



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

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December 9, 2011

Ms. Constance Callahan
U.S. Coast Guard
PACAREA Lighthouse Program Manager
Shore Infrastructure Logistics Center, Product Line Division
1301 Clay Street, Suite 700N
Oakland, California 94612-5203

Re: No Further Action at North Head Lighthouse:

- **Property Address:** Cape Disappointment State Park, City of Ilwaco, Pacific County, WA.
- **Facility/Site No.:** 5040
- **Cleanup Site ID:** 11743

Dear Ms. Callahan:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of a property associated with the North Head Lighthouse 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.

Issues Presented and Opinion

The United States Coast Guard conducted an environmental cleanup of lead-contaminated soil at North Head Lighthouse by excavating, removing, and disposing of the contaminated soil.

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

This opinion is dependent on the continued performance and effectiveness of the post-cleanup controls and monitoring specified below.

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. The analysis is provided below.

Description of the Property and the Site

This opinion applies only to the property and the Site described below. This opinion does not apply to any other sites that may affect the property. Any such sites, if known, are identified separately below.

1. Description of the Property.

The property includes the North Head Lighthouse property (approximately one-half



acre), located at Cape Disappointment State Park in Pacific County, which was affected by the Site and addressed by your cleanup:

Enclosure A includes a diagram of the Site that illustrates the location of the property within the Site.

2. Description of the Site.

The Site is defined by the nature and extent of contamination associated with the following release:

- Lead into the Soil.

Basis for the Opinion

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

1. Draft Letter Report, Excavation of Lead Contaminated Soil, North Head Lighthouse, PSN4086967, Whiteshield, Inc., November 14, 2011.
2. Site Visit on May 4, 2011, by Barry Rogowski of the Department of Ecology to verify site conditions described in the above report.

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

Analysis of the Cleanup

1. Cleanup of the Property located within the Site.

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

a. Characterization of the Site

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards for the Site and select a cleanup for the property. The Site is described above and in **Enclosure A**.

Lead paint chips have fallen off the Lighthouse and surrounding structures over the years and contributed to shallow soil contamination at the site. The U.S. Coast Guard (USCG) conducted numerous samples for lead using both lab analysis and XRF field analysis. Sampling was conducted before the contaminated soil was excavated and after the cleanup was completed as confirmational monitoring. Cleanup Levels used for the site were MTCA method A for lead at 250 parts per million.

Cleanup of the Property

Ecology has determined the cleanup you performed meets the applicable Site cleanup standards within the property. This determination is dependent on the

continued performance and effectiveness of the post-cleanup controls and monitoring specified below:

- USCG and their contractors excavated, removed, and disposed of lead-contaminated soils in shallow surface soils, and some deeper surface soils at the site. In some locations excavation was halted due to utilities discovered at the site. Excavations basically covered the entire horizontal extent of exposed contaminated soil, and vertically to a depth of approximately six inches or one foot, depending on the location. Engineered controls were constructed and implemented to prevent or limit movement of, or exposure to, hazardous substances remaining at the Site, including placement of clean topsoil backfill over the excavated areas and replanting with grass.

2. Operation and maintenance of engineered controls.

Engineered controls prevent or limit movement of, or exposure to, hazardous substances. The following engineered controls are necessary at the property:

- The topsoil should be inspected every five years and replaced and replanted as needed.
- If excavation occurs on the site beyond the maximum cleanup depth of six or twelve inches (see Figure 2 for locations) or adjacent to utility trenches, precautions for exposure to lead-contaminated soil should be taken. In addition, any soil removed from the site below six inches or twelve inches (see Figure 2 for locations) must be disposed of properly.

Periodic Review of Post-Cleanup Conditions

Ecology will conduct periodic reviews at five-year intervals of post-cleanup conditions at the property to ensure that they remain protective of human health and the environment. If Ecology determines based on a periodic review that further remedial action is necessary at the property, then Ecology will withdraw this opinion.

Listing of the Site

Based on this opinion, Ecology will update the status of remedial action at the Site on our database of hazardous waste sites.

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**:

- Change the boundaries of the Site.
- 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).

Contact Information

If you have any questions about this opinion, please contact me by phone at (360) 407-7236 or by e-mail at BROG461@ecy.wa.gov.

Sincerely,

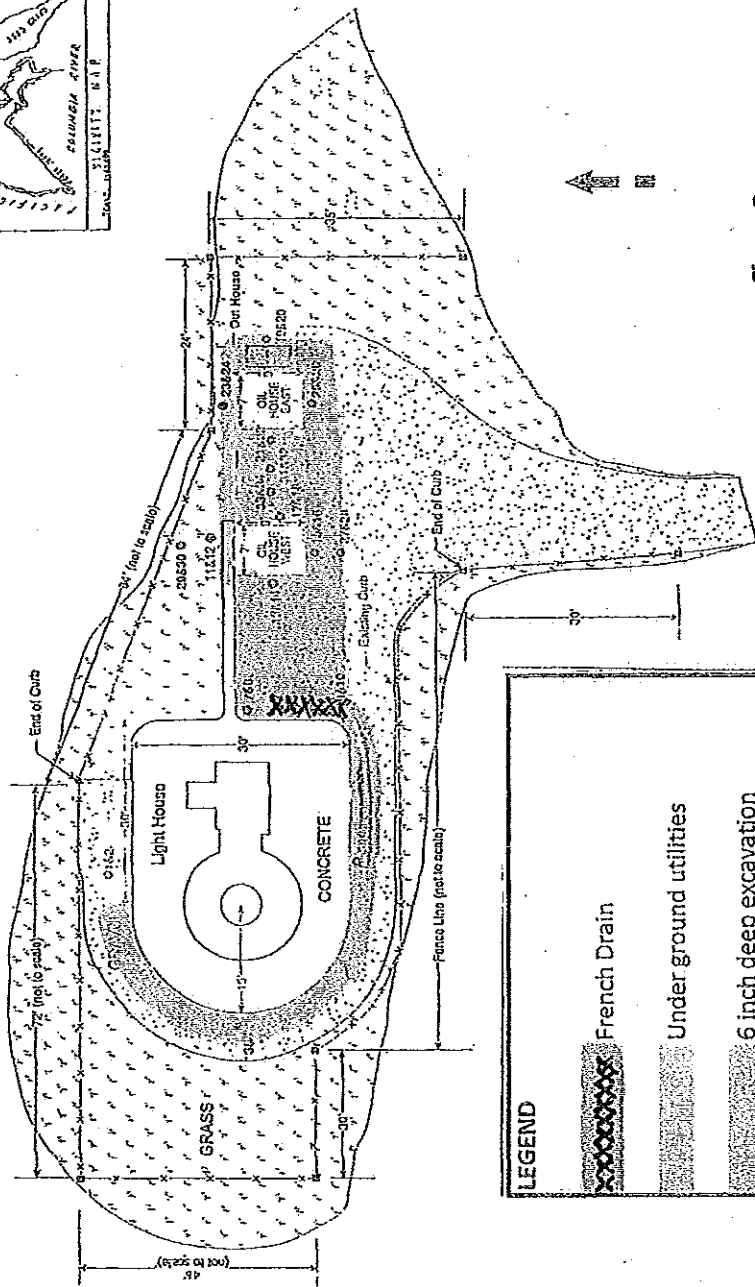
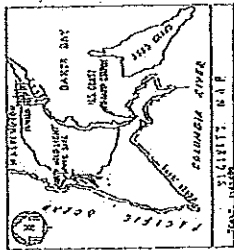


Barry Rogowski
Toxics Cleanup Program

cc: Evan Roberts, State Parks
Ken Graham, State Parks
Amy Cook, State Parks
Peter Marini, USCG

Enclosure A

**Description and Diagrams of the Site
(including the property)**



LEGEND

- French Drain
- Under ground utilities
- 6 inch deep excavation
- 12 inch deep excavation

Note: All dimensions are estimated.

Figure 2:
Excavation Depths and UGU's

DATE	11/18/17
DRAWN BY	M. J. ...
CHECKED BY	M. J. ...
SCALE	AS SHOWN
CIVIL ENGINEERING	
NORTH HEAD LIGHT	
PORTLAND, OREGON	
PROJECT NO.	327-7303