

Panjini



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
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December 8, 2016

Mr. In Huh
7446 Mullen Road SE
Lacey, WA 98503

Re: No Further Action at the following Site:

Site Name: Interlake Grocery
Site Address: 7446 Mullen Road SE, Lacey, WA 98503.
Facility/Site Number: 17936
Cleanup Site ID Number: 5221
VCP Project Number: SW1550

Dear Mr. Huh:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Interlake Grocery Site. This is a follow-up opinion letter to Ecology's opinion letter of March 22, 1996. The March 22, 1996 letter was issued by Ecology after the Site groundwater met the Model Toxics Control Act (MTCA) Method A cleanup standards for the following:

- Petroleum hydrocarbons and associated constituents in groundwater.

This no further action letter provides our opinion regarding the petroleum hydrocarbons and associated constituents in the soil at the Site. We are providing this opinion under the authority of the 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 the groundwater 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 the 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 and related constituents into the soil.

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

Please note the parcels 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 regarding the soil at the Site is based on the information contained in the following documents:

1. Associated Environmental Group. Subsurface Investigation, Interlake Grocery, 7446 Mullen Road SE, Olympia, Washington, dated August 31, 2016.
2. Department of Ecology. No further Action Letter, Interlake Grocery, March 22, 1996.
3. Northwest Testing Company. Site Assessment Report, Interlake Grocery, March 8, 1994.
4. Northwest Testing Company. Site Assessment Report, Interlake Grocery, March 15, 1994.
5. Northwest Testing Company. Site Assessment Report, Interlake Grocery, August 30, 1993.
6. Northwest Testing Company. Site Assessment Report, Interlake Grocery, March 26, 1993.
7. Northwest Testing Company. Site Assessment Report, Interlake Grocery, November 6, 1992.
8. Northwest Testing Company. Site Assessment Report, Interlake Grocery, October 26, 1993.

9. Northwest Testing Company. Site Assessment Report, Interlake Grocery, September 22, 1992.

The above documents are kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. You can make an appointment by calling the SWRO resource contact at (360) 407-6365.

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 action** is necessary to clean up the soil contamination at the Site. That condition 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 described above and in **Enclosure A**.

Site Background and History

The Interlake Grocery Site is located at 7446 at the corner of Mullen Road SE and Carpenter Road SE in Lacey, Washington. The Property is located in Thurston County and consists of a total of approximately 0.7-acres on two parcels. Currently the Site is occupied by a grocery store (1,936-square-foot), a house (1,662-square-foot), a storage shed and a garage.

Previously the Site contained a gas station with four gasoline underground storage tanks (two 1000-gallons unleaded and leaded tanks; two 500-gallons unleaded tanks). Ecology understands that the 500-gallons tanks and 1,000-gallons tanks were installed in early 1950s and mid-1970s, respectively. The gas station was in operation until September 1990. In September 1992, all four underground storage tanks (USTs) and the associated piping system were decommissioned and removed. However, the grocery store continue to operate and is still in operation to-date. Gasoline releases from the USTs and/or piping system has apparently impacted soils and groundwater at the Site.

Groundwater

On March 22, 1996, a no further action (NFA) determination letter (Enclosure – B) was issued for the groundwater at the Site with a Restrictive Covenant (Enclosure – C) on the Site soils. A total of six rounds of groundwater monitoring was conducted at the Site from October 1992 through October 1994. During these six sampling events, two wells

[one on-Site well and one off-property well (Jackson well) right across USTs locations] were sampled. Only benzene was detected in the Jackson's well and the highest detected concentration was 6.7 µg/l, which exceeded the Model Toxics Control Act (MTCA) Method A cleanup level of 5 µg/l. However, results of the last four rounds of groundwater sampling conducted from October 1993 through October 1994 were all below the laboratory detection limits. In addition, a Community Well located one block north of the Site was also sampled on October 1994. The results indicated that none of the petroleum related contamination was detected in the Community Well water sample. Also Ecology sampled the on-Site and off-Property Jackson wells on October 24, 1995 and all the results were below the laboratory detection limits. As a result, the above stated NFA letter was issued for the Site groundwater. Groundwater monitoring well locations and analytical results are included as Enclosure -D.

Soils

As stated under the Site history, Site soils were contaminated with gasoline-range petroleum hydrocarbons (TPH-G) as a result of releases from the USTs and/or the associated piping system. Four USTs and the piping system were removed in September 1992. During this process TPH-G related contamination was discovered in the soils. A total of approximately 200 yards of contaminated soil was excavated at the Site. However, some contaminated soil that was not accessible for the excavation because of proximity to the building foundations was left in place. The contaminated soil left in place was estimated to be approximately five cubic yards below the grocery building and the residence between 15 to 20 feet below ground surface (bgs). Two conformational soil samples collected at Pit I and Pit J showed TPH-G concentrations of 6,210 milligrams per kilogram (mg/kg) and 2,160 mg/kg respectively, which exceeded the MTCA Method A cleanup level of 30 mg/kg. A Restrictive Covenant was recorded on the Property on March 19, 1996 in the Thurston County (Enclosure - C). No groundwater was encountered during the soil excavation. Approximate extent of contaminated soil excavation, locations of conformational soil samples and analytical results are included as Enclosure - E.

In August 2016, Associated Environmental Group (AEG) conducted a subsurface investigation by drilling two geoprobe soil borings (B-1 and B-2) at a 20-degree angle at east of the southeast corner of the house, and north of the northeast wall of the grocery store (approximately at the same previous Pit I and Pit J locations). The borings B-1 and B-2 were advanced to a total vertical depths of 23 feet and 18 feet respectively to access the residual soil contamination that was left in place previously. Based on the field screening results a total of six samples (three from each boring) were collected at different depths for the laboratory analysis. All the samples were analyzed as per the requirements of Table 830-1 of MTCA [benzene, toluene, ethylbenzene, xylenes (BTEX),

TPH-G, lead, n-hexane, ethylene dibromide (EDB), dichloroethane (EDC), methyl tertiary-butyl ether (MTBE) and total naphthalene]. Results of all the constituents of concern were below the laboratory detection limits. No groundwater was encountered in both borings. Soil boring locations and conformational soil sample results are included as Enclosure – F.

Based on the above information submitted to Ecology regarding the additional subsurface investigation, Site soils meet the MTCA Method A cleanup levels and the Site requires no additional soil cleanup.

2. Establishment of Cleanup Standards

Ecology has determined the cleanup levels and points of compliance you established for soils at the Site have met the substantive requirements of MTCA.

The MTCA Method A cleanup levels for unrestricted land use for the soil was used to characterize and determine compliance for the Site.

Standard points of compliance was used for the Site. The point of compliance for the soil was established throughout the Site from ground surface to 15 feet below ground surface based on human exposure via direct contact or other exposure pathways where contact with the soil is required to complete the pathway. The concentrations of constituents of concern in soil samples will need to be below the MTCA method A cleanup levels.

3. Selection of Cleanup Action

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

The remedial actions conducted at the Site included:

- Removal of four USTs and associated piping system.
- Removal of majority of petroleum contaminated soils.
- Groundwater monitoring.
- Recording of a Restrictive Covenant with institutional controls on the remaining residual petroleum contaminated soils at the Site.

4. Cleanup

Ecology has determined the cleanup you performed has met the cleanup standards at the Site. The cleanup activities conducted so far at the Site included:

Soils

The Site soil cleanup included the removal of four USTs and the associated piping system, removal of a total of approximately 200 cubic yards of petroleum contaminated soil to below the MTCA Method A cleanup levels in September 1992. However, approximately five cubic yards of TPH-G contaminated soil above the MTCA Method A cleanup level (30 mg/kg) was left in place below the grocery building (Pit I: 6,210 mg/kg) and the residence (Pit J: 2,160 mg/kg) between 15 to 20 feet below ground surface (bgs). Ecology issued a NFA letter on March 22, 1996 with a Restrictive Covenant on the Site soils. Approximate USTs locations, extent of contaminated soil excavation, conformational soil sampling locations and analytical results are presented in Enclosure E.

In August 2016, AEG conducted an additional subsurface soil investigation by drilling two angled geoprobe borings (B-1 and B-2) to intercept the TPH-G contamination left in place at Pit I and Pit J locations. These borings were drilled to a depth of 18 feet and 23 feet, respectively and three soil samples were collected at different depths from each boring for the laboratory analysis. A total of six soil samples were analyzed for TPH-G, BTEX, lead, n-hexane, EDB, EDC, MTBE, and total naphthalene's. Results of all the constituents of concern were below the laboratory detection limits. Soil boring locations and analytical results are presented in Enclosure F.

Groundwater

Following the removal of four USTs and approximately 200 yards of petroleum contaminated soils, a total of seven rounds (including Ecology's October 1995 sampling) of groundwater sampling was conducted from October 1992 through October 1995. During these sampling events one on-property well and one off-property well (Jackson's well right across USTs locations) were sampled. The groundwater samples were analyzed for TPH-G, BTEX and lead. Only benzene was detected in Jackson's well exceeding the MTCA Method A cleanup level of 5 µg/l during the first two sampling events (6.7 µg/l and 6.3 µg/l, respectively). The benzene concentration in the Jackson's well during the remaining five rounds of sampling were all either below the MTCA Method A cleanup level or below the laboratory detection limits. None of the other petroleum constituents were detected in any of the other groundwater samples. Groundwater monitoring results and well locations are included as Enclosure – D.

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:

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.

The process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdraw this opinion.

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 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

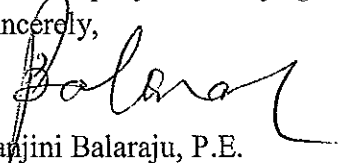
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. See RCW 70.105D.030(1)(i).

Contact Information

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). As your cleanup progresses, please do not hesitate to request additional services. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/program/tcp/vcp/vcpmain.htm. If you have any questions about this opinion or the termination of the Agreement, please contact me at (360) 407-6335 or by e-mail at panjini.balaraju@ecy.wa.gov.

Sincerely,


Panjini Balaraju, P.E.
Southwest Regional Office
Toxics Cleanup Program

Enclosures:

- Enclosure A – Site Description, Site Vicinity and Location Maps.
- Enclosure B – No Further Action Letter dated March 22, 1996.
- Enclosure C – Restrictive Covenant dated March 19, 1996.
- Enclosure D – Groundwater Monitoring Well Locations and Analytical Results.
- Enclosure E – September 1992 USTs Decommissioning: Site Map Showing the USTs Locations, Approximate Extent of Soil Excavation, Conformational Soil Sample Locations and Analytical Results.
- Enclosure F – August 2016 Subsurface Investigation Boring Locations and Soil Sample Results.

By certified mail: 91 7199 9991 7037 0221 7669

Cc: Scott Rose, Associated Environmental Group
Nick Acklam, Ecology
Matthew Alexander, Ecology (without Enclosures)

Mr. In Huh
December 8, 2016
Page 9

ENCLOSURE - A

Site Description and Site Vicinity and Location Maps



Site Description

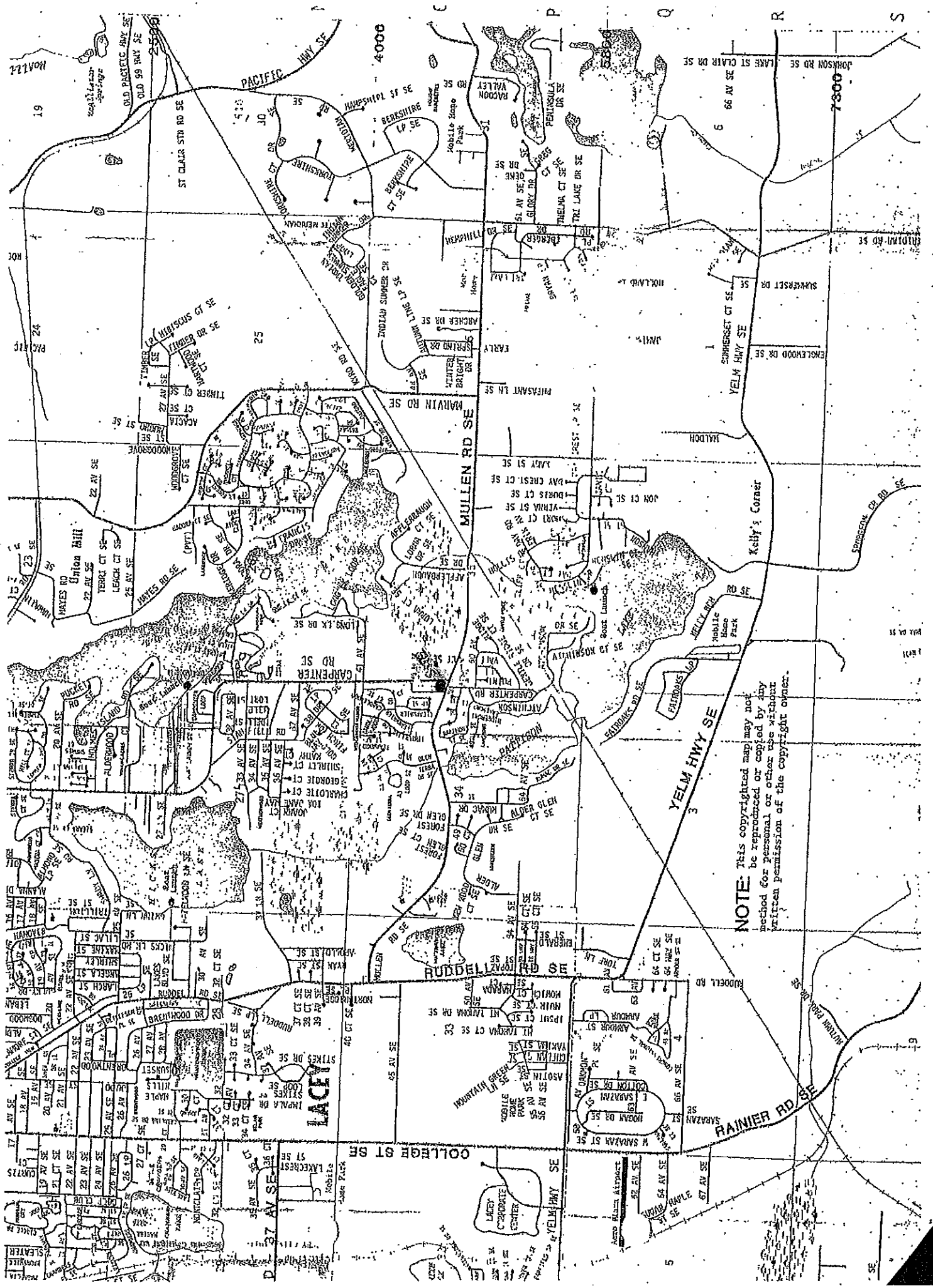
The Interlake Grocery Site is located at 7446 Mullen Road SE at the intersection of Mullen Road and Carpenter Road, Lacey, Washington. Currently the property is occupied by a small operating grocery store building, a storage shed and a house with a garage on 0.7-acres on two parcels in the Thurston County. The grocery store with a 1,936-square-foot is located on Parcel number 11835230101 and 1,662-square-foot house is located on Parcel number 11835230100. The Site is bounded by Carpenter Road to the east, Mullen Road to the south and residential houses to the north and west. A Site vicinity and current Site maps are included as Enclosure-A.

From early 1950s to September 1990 the Site contained a gas station and a grocery store. There were four underground storage tanks (USTs; one 1000-gallons leaded gasoline tank, one 1,000-gallons unleaded gasoline tank and two 500-gallons unleaded gasoline tanks). The 500-gallons USTs were installed in early 1950s and 1000-gallon USTs were installed sometime in mid-1970s. The gas station was in operation until September 1990 and but the grocery store continue to operate and still it is in operation to-date. In September 1992, all four USTs and the associated piping system was removed during which soil and groundwater contamination was discovered.

During the decommissioning of USTs approximately 200 cubic yards of gasoline-range petroleum hydrocarbons (TPH-G) related contaminated soil was removed. However, approximately 5 cubic yards of TPH-G contaminated soils were left in place below the grocery building and the residence. The groundwater compliance with the MTCA Method A cleanup levels was demonstrated with seven rounds of groundwater monitoring conducted from October 1992 through October 1995. A no further action letter was issued by Ecology on March 22, 1996 with a Restrictive Covenant on the property for soils. In August 2016, additional subsurface soil investigation was conducted to demonstrate the Site soil compliance with the MTCA Method A cleanup levels. Results of all six soil samples collected from two borings were all below the laboratory detection limits.

Based on the United States Department of Agriculture Natural Resources Conservation Service soil survey, underlying soils consists of the soil unit Everett, which consists of very gravelly sandy loam, 8 to 15 percent slopes, and very deep, somewhat excessively drained soil on terraces and outwash plains. Permeability of these soils is rapid and available water capacity is low.



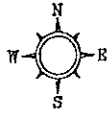


NOTE: This copyrighted map may not be reproduced or copied by any method for personal or other use without written permission of the copyright owner.

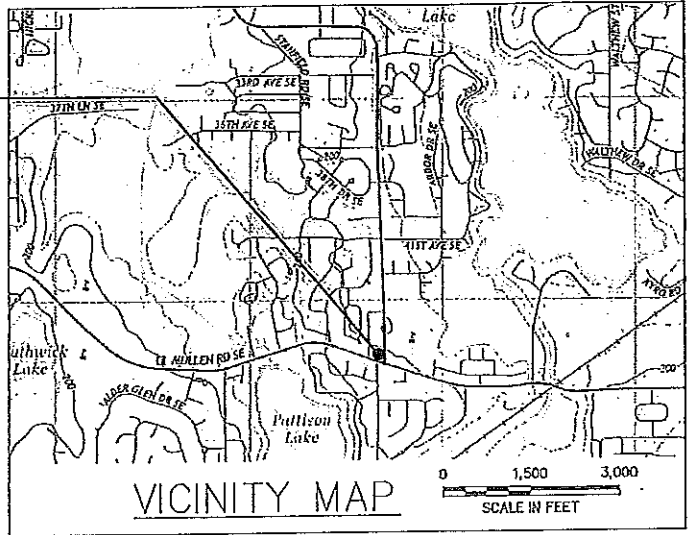
Map labels include street names such as PACIFIC HWY SE, YELM HWY SE, RAINIER RD SE, MULLEN RD SE, COLLEGE ST SE, and various residential streets like ST CLAIR ST, ST 17 AV, ST 18 AV, ST 19 AV, ST 20 AV, ST 21 AV, ST 22 AV, ST 23 AV, ST 24 AV, ST 25 AV, ST 26 AV, ST 27 AV, ST 28 AV, ST 29 AV, ST 30 AV, ST 31 AV, ST 32 AV, ST 33 AV, ST 34 AV, ST 35 AV, ST 36 AV, ST 37 AV, ST 38 AV, ST 39 AV, ST 40 AV, ST 41 AV, ST 42 AV, ST 43 AV, ST 44 AV, ST 45 AV, ST 46 AV, ST 47 AV, ST 48 AV, ST 49 AV, ST 50 AV, ST 51 AV, ST 52 AV, ST 53 AV, ST 54 AV, ST 55 AV, ST 56 AV, ST 57 AV, ST 58 AV, ST 59 AV, ST 60 AV, ST 61 AV, ST 62 AV, ST 63 AV, ST 64 AV, ST 65 AV, ST 66 AV, ST 67 AV, ST 68 AV, ST 69 AV, ST 70 AV, ST 71 AV, ST 72 AV, ST 73 AV, ST 74 AV, ST 75 AV, ST 76 AV, ST 77 AV, ST 78 AV, ST 79 AV, ST 80 AV, ST 81 AV, ST 82 AV, ST 83 AV, ST 84 AV, ST 85 AV, ST 86 AV, ST 87 AV, ST 88 AV, ST 89 AV, ST 90 AV, ST 91 AV, ST 92 AV, ST 93 AV, ST 94 AV, ST 95 AV, ST 96 AV, ST 97 AV, ST 98 AV, ST 99 AV, ST 100 AV.



FRENAME	DRAWN BY	CHECKED BY	APPROVED BY	PROJECT NUMBER
16-158_1603DFG	KCD	8/12/2016	8/12/2016	16-158



PROJECT LOCATION

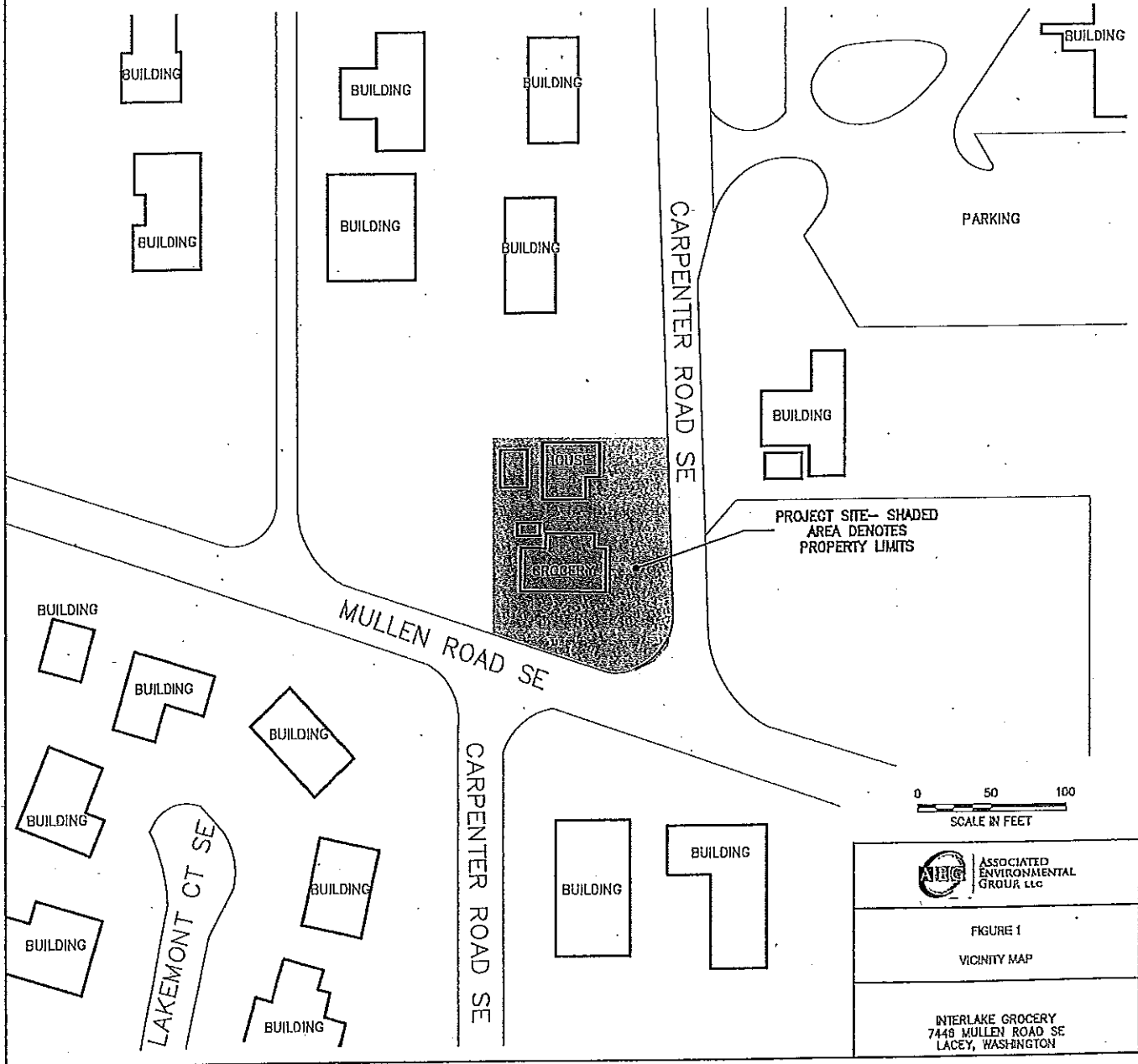



NOTES

1. THE LOCATIONS OF ALL FEATURES SHOWN ARE APPROXIMATE
2. THIS DRAWING IS FOR INFORMATION PURPOSES. IT IS INTENDED TO ASSIST IN SHOWING FEATURES DISCUSSED IN AN ATTACHED DOCUMENT.

REFERENCE

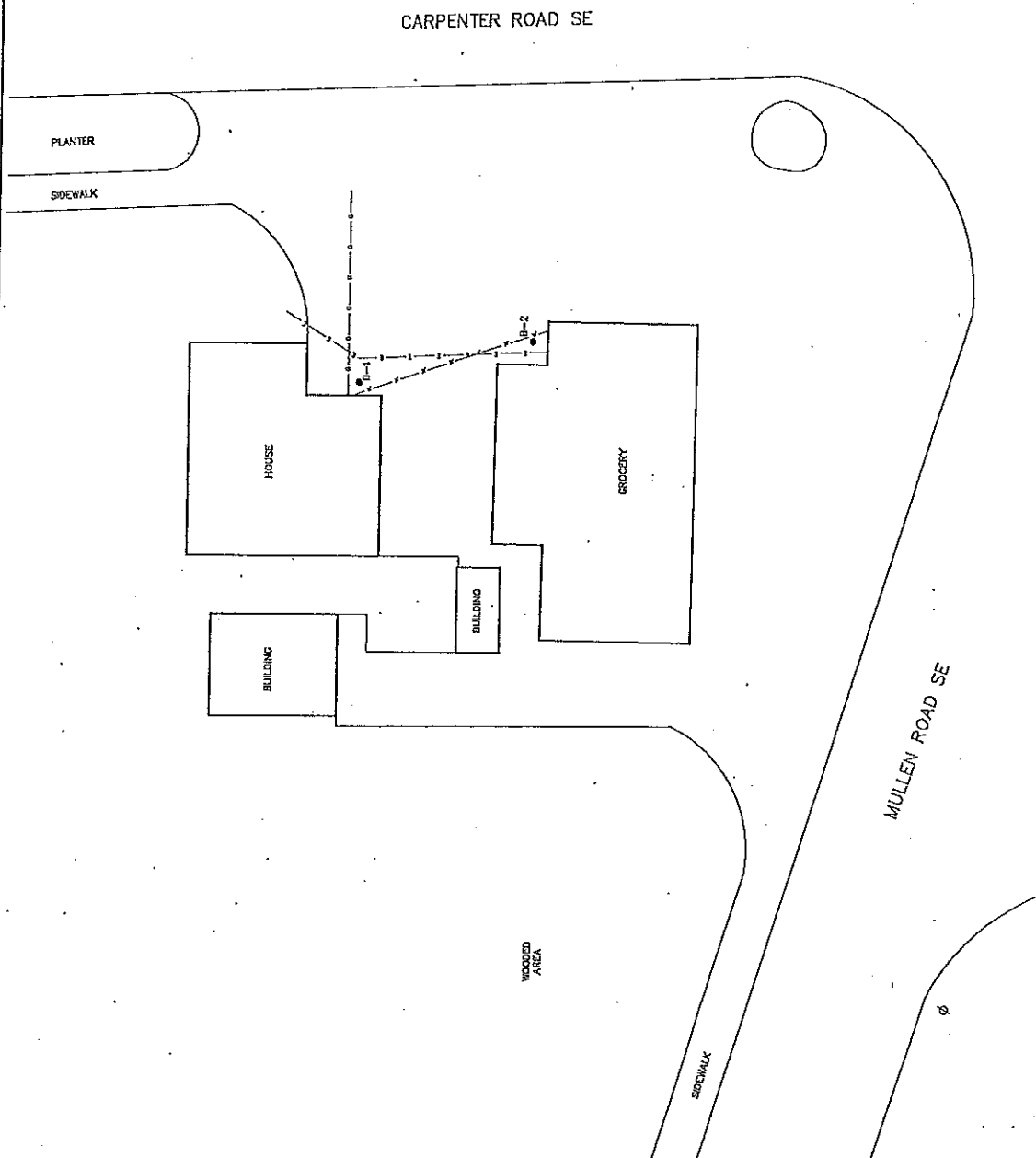
DRAWING CREATED FROM AERIAL PHOTOGRAPH AND NOTES PROVIDED BY AEG, LLC.
VICINITY IMAGE SOURCE: U.S. GEOLOGICAL SURVEY-2014, 7.5 MINUTE QUADRANGLE MAP LACEY, WASHINGTON



	ASSOCIATED ENVIRONMENTAL GROUP, LLC
FIGURE 1 VICINITY MAP	
INTERLAKE GROCERY 7445 MULLEN ROAD SE LACEY, WASHINGTON	



FILENAME	16-158_1603.DWG
DRAWN BY	ICD
CHECKED BY	APPROVED BY
8/12/2016	8/12/2016
8/12/2016	8/12/2016
PROJECT NUMBER	16-158



CARPENTER ROAD SE

MULLEN ROAD SE

LEGEND

B-1

SOIL BORING LOCATION
 POWER POLE
 ELECTRIC LINE
 GAS LINE
 WATER LINE

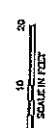
NOTES


1. THE LOCATIONS OF ALL FEATURES SHOWN ARE APPROXIMATE

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REFERENCE

DRAWING CREATED FROM AERIAL PHOTOGRAPH AND NOTES PROVIDED BY AEG, LLC.



 ASSOCIATED ENVIRONMENTAL GROUP, LLC
FIGURE 2 SITE MAP
INTERLAKE GROCERY 7446 MULLEN ROAD SE LACEY, WASHINGTON

ENCLOSURE – B

No Further Action Letter Dated March 22, 1996



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

March 22, 1996

Mr. In Huh
7446 Mullen Road S.E.
Olympia, WA 98503

Dear Mr. Huh:

Thank you for submitting the results of your independent remedial action for review by the Washington State Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA). Ecology's Toxics Cleanup Program (TCP) has reviewed the following information relating to the Interlake Grocery site (Ecology LUST database #3958), located at 7446 Mullen Road, Olympia, Washington 98503:

Northwest Testing Company, Site Assessment Report, September 22 1992.

Northwest Testing Company, Site Assessment Report, October 26 1992.

Northwest Testing Company, Site Assessment Report, November 6, 1992.

Northwest Testing Company, Site Assessment Report, March 26, 1993.

Northwest Testing Company, Site Assessment Report, August 30, 1993.

Northwest Testing Company, Site Assessment Report, March 15, 1993.

Northwest Testing Company, Site Assessment Report, March 8, 1994.

Harold's Petroleum, Inc., Site Inspection Report, October 12, 1995.

Harold's Petroleum, Inc., Site Inspection Report, October 30, 1995.

Ecology acknowledges that a restrictive covenant on the Interlake Grocery property, executed by the property owner, has been recorded with the register of deeds for Thurston County (copy of recorded covenant enclosed).

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

Ecology conducted on and off-site sampling on October 24, 1995. The on site soil sampling indicated that the soil remediation areas are not contaminated above MTCA Method A soil cleanup standards for gasoline petroleum hydrocarbons. The off-site ground water sample collected from the previously impacted drinking water well, located across Carpenter Road (to

Mr. In Huh
March 22, 1996
Page 2

the east of the site) indicated that the well water did not contain gasoline petroleum hydrocarbons, benzene, ethylbenzene, toluene, xylene or lead at the time the samples were collected.

Based on the above listed information, Ecology has determined that, at this time, the release of petroleum into the soil and ground water no longer poses a threat to human health or the environment. This determination is made subject to the conditions outlined in the previously mentioned restrictive covenant.

Therefore, Ecology is issuing this determination that no further action is necessary at this site under the Model Toxics Control Act (MTCA), Ch. 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is not a settlement by the state under RCW 70.105D.040(4).

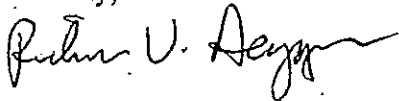
This determination is made only with respect to the release identified in the independent remedial action reports dated September 22 1992, October 26 1992, November 6, 1992, March 26, 1993, August 30, 1993, March 15, 1993, March 8, 1994, October 12, 1995, and October 30, 1995. This no further action determination applies only to the area of the property affected by the release identified in the reports at 7446 Mullen Road, Olympia, Washington 98503. It does not apply to any other release or potential release at the property, or any other properties.

Ecology does not assume any liability for any release, threatened release or other conditions at the site, or for any actions taken or omitted by any person or his/her agents or employees with regard to the release, threatened release, or other conditions at the site.

Ecology will update the appropriate site databases to reflect this "No Further Action" determination. Your site will not appear in future publications of the LUST database or the Confirmed or Suspected Sites List.

If you have any questions about any of the information presented in this letter, please contact me at (360) 407-6267.

Sincerely,



Richard V. Heggen
Site Assessor
Toxics Cleanup Program
Southwest Regional Office

RVH:jr
Enclosure

cc: Maia Bellon, Attorney General's Office
Tracy Forsberg, Thurston County Health Dept.
Saxon Rodgers
Dave Swanson

ENCLOSURE – C

Restrictive Covenant Dated March 19, 1996



DITLEVSON, RODGERS & HANBEY, P.S.

ATTORNEYS AT LAW
204 Pear Street NE
Olympia, Washington 98506

RECEIVED

360/352-8311
FAX 352-8501

Richard L. Ditlevson
G. Saxon Rodgers
Michael Hanbey

Bruce R. Busch

'96 MAR 20 A9:12

Legal Assistants:
Victoria L. Lynch
Maralyn C. Ditlevson
Paula J. Howell
Debbie M. Thomas

DEPARTMENT OF ECOLOGY
S.W. RECREATION OFFICE

March 19, 1996

Department of Ecology
ATTN: RICHARD HEGGEN
510 Desmond Drive SE
PO Box 47775
Olympia, WA 98504-7775

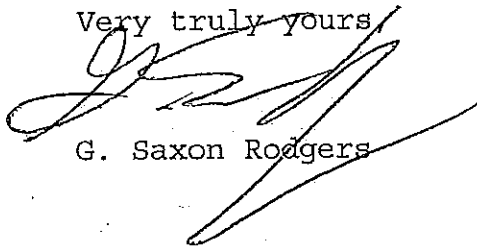
Re: Restrictive Covenant/Interlake Grocery Store
My Client: In Huh

Dear Mr. Heggen:

Enclosed for your information is a copy of the Restrictive Covenant which was signed by Mr. David Swanson and reflects its filing with the Thurston County Auditor's Office on March 19th, 1996. I have also enclosed for your records a copy of the receipt from the Auditor's Office.

I assume the "no further action" letter can issue to Mr. In Huh and we can proceed accordingly. If there are any questions regarding this, please advise.

Very truly yours,



G. Saxon Rodgers

GSR:v
Enc.

cc: In Huh





RESTRICTIVE COVENANT
on the Interlake Grocery Property
7446 Mullen Road SE, City of Olympia, Washington

The property that is the subject of this Restrictive Covenant has been the subject of an independent remedial action under Chapter 70.105D RCW. The remedial actions undertaken to clean up the property (hereafter the "Cleanup Actions") are described in reports by Northwest Testing Company (reports dated September 22, 1992, October 26, 1992, November 6, 1992; March 26, 1993, August 30, 1993, March 15, 1993, and March 8, 1994), and Harold's Petroleum, Inc. (reports dated October 12, 1995 and October 30, 1995). The above mentioned documents are kept in the central files at the State of Washington Department of Ecology ("Ecology") Southwest Regional Office.

The undersigned, DAVID A. SWANSON, is the fee owner of real property in the County of Thurston, State of Washington, hereafter referred to as the "Site". The site is legally described as follows:

PARCEL A: That part of the Southwest quarter of the Northwest quarter of Section 35, Township 18 North, Range 1 West, W.M., lying Westerly of county road known as Carpenter Road and South of a line running South 88° 14' 30" East from a point on the West line of said Southwest quarter of the Northwest quarter South 1° 30' 51" West 655.13 feet from its Northwest corner and Northerly of county road known as Mullen Road.

The residual gasoline contaminated soil that is the subject of this restrictive covenant is described in the above-referenced documents.

This Restrictive Covenant is required by Ecology as defined in WAC 173-340-440 because the Cleanup Action resulted in residual concentrations of gasoline which exceed Model Toxics Control Act Method A cleanup levels for soil established under WAC 173-340-720(2).

DAVID A. SWANSON makes the following declaration as to limitations, restrictions, and uses to which the Site may be put, and specifies that such declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Site.

Section 1: The residual contamination that is the subject of this restrictive covenant consists of gasoline contaminated soil located beneath the north wall of the northeast corner of the

grocery store building foundation and beneath the southeast corner of the residential dwelling located north of the grocery store and is more specifically described in the above-referenced reports. Remediation or removal of the contaminated soil must be addressed before the owner or successor owner alters, modifies, or removes the existing buildings in any manner that exposes the residual contamination. Any plans for alteration, modification, or removal of the above-mentioned structures shall be submitted to and approved by Ecology or its successor agency prior to such actions.

Section 2: The owner of the property must give written notice to Ecology, or to its successor agency, of the owner's intent to convey any interest in the property.

Section 3: No conveyance of title, easement, lease, or other interest in the property shall be consummated by the owner without adequate and complete provision for continued compliance with this deed restriction.

Section 4: The owner must notify and obtain approval from Ecology, or its successor agency, prior to any use of the property that is inconsistent with the terms of this Restrictive Covenant. Ecology or its successor agency may approve any inconsistent use only after appropriate public notice and comment.

Section 5: The owner shall allow authorized representatives of Ecology, or its successor agency, the right to enter the property at a reasonable time, after prior notice, for the purpose of evaluating the Cleanup Action, taking samples, inspecting remedial actions conducted at the property, and inspecting records that are related to the Cleanup Action.

Section 6: No wells shall be hereafter installed in the subject property for the extraction of potable water for human ingestion.

Section 7: The owner of the Site and the owner's assigns and successors in interest reserve the right under WAC 173-340-440(7) to record an instrument which provides that this Restrictive Covenant shall no longer limit use of the property or be of any further force or effect. However, such an instrument may be recorded only with the consent of Ecology, or its successor agency. Ecology, or its successor agency, may consent to the recording of such an instrument only after appropriate public notice and comment.

DATE: Mar 11, 1996

David A. Swanson
DAVID A. SWANSON, Site Owner



DITLEVSON, RODGERS & HANB

COV

#8.88

3019635

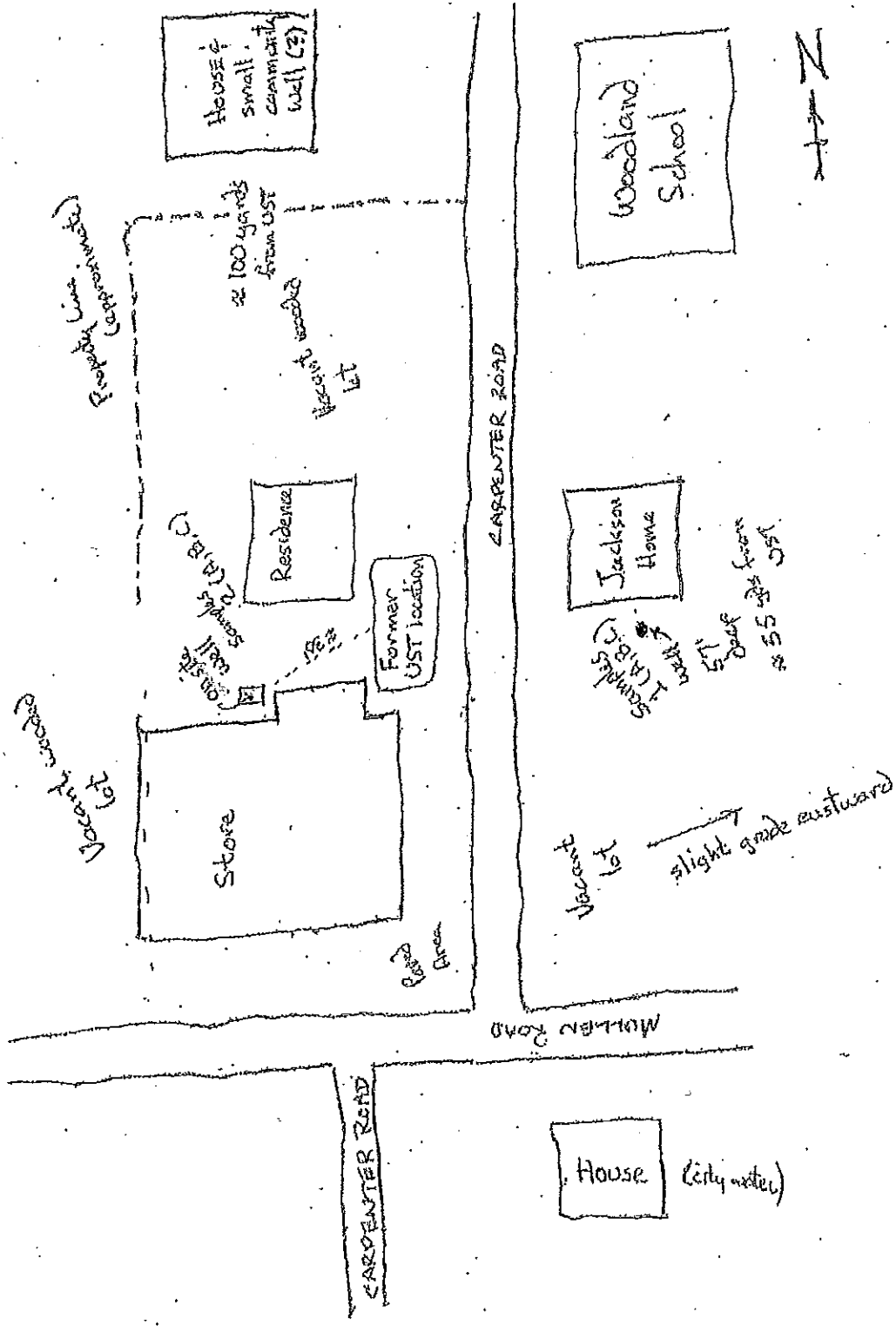
Page: 2 of 2

03/19/96 09:25A

Thurston Co, WA

ENCLOSURE – D

Groundwater Monitoring Well Locations and Analytical Results



INTERLAKE GROCERY UST

3-24-93

INTERLAKE GROCERY PROJECT
 Olympia, Washington
 NW Testing Co.

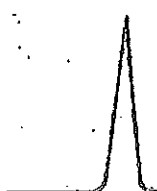
Gasoline (WTPH-G), & BTEX (EPA 8020) Analyses for Water

Sample Number	Date Analyzed	Benzene ug/l	Toluene ug/l	Eth Benz ug/l	Xylene ug/l	Gasoline ug/l	Recovery (%)
Meth. Blank	10/05/94	nd	nd	nd	nd	nd	102
Jackson	10/05/94	nd	nd	nd	nd	--	91
Grocery	10/05/94	nd	nd	nd	nd	--	82
Community	10/05/94	nd	nd	nd	nd	nd	114
Detection Limits		1	1	1	1	100	

"nd" Indicates not detected at the listed detection limits.

"Int" Indicates that interferences prevent determination.

=====



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 272-4850

March 25, 1993

Jackson Well

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

Sample ID: Water 1-A,B,C
Project: Inter Lake Grocery
Sample Matrix: Water
Date Sampled: 3-24-93
Date Received: 3-24-93
Spectra Project: S303-169
Spectra #1688
RUSH

BTEX, EPA Method 8240
Dilution Factor: 1

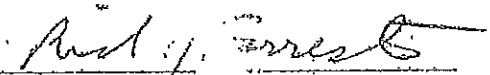
Date Analyzed: 3-24-93
Units: ug/L

Benzene	2.0
Toluene	<1
Ethyl Benzene	1.1
Total Xylenes	<1

Surrogate Percent Recoveries:
Toluene-d8 100

WTPH-G, ug/L <250
Surrogate Re - Toluene-D8 100%

SPECTRA LABORATORIES, INC.


Richard J. Forster
Manager, Organic Chemistry



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 272-4850

March 25, 1993

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

On-site Well

Sample ID: Water 2-A,B,C
Project: Inter Lake Grocery
Sample Matrix: Water
Date Sampled: 3-24-93
Date Received: 3-24-93
Spectra Project: S303-169
Spectra #1689
RUSH

BTEX, EPA Method 8240
Dilution Factor: 1

Date Analyzed: 3-24-93
Units: ug/L

Benzene

<1

Toluene

<1

Ethyl Benzene

<1

Total Xylenes

<1

Surrogate Percent Recoveries:
Toluene-d8

101

WPH-G, ug/L

<250

Surrogate Recovery Toluene-D8 101%

SPECTRA LABORATORIES, INC.

Richard J. Forrester
Manager, Organic Chemistry



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 272-4850

September 3, 1993

Jackson Well

Northwest Testing Co.
PO Box 10354
Olympia WA 98502

Attn: Mark Robinson

Sample ID: #2 Water
Project: Interlake Store
Sample Matrix: Water
Date Sampled: 8-30-93
Date Received: 8-30-93
Spectra Project: S308-156
Spectra #4675

BTEX, EPA Method 624/8240
Dilution Factor: 1

Date Analyzed: 8-31-93
Units: ug/L

Benzene	1.5
Toluene	<1.0
Ethyl Benzene	2.2
Total Xylenes	1.7

Surrogate Recovery - Toluene-d8 105%

SPECTRA LABORATORIES, INC.

Richard J. Forrester
Manager, Organic Chemistry



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 272-4850

September 3, 1993

Northwest Testing Co.
PO Box 10354
Olympia WA 98502

Attn: Mark Robinson

On-site Well

Sample ID: #1 Water
Project: Interlake Store
Sample Matrix: Water
Date Sampled: 8-30-93
Date Received: 8-30-93
Spectra Project: S308-156
Spectra #4673

BTEX, EPA Method 624/8240
Dilution Factor: 1

Date Analyzed: 8-31-93
Units: ug/L

Benzene

<1

Toluene

<1

Ethyl Benzene

<1

Total Xylenes

<1

Surrogate Recovery - Toluene-d8 103%

SPECTRA LABORATORIES, INC.

Richard J. Forrester
Manager, Organic Chemistry

SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 272-4850

RECEIVED

94 JUN 24 P 1156

June 21, 1994

DEPARTMENT OF HEALTH
S W BENTLEY CENTER
611 J

On-site Well

Northwest Testing Co.
PO Box 10354
Olympia WA 98502

Attn: Mark Robinson

Sample ID: Water 1
Project: Interlake Grocery
Sample Matrix: Water
Date Sampled: 6-13-94
Date Received: 6-15-94
Spectra Project: S406-114
Spectra #7617

BTEX, EPA Method 8260
Dilution Factor: 1

Date Analyzed: 6-15-94
Units: ug/L

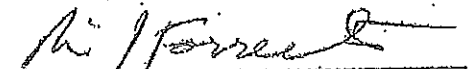
	<u>CAS#</u>	
Benzene	71-43-2	<1.0
Toluene	108-88-3	<1.0
Ethylbenzene	100-41-4	<1.0
Total Xylenes	—	<1.0

Surrogate Percent Recoveries:

Dibromofluoromethane	104%
Toluene-d8	102%
4-Bromofluorobenzene	99%

CAS# = Chemical Abstract Services Registry Number

SPECTRA LABORATORIES, INC.



Richard J. Forrester
Manager, Organic Chemistry



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 272-4850

March 16, 1994

On-site Well

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

Sample ID: Water 1
Project: Interlake Store
Sample Matrix: Water
Date Sampled: 3-9-94
Date Received: 3-9-94
Spectra Project: S403-082
Spectra #3418

BTEX, EPA Method 8260
Dilution Factor: 1

Date Analyzed: 3-9-94
Units: ug/L

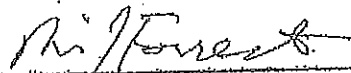
	<u>CAS#</u>	
Benzene	71-43-2	<1.0
Toluene	108-88-3	<1.0
Ethylbenzene	100-41-4	<1.0
Total Xylenes	—	<1.0

Surrogate Percent Recoveries:

Dibromofluoromethane	96%
Toluene-d8	93%
4-Bromofluorobenzene	101%

CAS# = Chemical Abstract Services Registry Number

SPECTRA LABORATORIES, INC.


Richard J. Forrester
Manager, Organic Chemistry



ENCLOSURE – E

September 1992 UST Decommissioning

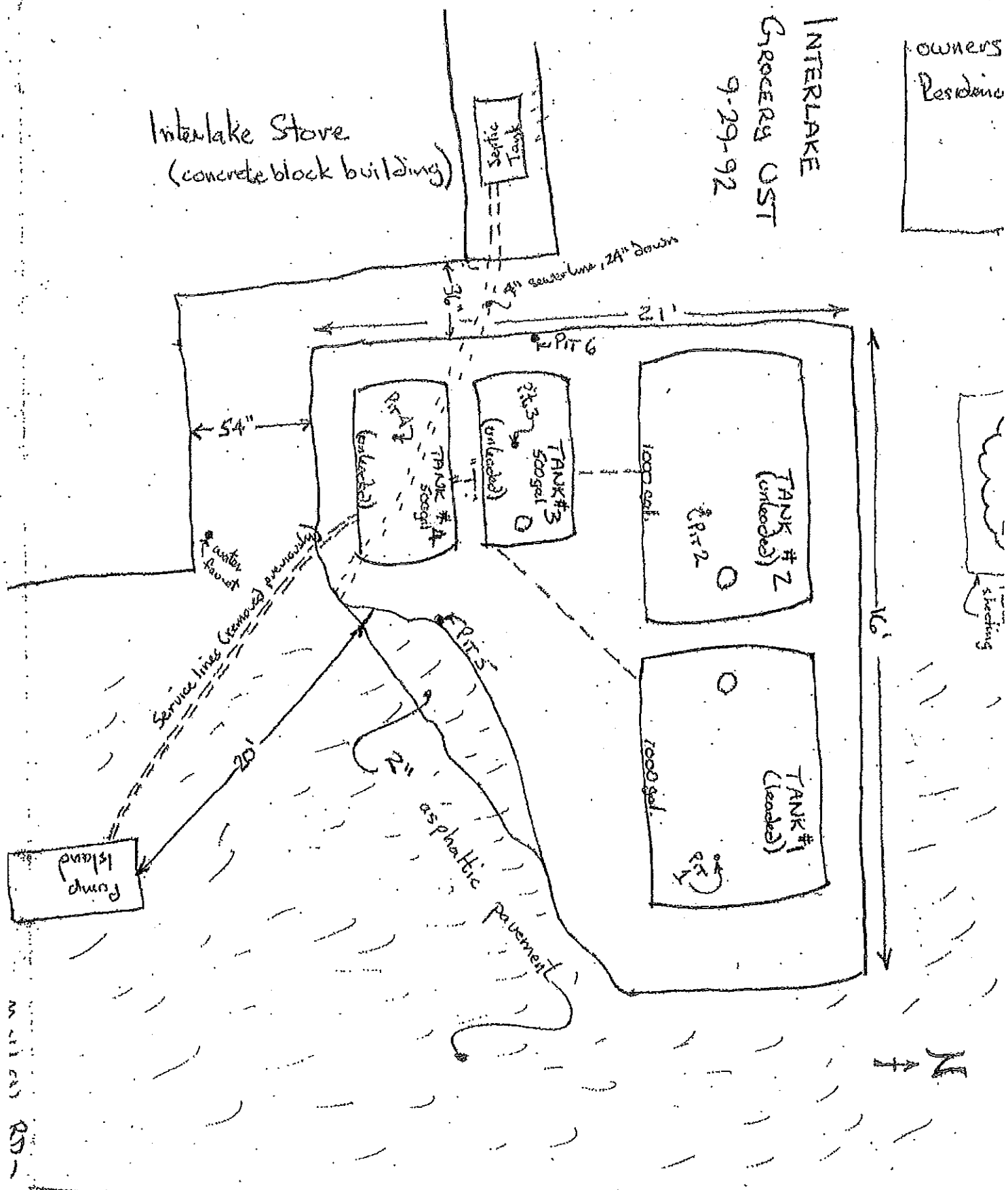
**Site Map Showing the USTs Locations, Approximate
Extent of Soil Excavation, Conformational Soil
Sample Locations and Analytical Results**

OWNERS
Residence

INTERLAKE
GROCERY UST
9-29-92

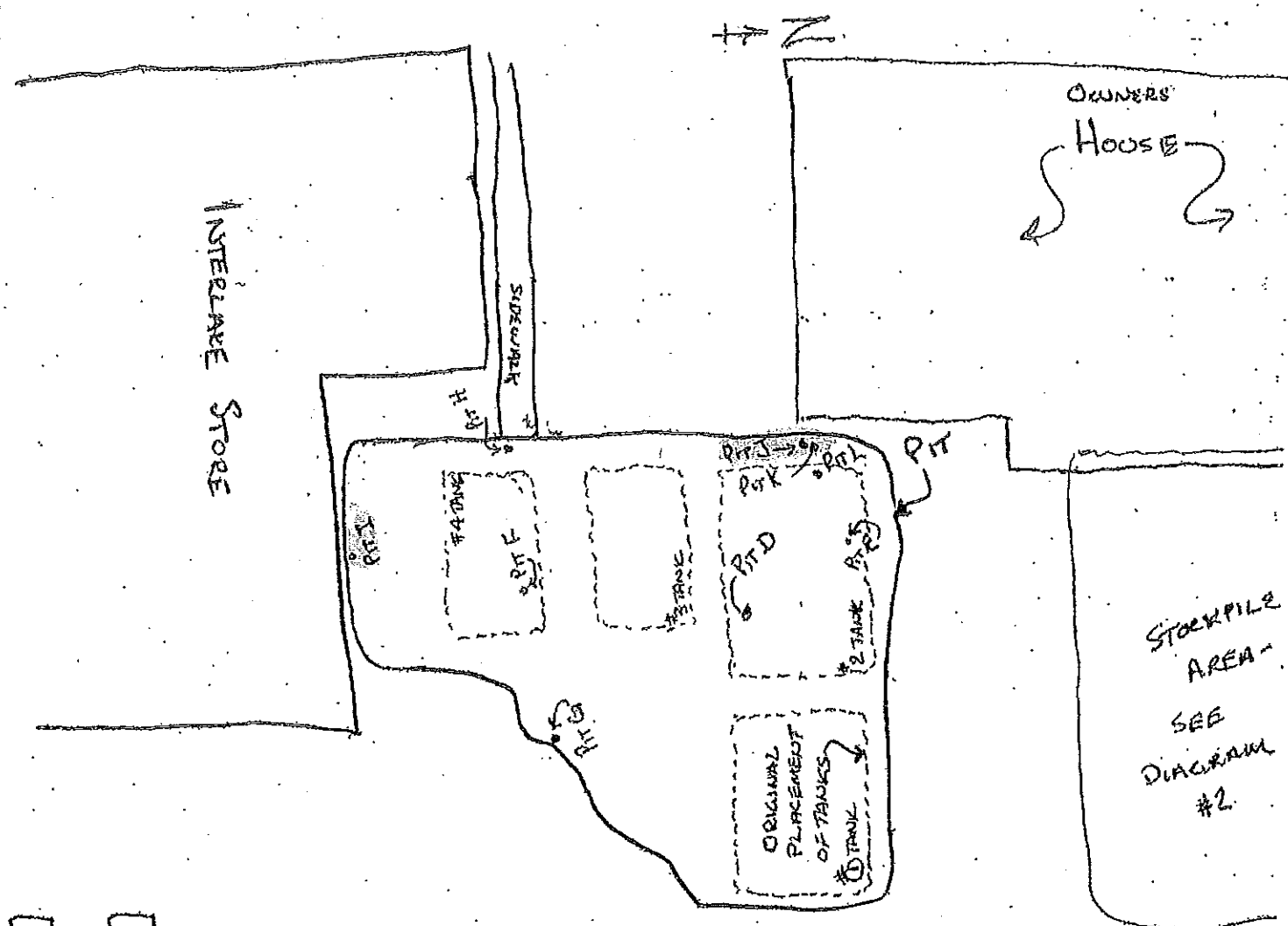
Interlake Store
(concrete block building)

Septic Tank



CARPENTER ROAD

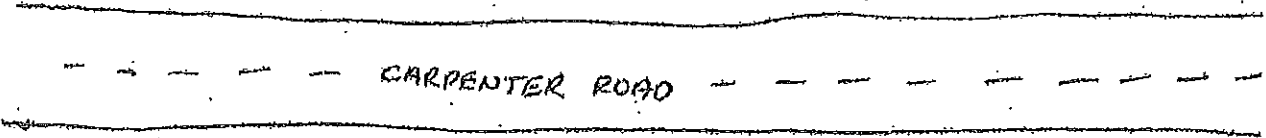
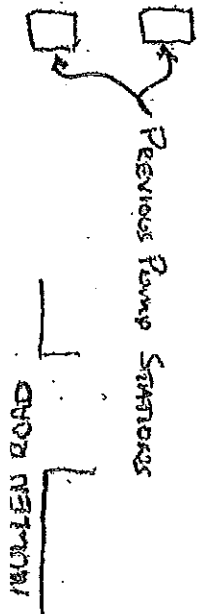
AS 11 033 RS-



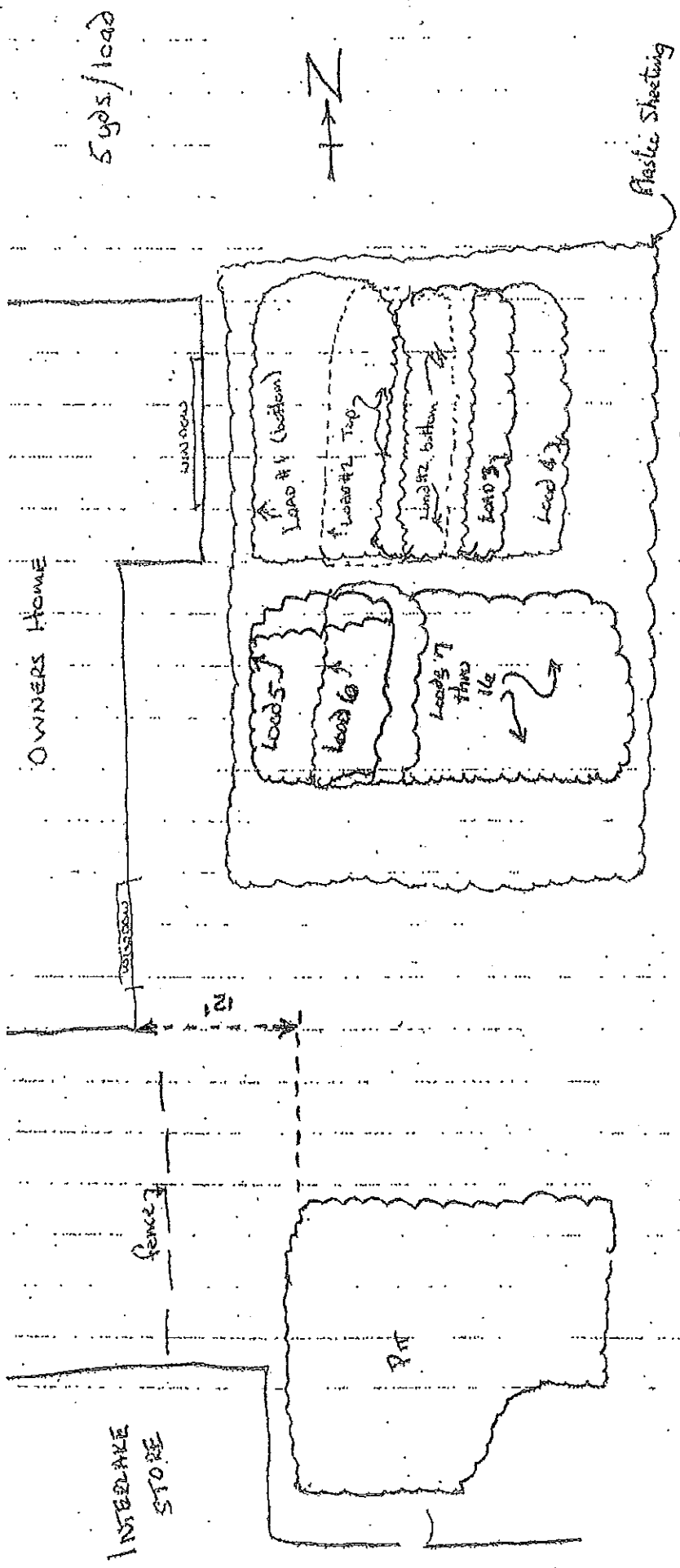
INTERLAKE GROCERY

Diagram 1

10-30-92; 11-5-92



NOTE: The location of samples as noted in the report corresponded to the pit's excavated dimensions at the time of the sample. Pit dimensions were continuously increased to remove contamination.




STOCKPILE C: Composite sample of Loads

(same combination)
(heavy combination)

STOCKPILE D:

INTERLAKE GROCERY 10-26-92 & 10-30-92

Diagram 2



SPECTRA Laboratories, Inc

2221 Ross Way • Tacoma, WA 98421 • 272-4850

November 12, 1992

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

Sample ID: P111
Project: Interlake Grocery
Sample Matrix: Soil
Date Sampled: 11-05-92
Date Received: 11-06-92
Spectra Project: S211-046
Spectra #1022

WTPH-G, mg/Kg

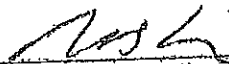
6210

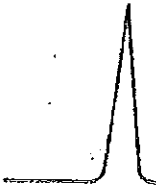
Total Lead (Pb), mg/Kg

<4

Total Lead testing performed by EPA Method 6010

SPECTRA LABORATORIES, INC.


Steven G. Hibbs, Chemist



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 272-4850

November 12, 1992

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

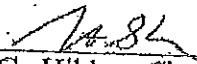
Attn: Mark Robinson


Sample ID: P11-J
Project: Interlake Grocery
Sample Matrix: Soil
Date Sampled: 11-05-92
Date Received: 11-06-92
Spectra Project: S211-046
Spectra #1023

WTFEL-G, mg/Kg

2,160

SPECTRA LABORATORIES, INC.


Steven G. Hibbs, Chemist



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 500-5050

November 4, 1992

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

ID: Stockpile A
Client: Interlake Grocery
Sample Matrix: Soil
Date Sampled: 10-26-92
Date Received: 10-28-92
Spectra Project: S210-239
Spectra #0614

BTEX, EPA Method 8020
Dilution Factor: 1

Date Extracted: 10-29-92
Date Analyzed: 10-29-92
Units: mg/Kg

Benzene

0.79

Toluene

<0.3

Ethyl Benzene

<0.3

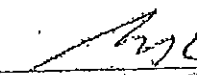
Total Xylenes

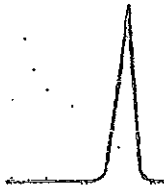
2.05

WPHL-G, mg/Kg

486

SPECTRA LABORATORIES, INC.


Steven G. Hibbs, Chemist



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 50

November 4, 1992

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

ID: Stockpile B
Project: Interlake Grocery
Sample Matrix: Soil
Date Sampled: 10-26-92
Date Received: 10-28-92
Spectra Project: S210-239
Spectra #0615

BTEX, EPA Method 8020
Dilution Factor: 1

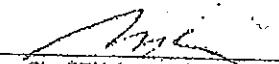
Date Extracted: 10-29-92
Date Analyzed: 10-29-92
Units: mg/Kg

Benzene	<0.3
Toluene	<0.3
Ethyl Benzene	<0.3
Total Xylenes	1.58

WTPH-G, mg/Kg

465

SPECTRA LABORATORIES, INC.


Steven G. Hibbs, Chemist



SPECTRA Laboratories, Inc.

2221 Ross Way • Tacoma, WA 98421 • (206) 350

November 4, 1992

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

Sample ID: Pit B
Project: Interlake Grocery
Sample Matrix: Soil
Date Sampled: 10-26-92
Date Received: 10-28-92
Spectra Project: S210-239
Spectra #0617

BTEX, EPA Method 8020
Dilution Factor: 1

Date Extracted: 10-29-92
Date Analyzed: 10-29-92
Units: mg/Kg

Benzene	<0.3
Toluene	<0.3
Ethyl Benzene	<0.3
Total Xylenes	<0.3

WTPH-G, mg/Kg	<20
---------------	-----

Total Lead (Pb), mg/Kg	<4
------------------------	----

Total Lead testing performed by EPA Method 6010

SPECTRA LABORATORIES, INC.



Steven G. Hibbs, Chemist



SPECTRA Laboratories, Inc

2221 Ross Way • Tacoma, WA 98421 • (206) 242-4850

November 4, 1992

Northwest Testing Co.
P.O. Box 10354
Olympia, WA 98502

Attn: Mark Robinson

Sample ID: Pit C
Project: Interlake Grocery
Sample Matrix: Soil
Date Sampled: 10-26-92
Date Received: 10-28-92
Spectra Project: S210-239
Spectra #0618

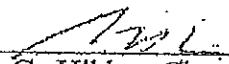
BTEX, EPA Method 8020
Dilution Factor: 1

Date Extracted: 10-29-92
Date Analyzed: 10-29-92
Units: mg/Kg

Benzene	<0.3
Toluene	<0.3
Ethyl Benzene	<0.3
Total Xylenes	<0.3

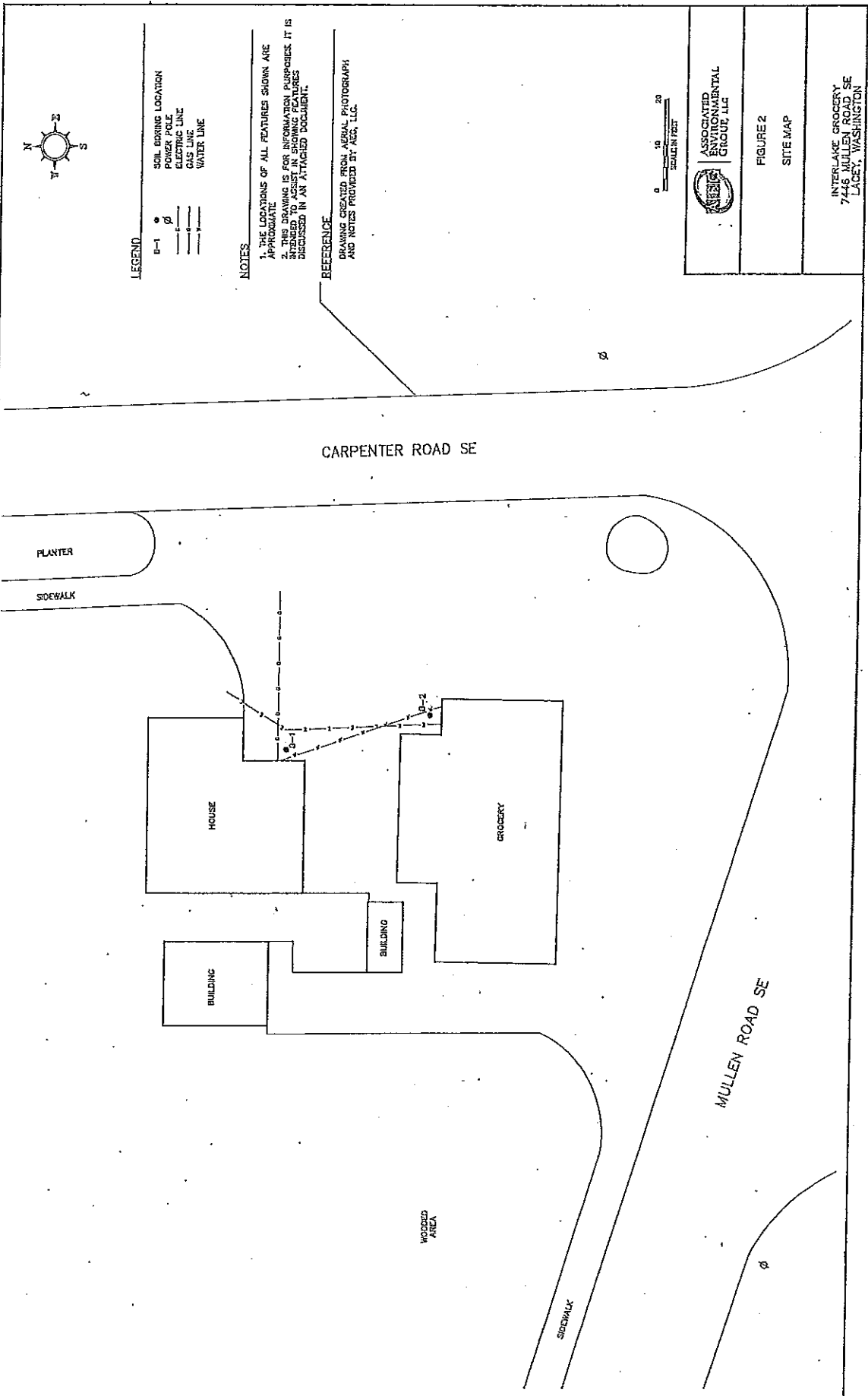
WTPH-G, mg/Kg	<20
---------------	-----

SPECTRA LABORATORIES, INC.


Steven G. Hibbs, Chemist

ENCLOSURE – F

**August 2016 Subsurface Investigation Boring Locations
and Soil Samples Analytical Results**



LEGEND

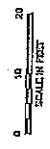
- B-1
 -
 -
 -
 -
 -
- SOIL BORING LOCATION
 POWER POLE
 ELECTRIC LINE
 GAS LINE
 WATER LINE

NOTES

1. THE LOCATIONS OF ALL FEATURES SHOWN ARE APPROXIMATE.
 THIS DRAWING IS FOR INFORMATION PURPOSES. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES DISCUSSED IN AN ATTACHED DOCUMENT.

REFERENCE

DRAWING CREATED FROM AERIAL PHOTOGRAPHY AND NOTES PROVIDED BY AEG, LLC.



ASSOCIATED ENVIRONMENTAL GROUP, LLC

FIGURE 2
 SITE MAP

INTERLAKE GROCERY
 7446 MULLEN ROAD SE
 LACEY, WASHINGTON

FILENAME	16-158_1001096
DRAWN BY	TCO
CHECKED BY	8/12/2016
APPROVED BY	8/12/2016
PROJECT NUMBER	16-158

Table 1 - Summary of Soil Analytical Results
 Interlake Grocery
 Lacey, Washington

Sample Number	Depth Collected (feet)	Date Collected	Volatile Organic Compounds						Gasoline	Lead	n-Hexane	EDC	EDB	MTBE	Total Naphthalenes
			Benzene	Toluene	Ethylbenzene	Xylenes	Gasoline	Lead							
B1-15	13.7	8/3/2016	<0.02	<0.05	<0.05	<0.15	<10	<5.0	<0.05	<0.005	<0.05	<0.05	<0.05	<0.02	
B1-20	18.3	8/3/2016	<0.02	<0.05	<0.05	<0.15	<10	<5.0	<0.05	<0.005	<0.05	<0.05	<0.05		
B1-23	21.0	8/3/2016	<0.02	<0.05	<0.05	<0.15	<10	<5.0	<0.05	<0.005	<0.05	<0.05	<0.05		
B2-10	9.1	8/3/2016	<0.02	<0.05	<0.05	<0.15	<10	<5.0	<0.05	<0.005	<0.05	<0.05	<0.05		
B2-15	13.7	8/3/2016	<0.02	<0.05	<0.05	<0.15	<10	<5.0	<0.05	<0.005	<0.05	<0.05	<0.05		
B2-18	16.4	8/3/2016	<0.02	<0.05	<0.05	<0.15	<10	<5.0	<0.05	<0.005	<0.05	<0.05	<0.05		
PQL			0.02	0.05	0.05	0.15	10	5.0	0.05	0.005	0.05	0.05	0.05		
MTCA Method A Cleanup Levels			0.05	0.1	0.1	0.1	100	250	0.05	0.005	0.1	0.1	0.1		

Notes:
 All values reported in milligrams per kilogram (mg/kg)
 EDC = 1,2-Dichloroethane
 EDB = Ethylene Dibromide
 MTBE = Methyl-t-butyl ether
 -- = Not analyzed for constituent

< = Not detected at the listed laboratory detection limits
 PQL = Practical Quantification Limit (laboratory detection limit)
 Red Bold indicates the detected concentration exceeds Ecology MTCA Method A cleanup level
 Bold indicates the detected concentration is below Ecology MTCA Method A cleanup levels
 * TPH-Gasoline Cleanup Level with no presence of Benzene anywhere at the Site

