



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 3, 2016

Ms. Carrie Pederson
PLIA
300 Desmond Drive
Lacey, WA 98504

Re: Opinion Pursuant to WAC 173-340-515(5) on the Work Plan for Additional Well Installation and Groundwater Monitoring for the Following Hazardous Waste Site:

- **Site Name:** Kris's Mini Mart
- **Site Address:** 6000 Portal Way, Ferndale, WA 98248
- **Facility/Site No.:** 96443724
- **VCP Project No.:** NW2869
- **Cleanup Site ID No.:** 11243

Dear Ms. Pederson:

Thank you for submitting documents regarding your proposed remedial action for the Kris's Mini Mart 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 release(s) at the Site:

- Total gasoline-range petroleum hydrocarbons (TPH-G) and associated benzene, toluene, ethylbenzene and xylenes (BTEX) into the soil/vapor.
- Total diesel-range and oil-range petroleum hydrocarbons (TPH-D) into the soil/vapor.
- Naphthalene, EDB, EDC, MTBE and Lead into the groundwater/vapor

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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. Proposal for Additional Well Installation and Groundwater Monitoring: Kris's Mini Mart, 6000 Portal Way, Ferndale (Colony Insurance Claim #194567), by Whatcom Environmental of 5/20/16.

The reports listed above will be kept in the Central Files of the Headquarters office of Ecology (HQ) for review by appointment only. Appointments can be made by calling the HQ resource contact at (360) 407-7170.

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

- Total gasoline-range petroleum hydrocarbons (TPH-G) and associated benzene, toluene, ethylbenzene and xylenes (BTEX) into the soil/vapor.
- Total diesel-range and oil-range petroleum hydrocarbons (TPH-D) into the soil/vapor.
- Naphthalene, EDB, EDC, MTBE and Lead into the groundwater/vapor

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(s) at the Site:

Ecology hereby approves this Work Plan

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.**

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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.

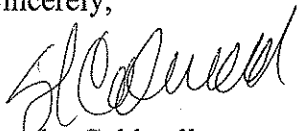
The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

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.

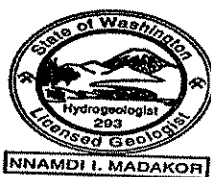
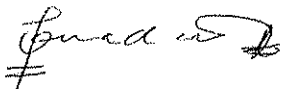
For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm.

If you have any questions about this opinion, please contact me by phone at (360) 407-7236 or e-mail at Sandra.Caldwell@ecy.wa.gov.

Sincerely,



Sandra Caldwell
HQ – Upland Unit Supervisor
Department of Ecology
Toxic Cleanup Program



Nnamdi Madakor P.HG, P.G.
Senior Hydrogeologist
Pollution Liability Insurance Agency

cc: Narain Naidu, Property Owner
Mark Newman, Vertex
Harold Cashman, Whatcom Environmental Services
Lisa Sweitzer, Ecology

