



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

December 9, 2011

Mark Zenger
Snoqualmie Summit Inn
P.O. Box 1449
Edmonds, WA 98020

Re: November 18, 2011 Corrected No Further Action Letter at the following Site:

- **Site Name:** Snoqualmie Summit Inn Property Kittitas Side
- **Site Address:** SR906, Snoqualmie Pass
- **Facility/Site No.:** 19950
- **VCP Project No.:** CE0319
- **Cleanup Site ID No.:** 2069

Dear Mr. Zenger:

The Washington State Department of Ecology (Ecology) noticed an incorrect statement in our November 18, 2011 No Further Action letter. This letter replaces that correspondence in its entirety. The Analysis of the Cleanup section, paragraph 2 has been modified to clarify the requirements for conducting a Terrestrial Ecological Evaluation if future development does not occur within 10 years or as extended by Ecology.

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Snoqualmie Summit Inn Property Kittitas Side 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 releases:

- Total Petroleum Hydrocarbons (TPH-Gasoline, -Diesel, and -Oil range) and their constituents (BTEX – benzene, toluene, ethylbenzene, and xylene) into the soil and groundwater as reported in the Independent Cleanup Action Final Report, The Riley Group, Inc, November 12, 2009.

Please note that 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 documents:

- *Quarterly Groundwater Monitoring Reports*, The Riley Group, Inc., September 23, 2010; November 16, 2010; February 17, 2011; and June 17, 2011.
- *"Independent Cleanup Action Final Report,"* The Riley Group, Inc., November 12, 2009.
- *"Supplemental Phase II Subsurface Investigation,"* The Riley Group, Inc., October 21, 2008.
- *"Phase I Environmental Site Assessment,"* The Riley Group, Inc., September 23, 2008.
- *"Phase II Environmental Site Assessment Report,"* Earth Consulting Incorporated, December 13, 2007.
- *"Phase I Environmental Site Assessment,"* Earth Consulting Incorporated, September 17, 2007.
- Contents of File, CRO central files.

Those documents are kept at the Central Regional Office (CRO) of Ecology for review by appointment only. You can make an appointment by calling Roger Johnson at 509-454-7658.

This opinion is void if any of the information contained in those documents is materially false or misleading or the *existing monitoring wells are not properly decommissioned within six months of issuance of this letter.*

Analysis of the Cleanup

Ecology has concluded that no **further remedial action** is necessary to characterize and 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 is sufficient to establish cleanup standards and select a cleanup action. The Site is generally described as located in Kittitas County on the west side of State Route 906 in Snoqualmie Pass, Washington. The property covers 5.31 acres. Past operations on the property include a former gas station, service bay and retail building (existing during the 1940s to late 1980s). Underground storage tanks (USTs) have been located on the property in the vicinities of the gas station and service bay. The site is underlain by Holocene and Pleistocene alpine glacial deposits.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels you established for the Site meet the substantive requirements of MTCA. Cleanup levels for contaminants are:

Contaminant	Soil Cleanup Level (mg/L)	Groundwater Cleanup Level (ug/L)
TPH-Gasoline	30	800
TPH-Diesel	2,000	500
TPH-Oil	2,000	500
Benzene	0.03	5
Xylenes	9	1,000
Arsenic	20	5
Lead	250	15

The Terrestrial Ecological Evaluation [Table 749-1] determined that future land use at the site and surrounding area makes substantial wildlife exposure unlikely. Diesel Range Organic contaminated soil above 460 mg/kg was left in place in the south excavation or used as clean backfill on the site [see sample results in November 2009 Final Report, Table 1: SPS-BOT2-8, SPS-CLN-5, SPS-CLN-6]. It should be noted that if future planned development at the site does not occur within a reasonable timeframe (10 years or as extended by Ecology), a Terrestrial Ecological Evaluation will be required to be completed by the owner or the NFA will be rescinded by Ecology in accordance with WAC 173-404-7490(3.d). Until such time that future planned development occurs, the site will be reviewed by Ecology every 5 years. You are required to keep Ecology informed of your plans for development; if the future planned development changes or is anticipated to not occur within 10 years or as extended by Ecology, Ecology shall be notified and a Terrestrial Ecological Evaluation completed by the owner to support the NFA determination.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA. The cleanup resulted in the removal and excavation of contaminated soil above MTCA Method A cleanup levels and groundwater monitoring to demonstrate natural attenuation below MTCA Method A cleanup levels.

Specifically, an Independent Cleanup Action in 2009 was performed, during which the contractor removed two USTs from the northern property area (both contained gasoline impacted water), approximately 1,720.75 tons (1,229 cubic yards) of petroleum contaminated soils from the north and south excavations, and approximately 12,400 gallons of groundwater from both the northern and southern excavations. Soil confirmation sampling after the cleanup action indicate the excavation sidewalls and bottom met cleanup levels, in all but one sample (SPS-BOT2-8, 78 mg/kg TPH-gasoline). The TPH-gasoline cleanup level is 30 mg/kg for the protection of groundwater. Groundwater was repeatedly sampled following removal of pooled water from the southern excavation pit. Initially groundwater was found to be impacted above the cleanup levels. However, concentrations decreased to below the cleanup levels with pumping over time. Four quarters of groundwater monitoring over the following year indicated that the site groundwater has been remediated; however, naturally occurring dissolved arsenic is present in the shallow aquifer at this location.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards at the Site.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our Confirmed and Suspected Contaminated Sites 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.

Mark Zenger
Snoqualmie Summit Inn
December 9, 2011
Page 5

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.

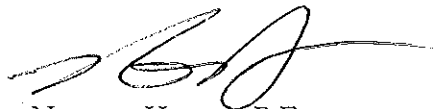
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

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 (CE0322).

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 at (509) 457-7127.

Sincerely,



Norman Hepner, P.E.
CRO Toxics Cleanup Program

cc: Dolores Mitchell, VCP Financial Manager
Frederick H. Becker, The Riley Group, Inc.