



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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December 23, 2015

Mr. Ted Yi
YCH Enterprise Corporation
600 128th Avenue NE
Bellevue, WA 98005

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

- **Site Name:** Duvall Market
- **Property Address:** 15802 Main Street Northeast, Duvall, WA 98019
- **Facility/Site No.:** 764631
- **VCP Project No.:** NW2972
- **Cleanup Site ID No.:** 499

Dear Mr. Yi:

Thank you for submitting documents regarding your proposed additional characterization for the Duvall Market 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 submitted documents/reports 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:

- Total gasoline range petroleum hydrocarbons (TPH-G) and benzene into soil.

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 actions:



Mr. Ted Yi
December 23, 2015
Page 2

1. Kane Environmental Inc., *Response to Washington Department of Ecology Letter (September 23, 2015)*, October 13, 2015.
2. Kane Environmental Inc., *Work Plan Addendum to April 2015 Phase II Environmental Assessment*; July 30, 2015.
3. Kane Environmental Inc., *Limited Phase II Environmental Site Assessment*, April 7, 2015.
4. WT Services Company, *Independent Cleanup Action, 15802 Main Street, Duvall, WA*, September 24, 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. You can make an appointment by calling the NWRO resource contact at (425) 649-7235 or sending an email to: nwro_public_request@ecy.wa.gov.

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

- TPH-G and benzene into soil.

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 release(s) at the Site, Ecology has determined that the proposed work may not result in complete and adequate site characterization. Additional details are provided below:

- The proposed ground water monitoring locations appear to be outside of the expected contaminated area, upgradient of the area of contamination (when considering the presumed ground water flow direction), and within the previously excavated (fill) area. Wells should be installed in native material and in areas where they will effectively characterize and delineate the contamination.

As stated in Ecology's opinion letter dated September 23, 2015, ground water samples should be collected from areas that show impacts in soil, to adequately evaluate any leaching into ground water.

- The proposed work plan should include details regarding the number of samples to be collected from each soil boring or how the sample depth will be selected. The adequacy of the sampling methods cannot be determined without this information.
- The proposed soil boring locations are not adequately located to delineate the lateral extent of the contamination to the northwest and southwest of the known impacted area.
- As requested in previous correspondence (September 23, 2015), a copy of the 2008 geotechnical study report completed by HWA Geosciences for the City of Duvall has not been submitted to

Mr. Ted Yi
December 23, 2015
Page 3

Ecology. Because the data is referenced in the report and used as supporting information for Site characterization, the complete report including the laboratory analysis package must be submitted.

- Under Washington State law (Chapters 18.43 and 18.220 RCW), all hydrogeological and engineering work must be conducted by, or under the supervision of a licensed geologist, hydrogeologist or professional engineer qualified to conduct the work. Any site investigation/cleanup document containing geologic or engineering work must be submitted under the seal of such an appropriately licensed professional. Please ensure that any documents including work plans are signed and stamped by a licensed professional.

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 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 (425) 649-7058 or by email at tamara.cardona-marek@ecy.wa.gov.

Sincerely,



Tamara Cardona, PhD
Toxics Cleanup Program

Enclosures: Site Description and Diagrams

cc: David Rankin, Kane Environmental, Inc.
Sonia Fernandez, Ecology