borings, B-1 through B-11. Borings B-2, B-4, B-8, and B-10 did not appear to be associated with any of the previously identified AOCs and no specific rationale was provided in the report to explain why those specific locations were selected.

In August 2009, Robinson conducted remediation activities at the Site. Robinson documented the removal of 800 gallons of "used" oil, 3 tons of sludge, two large industrial lead-acid batteries, four automotive batteries, and several empty containers ranging in volume from a 1,300-gallon steel above-ground storage tank to plastic 5-gallon buckets. The "used" oil and sludge were stored in these various containers around the Site. The wastes were characterized then disposed of at the appropriate disposal facilities. Robinson also excavated and removed petroleum-contaminated soil (PCS) exceeding the applicable MTCA Method A CULs from two locations on the Site. A total of 4.8 tons of PCS was excavated and transported to the Thurston County Public Works Waste and Recovery Center in Olympia, Washington. Robinson collected a soil confirmation sample from each location; however, the confirmation samples were not linked to any specific contaminated sample and the relationship to the original contaminated sample was ambiguous. The size of the excavation areas was not discussed and the number of samples collected may not have been adequate to delineating the PCS area.

In July 2010, the Estate of John Havens (former owner of John's Auto Wrecking) received a *Resolution of Notice of Violation* Letter from TCEH acknowledging the 2002 violations had been satisfactorily resolved. The Site was re-entered into the VCP in August 2010 and the two interim investigation reports by Robinson describing the

February 2011 and August 2010 remedial investigation activities were submitted to Ecology for review. Ecology understands that there is no current business or remedial activity of any kind occurring at the Site.

Based on a review of the available information, Ecology has the following comments:

1. Ecology has determined previous investigations were insufficient in determining the extent of potential contamination associated with the AOCs identified at the Site. The nature of the auto salvage operations, the longevity of those operations, the hazardous materials used and dangerous wastes generated by salvage activities, and the typical effects of those operations on the physical and environmental Site conditions requires a more comprehensive evaluation of all Site media. The approach used by Robinson to evaluate the Site appeared to be a focused environmental investigation of the 15-acre Site, with emphasis on smaller AOCs within the Site. Aerial imagery over a period of 14 years indicated extensive areas of each of the parcels on the Site had some aspect of automobile salvage or storage. Previous Site visits by Ecology personnel have documented extensive soil staining from fluids leaking out of salvage vehicles or containers and dangerous waste storage issues throughout the Site. During a Site visit in December 2010, the Ecology Site manager observed extensive dark soil staining across the Site, smaller piles of tires, several piles that included debris, empty propane cylinders, and rusting metal, partial salvaged car bodies, open surface water with no storm water runoff controls, two piles, one for creosoted timbers and one for galvanized metals, and oil-stained concrete floors and pads. These potential sources of contamination should be evaluated and removed. A comprehensive Site history needs to be developed for the Site to include activity, waste products and amounts generated, history of waste handling and storage practices, longevity of that operation at that location, spills, and types of activities and practices of previous owners. Ecology does not believe the Site has been sufficiently delineated to rule out possible contamination within the AOCs or at other areas of the Site. Ecology recommends that sufficient samples be collected to delineate the Site. The United States Environmental Protection Agency (EPA) recommends automobile salvage yard processes should be evaluated for the following compounds: acetylene gas, common solvents, rubber, compressed oxygen, automotive fluids, degreasing agents, gasoline, hydraulic oils, fuel additives, diesel fuels, common lubricants, asbestos, lead, and sulfuric acid. In areas where waste oil storage and burning of debris was known or suspected to have occurred, the soil should be evaluated for the presence of polycyclic aromatic hydrocarbons (PAHs). If the evaluation indicates the salvage processes used or produced one or more of the compounds listed above, then those compounds should be analyzed for during the Site characterization. Unless documentation can be provided to a disqualify specific constituents of concern

(COCs) from further evaluation, specific laboratory analysis should be run for the following COCs: cyanide, priority pollutant organic (volatiles, semi-volatiles, pesticide/PCBs), TPH, fuel additives, heavy metals (antimony, arsenic, beryllium, cadmium, chromium [hexavalent & total], copper, lead, mercury, nickel, selenium, silver, thallium, and zinc). Ecology recommends analysis of TPH for diesel and oil range hydrocarbons be conducted and reported to conform to *Technical Memoranda #4, Determining Compliance with Method A Cleanup Levels for Diesel and Heavy Oil*, which can be found at http://www.ecy.wa.gov/programs/tcp/policies/tcppoly.html.

2. According to the monitoring well logs in the December 2010 Robinson report, monitoring wells MW-1 and MW-2 were improperly screened to identify petroleum hydrocarbon contamination on the groundwater surface. The static water level was measured above the top of the well screens. Ecology recommends the well screen interval be corrected or the wells abandoned and re-installed with the correct well screen intervals.

3. Groundwater was sampled from all borings. Borings B-1 and B-6 analytical results indicated there was no groundwater contamination caused by the evaluated COCs; however, these two borings were not collocated with the contaminated locations (Test Pit TP1A and TP6A) where PCS above the applicable MTCA Method A Soil CULs was found. Ecology does not consider those groundwater analytical results representative of groundwater at those PCS locations (Please note that no logs or other details of the test pit investigations were provided for Ecology review). Ecology recommends that the groundwater at previous PCS locations TP1A and TP6A be evaluated.

4. Given the shallow groundwater table and concerns for potential impacts, Ecology recommends a minimum of six groundwater monitoring wells in addition to the three monitoring wells already on the Site. According to Ecology's *Guidance on Sampling and Data Analysis Methods* (Publication No. 94-49) "Ecology expects that a hydrogeological investigation will be conducted at any site where (1) soil contamination is found within 10 feet of the groundwater table and there is permeable soil, or (2) when a soil contaminant is potentially mobile considering the site's geological setting, particularly if there is a high concentration of contamination relative to the groundwater standard". As stated in comment 3 above, one well each should be installed at TP1A and TP6A. Ecology also recommends one well each for AOC 3, AOC 5, and AOC 9, and one well located on the east property boundary between parcels 12723210400 and 12723210700 in the identified High Groundwater Hazard area (MW-4). Groundwater should be evaluated via temporary monitoring wells or probes at AOC 2, AOC 4, AOC 7, and AOC 8.

5. AOC numbers 3 and 4 have not been adequately delineated. During a Site visit in December 2010, Ecology personnel observed a partially enclosed, lean-to shed attached to a dilapidated building that housed the former radiator repair and auto shop in AOC 3 and the former hazardous material storage area in AOC 4. While the interior condition of the former radiator repair and auto shop could not be observed, the shed area was open to inspection. The concrete floor of the shed was heavily stained with oils and the staining continued to the edges of the concrete pad. Discussions with other Ecology Waste 2 Resources personnel concerning the condition of the interior of the building provided anecdotal information describing the floor as being in poor condition and heavily stained. Ecology recommends a more detailed study in these two areas to include the soils on the perimeter of the concrete slabs floors and within the floors where conditions indicate a possible pathway to the soil underneath the slabs. Because these areas lie within the designated High Groundwater Hazards buffer, groundwater should be evaluated by at least two groundwater monitoring wells (one well in AOC 3 and the other at the MW-4 location).

   Also, Ecology does not believe AOC 1, AOC 2, AOC 5, AOC 7, AOC 8, and AOC 9 have been adequately investigated. Due to the size of those identified AOCs and the lack of details or information provided concerning the AOCs, Ecology determined the investigation was insufficient for Ecology to properly evaluate and make a determination on the environmental condition of those areas.

6. There is an intermittent pond on parcel 12723210700. In December 2010, Ecology personnel observed the pond and noticed indications that surface water flowed into the pond depression from the surrounding area. The pond had several pieces of metal and rubber debris protruding from the water surface and scattered around the perimeter of the pond. Ecology recommends this feature be evaluated for connectivity to groundwater as well as the surface water runoff pathway; the soil, sediment, and surface water associated this feature should be collected and analyzed for COCs listed in comment 1. Hopkins Ditch was not observed during the Site visit; however, if similar conditions exist at the stream channel, then the soil, sediments, and surface water should also be evaluated at that location.

7. In general, the Ecology reviewer had difficulty identifying the locations where individual soil samples were collected from with any great accuracy within any of the AOCs. The scale at which these areas were mapped and the description of the local conditions of a sample location was not sufficient to allow for a determination to be made on the rationale to choose a particular location versus another location as representative of the AOC. A Site conceptual model should be developed and potential vulnerable receptors be identified for the Site. For this Site, Ecology

recommends that two cross-sections be developed for the Site; one depicting the north-south orientation of the Site to include AOC 1, AOC 5, AOC 9, the shallow pond, AOC 9, and Hopkins Ditch. The other cross-section should be a east-west cross-section from MW-4 through AOC 5 to AOC 6. Furthermore, based on the size of the identified AOCs on Figure 2, the AOCs needed to be evaluated by more than just one or two soil samples. A greater level of map detail of the sampling areas is needed to properly evaluate the soil confirmation sample location and validity. Ecology recommends when conducting a focused investigation that the individual AOCs are presented at a sufficient level of detail with a greater resolution than of the Site Map scale. Please include all soil boring and test pit logs. A review of *Chapter 173-340-840 WAC – General Submittal Requirements* and Appendix A of Ecology's *Draft Guidance for Remediation of Petroleum Contaminated Sites* (Publication No. 10-09-057) may be helpful.

8. All sample analytical data should be provided in summary tables. Confirmation samples should be readily and easily linked to the sample they are supposed to validate, both on an applicable map and summary table. All groundwater data should be presented in a format that will allow for an easy review and comparison to all previous groundwater sampling events.

9. In February 2006, Ecology provided an Opinion Letter stating Ecology had determined the June 15, 2005 proposed work plan by AEG was not likely sufficient to meet the substantive requirements of MTCA. Ecology provided additional recommendations to address the sufficiency issues. Ecology has no record of a revised work plan being submitted for review and approval. Furthermore, the two latest Robinson reports did not implement those recommendations. Ecology recommends that the February 23, 2006 Opinion Letter (letter is attached in Enclosure A) be reviewed and those applicable comments implemented into a new work plan as necessary, in addition to the recommendations listed in this letter. Please provide Ecology with an updated work plan for the remedial activities identified above for review and approval to ensure that the proposed activities will likely meet the substantive requirements of MTCA.

10. In accordance with WAC 173-340-7490, a Terrestrial Ecological Evaluation (TEE) needs to be completed for the Site. Please fill out the TEE form and submit it (along with supporting information, as appropriate) to Ecology for review. The form can be found on our website at http://www.ecy.wa.gov/biblio/ecy090300.html.

11. In accordance with WAC 173-340-840(5) and Ecology Toxics Cleanup Program Policy 840 (Data Submittal Requirements), all data generated for Independent Remedial Actions shall be submitted <u>simultaneously</u> in both a written and electronic

format. For additional information regarding electronic format requirements, see the website http://www.ecy.wa.gov/eim. Be advised that according to the policy, any reports containing sampling data that are submitted for Ecology review are considered incomplete until the electronic data has been entered. Please ensure that data generated during on-site activities is submitted pursuant to this policy. **Data must be submitted to Ecology in this format for Ecology to issue a No Further Action determination.** Please be sure to submit all soil and groundwater data collected to date, as well as any future data, in this format. Data collected prior to August 2005 (effective date of this policy) is not required to be submitted; however, you are encouraged to do so if it is available. Be advised that Ecology requires up to two weeks to process the data once it is received.

2. **Establishment of cleanup standards.**

Ecology has determined the cleanup levels and points of compliance you established for the Site do not meet the substantive requirements of MTCA.

Method A CULs for soil and groundwater are being used to characterize the Site. If sediment and/or surface water data are collected, the applicable or relevant and appropriate requirements (such as sediment management standards and surface water criteria) should be used to establish CULs.

Standard points of compliance are being used for the Site. The point of compliance for protection of groundwater will be established in the soils throughout the Site. For soil cleanup levels based on human exposure via direct contact or other exposure pathways where contact with the soil is required to complete the pathway, the point of compliance shall be established in the soils throughout the Site from the ground surface to 15 feet below ground surface. In addition, the point of compliance for the groundwater is established throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth that could potentially be affected by the Site.

3. **Selection of cleanup action.**

Ecology has determined the cleanup action you selected for the Site does not meet the substantive requirements of MTCA.

The affected Site media must be fully characterized prior to conducting any final cleanup action. For a Site cleanup action to qualify for a no further action opinion, it must meet one or more of the minimum cleanup requirements in WAC 173-340-360(2). Once the full extent of the contamination has been defined, it will be necessary to develop a feasibility study based on the information collected in the characterization phase. The

feasibility study should include all practicable methods of treatment in addressing the Site cleanup. Please note that monitored natural attenuation is a cleanup alternative that must be approved by Ecology before implementation.

4. Cleanup.

Ecology has determined the cleanup you performed does not meet any cleanup standards at the Site.

Ecology has determined cleanup actions at the Site are insufficient due to the inadequacy of the Site characterization. While much of the salvage material and some PCS have been removed from the Site, some material still remains. Visual observations suggest PCS in excess of the applicable MTCA CULs may still remain in place beneath several areas of the Site and there are many debris piles, some salvage vehicles, and salvage debris visible in the pond that may still contribute to on-going environmental contamination.

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 performed is 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).

Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

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, please contact me by phone at (360) 407-7404 or e-mail at erad461@ecy.wa.gov.

Sincerely,

Eugene Radcliff, L.G.
Site Manager
SWRO Toxics Cleanup Program

GER/ksc:Johns Auto Wrecking Site FA

Enclosures (4): A – Description and Diagrams of the Site
Figure 1 Vicinity Map
Figure 2 Aerial Photo and Identified Areas of Concern
Figure 3 Test Pits and Boring Locations Photo
Figure 2 Monitoring Well and Previous Test Pit and Boring Location Map
Letter Department of Ecology Opinion Letter

By certified mail: (7010 1670 0002 4158 8967)

cc: Mr. Richard A. Bieber, Robinson Noble Saltbush, Inc.
Mr. Patrick Soderberg, Thurston County Environmental Health Division
Scott Rose – Ecology
Dolores Mitchell – Ecology (without enclosures)

Enclosure A

Description and Diagrams of the Site

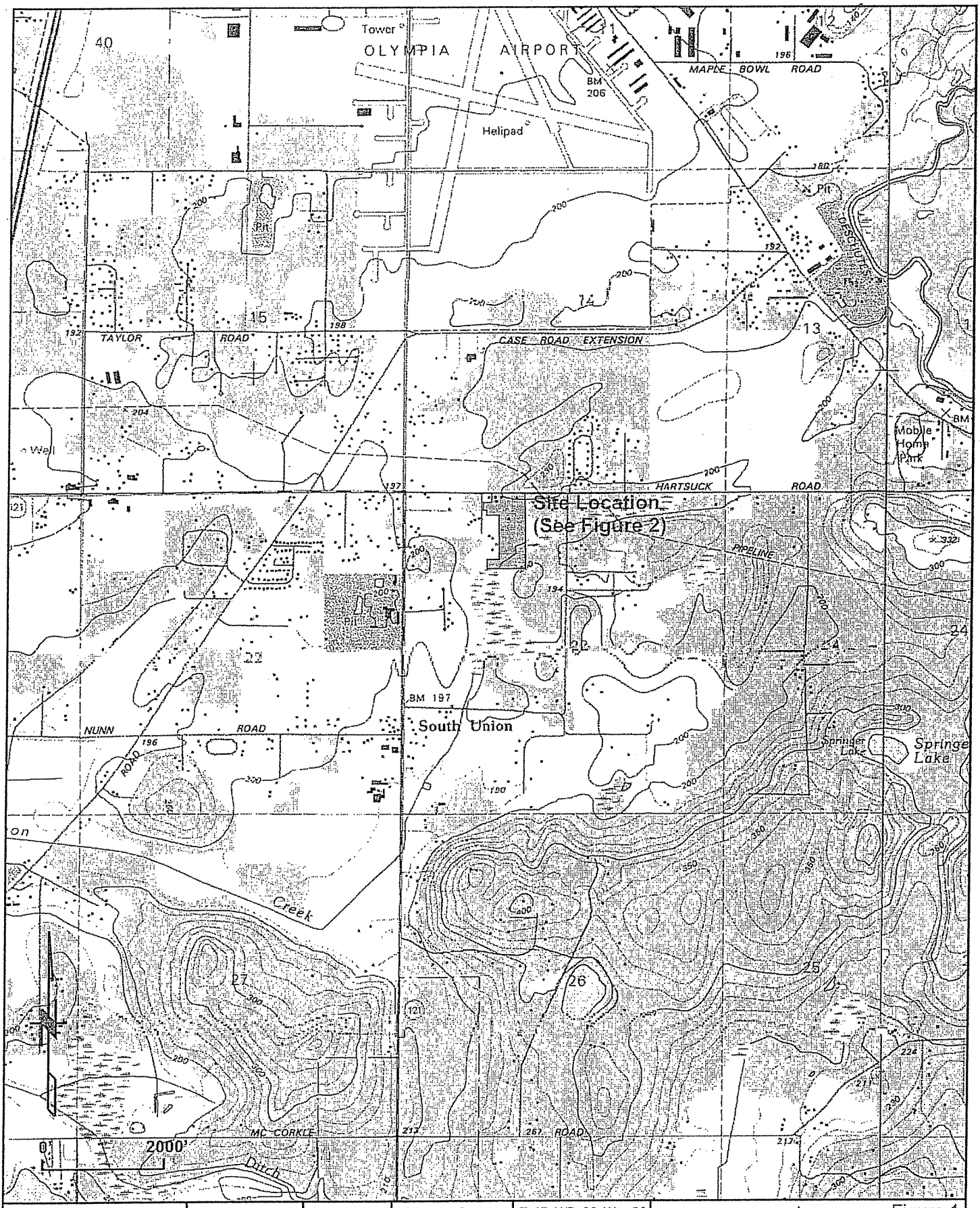
Site Description

Media of Concern: Soil and Groundwater

The John's Auto Wrecking (Site) is located at 411 93rd Avenue Southeast, Olympia, Thurston County, Washington (see Figure 1). The Site has been zoned for light industrial purposes and was as an auto salvage yard for approximately 22 years. The parcel on which the facility is located encompasses approximately 16 acres. The northern most area of the property contains five buildings used in the various salvage operations. In the middle portion of the Site, there was a large accumulation of tires taken from the salvage vehicles and a pond just to the southeast of the tires. Various other salvage operation areas were inadequately defined and scattered about the Site. A stream runs roughly east to west across the southern portion of the Site. The Site is bordered on the north by 93rd Avenue Southeast, on the east by undeveloped residential and light industrial properties, on the south by undeveloped residential properties, and on the West by residential and undeveloped light industrial properties. The Thurston County Assessor's office notes the John's Auto Wrecking Site has assigned tax parcel numbers of 12723210100, 12723210200, 12723210400, 12723210401, 12723210700, and 12723210000.

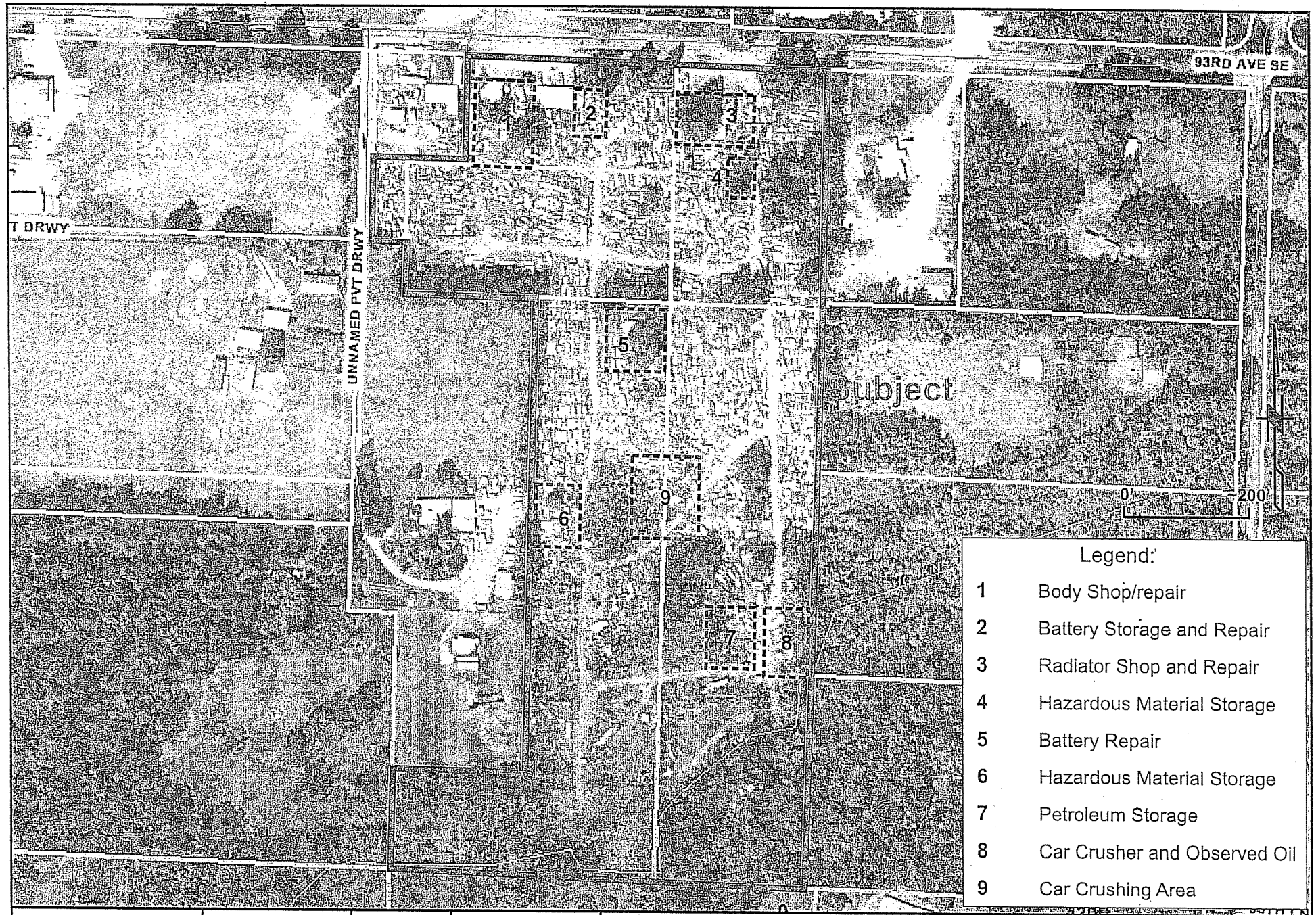
The Site lies in a glacial outwash plain about 0.5 miles southeast of the Olympia Regional Airport. The Site is located in the Upper Chehalis Watershed and is in the Salmon Creek sub-watershed. The Site soils are described as Nisqually loam soil that is typified by 0-3 percent slopes. The groundwater is reported to be less than 10 feet below ground surface and the Site is located in an identified high groundwater hazard area that is prone to flooding. Contaminated surface soil located at the above areas of concern has the potential to impact shallow groundwater beneath the Site.

The Site is currently not in use but still has some potential contamination sources present in the salvage yard. Previous investigations, that have been very limited in scope, have found petroleum contamination in the soil that exceeds the state cleanup standard and those areas of soil contamination have been reported to have been removed. Potential sources of contamination are easily observed when walking about the Site and those areas have not been reported as being subject to any environmental investigation. The eastern and southern boundary areas of the Site have not been adequately investigated to determine if contamination has left the salvage yard parcels.



ROBINSON NOBLE SALTBUSH INC. GROUNDWATER & ENVIRONMENTAL SCIENTISTS	Note: Basemap taken from USGS Maytown Quad.	PM: RAB April 2009	Thurston County 2491-001B	T 17 N/R 02 W - 23 Scale 1 " = 2000'

Figure 1
Vicinity Map
Havens Property: 93rd Ave SE, Oly/Site Characterization

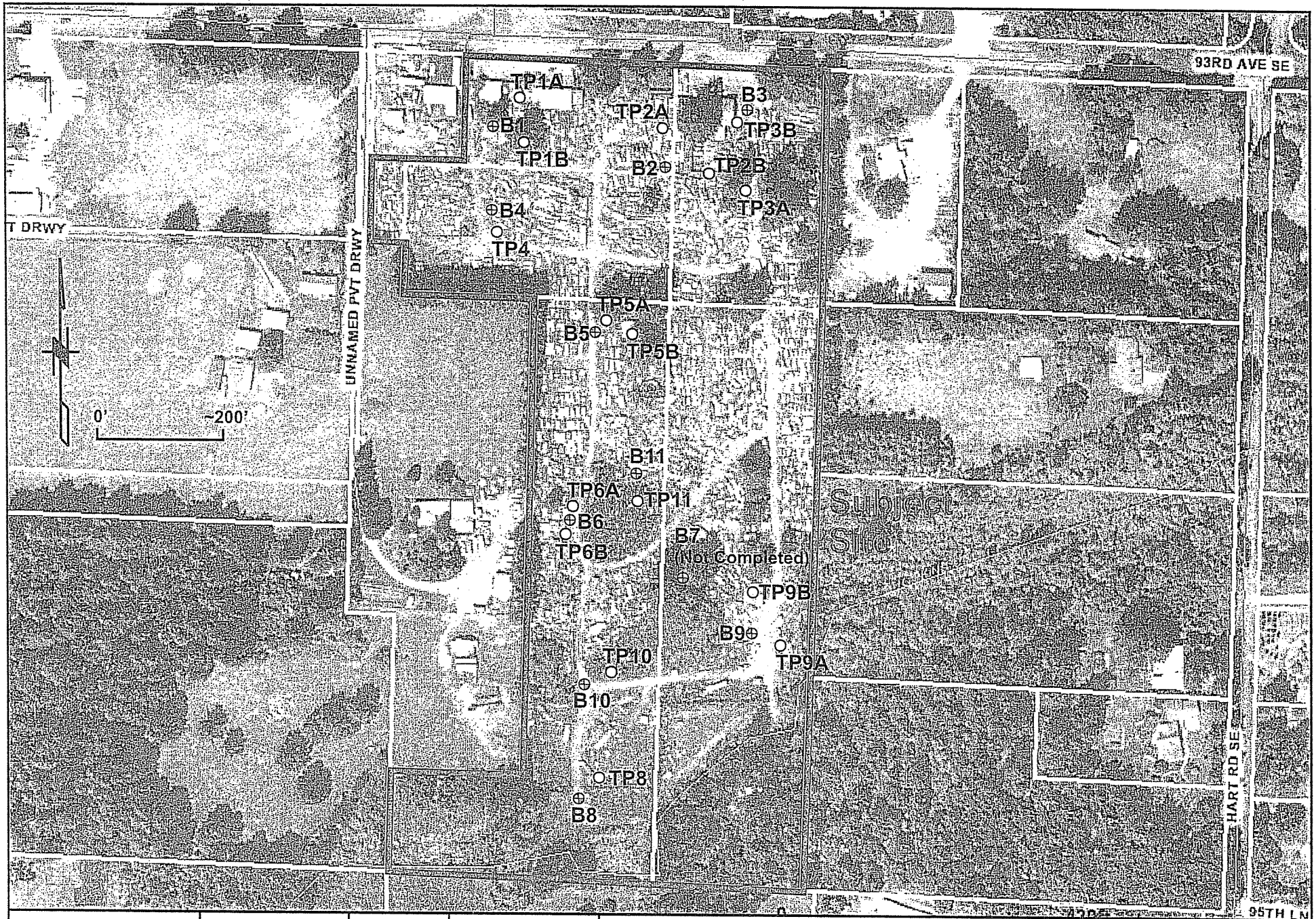


ROBINSON NOBLE SALTBUSH INC. GROUNDWATER & ENVIRONMENTAL SCIENTISTS	Note: Image taken from Thurston County GIS Website	PM: RAB April 2009 2491-001B	Thurston County T 17 N/R 02 W - 23 Scale 1" = ~200'

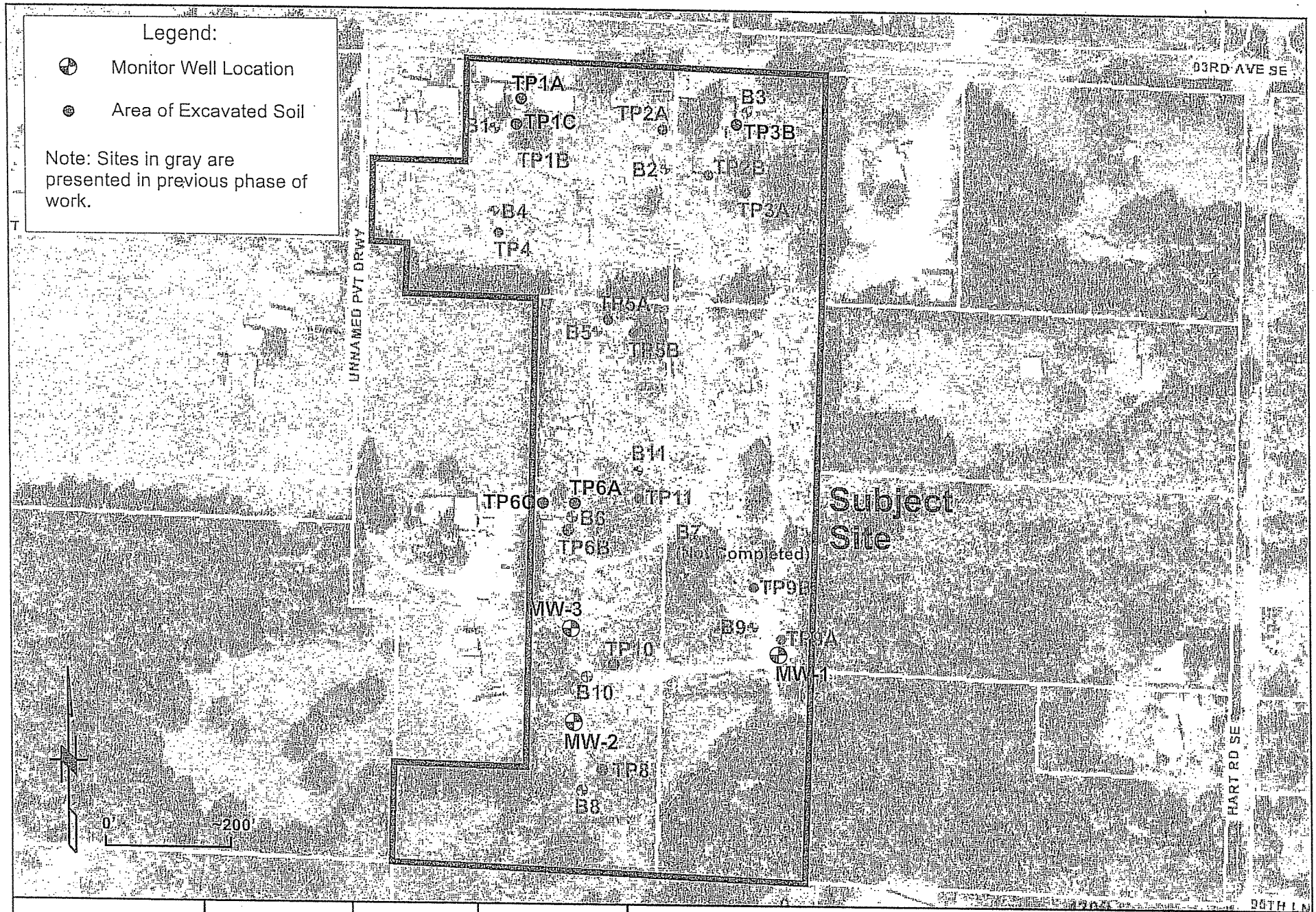
Figure 2

Aerial Photo and Identified Areas of Concern

Havens Property: 93rd Ave SE, Oly/Site Characterization



ROBINSON NOBLE SALTBUSH INC. GROUNDWATER & ENVIRONMENTAL SCIENTISTS	Note: Image taken from Thurston County GIS Website	PM: RAB April 2009 2491-001B	Thurston County T 17 N/R 02 W - 23 Scale 1" = ~200'	Figure 3 Test Pits and Boring Locations Photo Havens Property: 93rd Ave SE, Oly/Site Characterization



ROBINSON NOBLE SALTBUSH INC. GROUNDWATER & ENVIRONMENTAL SCIENTISTS	Note: Image taken from Thurston County GIS Website	PM: RAB December 2009 2491-001C	Thurston County T 17 N/R 02 W - 23 Scale 1" = ~200'	Figure 2 Monitor Well and Previous Test Pit and Boring Location Map Havens Property: 93rd Ave SE, Olympia/Site Remediation

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

CERTIFIED MAIL

February 23, 2006

Mr. John Havens
8118 Spurgeon Creek Road
Olympia, WA 98513

Re: Opinion pursuant to WAC 173-340-515(5) on Proposed Remedial Action for the following Hazardous Waste Site:

- Name: John's Auto Wrecking
- Address: 411 93rd Avenue SE, Olympia, WA
- Facility/Site No.: 57665495
- VCP No.: SWO652

Dear Mr. Havens:

Thank you for submitting documents regarding your proposed remedial action for John's Auto Wrecking (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 whether your proposed remedial action is likely to be sufficient to meet the specific substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Petroleum Hydrocarbons in Soil
- Volatile Organic Compounds in Soil
- Glycol in Soil
- Polychlorinated Biphenyls in Soil
- Metals in Soil
- Petroleum Hydrocarbons in Groundwater
- Volatile Organic Compounds in Groundwater
- Glycol in Groundwater
- Metals in Groundwater

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.

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

1. June 15, 2005, Associated Environmental Group, LLC. Site Characterization Work Plan, John's Auto Wrecking, 437 93rd Avenue SE, Olympia, Washington.

The reports listed above will be kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. Appointments can be made by calling the SWRO resource contact, Leslie Koziara, at (360) 407-6365.

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

- Petroleum Hydrocarbons in Soil
- Volatile Organic Compounds in Soil
- Glycol in Soil
- Polychlorinated Biphenyls in Soil
- Metals in Soil
- Petroleum Hydrocarbons in Groundwater
- Volatile Organic Compounds in Groundwater
- Glycol in Groundwater
- Metals in Groundwater

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 referenced documents.

Based on a review of your proposed remedial action and supporting documentation listed above, **Ecology has determined that the proposed remedial action <u>is not</u> likely to be sufficient to meet the specific substantive requirements contained in MTCA and its implementing**

regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Petroleum Hydrocarbons in Soil
- Volatile Organic Compounds in Soil
- Glycol in Soil
- Polychlorinated Biphenyls in Soil
- Metals in Soil
- Petroleum Hydrocarbons in Groundwater
- Volatile Organic Compounds in Groundwater
- Glycol in Groundwater
- Metals in Groundwater

Ecology requires determination of the lateral and vertical extent of contaminants in soil and groundwater in excess of the MTCA Cleanup Level. The Site Characterization Work Plan lacks adequate detail to achieve this requirement. Please submit a revised plan that also addresses the following comments:

a) The locations and number of samples are not sufficient to characterize the above 11 Areas of Concern (AOC). Constituents of concern (COCs) should be developed for each AOC and a summary table prepared that details the AOC, sample number, COCs, analyses methods selected for each sample, sample depths, sample collection method (e.g. hand auger, direct-push, etc.).

b) Soil samples should be collected using a grid system within each AOC. The density of the grid spacing should be appropriate to adequately characterize each of the AOCs. It is recognized that different grid spacing will probably be appropriate (e.g. crusher areas will require a denser grid than AOC-11 – car storage area).

c) Additional detail describing sample depths and the rationale for the depths chosen is necessary.

d) Soil sample, groundwater sample, and monitoring well locations should be shown on a map of the site. Sample locations within buildings should also be shown on detail maps.

e) Boring logs should be prepared for all borings (including hand auger borings).

f) It is recommended that soil samples for volatile organic compound analyses be collected and prepared using EPA Method 5035A.

g) Detail needs to be added discussing how wash/decontamination water will be disposed of.

h) Additional detail needs to be provided on how hand auger samples will be collected and transferred from the auger to the sample container.

i) How will permanent monitoring wells be surveyed? How many monitoring wells will be installed? What is the rationale for determining the location and number of monitoring wells?

j) The sampling plan only lists benzene, toluene, ethylbenzene, and total xylenes (BTEX), naphthalene and methyl tertiary butyl ether (MTBE) as constituents analyzed by EPA Method 8260. Because the site was used for car repairs, which could have utilized solvents, it will be necessary to include the full VOC constituent list in the sampling plan, particularly for the car repair and crusher areas. Glycol compounds need to also be added to the constituent list at any location suspected to contain radiator or brake fluids.

k) Metals analyses should include lead, arsenic, cadmium, chromium, mercury, nickel, zinc, and copper. Mercury was widely used in automobile convenience lighting switches from the early 1970s to 2002.

l) The site address in the title is incorrect and should be changed to "411" from "437".

In accordance with WAC 173-340-840(5) and Ecology Toxics Cleanup Program Policy 840 (Data Submittal Requirements), data generated for Independent Remedial Actions shall be submitted in both a written and electronic format. Additional information regarding electronic format requirements, see the website http://www.ecy.wa.gov/eim. All laboratory analyses shall be performed by the State of Washington Certified Laboratory for each analytical method used.

This opinion does not represent a determination by Ecology that the 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 an independent remedial action report to Ecology upon completion of the remedial action 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 at (360) 407-6247 or via e-mail at stee461@ecy.wa.gov.

Sincerely,

SS Teel

Steve Teel, LHG
Hydrogeologist
Toxics Cleanup Program
Southwest Regional Office

ST/ksc:SW0652 Opinion on Proposed RA

Enclosures:

Cc: Michael S. Chun, General Manager/Principal, Associated Environmental Group LLC
Patrick Soderberg, Thurston County Health Department, Environmental Health Division
Gerald Tousley, Thurston County Health Department, Environmental Health Division
Chuck Cline – Ecology
Robert Warren – Ecology
Trish Akana – Ecology (SW0652)

ENCLOSURE A

The 15-acre site is located south of Tumwater and has been used as a wrecking yard supporting towing operations and related businesses for about 24 years. Site buildings/areas include a body/repair shop, possible battery storage area, former radiator shop, hazardous materials storage area, battery refurbishing shed, car crusher areas, and the car storage yard. A ditch (Hopkins Ditch) and a wetland are located in the southern portion of the property.

An inspection of the facility by Thurston County Environmental Health Division (TCEHD) in October 2001 concluded that the facility was out of compliance due to improper hazardous waste storage and improper disposal of solid waste. During a follow-up visit by TCEHD in February 2002, junk cars were observed in areas of standing water in the wetlands/ditch area. Drums containing crushing fluids (oil, gasoline, and hydraulic fluids) were also overflowing (from rain water) and discharging to the ground. A Site Hazard Assessment (SHA) was completed for the site and the ranking was determined to be a 1.

The following environmental concerns are present at the site:

Soil Contamination from Junkyard Past Practices: Limited June 2002 soil sampling results from a gasoline spill area showed gasoline and total xylenes concentrations above the MTCA Method A Cleanup Level for Unrestricted Uses. Based on observations from TCEHD staff and Ecology's review, 11 areas of concern are identified at the site: 1) body shop/repair area; 2) potential battery storage area; 3) old radiator shop/current repair area; 4) hazardous materials storage area "A"; 5) battery refurbishing/storage shed; 6) hazardous materials storage area "B"; 7) gasoline spill area; 8) former crusher area; 9) recent crusher area; 10) car storage area in the ditch/wetland; and, 11) general car storage area (north of the ditch/wetland).

Groundwater: Contaminated surface soil located at the above areas of concern has the potential to have impacted shallow groundwater beneath the site. Shallow groundwater is estimated to fluctuate seasonally from above the ground surface to less than ten feet below ground surface.

ATTACHMENTS (from consultant report)
"Proposed Work" Figure