



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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August 18, 2014

Mr. Rory Galloway  
G-Logics, Inc.  
40 Second Avenue SE  
Issaquah, WA 98027

**Re: Opinion Pursuant to WAC 173-340-515(5) on Cleanup Action and Contaminated Media Management Plan for the Following Hazardous Waste Site:**

- **Name:** Gilman Square
- **Address:** 675 NW Gilman Boulevard, Issaquah, WA 98027
- **Facility/Site No.:** 15541
- **Cleanup Site ID No.:** 12286
- **VCP No.:** NW2823

Dear Mr. Galloway:

Thank you for submitting documentation regarding your ongoing assessment and proposed remediation for the **Gilman Square** 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 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 release at the Site:

- Tetrachloroethylene (PCE), Oil-Range Total Petroleum Hydrocarbons (TPH-O), naphthalene, arsenic, chromium and lead into the Soil.
- Vinyl chloride, arsenic, chromium, lead, chloromethane, and cis-1,2-dichloroethane into the Groundwater.

Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).



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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:

1. G-Logics, *Cleanup Action and Contaminated Media Management Plan, 675 NW Gilman Boulevard, Issaquah, WA; VCP No. NW2823*, dated May 2, 2014.
2. G-Logics, *Phase I Environmental Site Assessment Report, 675 NW Gilman Boulevard, Issaquah, WA; VCP No. NW2823*, dated June 18, 2013.
3. G-Logics, *Phase II Environmental Site Assessment Report, 675 NW Gilman Boulevard, Issaquah, WA; VCP No. NW2823*, dated October 25, 2013.
4. G-Logics, *Additional Site Exploration Report, 675 NW Gilman Boulevard, Issaquah, WA; VCP No. NW2823*, dated January 6, 2014.

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](mailto:NWRO_public_request@ecy.wa.gov).

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

- Tetrachloroethylene (PCE); Oil-Range Total Petroleum Hydrocarbons (TPH-O), naphthalene, arsenic, chromium and lead into the Soil.
- Vinyl Chloride, arsenic, chromium, lead, chloromethane, and cis-1,2-dichloroethane into the Groundwater.

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:**

- Your characterization of the Site determined that impacts to soil and ground water beneath the site had occurred as a result of releases from a former dry cleaner located on the Site. PCE contamination is present in the soil above MTCA Method A cleanup levels, and appears confined to the footprint of the former dry cleaner building, to a depth

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of approximately five feet. Vinyl chloride contamination is present in the ground water above MTCA Method A cleanup levels, within 60 feet (north and east) of the former dry cleaner footprint. There is also a possibility of removal of two Underground Storage Tanks (USTs) (approximately 10,000-gallons in size) with associated petroleum-contaminated soil removal and disposal.

- Your assessment and planned remediation for the Gilman Square property (Property) has been presented in the Site Cleanup Action and Contaminated Media Management Plan (CAP/CMMP). This plan presents your Feasibility Study and consideration/evaluation of remedial cleanup alternatives. The goal is to evaluate the potential alternatives against MTCA remedy selection criteria and select a preferred alternative. Soil excavation and off-Site disposal are identified as the chosen cleanup strategy for the Site. Confirmation of the current status of the groundwater is also to be provided through scheduled groundwater monitoring. Impacted groundwater is to be managed appropriately.
- Chlorinated-solvent contaminated soil (identified as having concentrations of chlorinated-solvents above Method A cleanup levels) will need to be removed to the soil point of compliance, properly handled as F002 listed waste, and disposed at a permitted facility. On May 14, 2014, Dean Yasuda of Ecology issued a formal contained-out determination concerning the management and disposal of excavated F002 contaminated soil for this project. An extension to the Ecology deadline for the management and appropriate disposal of excavated PCE contaminated soil is required for the project. Mr. Yasuda has been informed of the Army Corps of Engineers permit and public review requirements, and the delay of the planned site remedial activities. Thus, he will prepare the deadline extension when requested. A copy of the May 14, 2014 contained-out determination letter is included as an enclosure to this letter.
- The Gilman Square facility (Site) is currently undergoing a Section 106 consultation with the Corps of Engineers. Due to federal criteria and tribal comment procedures, this permit review process has priority over the proposed schedule for the planned remedial excavation activities. Please update Ecology as soon as the permit process has been completed.
- Site maps and figures must be provided to clearly depict the area and location of the excavations. The locations and results of confirmation soil samples collected following the excavation are to be presented on the figures.
- Several ground water monitoring wells are scheduled to be abandoned. It is expected that well abandonment logs will be included for the VCP project file, and for Ecology's well log database. Criteria and specifications for replacement wells should also be provided.

- A discussion of area geology and hydrogeology concerning the Site needs to be incorporated in the final Cleanup Action Report. Site maps, boring logs, geologic cross-sections, and figures are important in describing the Site conceptual model and clarifying the Site conditions. Summary tables should include all compounds that have been detected in each media throughout the history of the Site, and the proposed cleanup level for each compound.
- As stated in Ecology's previous correspondence, MTCA Method A cleanup levels for groundwater (Table 720-1) will need to be met at the standard point of compliance (throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest depth which could potentially be affected) are appropriate. Determination of conditional points of compliance is not appropriate.
- MTCA Method A soil cleanup levels for unrestricted land uses are appropriate (Table 740-1) with the standard point of compliance for soil throughout the Site to a depth of 15 feet below the ground surface (WAC 173-340-740(6)(d)).
- As summarized in Ecology's previous correspondence, it has been determined that the Site qualifies for the Terrestrial Ecological Evaluation (TEE) exclusion. The TEE decision-making process for the Site was documented as required per WAC 173-340-7490. Cleanup levels protective of terrestrial ecological receptors are not necessary because the Site meets the initial TEE exclusion criteria (MTCA WAC 173-340-7491(1)(c)(i)). There are less than 1.5 acres of contiguous undeveloped land on or within 500 feet of any part of the Site.
- As stated in Ecology's previous correspondence, 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](mailto: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 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.

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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](mailto:gcar461@ecy.wa.gov).

Sincerely,



Glynis A. Carrosino  
Project Manager  
Toxics Cleanup Program

Enclosure: Contained Out Determination Letter from Dean Yasuda, Ecology

By Certified Mail [7011 0470 0003 3682 6961]

cc: Stuart Hyde, G-Logics  
Brad Reisinger, Lennar Multifamily Investors  
Sonia Fernandez, VCP Coordinator, Ecology



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May 30, 2014

Tom Bartholomew  
Lennar Multifamily Investors  
1325 Fourth Ave, Suite 1700  
Seattle, WA 98101

Re: Request for Contained-Out Determination, Gilman Square  
Site Address: 675 NW Gilman Boulevard, Issaquah, WA 98027 (address of  
Former drycleaner)

References: (a) Letter, Stuart Hyde (G-Logics) to D. Yasuda (Ecology), dated April 29, 2014,  
Request for Contained Out Determination, 675 NW Gilman Boulevard, Issaquah, WA  
98027 (address of former drycleaner)  
(b) Electronic Mail, Stuart Hyde (G-Logics) to D. Yasuda (Ecology), dated May 13,  
2014, Follow Up Information for Contained Out Determination, 675 NW Gilman  
Boulevard, Issaquah, WA 98027 (address of former drycleaner)

Dear Mr. Bartholomew:

The Washington State Department of Ecology (Ecology) received a contained-out determination request (references a and b) from your environmental consultant, G-Logics on April 29, 2014, for soil contaminated with F002<sup>1</sup> listed waste constituents to be generated during site cleanup activities at 675 NW Gilman Boulevard, Issaquah, WA 98027 (address of former drycleaner).

Ecology received this information to determine if the contaminated soils, once excavated, may be exempt from management as dangerous wastes under the "Contained-In Policy." Based on the information provided and reviewed to date, Ecology's regulatory determination is as follows:

The approximately **600 tons** of F002 (PCE) listed waste contaminated soils represented by soil samples GL-B-9, -10, and -11, to be generated during site excavation activities at the Site (attached Figure 6) and excavated to a depth of 6.0 feet below grade, do not require management as dangerous wastes and Ecology will not require disposal of these contaminated soils as F002 (PCE) listed wastes at a RCRA permitted dangerous waste treatment, storage and disposal (TSD) facility, provided all of the conditions below are implemented.

Ecology suspects that PCE contaminated soils outside of the area delineated by GL-B9 through -11 exist. Adequate soil sample analytical data is required for soils from this outside suspected area before Ecology can determine if a contained out determination is justified. Further soil sampling in those outside suspected contaminated areas and chemical analysis with lower reporting limits<sup>2</sup> is required. Furthermore, Ecology understands that your consultants have requested a contained out determination for PCE soils below the water table at GL-B-19. Ecology does not understand the rationale for wanting to excavate these

<sup>1</sup> Perchloroethylene (PCE)

<sup>2</sup> Ecology notes that most Ecology accredited laboratories are able to achieve reporting limits of 1.0 µg/kg for PCE and daughter products. 

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PCE contaminated soils since the replacement soils will shortly become contaminated with PCE due to contact with upgradient PCE contaminated groundwater. Those PCE soils are not approved under this contained out determination.

For the approximately **600 tons** of F002 listed waste contaminated soils (attached Figure 6), Ecology understands that these soils do not designate under federal characteristics (Washington Administrative Code [WAC] 173-303-090) or State-only criteria (WAC 173-303-100). For these **600 tons** of F002 listed waste contaminated soils, you or your consultant shall comply with the following requirements:

- a. Ensure no standing water is present within any container holding the PCE contaminated soil. All water must be removed to the maximum extent possible from each of these containers and managed as F002 listed dangerous wastes without exception. The contaminated groundwater or infiltrated surface water should be removed from the contaminated soils prior to shipment to the landfill. Contaminated water cannot be disposed of into a RCRA Subtitle D (or C) landfill directly.
- b. This Ecology approval letter does not pertain to any decontamination water or groundwater.
- c. Deliver these contaminated soils directly to a permitted RCRA Subtitle D landfill (outside Washington State) such as the Columbia Ridge Solid Waste Landfill in Arlington, Oregon OR a Washington State solid waste landfill permitted under Chapter 173-351 WAC such as the Roosevelt Regional Landfill.
- d. Do not consolidate these contaminated soils with other soils that do not pertain to this contained out determination.
- e. Do not offload these contaminated soils at any temporary staging/transfer/reloading area.
- f. These contaminated soils shall not be used as fill at the Site or any other Property.
- g. Plastic line the containers or delivery trucks for direct delivery to the solid waste landfill.
- h. Cover all excavated soils and take adequate measures to prevent spills and dispersion due to wind or rain erosion.
- i. Take measures to prevent unauthorized contact with these soils at all times.
- j. Provide instructions to the landfill operator that these soils are not to be used for daily, intermediate, or final cover.
- k. Provide copies of all soil analytical data to the landfill operator, upon request.
- l. Send copies of all signed solid waste landfill receipt records for these contaminated soils to Ecology, attention of Dean Yasuda, within 15 days of your receipt. Also indicate the total volume/weight of all contaminated soils disposed of under the Ecology approved contained-in determination, and indicate if this total amount is above, below or equal to the total amount approved by this Ecology letter. This is an important verification step for you and your environmental consultant to follow in order for this Ecology decision to be valid.

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- m. Do not send these contaminated soils to any incinerator, thermal desorption unit, or recycling facility unless that facility is a RCRA Subtitle C permitted hazardous waste TSD facility.
- n. Dispose of the **600 tons** of PCE-contaminated soils by August 30, 2014. This contained-out determination for these contaminated soils is no longer valid after August 30, 2014. After this date, you are required to manage these contaminated soils as dangerous wastes.
- o. This written decision for the contaminated soils does not apply to any other area or other media. Local agencies have the authority to impose additional requirements on this waste stream.
- p. Notify Ecology immediately once you are aware that to-be-excavated soils under this letter will exceed the permitted amount. Ecology needs to make sure that the additional soil qualifies for this contained out determination.


This letter only addresses the procedures for disposal of the above described PCE contaminated soils generated at the Site in accordance with the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC). This letter is not an Ecology approval for dangerous waste designation process or disposal of soils that may be generated in the future or already excavated outside the locations for which this contained out approval letter applies. Designation (as dangerous wastes or non-dangerous wastes) and proper disposal of those "outside" soils is a responsibility of the generator of excavated soils.

This letter is not a No Further Action (NFA) letter and not written approval for any cleanup action plan you may have submitted. Regulatory decisions regarding the cleanup action, applicable soil and groundwater cleanup levels and any other cleanup issues must comply with the requirements under Ecology Model Toxics Control Act (MTCA).

If you fail to comply with the terms of this letter, Ecology may issue an administrative order and/or penalty as provided by the Revised Code of Washington (RCW) Sections 70.105.080 and/or .095 (Hazardous Waste Management Act).

If you have any questions concerning this letter, please feel free to contact me at (425) 649-7264 or by email at [dyas461@ecy.wa.gov](mailto:dyas461@ecy.wa.gov).

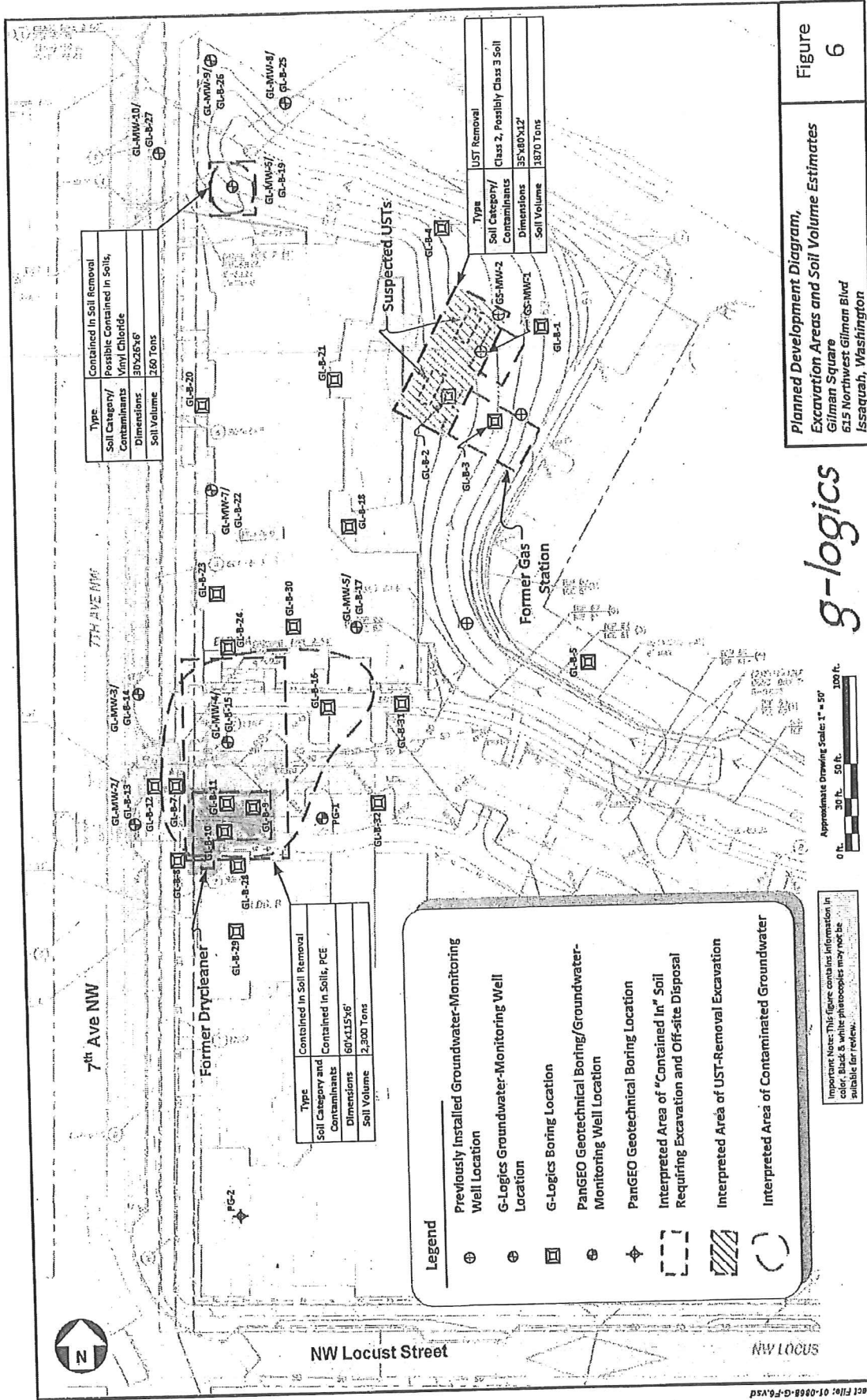
Sincerely,

  
Dean Yasuda, PE

Hazardous Waste and Toxics Reduction Program

By certified mail: 7012 3460 0000 3272 4656

cc: Stuart Hyde, G-Logics  
Bill Lasby, Seattle-King County Public Health ([Bill.Lasby@kingcounty.gov](mailto:Bill.Lasby@kingcounty.gov))  
Dave Christensen, Seattle-King County Public Health  
([david.christensen@kingcounty.gov](mailto:david.christensen@kingcounty.gov))  
Lisa Brown, Ecology-ERO, Greg Caron, Ecology-CRO, Samuel Iwenofu, Ecology-SWRO  
Byung Maeng, Donna Musa, Louise Bardy, Glynis Carrosino, Ecology-NWRO  
HZW 5.4.1 CS No. 12286 FS No. 15541



**Figure 6**  
**Planned Development Diagram, Excavation Areas and Soil Volume Estimates**  
 Gilman Square  
 615 Northwest Gilman Blvd  
 Issaquah, Washington

PCE SOILS (0-6' bgs) APPROVED FOR CONTAINED OUT DETERMINATION PER CONDITIONS IN EXCAVATION LETTER.