Second Periodic Review

Spokane Custom Wood Treating
724 North Perry Street
Spokane, Washington 99202

FS ID#: 690
Cleanup Site ID#: 1319

Prepared by:
Washington State Department of Ecology
Eastern Region Office
Toxics Cleanup Program

November 2015

1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup site conditions and monitoring data to assure human health and the environment are being protected at the Spokane Custom Wood Treating site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). This is the second periodic review conducted for this Site. The first periodic review was completed in August 2009. This periodic review will evaluate the period from August 2009 through November 2014.

Cleanup activities at this Site were completed under the Voluntary Cleanup Program (VCP). The cleanup actions resulted in residual concentrations of diesel-range petroleum hydrocarbons (TPH-D), heavy oil-range petroleum hydrocarbons (TPH-O), pentachlorophenol (PCP) and polycyclic aromatic hydrocarbons (PAHs) that exceeded MTCA Method A cleanup levels for soil established under WAC 173-340-740(2). It was determined that institutional controls in the form of a restrictive covenant would be required for the site to be eligible for a No Further Action (NFA) determination. WAC 173-340-420(2) requires Ecology to conduct a periodic review of a site every five years under the following conditions:

1. Whenever Ecology conducts a cleanup action;
2. Whenever Ecology approves a cleanup action under an order, agreed order, or consent decree;
3. Or, as resources permit, whenever Ecology issues a no further action opinion;
4. 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 Ecology shall consider include [WAC 173-340-420(4)]:

(a) The effectiveness of ongoing or completed cleanup actions.
(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.

Ecology 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 former Spokane Custom Wood Treating (SCWT) facility is located in the City of Spokane in Spokane County, Washington. The Site is located in a mixed-use area and is bordered by vacant land and the Spokane River to the north and west, a parking lot and parking structure to the south and southwest, and residential properties to the southeast and east.

During wood treatment operations, the Site contained a wood treatment facility, a storage yard, an office building and a private residence. In 2008, Iron Bridge LLC constructed a single two-story office building at the Site. The Site is currently zoned M2 - manufacturing, allowing for commercial and light industrial use.

SCWT was a commercial lumber preservative treatment facility that operated since the mid-1970s. PCP dissolved in diesel fuel or fuel oil was used as a wood preservative until approximately 1989. A one-percent solution of copper naphthenate, reportedly dissolved in diesel fuel or fuel oil, was used instead of PCP until the facility shut down in 1996.

SCWT was owned by Layrite Products Company. Layrite underwent bankruptcy proceeding in 1997. Tri-West Mortgage foreclosed on the property and was the trustee/owner until the Site and the adjacent former Layrite property was transferred to Iron Bridge LLC.

Depth to groundwater ranges from approximately 26 to 31 feet below ground surface (bgs); groundwater flow direction is southwest. Soils at the Site consist of gravelly loam or silt loam over coarse sands, gravels, cobbles and boulder sized materials. The Spokane River is located approximately 400 feet to the west.

A vicinity map is available as Appendix 6.1 and a Site plan is available as Appendix 6.2.

2.2 Remedial Actions

Following foreclosure proceedings after the Layrite bankruptcy, facility decommissioning, waste management, and cleanup were conducted in 1997 and 1998. Six 55-gallon drums of PCP and diesel-affected rainwater from within the concrete block vault were disposed of. A vacuum pressure vessel was also removed and sold.

Between May 1998 and July 2000, work conducted at the Site included work plans, facility closure and decommissioning, site investigation, soil and groundwater characterization, limited soil cleanup, and management and disposal/treatment of generated hazardous and special wastes.

Regulatory requirements for facility closure of the wood treatment plant were discussed with Ecology's Hazardous Waste and Toxics Reduction personnel on Site in July 1998. Material

directly associated with the facility treatment area was designated as F032 hazardous waste. The upper portions of the treatment building that were to be managed as typical demolition debris were removed in November 1998.

During Site demolition, the F032 designated hazardous waste material around the vault, including drip pads, hoist foundation, and in-ground vault concrete and concrete block, was segregated and transported to a licensed treatment, storage, and disposal facility. Obvious and visibly impacted surface and near-surface soils immediately around and underneath the hazardous waste designated components were also excavated and manifested as F032.

During initial Site work, an underground storage tank (UST) was identified in the northwest comer of the property. Approximately 200 gallons of water were pumped from the tank. The steel tank had an approximate capacity of 900 gallons. Moderate to severe rust was observed on the exterior bottom, sides and ends of the tank. Confirmation samples were collected from the limits of the tank excavation. Laboratory analysis did not detect gasoline or benzene, toluene, ethylbenzene, or xylenes (BTEX).

Three soil samples were collected from the vicinity of the former wood treatment structures (building, concrete pads) in November 1998 after Site demolition activities. The samples were collected to determine in situ concentrations of contaminants of concern – TPH-D, PCP and PAHs – and to provide baseline data for potential contaminant concentrations. Results indicated TPH-D, TPH-O, PCP, and individual PAHs were present at concentrations exceeding MTCA Method A cleanup levels.

Remedial cleanup activities were conducted in March 1999 for three areas of concern, including:

- The hoist and vault area formerly beneath the south end of the wood treatment building;
- the dip tank area along the eastern property boundary; and
- an area of near surface contamination northwest of the dip tank.

The dip tank area was excavated to approximately 6 feet bgs. The excavation was limited to prevent undermining or structural damage to the commercial building on the adjacent property.

Confirmation soil samples from the three excavated areas indicated that concentrations of TPH-D, TPH-O, PCP, and PAHs exceeding cleanup levels remained in the hoist/vault area and the dip tank area. Based on these results, a subsurface drilling and groundwater monitoring program was conducted. Seven soil borings (B1 through B7) were installed; six borings were completed as monitoring wells (MW1 through MW6).

Soil and groundwater samples were analyzed for TPH-D, TPH-O, PCP, PAHs. Results indicated soil contamination above cleanup levels in boring B5 (MW4) at 35 feet. Soil samples collected from B5 at 40 and 45 feet did not detect any concentrations exceeding cleanup levels.

Based on results of the Site characterization, remedial action (excavation), and subsurface investigation, two residual affected soil areas remain at the Site: the hoist/vault area and the dip tank area. TPH-D, TPH-O, PCP, and PAH impacted soils remain in both areas. A summary of the maximum residual contaminant concentrations in soil is available in the table below:

Summary of Residual Soil COC Locations and Concentrations - Hoist/Vault Area

Sample No.	Sample Location	DRO	Heavy Oils	Penta	Total cPAHs
DP3	center of vault @ 7 ft. bgs	101	ND	ND	ND
DP4	southwest corner of vault @ 8 ft. bgs (bottom at sidewall)	**4,100**	15.5	**89.5**	**7.541**
TP111	southwest corner of vault @ 5 ft. bgs (sidewall)	na	na	**523**	**27.67**
DP5	north center of vault @ 9 ft. bgs (bottom at sidewall)	**3,950**	**328**	**56.2**	**5.873**
TP101	northeast corner of vault @ 9 ft. bgs (bottom at sidewall)	na	na	**52.8**	**5.449**
TP13	center of hoist excavation @ 17 ft. bgs (bottom center)	na	na	**117**	**10.488**
B535	boring B5 @ 35 ft. bgs	**2,070**	**229**	**13.5**	ND

Notes:
All results reported in milligrams per kilogram (mg/kg) or parts per million (ppm)
All results in bold indicate concentration above MTCA cleanup levels (Method A or B)
na - not analyzed or available
ND - not detected above laboratory method reporting limits

Approximately 110 cubic yards of petroleum-contaminated soil was removed from the Site and transported to Graham Road Landfill. Approximately 70 cubic yards of hazardous waste (F032) was also removed and disposed of at Arlington Hazardous Waste Landfill facility. Estimated residual contaminated soil remaining at the hoist/vault and dip tank area was 1,531 cubic yards.

On-site containment and isolation using engineering controls was chosen as the cleanup alternative for the remaining contaminated soils. The Site is currently developed as the Iron Bridge Office Campus. Engineering controls were designed within the final plan to contain and isolate residual affected soil. Controls included impervious surface covers in the form of asphalt and concrete, and storm water management systems.

2.3 Cleanup Levels and Points of Compliance

WAC 173-340-704 states 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 contaminants at 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 substance.

For soil, the point of compliance is the area where the soil cleanup levels shall be attained. For soil cleanup levels based on the protection of groundwater, as they are for this Site, the point of compliance is established as soils throughout the Site.

2.4 Groundwater Monitoring

Monitoring wells were completed in soil borings B1 through B3 and B5 (MW1 through MW4) in March 1999 on the former wood treatment facility property. No monitoring well was installed in B4. Borings B6 and B7 (MW5 and MW6) were installed in February 2001 across North Perry Street on the western adjacent property to identify potential off-site contamination.

Groundwater samples were collected from MW1 through MW4 in March 1999 and August 2000. Monitoring wells MW5 and MW6 were sampled in February 2001. Subsequent sampling events for all six wells were conducted in July and October 2002 and January, June and September 2003.

Concentrations of TPH-D were non-detect in all six monitoring wells for at least four quarters. The last detectable concentration of TPH-D was in MW4 in March 1999. PAH concentrations were not detected above MTCA Method A cleanup levels in any of the six monitoring wells since February 2002; the last four quarters were non-detect. PCP was last detected in MW2 in July 2002; the last four quarters were non-detect for PCP. All groundwater results are shown in Appendix 6.3.

2.5 Restrictive Covenant

It was determined the Site would be eligible for an NFA determination if institutional controls were used to document and protect remaining contamination. In 2004, institutional controls in the form of a restrictive covenant (Covenant) were recorded for the Site and an NFA letter was sent to the property owner. The Site status was changed to reflect an NFA determination.

The Covenant recorded for the Site in 2004 imposes the following limitations:

1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or used of any equipment which deforms or stresses the surface beyond its load-bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork, or any activities that may cause migration of the hazardous substances.
2. 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.
3. 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.

4. 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.
5. 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.
6. 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.
7. 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.
8. 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.

A copy of the Covenant is available as Appendix 6.4.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

During the Site visit conducted on January 21, 2015, there were no indications that the integrity of the remedial action has been compromised. There was no evidence of undocumented Site excavation or disturbance activities, and no visual indications of disturbance of the Site surface. The Site continues to be occupied by a two-story office building, and is surrounded by a mix of commercial and residential properties. A photo log is available as Appendix 6.5.

3.1.1 Direct Contact

Cleanup actions at the Site were intended to eliminate human exposure to contaminated soils and groundwater at the Site. Exposure pathways to contaminated soils (ingestion, direct contact) were reduced by remedial excavation and by the presence of protective Site surfaces including asphalt, building foundations, roadways, and landscaped areas.

3.1.2 Protection of Groundwater

Soils with TPH, PCP and cPAHs at concentrations exceeding MTCA Method A cleanup levels remain at the Site; however, the majority of the contaminated soil source material has been removed. Groundwater monitoring data indicates that soil contamination has not impacted groundwater quality. Due to the removal of any significant source material, the age of the release, and the empirical evidence that groundwater has not been impacted by contaminated soils, residual contaminated soils are not likely to pose a threat to groundwater quality in the future.

3.1.3 Institutional Controls

Institutional controls in the form of a Covenant were implemented at the Site in 2004. The Covenant remains active and discoverable through the Spokane County Auditor's Office. There is no evidence a new instrument has been recorded which limits the effectiveness or applicability of the Covenant. This Covenant prohibits activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This Covenant serves to assure the long term integrity of the surface cover and the remedial action.

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

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

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

There are no new applicable or relevant state or federal laws for hazardous substances remaining at the Site.

3.4 Current and projected Site use

The Site is currently used for commercial purposes. There have been no changes in current or projected future Site or resource uses. The vacant property to the north and west is for sale, but remains undeveloped.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances and it 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 action were capable of detection below MTCA Method A 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 appear to be protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however, the cleanup action for the Property is determined to comply with cleanup standards under WAC 173-340-740(6) (f), since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The Covenant for the property is in place and will be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, Ecology has determined the requirements of the Covenant are being followed. No additional remedial actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure the integrity of the cap 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

SLR Corporation. *Remedial Investigation and Cleanup Action Report.* May 2003.

SLP Corporation. *Independent Remedial Action Report – 7th Ground Water Monitoring Report.* October 10, 2003.

Ecology. *Spokane Custom Wood Treating VCP Review.* January 9, 2004.

Ecology. *Restrictive Covenant.* March 1, 2004.

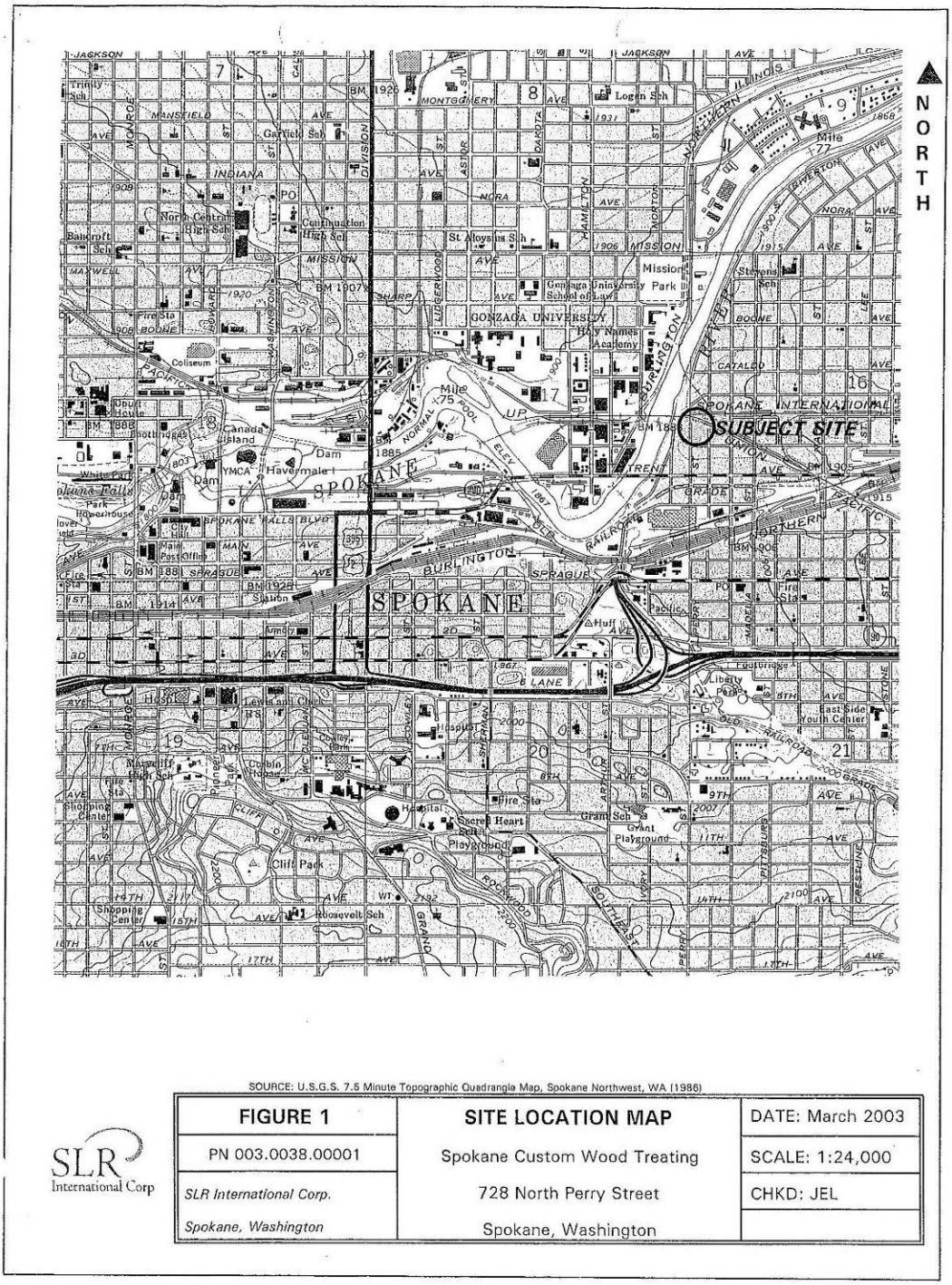
Ecology. *No Further Action Determination.* March 8, 2004.

Ecology. *Periodic Review.* February 2010.

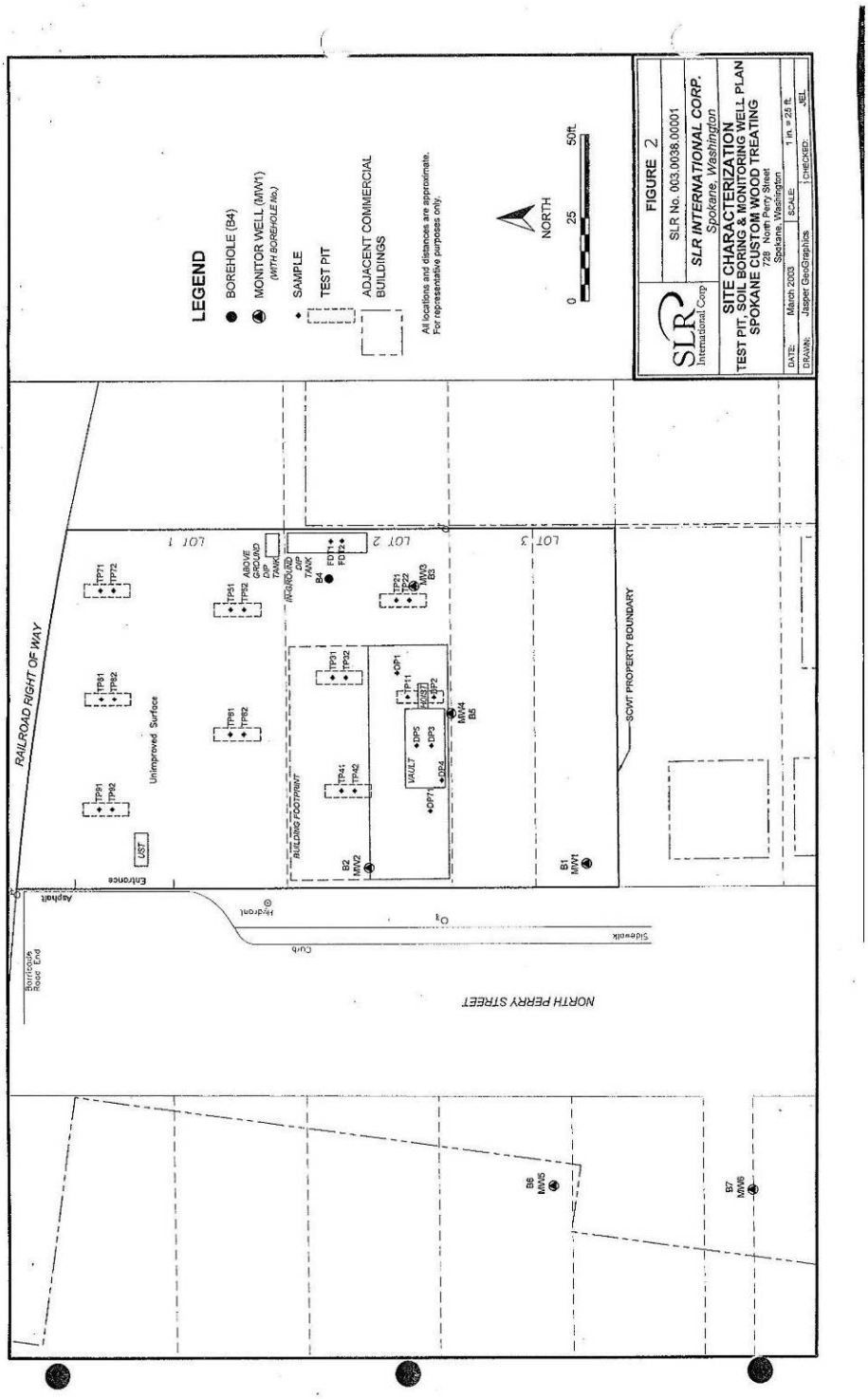
Ecology. *Site Visit.* January 21, 2015.

6.0 APPENDICIES

6.1 Vicinity Map



6.2 Site Plan


LEGEND
BOREHOLE (B4)
MONITOR WELL (MW1)
(WITH BOREHOLE No.)
SAMPLE
TEST PIT
ADJACENT COMMERCIAL BUILDINGS
All locations and distances are approximate.
For representative purposes only.
NORTH
0
25
50ft
FIGURE 2
SLR No. 003.0038.00001
SLR INTERNATIONAL CORP.
Spokane, Washington
SITE CHARACTERIZATION
TEST PIT, SOIL BORING & MONITORING WELL PLAN
SPOKANE CUSTOM WOOD TREATING
728 North Perry Street
Spokane, Washington
DATE: March 2003
SCALES: 1 in. = 25 ft.
DRAWN: Jasper GeoGraphics
CHECKED: JEL
SLR International Corp
RAILROAD RIGHT OF WAY
Unimproved Surface
LOT 1
LOT 2
LOT 3
SCWT PROPERTY BOUNDARY
BUILDING FOOTPRINT
VAULT
ABOVE GROUND DIP TANK
UNDERGROUND DIP TANK
UST
Entrance
Asphalt
Curb
Sidewalk
Hydrant
Storm Drain Rear End
NORTH PERRY STREET
TP11
TP12
TP21
TP22
TP31
TP32
TP41
TP42
TP51
TP52
TP61
TP62
TP71
TP72
TP81
TP82
TP91
TP92
B1 MW1
B2 MW2
B3 MW3
B4
B5 MW4
B6 MW5
B7 MW6
FD1
FD2
OP1
OP2
OP3
OP4
OP5
OP6
OP7

6.3 Ground Water Monitoring Data

Table 6.
LABORATORY RESULTS: 7th Ground Water Monitoring Event - Spokane Custom Wood Treating (9/26/03)

Sample	Sample Date	Diesel Range Organics	Heavy Oils	copper	pentachlorophenol	acenaphthene	acenaphthylene	anthracene	benzo (a) anthracene	benzo (a) pyrene	benzo (b) flouranthene	benzo (ghi) perylene
MW1	03/31/99	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
MW2	03/31/99	310	ND	ND	30.2	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	na	0.12	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	na	2.2	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
MW3	03/31/99	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
MW4	03/31/99	3,570	ND	ND	6	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	na	1.14	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	581	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
MW5	02/21 and 23/01	ND	ND	na	ND	ND	ND	ND	ND	0.1	ND	0.16
	07/18/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
MW6	02/21 and 23/01	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	na	ND	ND	ND	ND	ND	ND	ND	ND
MWD	03/31/99	ND[1]	ND[1]	na	na	na	na	na	na	na	na	na
	08/14 and 29/00	na	na	na	na	na	na	na	na	na	na	na
	02/21 and 23/01	na	na	na	na	na	na	na	na	na	na	na
	07/18/02	(271)[1]	ND[1]	na	na	na	na	na	na	na	na	na
	10/24/02	ND[2]	ND[2]	na	na	na	na	na	na	na	na	na
	01/20/03	ND[2]	ND[2]	na	na	na	na	na	na	na	na	na
	06/05/03	ND[2]	ND[2]	na	na	na	na	na	na	na	na	na
	09/26/03	ND[2]	ND[2]	na	na	na	na	na	na	na	na	na
MTCA	Method A	1,000	1,000	NCL	NCL	NCL	NCL	NCL	NCL	NCL	NCL	NCL
MTCA	Method B	NCL	NCL	592	0.729[C]	960	NCL	4,800	0.012[C]	0.012[C]	0.012[C]	0

SLR International Corp. PN 003.0038.00001

LABORATORY RESULTS: 7th Ground Water Monitoring Event - Spokane Custom Wood Treating (9/26/03)

Sample	Sample Date	benzo (k) flouranthene	chrysene	dibenzo (a,h) anthracene	flouranthene	flourene	indeno (1,2,3-cd) pyrene	naphthalene	phenanthrene	pyrene	Total cPAHs
MW1	03/31/99	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MW2	03/31/99	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MW3	03/31/99	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MW4	03/31/99	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	08/14 and 29/00	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MW5	02/21 and 23/01	ND	ND	0.24	ND	ND	0.22	ND	ND	ND	0.56
	07/18/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	06/05/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MW6	02/21 and 23/01	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	07/18/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	10/24/02	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	01/20/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	06/06/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	09/26/03	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MTCA	Method A	NCL	NCL	NCL	NCL	NCL	NCL	NCL	NCL	NCL	0.1[C]
MTCA	Method B	0.012[C]	0.012[C]	0.012[C]	640	640	0.012[C]	320	NCL	480	NCL

Notes:

All Method A and B cleanup standards based on Model Toxics Control Act (MTCA) Amended January 1996

All results report in micrograms per liter (ug/l) or parts per billion (ppb)

ND - not detected above laboratory method reporting limit (PQL)

na - not analyzed

NCL - no cleanup level available using standard MTCA sources

C - carcinogenic exposure:

(The practical quantitation limit or laboratory method reporting limitfor carcinogenic PAHs is 0.1 ppb using GC/MS with Selected Ion Monitoring)

1 - duplicate sample of MW1 for DRO only

2 - duplicate sample of MW2 for DRO only

SLR International Corp. PN 003.0038.00001

6.4 Restrictive Covenant

Return To
Iron Bridge, LLC
PO Box 6
Colbert, WA 99005

RESTRICTIVE COVENANT
FORMER SPOKANE CUSTOM WOOD TREATING SITE
IRON BRIDGE, LLC OWNER, IRON BRIDGE CAMPUS, 728 N. PERRY ST.

The Property is legally described AS FOLLOWS:

The South 25 feet of:
Parcel No. 35163.0701- Lot 1, Block 9, Amended School Section 16

Parcel No. 35163.0702-Lot 2, Block 9, Amended School Section 16

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1) (f) and (g) and WAC 173-140-440 by Iron Bridge, LLC, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

An independent remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Restrictive Covenant. The Remedial Action conducted at the property is described in the following documents:

1. Abridged Work Plan for Facility Closure, Spokane Custom Wood Treating, 728 North Perry Street, Spokane, Washington: Leppo Consultants, Inc., September 1998.

2. Remedial Investigation and Cleanup Action Report, Spokane Custom Wood Treating, 728 North Perry Street, Spokane, Washington: SLR International Corp., May 2003

3. Independent Remedial Action Report, 6th Ground Water Monitoring Event (June 5, 2003), Spokane Custom wood Treating at 728 North Perry Street, Spokane, Washington: SLR International Corp., June 24, 2003.

4. Independent Remedial Action Report, 7th Ground Water Monitoring Event (September 26, 2003), Spokane Custom Wood Treating at 728 North Perry Street, Spokane, Washington: SLR International Corp., October 10, 2003.

These documents are on file at Ecology's Eastern Regional Office (ERO).

This Restrictive Covenant is required because the Remedial Action resulted in residual concentrations of petroleum hydrocarbons, pentachlorophenol, and polyaromatic hydrocarbons which exceed the Model Toxics Contol Act Method A Residential Cleanup Levels for soil established under WAC173.340.740.

The undersigned, Iron Bridge, LLC, is the fee owner of real property (hereafter "Property") in the County of Spokane, State of Washington that is subject to this Restrictive Covenant.

Iron Bridge, 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. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or used of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork, or any activities that may cause migration of the hazardous substances.

Section 2. 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.

The term 'document' means reports prepared regarding the remedial action as well as Ecology's NFA letter.

Section 3. 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.

Section 4. 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 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. 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.

Section 7. 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.

Section 8. 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.

IRON BRIDGE, LLC

Kent D. Hull, Managing Partner

Feb 27, 2004
Date

Sent By: IRON BRIDGE LLC; 509 5321702; Mar-2-04 8:27AM; Page 5/5

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Page: 4 of 4
03/01/2004 02:25P
Spokane Co. WA

LIMITED LIABLILITY COMPANY ACKNOWLEDGEMENT

STATE of WASHINGTON_____)
)
COUNTY of SPOKANE_____)

On this 27th day of February, 2004, before me personally appeared Kent D. Hull, to me known to be the Managing Partner of Iron Bridge, LLC, the Limited Liability Company that executed the foregoing instrument, and acknowledged it to be the free and voluntary act and deed of said Limited Liability Company for the uses and purposes therein mentioned; and an oath stated that he is authorized to execute said instrument for and on behalf of said Limited liability Company.

WITNESS my hand and official seal hereto affixed the day and year first above written.

JANET M. PETTEY
Commission Expires
NOTARY
PUBLIC
FEB. 1, 2006
STATE OF WASHINGTON

Janet M. Pettey
NOTARY PUBLIC in and for the State of Washington, Residing at Veradale Wa
My Commission Expires: FEB 1, 2006

6.5 Photo log

Photo 1: Spokane Custom Wood Treating Site - from the southwest

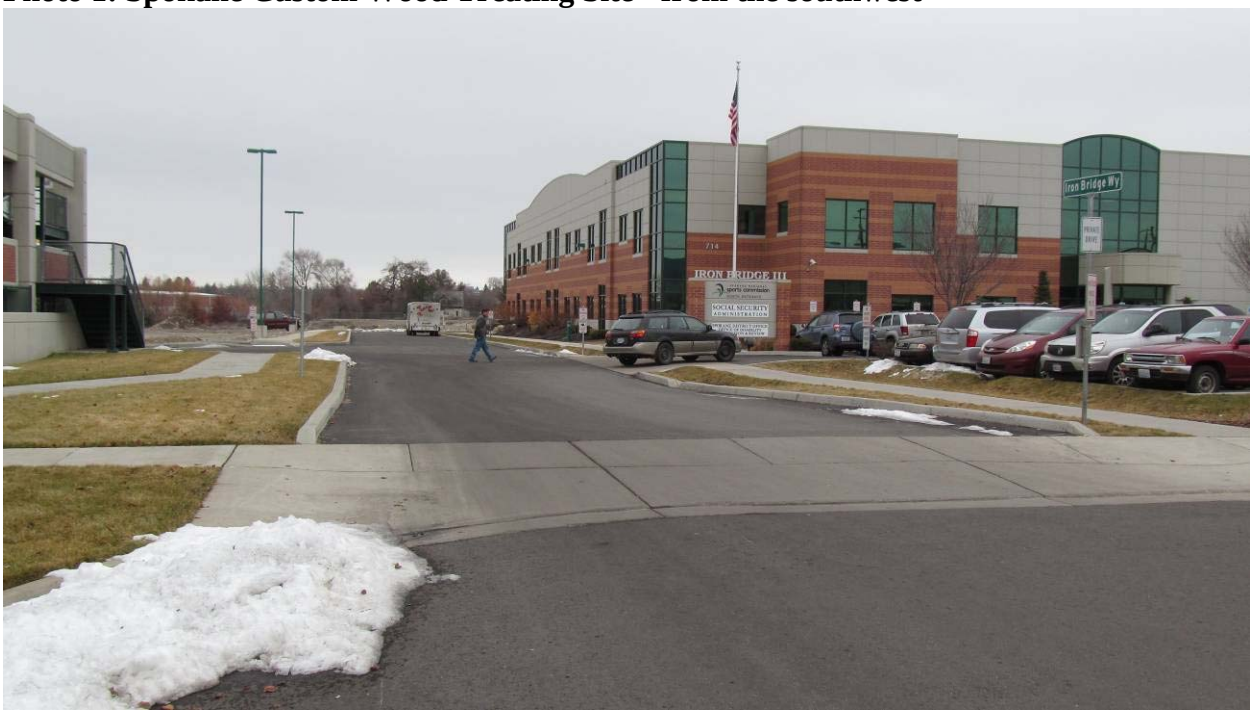

Photo 2: Iron Bridge and Vacant Land West of Site - from the southeast

Photo 3: Typical Site Landscaping - from the east

Photo 4: Paved Site Parking – from the northeast