



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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November 10, 2016

MR. NEIL SCHIMMEL
SUNSET VIEW APRTMENTS, LLC.
11620 WILSHIRE BLVD, SUITE 500
LOS ANGELES, CA 90025

Re: No Further Action at the following Site:

- **Site Name:** Sunset View Apartments
- **Site Address:** 2101 SW Sunset Boulevard, Renton, WA 98055
- **Facility/Site No.:** 9625997
- **Cleanup Site ID No.:** 424
- **VCP Project No.:** NW2854

Dear Mr. Schimmel:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Sunset View Apartments 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 also 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 – diesel range organics (TPH-DRO) in soil.

Basis for the Opinion

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

1. AEI Consultants, August 15, 2016, Remedial Action Report - Excavation and Disposal of Petroleum Hydrocarbon-Impacted Soils
2. Grant Associates, Inc., May 29, 2015, Phase II Site Assessment Report of Findings Subsurface Investigation at Sunset View Apartments, Renton, WA
3. AEI Consultants, February 25, 2014, Phase I Environment Site Assessment Report at Sunset View Apartments, Renton, WA
4. DBM Investigation Engineers, May 7, 2004, Oil Tank Removal Report at Sunset View Apartments, Renton, WA

The documents listed above are 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) 649-7235, or sending an email to nwro_public_request@ecy.wa.gov.

This opinion is void if any of the information contained in those documents 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 characterization of the Site (Figure 1) is sufficient to establish cleanup standards, and select cleanup actions for removal of the contaminated soil exceeding MTCA Method A cleanup levels and confirmation of the soil-cleanup effort.

A 500-gallon heating oil underground storage tank (UST) was decommissioned in August 2002 at this Site. The excavation was 10 feet long by 8 feet wide with an over depth of 12 feet. The UST closure report indicated soil around the excavation was

impacted due to releases of the former UST. In February 2014, a Phase I Site assessment was conducted to investigate contamination at this Site. Laboratory results showed TPH-DRO concentration in soil ranging from 728 to 24,000 mg/kg around the UST excavation and beneath the adjacent utility lines (power, water, sanitary sewer and storm drainage).

A Phase II Site Assessment was performed in May 2015 to characterize the nature and extent of contamination at this Site (Figure 2). A total of seven soil borings were advanced to depths from 3 to 14 feet below ground surface (bgs). As a result, the report concluded that approximately 25 cubic yards of TPH-DRO contaminated soil exceeding the cleanup level occurred at a depth of approximately 9 feet bgs within the former UST excavation area (Figure 3).

Following approval from Ecology for the soil remedial work plan in September 2015, a soil cleanup activity was performed at this Site. Remediation consisted of over-excavation of the contaminated soil, confirmation sampling of the soil removal (Figure 4), and off-Site disposal of contaminated soil at a regulated landfill.

Nine confirmation soil samples were collected from the bottom and sidewalls of the excavation. Concentrations of TPH-DRO in the samples ranging from 170 to 560 mg/kg, below the Method A cleanup level, indicated the success of the soil cleanup effort at this Site.

No ground water was encountered during the UST closures, soil assessments, and soil excavation. A review of soil boring and monitoring well logging records, collected nearby the Site, reveals that a perched ground water in the firm and compacted glacial till is present at a depth of approximately 16 feet bgs at this area. Therefore, it was unlikely ground water had been impacted by surface spills and releases during operation of the former heating oil UST.

2. Establishment of cleanup standards.

Substance-specific standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

Cleanup levels for soil contamination at this Site are defined as the MTCA Method A cleanup levels for unrestricted land use.

Cleanup levels for ground water contamination at this Site are defined as the

MTCA Method A cleanup levels.

The Site qualifies for an exclusion from conducting a terrestrial ecological evaluation (WAC 173-340-7491(c)(i)); there is no undeveloped land or terrestrial habitat on or within 500 feet of the Site. Therefore, protection for terrestrial habitat is not needed for this Site in accordance with MTCA.

Action and location-specific requirements.

The requirements to clean up this Site included removal and disposal of the contaminated soil exceeding the MTCA Method A cleanup levels, and demonstration that ground water was not impacted by releases from the former heating oil UST, if it was encountered during the Site cleanup activities.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

The Site investigations were conducted to identify chemicals of concern (COC) and characterize contamination at the Site. Remediation was later performed to remove the contaminated soil that was disposed of at an appropriate facility off-Site.

Nine confirmation soil samples were collected for laboratory analysis at the bottom and sidewalls of the excavation. The laboratory results indicated the concentration of the COCs were either undetectable, or below the MTCA Method A cleanup level.

Ground water was not encountered in any of the soil boings at the maximum depth of 14 feet bgs during the site characterization and soil cleanup confirmation sampling. Based on soil boring and water well logging records in the vicinity, a ground water study summarized that a perched ground water table exists at a depth of more than 16 feet bgs at this area.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site at MTCA Method A cleanup levels for all the identified COCs aforementioned.

This determination is based on the performances specified below:

- A total of 1.2 tons of petroleum-diesel-contaminated soils exceeding MTCA Method A cleanup level was excavated and disposed of at an off-Site regulated landfill. The soil confirmation sample analyses indicated that soil removal to non-detectable, or below MTCA Method A cleanup levels was achieved.
- Ground water was not encountered during the Site assessments and excavation. A regional study concluded that the ground water at this Site was unlikely contaminated due to the surface releases, because it is present at a relatively deep level of at least 16 feet bgs.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- 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.
- 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.

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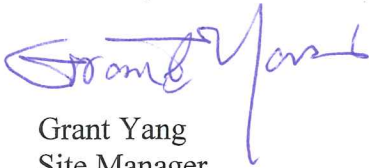
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

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 #NW2854.

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) 649-7126 or e-mail at grant.yang461@ecy.wa.gov.

Sincerely,



Grant Yang
Site Manager
TCP/NWRO

Enclosures (2) A - Site Description
B - Site Diagrams

cc: Timothy Bodkin, AEI Consultants
3880 S. Bascom Avenue, Suite 109, San Jose, CA 95124
Sonia Fernandez, VCP Coordinator, Ecology
Matt Alexander, VCP Financial Manager, Ecology

Figure 1 Location of the Site

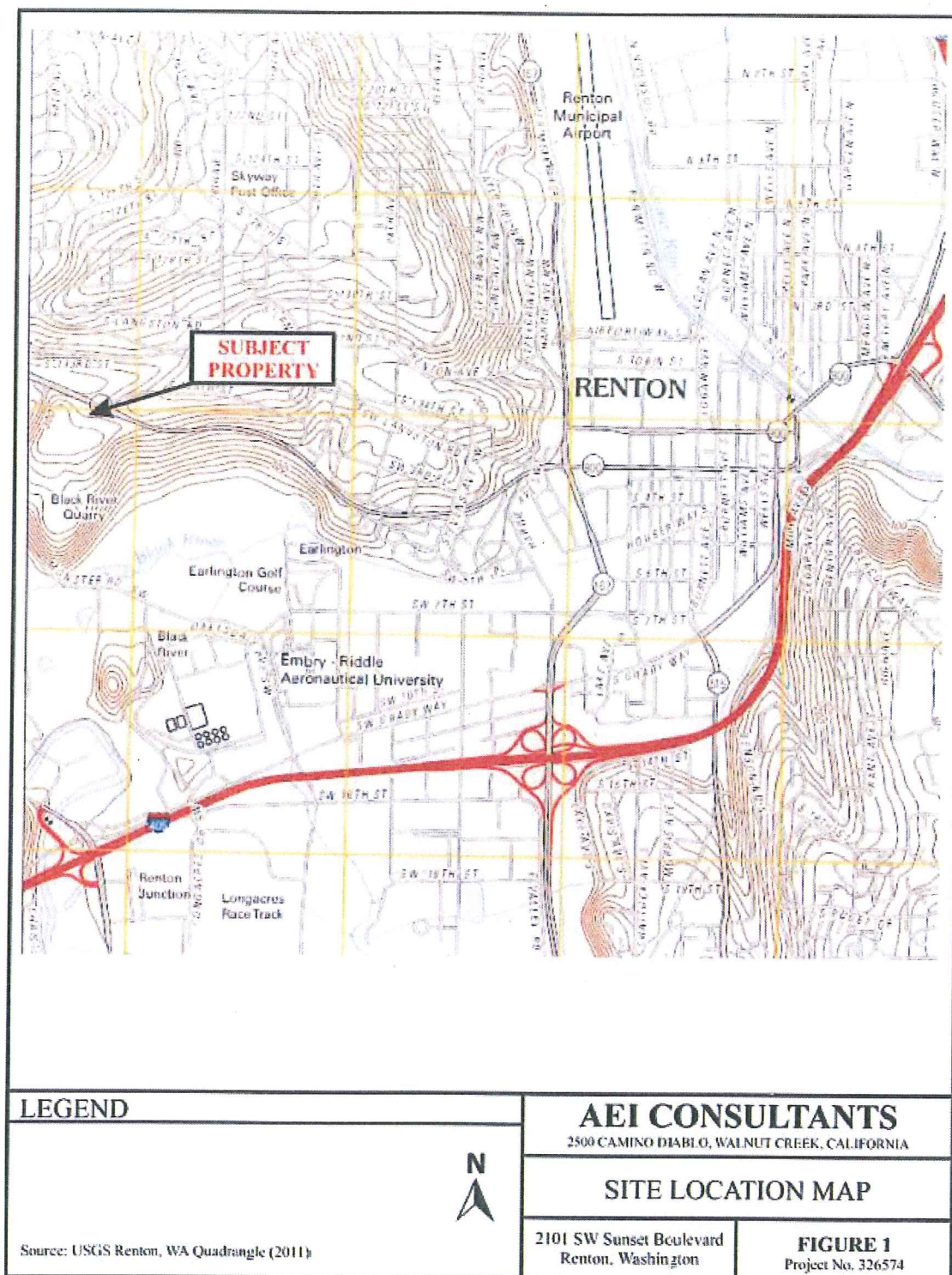


Figure 2 Soil Borings and Sample Collection Locations

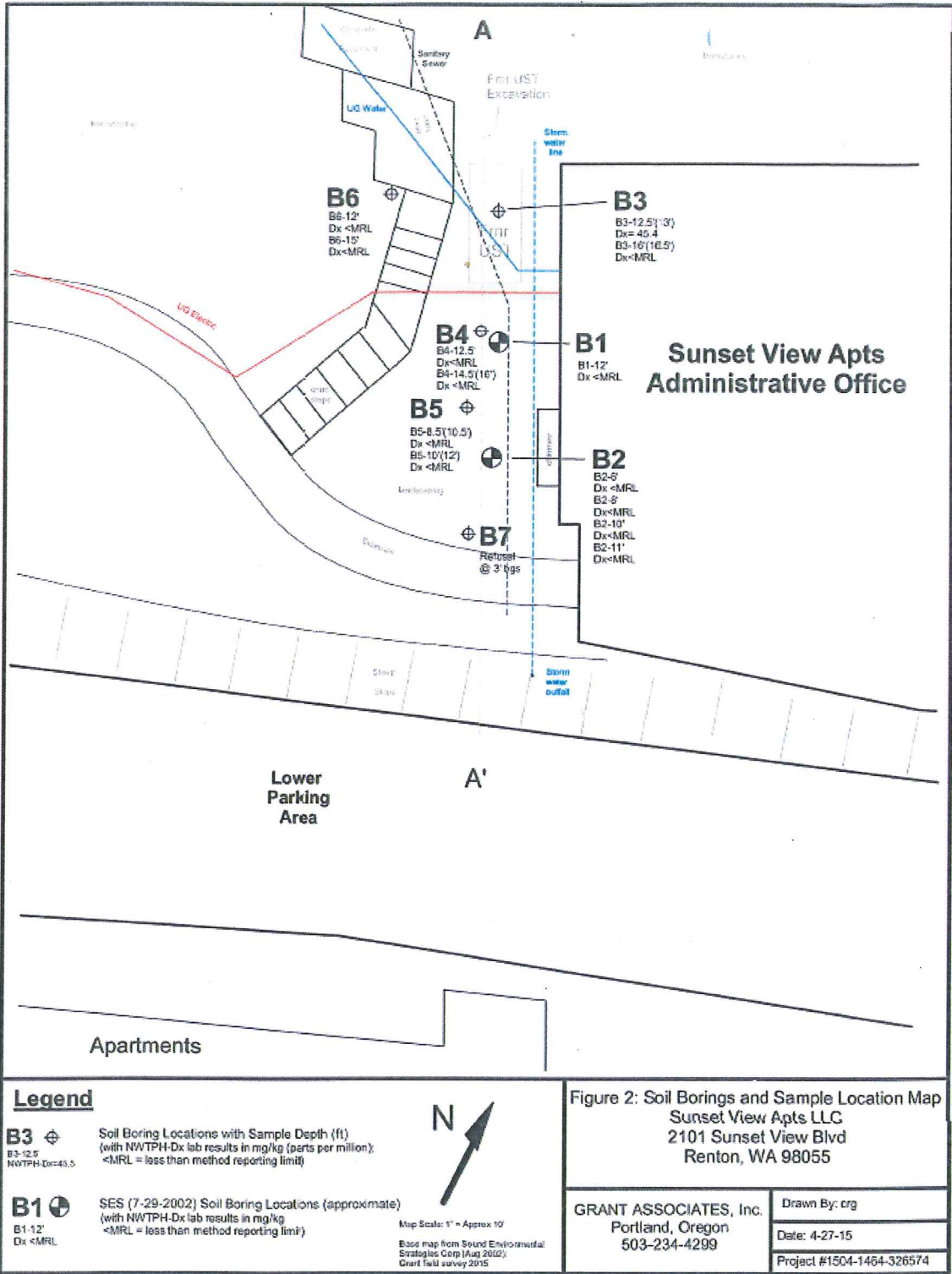


Figure 3 Cross Section Showing the Soil Exceeding the Cleanup Level

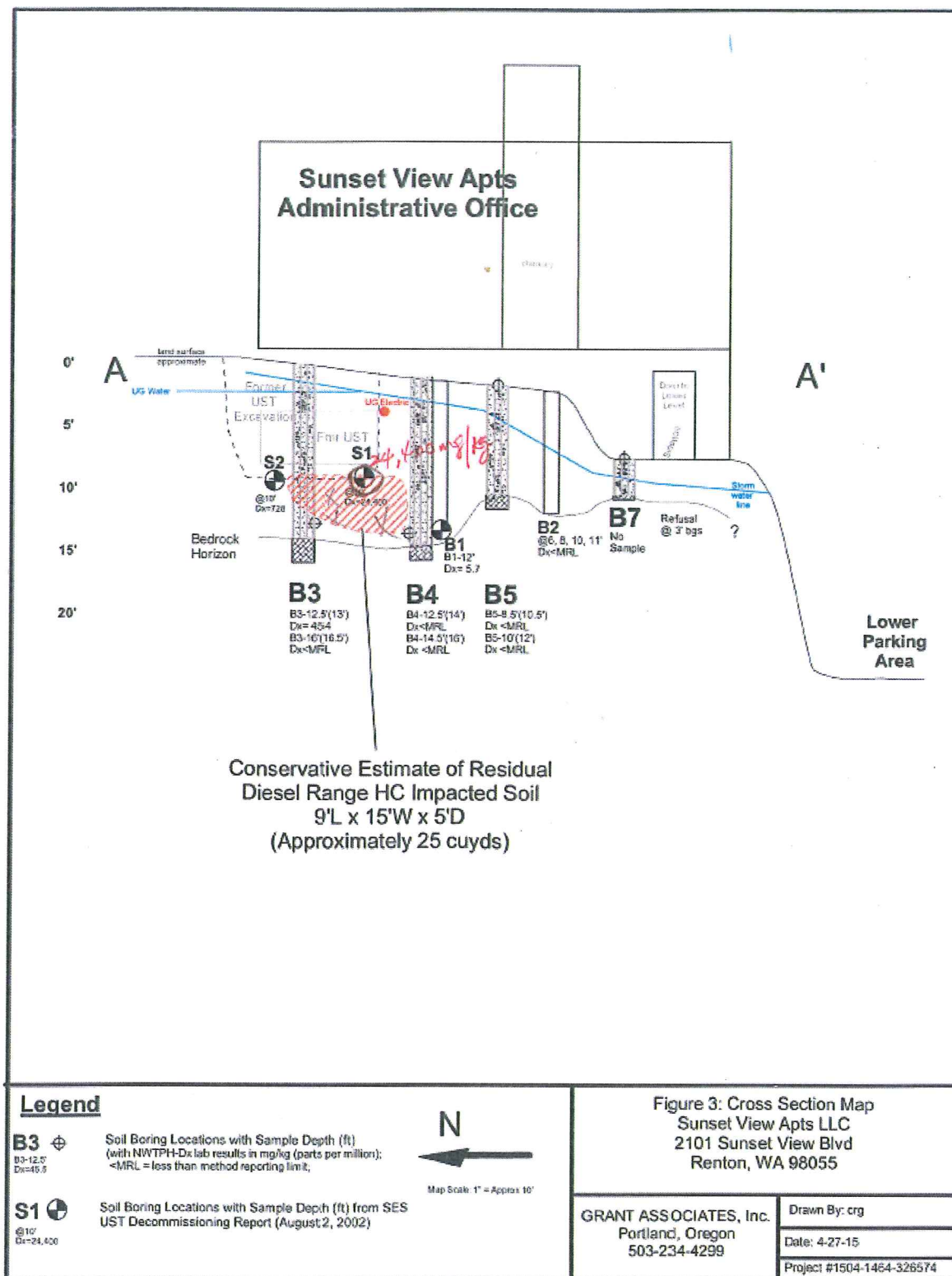
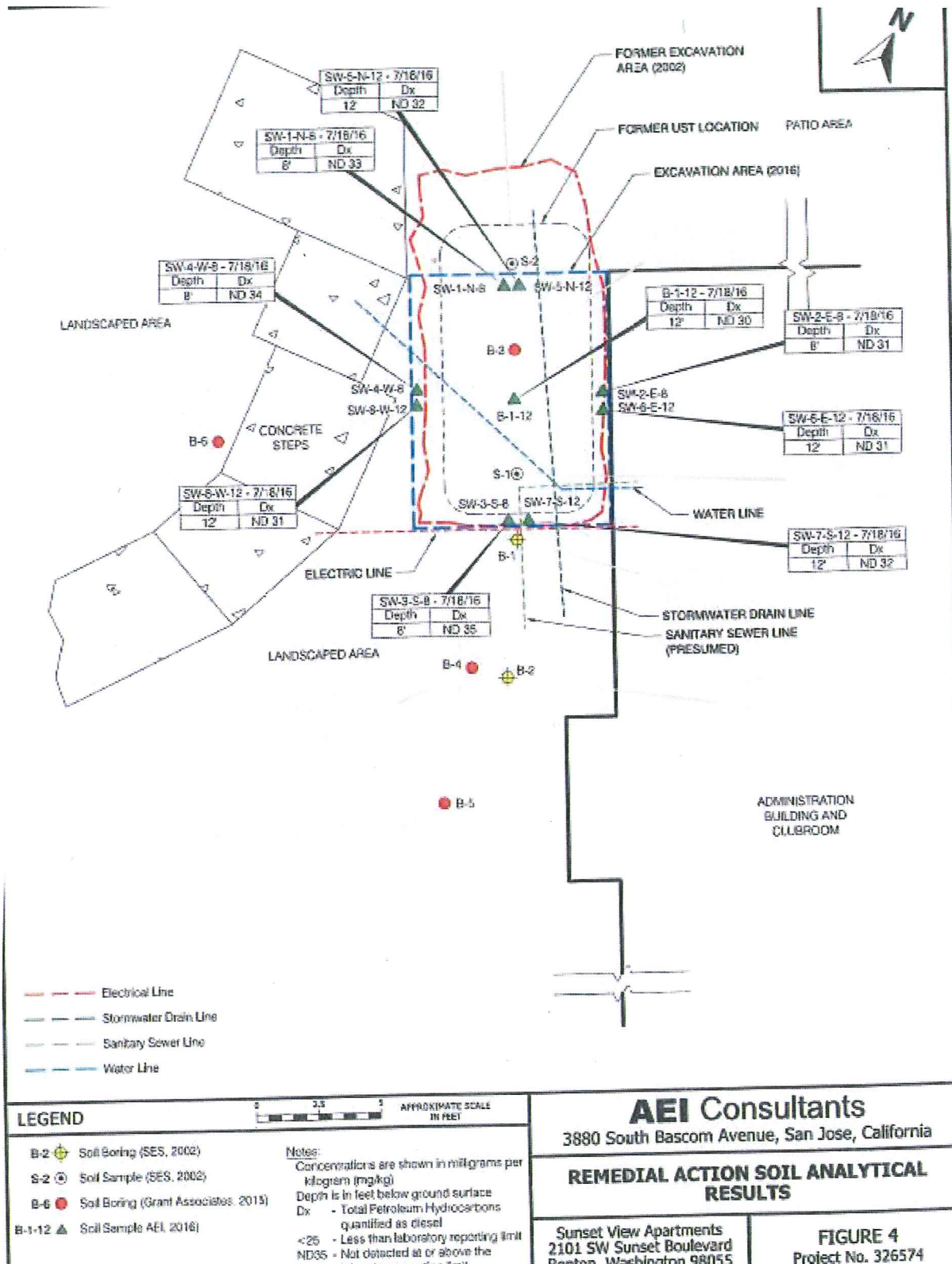


Figure 4 Confirmation Soil Sample Locations and Laboratory Results



Site Description

This enclosure provides Ecology's understanding and interpretation of Site conditions and forms part of the basis for the opinion expressed in the letter.

Site: The Site is located at 2101 SW Sunset Boulevard in Renton, Washington (Property) (Figure 1) and consists of TPH-DRO contamination in soil. The Property covers 14.87 acres with King County tax parcel number 0001400009.

Area and Property Description: The Site is located in a residential area (Figure 2). The Site is surrounded by commercial and residential properties within the City of Renton.

Property History and Current Use: The Property was occupied by single and multifamily residential houses before 2002. There was a 500-gallon heating oil UST used for heating at this Property. In 2002, the Property was developed with the Sunset View Apartments, a two-story administration facility and six residential apartment buildings.

Source of Contamination: Based on the Site assessments, the presence of the petroleum product (TPH-DRO) was confirmed in soil at this Site. Impacts of the contaminants to soil occurred over time through releases from the former 500-gallon heating oil UST.

Physiographic Setting: The Site is located in the Puget Sound Lowland physiographic province. The Puget Sound Lowland is characterized as a broad, low-lying region situated between the Cascade Range to the east and the Olympic Mountains and Willapa Hills to the west.

Surface/Storm Water System: The closest surface water body to the Site is the Black River, which is approximately 1,800 feet to the south. Surface water and storm water runoff on and in the vicinity of the Site disperse via sheet flow to the City of Renton's storm water drainage system.

Ecological Setting: The Site and surrounding area are covered with developed land occupied by residential and commercial buildings, roads, paved areas and other physical barriers.

Geology: The Site and vicinity are primarily underlain by the Vashon glacial till, a dense unconsolidated deposit characterized by poorly-sorted materials. A thin veneer of Vashon recessional outwash deposits is also present, as recorded in well logs to depths of at least 16 feet below the ground surface (bgs) overlying the till at this Site.

Ground Water: Ground water was not encountered on the Site. Based on boring and monitoring well logging records adjacent to the property, the depth to ground water is more than 16 feet bgs. The data also indicates the ground water flow direction is generally to the south to southwest.

Water Supply: A public water supply is currently provided to the Property by the City of

Renton. According to Ecology's well log data base, there are no private drinking water wells located within 1,000 feet of the Property.

Releases and Cleanup of Soil Contamination: Soil was contaminated due to releases from operations of the former gasoline service station. From 2015 to 2016, investigative and cleanup efforts were conducted at the Site, which included characterization of the Site contamination, over-excavation of the contaminated soil, soil confirmation sampling, and disposal of the impacted soil. As a result, approximately 1.2 tons of the soil contaminated with TPH-DRO above Method A were excavated (Figure 4) and the materials were disposed off-Site at a regulated disposal landfill.

Nine confirmation soil samples were collected at bottoms and walls of the excavation, ten feet long by eight feet wide with a depth of twelve feet. The laboratory results indicated that the impacted soil exceeding MTCA Method A cleanup levels was successfully removed.

Releases and Extent of Ground Water Contamination: During Site investigations and soil remediation, ground water was not encountered. The ground water study indicated that a perched ground water bearing layer exists at the depths at least 16 feet bgs at the vicinity.