



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

November 14, 2011

David Hamilton
The Hearthstone Retirement Living
6720 East Green Lake Way North
Seattle, WA 98103

RE: Contained-Out Determination for Soils Contaminated with F002 Listed Dangerous Waste Constituents for the Hearthstone Property located at 6860 Woodlawn Avenue NE, Seattle, Washington 98115

References:

- (a) Electronic Mail, dated November 7, 2011, T. Cammarata (Sound Earth Strategies) to D. Yasuda (Ecology), Revised Contained-out-Determination Request for the Hearthstone

Dear Mr. Hamilton:

The Washington State Department of Ecology (Ecology) received a contained out determination request (reference a) from your environmental consultant, Sound Environmental Strategies (SES) for soil contaminated with F002¹ listed waste constituents to be excavated during cleanup activities at the Hearthstone Property located at 6860 Woodlawn Avenue NE, Seattle, Washington 98115 (reference a).

SES submitted soil analytical data to Ecology to determine if the contaminated soils, once excavated, should be managed as dangerous wastes according to the "Contained-In Policy."

Based on the information provided and reviewed to date, Ecology believes that the **1,500 tons** of perchloroethylene (PCE) contaminated soils, once excavated as proposed (reference a), do not require management as dangerous wastes and Ecology will not require disposal of these contaminated soils as F002 listed wastes at a RCRA permitted dangerous waste treatment, storage and disposal (TSD) facility, provided all of the conditions below are implemented. Attached to this letter is a figure (from reference a) that identifies the location of the **1,500 tons** of soil to be excavated. 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).

¹ Perchloroethylene (PCE) and daughter products



For the **1,500 tons** of PCE contaminated soils, you shall comply with the following requirements:

1. 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.
2. Do not offload these contaminated soils at any temporary staging/transfer/reloading area.
3. Do not use these contaminated soils as fill at the cleanup site or any other site.
4. Plastic-line the delivery trucks for direct delivery to the solid waste landfill, if the contaminated soils are not in secured containers during transport.
5. Cover all loads and take adequate measures to prevent spills and dispersion due to wind or rain erosion.
6. Take measures to prevent unauthorized contact with these soils at all times.
7. Provide instructions to the landfill operator that these soils are not to be used for daily, intermediate, or final cover.
8. Provide copies of all soil analytical data to the landfill operator, upon request.
9. 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. This is an important verification step for you and your environmental consultant to follow in order for this Ecology decision to be valid.
10. 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.
11. Dispose of the **1,500 tons** of PCE contaminated soils by **June 1, 2012** as required in this letter. This contained-out determination for these contaminated soils is no longer valid after **June 1, 2012**. After this date, you are required to manage these contaminated soils as dangerous wastes.

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.

This letter is not a No Further Action (NFA) letter and not written approval for any cleanup plan you may have submitted to Ecology. The Ecology Toxics Cleanup Program will provide review and approval of all cleanup related documents. Instead, this letter only addresses the procedures for disposal of excavated contaminated soils according to

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the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC). 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 dvas461@ecy.wa.gov.

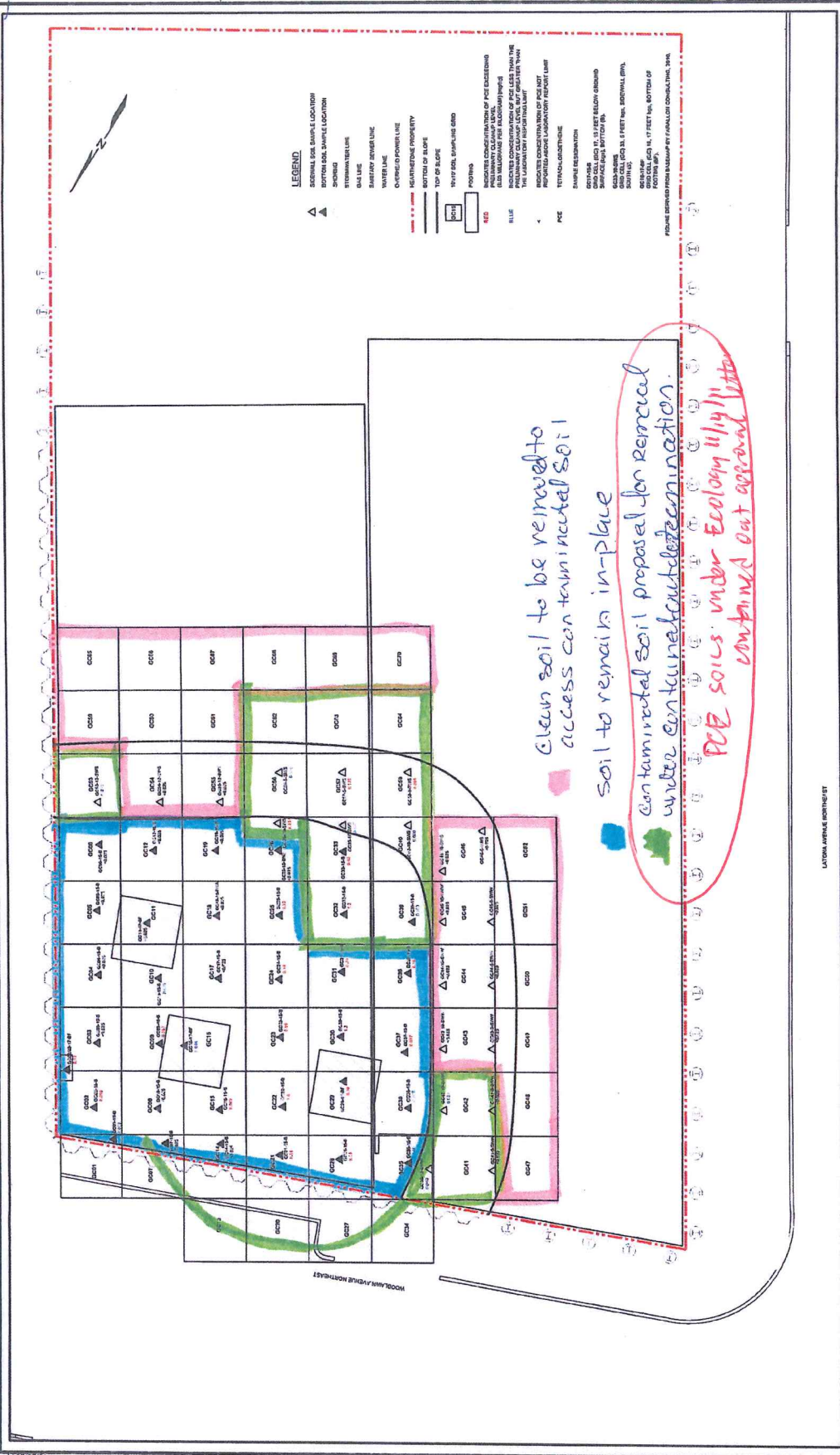
Sincerely,



Dean Yasuda, PE
Hazardous Waste and Toxics Reduction Program

By certified mail: 7010 3090 0002 0647 3264

cc: Sunny Becker, Ecology-NWRO
Lisa Brown, Ecology-ERO
Ava Edmonson, Ecology-SWRO
Greg Caron, Ecology-CRO
Donna Musa, Ecology TCP
Byung Maeng, Ecology-NWRO
Samuel Iwenofu, Ecology-SWRO
Bill Lasby, Seattle-King County Public Health (bill.lasby@kingcounty.gov)
David Christensen, Seattle-King County Public Health (david.christensen@kingcounty.gov)
Tom Cammarata, SES
DW File HZW5.4.1



DATE: 10/03/11
 DRAWN BY: NAC/JOC
 CHECKED BY: TJC
 CAD FILE: 0851-001_2011_GRID

PROJECT NAME: HEARTHSTONE PROPERTY
 SES PROJECT NUMBER: 0851-001-02
 STREET ADDRESS: 6850 WOODLAWN AVENUE NORTHEAST
 CITY, STATE: SEATTLE, WASHINGTON



REGION:
 0 7.5 15 30
 APPROXIMATE SCALE IN FEET

FIGURE 2
 MAP SHOWING PCE RESULTS IN SOIL AS OF SEPTEMBER 2011

LEGEND

- ▲ SERIAL SOIL SAMPLE LOCATION
- ▲ BOTTOM SOIL SAMPLE LOCATION
- POINT SOURCE
- WATER MAIN LINE
- GAS LINE
- SANITARY SEWER LINE
- WATER LINE
- OVERHEAD POWER LINE
- HEARTHSTONE PROPERTY
- TOP OF SLOPE
- NEARBY SOIL SAMPLE GRID
- POSTING
- INDICATES CONCENTRATION OF PCE EXCEEDING THE STATE WIDE SCREENING LEVELS (AS DETERMINED BY THE LABORATORY REPORTING LIMIT)
- INDICATES CONCENTRATION OF PCE NOT EXCEEDING THE STATE WIDE SCREENING LEVELS (AS DETERMINED BY THE LABORATORY REPORTING LIMIT)
- TECHNICAL NOTE
- SHIELD RESTRICTION
- DRIVE (CALLED 17.15 FEET BELOW GROUND SURFACE TO BOTTOM FB)
- DRIVE (CALLED 23.8 FEET TO BOTTOM FB)
- DRIVE (CALLED 14.17 FEET TO BOTTOM OF FOOTING FB)

FIGURE 2: PCE RESULTS IN SOIL AS OF SEPTEMBER 2011