



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 25, 2009

Paul Ellis
Capital Projects Manager
City of Arlington
Arlington, WA 98223

Re: No Further Action at the following Site:

- **Site Name:** Arlington City Right of Way UST-1
- **Site Address:** 100 Block - South Olympic Avenue, Arlington, WA
- **Facility/Site No.:** 1602419
- **VCP Project No.:** NW2123

Dear Mr. Ellis:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the North Olympic Project UST-1 facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

Description of the Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release:

- Petroleum hydrocarbons (including known gasoline) into the Soil.

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.



Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this Site are affected by other sites.

Basis for the Opinion

This opinion is based on the information contained in the following document:

1. GeoConsulting, Inc., Underground Storage Tank Site Assessment and Soil Excavation Report, Maple Street at N. Olympic Avenue, Arlington, Washington, Tank Number UST-1, October 12, 2006.

The document is 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) 649-7190.

This opinion is void if any of the information contained in the document is materially false or misleading.

Analysis of the Cleanup

Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. **Characterization of the Site.**

Ecology has determined your characterization of the Site was sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A**. The limits of the contaminated soil were determined by field-screening methods (headspace, PID, visual observation) during excavation of the soil, and then confirmed by sampling and analytical testing. Groundwater was not encountered at the maximum depth of excavation (13ft.).

2. **Establishment of cleanup standards.**

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA. The intent of the cleanup action was to remove all contaminated soil (standard point of compliance) above applicable Method A and/or standard Method B cleanup levels for soil. Cleanup levels protective of terrestrial ecological receptors do not apply at the site. The cleanup standard is protective of human health and the environment, and appropriate for this site.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA. As described in the document, the cleanup action selected was to remove all contaminated soil by excavation to levels below applicable Method A and/or standard Method B cleanup levels. By removing contaminated soil to these levels, the cleanup action meets the applicable minimum requirements for cleanup actions as stipulated in WAC 173-340-360: protection of human health and the environment, compliance with an appropriate cleanup standard, and use of a permanent solution. Furthermore, the cleanup action complies with the expectation for cleanup of sites containing small volumes of hazardous substances (WAC 173-340-370(2)) i.e. removal of all hazardous substances throughout the site.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site. According to the submitted document, contaminated soil was excavated to its horizontal and vertical limits as determined by field screening methods. The excavation was approximately 7 ft. by 12 ft. horizontally, and up to 13 ft. deep. Conformational soil samples from the sides and bottom of the excavation were acquired and analyzed for gasoline, diesel, mineral spirits, heavy oil (NWTPH-HCID). The analyses also included gasoline-range hydrocarbons, benzene, toluene, ethyl-benzene, xylenes, and total metals. Sample results were below method detection limits or below applicable Method A and/or standard Method B cleanup levels. No further excavation was required. The contaminated soil (7 tons) was transported off the property to an appropriate disposal facility (Rinker Materials).

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List and Leaking Underground Storage Tank List.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion does not:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70.105D.040(4).

2. Opinion does not constitute a determination of substantial equivalence.

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you performed is substantially equivalent. Courts make that determination. See RCW 70.105D.080 and WAC 173-340-545.

3. State is immune from liability.

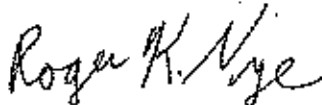
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. See RCW 70.105D.030(1)(i).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (#NW 2123).

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 or the termination of the Agreement, please contact me by phone at (425) 649-7251 or e-mail at rnyc461@ecy.wa.gov.

Sincerely,



Roger K. Nye
NWRO Toxics Cleanup Program

Enclosures: A – Description and Diagrams of the Site

cc: Dolores Mitchell
Sara Nicd

Enclosure A

Description and Diagrams of the Site

Site Description

Two adjacent abandoned underground storage tanks (USTs) were discovered under a street during the City of Arlington's North Olympic Avenue Improvement Project street reconstruction and resurfacing activities. One UST was 500 gallons, and the other was 100 gallons in capacity. The USTs appeared to be associated with an auto repair garage. Petroleum-contaminated soil was discovered when the USTs were removed and comprised the site.

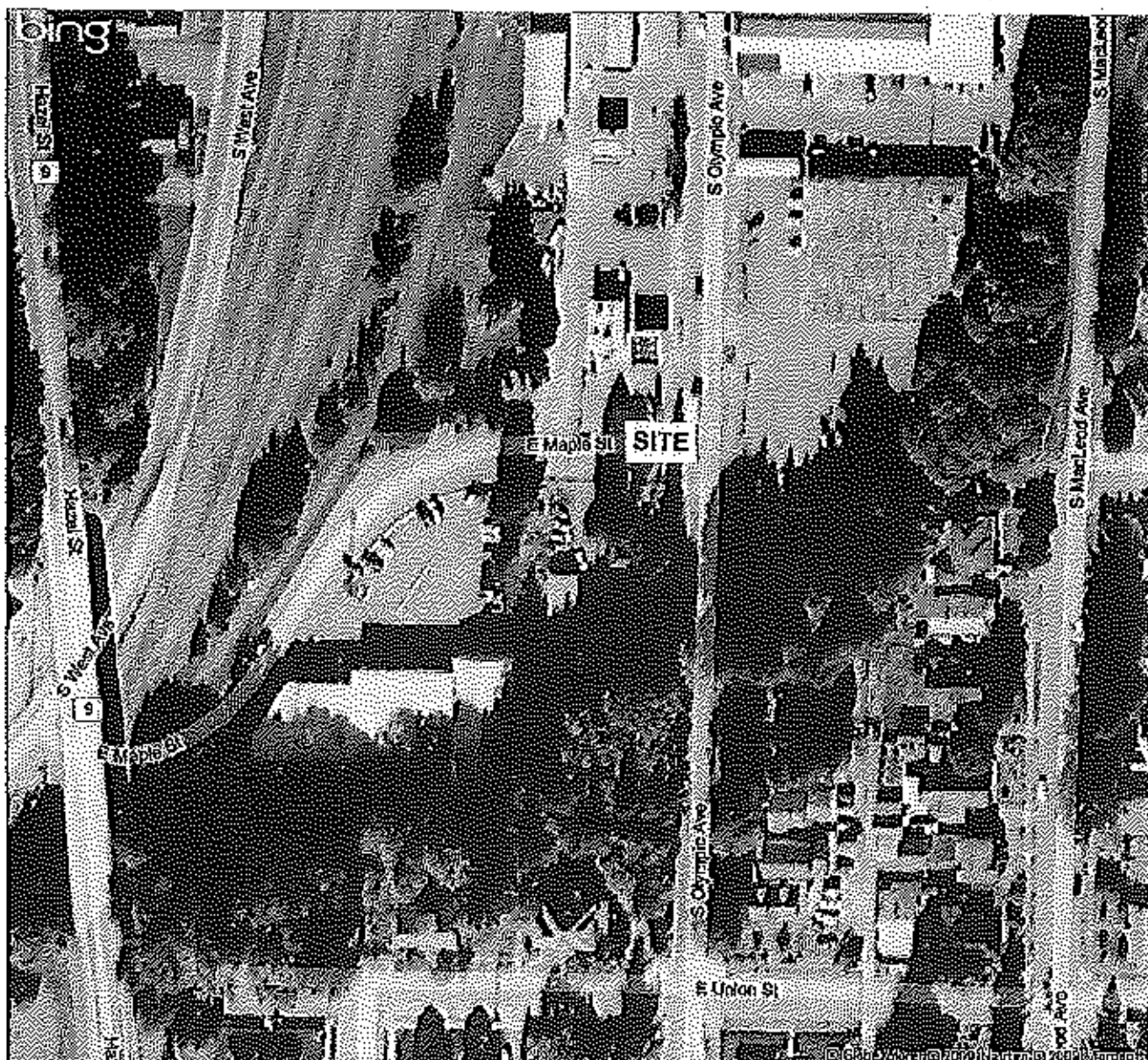
The site is located on the north side of Maple Street just west of the intersection of Maple Street and South Olympic Avenue on property owned by the City of Arlington. The immediate area is a mixed residential - commercial neighborhood. There are no areas in the near vicinity that are of terrestrial ecological concern. A small city park of about an acre (Legion Park) is located approximately 500 ft. north of the site. A large wetland area is located approximately 600 ft. west of the site.

The excavation, which removed contaminated soil (7 tons) down to below the selected cleanup levels, was about 7 by 12 ft. horizontally and 7 to 13 ft. deep. No groundwater was encountered in the excavation and only soil appears to have been contaminated.

The City of Arlington is located near the western foothills of the Cascade Mountains at the confluence of the North and South Forks of the Stillaguamish Rivers. Surficial geology consists of recent alluvium from the river floodplain and Pleistocene glacial alluvium, which consists of inter-bedded dense till, sands, silts, gravels and lacustrine deposits. Discontinuous areas of perched groundwater typically occur in this geologic environment.

The soil encountered during excavation at this site consisted of silty fine sand near the surface grading to coarser sand with gravel to the maximum depth of the excavation at 13 feet. No groundwater was encountered in the excavation. Six other abandoned USTs ranging in size from 500 to 1100 gallons were removed in the downtown area of Arlington during the City's North Olympic Avenue Improvement Project. Groundwater was reportedly not encountered in any of the tank excavations, which were typically 8 - 15 feet deep.

Site Diagrams



Site Location

North Olympic Project UST- 1

Arlington, Washington

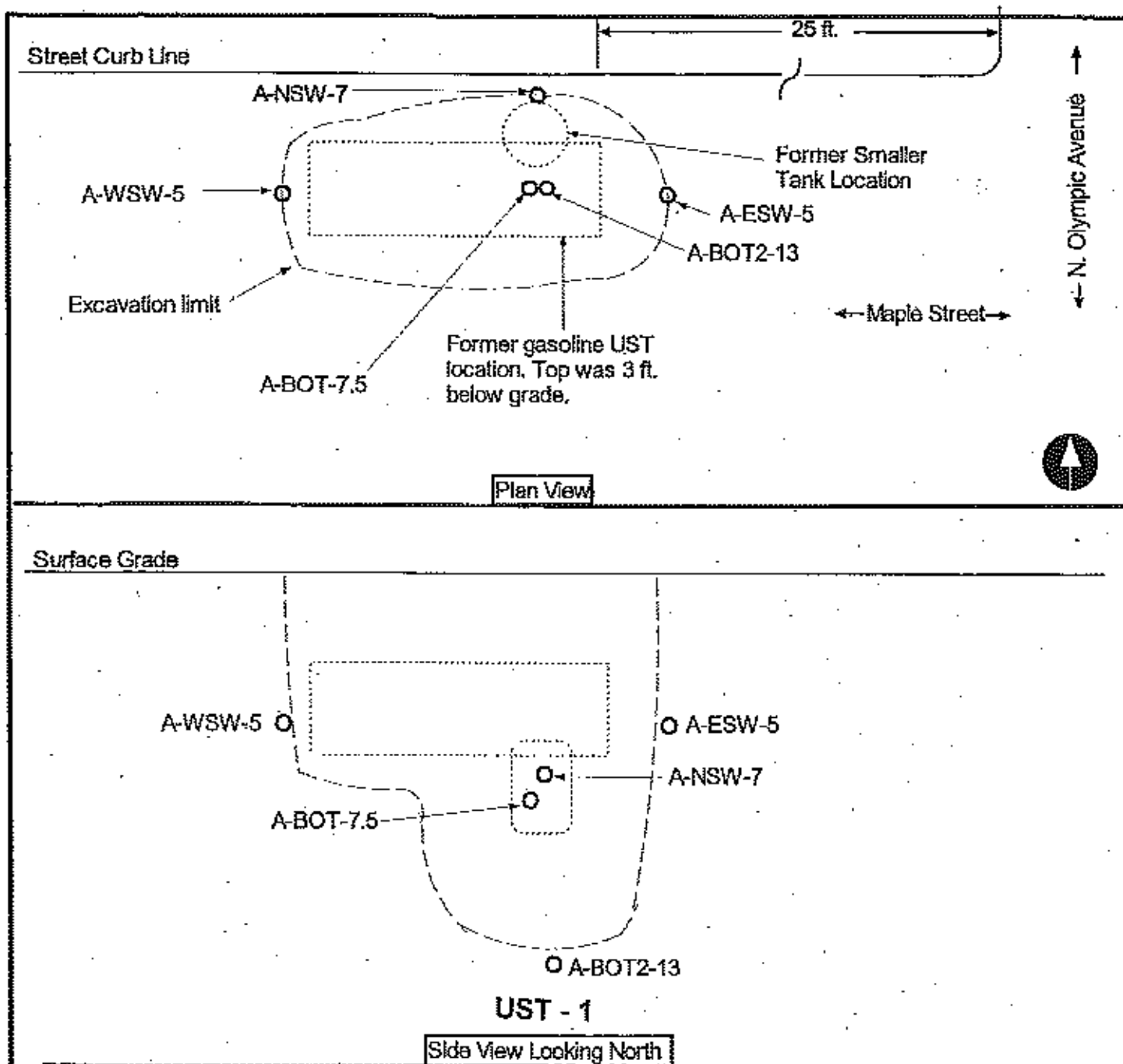


Figure 2: Site and Sample Location Map

Scale: 1 inch = 5 feet

○ A-WSW-5 = Soil Sample Location and Number

GeoConsulting, Inc.

15306 Plain View Place
Monroe, WA 98272
Ph: (425) 766-8169

Site Address:	
NW Corner of Maple Street and N. Olympic Avenue Arlington, WA	
Date:	Drawn by:
8/29/06	JDC