STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

CERTIFIED MAIL

February 23, 2006

Mr. John Havens
8118 Spurgeon Creek Road
Olympia, WA 98513

Re: Opinion pursuant to WAC 173-340-515(5) on Proposed Remedial Action for the following Hazardous Waste Site:

- Name: John's Auto Wrecking
- Address: 411 93rd Avenue SE, Olympia, WA
- Facility/Site No.: 57665495
- VCP No.: SWO652

Dear Mr. Havens:

Thank you for submitting documents regarding your proposed remedial action for John's Auto Wrecking (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether your proposed remedial action is likely to be sufficient to meet the specific substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Petroleum Hydrocarbons in Soil
- Volatile Organic Compounds in Soil
- Glycol in Soil
- Polychlorinated Biphenyls in Soil
- Metals in Soil
- Petroleum Hydrocarbons in Groundwater
- Volatile Organic Compounds in Groundwater
- Glycol in Groundwater
- Metals in Groundwater

Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding your proposed remedial action(s):

1. June 15, 2005, Associated Environmental Group, LLC. Site Characterization Work Plan, John's Auto Wrecking, 437 93rd Avenue SE, Olympia, Washington.

The reports listed above will be kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. Appointments can be made by calling the SWRO resource contact, Leslie Koziara, at (360) 407-6365.

The Site is defined by the extent of contamination caused by the following release(s):

- Petroleum Hydrocarbons in Soil
- Volatile Organic Compounds in Soil
- Glycol in Soil
- Polychlorinated Biphenyls in Soil
- Metals in Soil
- Petroleum Hydrocarbons in Groundwater
- Volatile Organic Compounds in Groundwater
- Glycol in Groundwater
- Metals in Groundwater

The Site is more particularly described in Enclosure A to this letter which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the referenced documents.

Based on a review of your proposed remedial action and supporting documentation listed above, **Ecology has determined that the proposed remedial action <u>is not</u> likely to be sufficient to meet the specific substantive requirements contained in MTCA and its implementing**

regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Petroleum Hydrocarbons in Soil
- Volatile Organic Compounds in Soil
- Glycol in Soil
- Polychlorinated Biphenyls in Soil
- Metals in Soil
- Petroleum Hydrocarbons in Groundwater
- Volatile Organic Compounds in Groundwater
- Glycol in Groundwater
- Metals in Groundwater

Ecology requires determination of the lateral and vertical extent of contaminants in soil and groundwater in excess of the MTCA Cleanup Level. The Site Characterization Work Plan lacks adequate detail to achieve this requirement. Please submit a revised plan that also addresses the following comments:

a) The locations and number of samples are not sufficient to characterize the above 11 Areas of Concern (AOC). Constituents of concern (COCs) should be developed for each AOC and a summary table prepared that details the AOC, sample number, COCs, analyses methods selected for each sample, sample depths, sample collection method (e.g. hand auger, direct-push, etc.).

b) Soil samples should be collected using a grid system within each AOC. The density of the grid spacing should be appropriate to adequately characterize each of the AOCs. It is recognized that different grid spacing will probably be appropriate (e.g. crusher areas will require a denser grid than AOC-11 – car storage area).

c) Additional detail describing sample depths and the rationale for the depths chosen is necessary.

d) Soil sample, groundwater sample, and monitoring well locations should be shown on a map of the site. Sample locations within buildings should also be shown on detail maps.

e) Boring logs should be prepared for all borings (including hand auger borings).

f) It is recommended that soil samples for volatile organic compound analyses be collected and prepared using EPA Method 5035A.

g) Detail needs to be added discussing how wash/decontamination water will be disposed of.

h) Additional detail needs to be provided on how hand auger samples will be collected and transferred from the auger to the sample container.

i) How will permanent monitoring wells be surveyed? How many monitoring wells will be installed? What is the rationale for determining the location and number of monitoring wells?

j) The sampling plan only lists benzene, toluene, ethylbenzene, and total xylenes (BTEX), naphthalene and methyl tertiary butyl ether (MTBE) as constituents analyzed by EPA Method 8260. Because the site was used for car repairs, which could have utilized solvents, it will be necessary to include the full VOC constituent list in the sampling plan, particularly for the car repair and crusher areas. Glycol compounds need to also be added to the constituent list at any location suspected to contain radiator or brake fluids.

k) Metals analyses should include lead, arsenic, cadmium, chromium, mercury, nickel, zinc, and copper. Mercury was widely used in automobile convenience lighting switches from the early 1970s to 2002.

l) The site address in the title is incorrect and should be changed to "411" from "437".

In accordance with WAC 173-340-840(5) and Ecology Toxics Cleanup Program Policy 840 (Data Submittal Requirements), data generated for Independent Remedial Actions shall be submitted in both a written and electronic format. Additional information regarding electronic format requirements, see the website http://www.ecy.wa.gov/eim. All laboratory analyses shall be performed by the State of Washington Certified Laboratory for each analytical method used.

This opinion does not represent a determination by Ecology that the proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain either of these opinions, you must submit an independent remedial action report to Ecology upon completion of the remedial action and request such an

opinion under the VCP. **This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.**

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (360) 407-6247 or via e-mail at stee461@ecy.wa.gov.

Sincerely,

SS Teel

Steve Teel, LHG
Hydrogeologist
Toxics Cleanup Program
Southwest Regional Office

ST/ksc:SW0652 Opinion on Proposed RA

Enclosures:

Cc: Michael S. Chun, General Manager/Principal, Associated Environmental Group LLC
Patrick Soderberg, Thurston County Health Department, Environmental Health Division
Gerald Tousley, Thurston County Health Department, Environmental Health Division
Chuck Cline – Ecology
Robert Warren – Ecology
Trish Akana – Ecology (SW0652)

ENCLOSURE A

The 15-acre site is located south of Tumwater and has been used as a wrecking yard supporting towing operations and related businesses for about 24 years. Site buildings/areas include a body/repair shop, possible battery storage area, former radiator shop, hazardous materials storage area, battery refurbishing shed, car crusher areas, and the car storage yard. A ditch (Hopkins Ditch) and a wetland are located in the southern portion of the property.

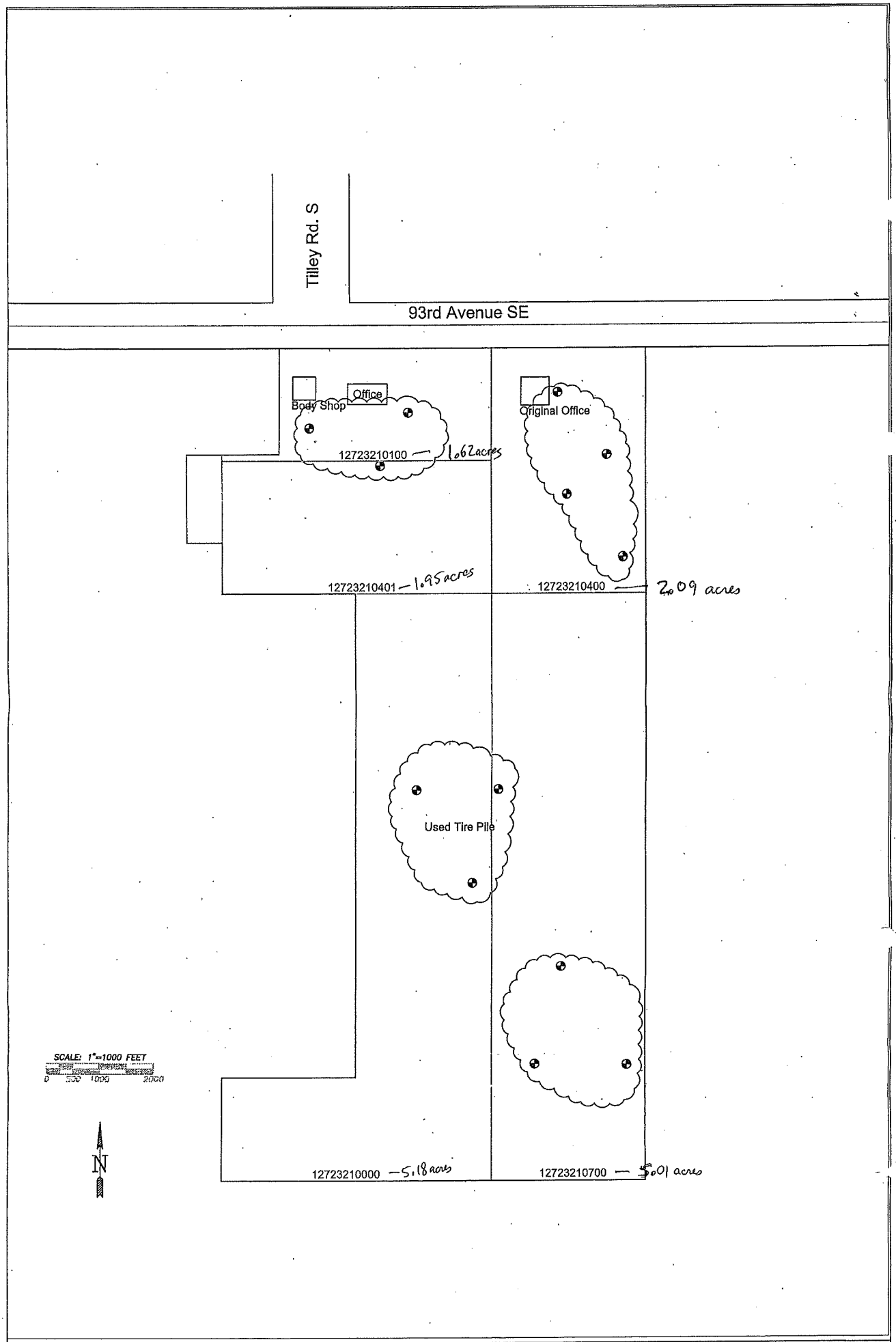
An inspection of the facility by Thurston County Environmental Health Division (TCEHD) in October 2001 concluded that the facility was out of compliance due to improper hazardous waste storage and improper disposal of solid waste. During a follow-up visit by TCEHD in February 2002, junk cars were observed in areas of standing water in the wetlands/ditch area. Drums containing crushing fluids (oil, gasoline, and hydraulic fluids) were also overflowing (from rain water) and discharging to the ground. A Site Hazard Assessment (SHA) was completed for the site and the ranking was determined to be a 1.

The following environmental concerns are present at the site:

Soil Contamination from Junkyard Past Practices: Limited June 2002 soil sampling results from a gasoline spill area showed gasoline and total xylenes concentrations above the MTCA Method A Cleanup Level for Unrestricted Uses. Based on observations from TCEHD staff and Ecology's review, 11 areas of concern are identified at the site: 1) body shop/repair area; 2) potential battery storage area; 3) old radiator shop/current repair area; 4) hazardous materials storage area "A"; 5) battery refurbishing/storage shed; 6) hazardous materials storage area "B"; 7) gasoline spill area; 8) former crusher area; 9) recent crusher area; 10) car storage area in the ditch/wetland; and, 11) general car storage area (north of the ditch/wetland).

Groundwater: Contaminated surface soil located at the above areas of concern has the potential to have impacted shallow groundwater beneath the site. Shallow groundwater is estimated to fluctuate seasonally from above the ground surface to less than ten feet below ground surface.

ATTACHMENTS (from consultant report)
"Proposed Work" Figure



LEGEND
- Proposed Sample Locations
- Areas of Concern
- Approximate limits of subject property

No.	Revision/Issue	Date

ASSOCIATED ENVIRONMENTAL GROUP, LLC
Environmental Consulting and Contracting
1726 State Avenue NE, Suite 101
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Proposed Work

JOHN'S AUTO WRECKING

05-110	Date: 8/30/05
File: John's Auto	Sheet 1 of 1