



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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March 1, 2010

Mr. Ed Shannon  
Snelson Companies  
601 West State Street  
Sedro Woolley, Washington 98284-1560

**Re: Opinion on Proposed Cleanup of the following Site:**

- **Site Name:** Snelson Companies
- **Site Address:** 601 West State Street, Sedro Woolley, Washington
- **Facility/Site No.:** 66379684
- **VCP Project No.:** NW1719

Dear Mr. Shannon:

The Washington State Department of Ecology (Ecology or we) received your request for an opinion on your proposed independent cleanup of the Snelson Industries 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**

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Upon completion of the proposed cleanup, will further remedial action likely be necessary to clean up contamination at the Site?

**NO. Ecology has determined that upon completion of your proposed cleanup no further remedial action will likely be 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**

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This opinion applies only to the Site described below:

The Site is defined by the extent of contamination caused by the following releases:

- Total petroleum hydrocarbons as gasoline, benzene, toluene, ethylbenzene, and xylenes; and arsenic in soil.
- Total petroleum hydrocarbons as gasoline, benzene, toluene, ethylbenzene, and xylenes; and arsenic in groundwater.

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

Please note 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**

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This opinion is based on the information contained in the documents listed in **Enclosure B**. Those documents are kept in Ecology's Northwest Regional Office (NWRO) Central Files for review by appointment only. You can make an appointment by calling the NWRO resource contact at 425-649-7239.

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

### **Analysis of the Cleanup**

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We have concluded that upon completion of your proposed cleanup, **no further remedial action** will likely be necessary to 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 described above and in **Enclosure A**.

The conceptual cleanup action plan is sufficient in the general scope, but site work may need to be modified or additions made due to actual Site conditions. Modification and/or additions may include, but are not limited to additional sparging, soil and groundwater sampling, additional monitoring wells and a rigorous soil vapor pathway analysis. Regarding the soil vapor pathway analysis, it is advised that you obtain Ecology's concurrence.

#### **2. Establishment of cleanup standards.**

##### **a. Substance-specific standards.**

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

##### **a. Cleanup levels.**

- The beneficial use of groundwater for the Site is for future potable use, and the cleanup levels of the Site are Method A and protective for this use: Total Petroleum Hydrocarbons (TPH) gasoline 800 ug/l, benzene 5 ug/l, toluene 1,000 ug/l, xylenes 1,000 ug/l, arsenic 5 ug/l.

- Method A levels for direct contact for soil are protective and follow:  
Total Petroleum Hydrocarbons (TPH) gasoline 100 ug/l, benzene 0.03 mg/kg, toluene 7mg/kg, xylenes 9mg/kg.
- Method B levels for indoor are protective.

b. Points of compliance

- Standard points of compliance. Groundwater points of compliance are established throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth that could be permanently affected by the Site.
- Soil compliance points are throughout the Site from the ground surface to a depth of fifteen feet.
- Indoor air compliance points are for the breathing space within buildings and structures.

**3. Selection of cleanup action.**

Ecology has determined the cleanup action you proposed for the Site meets the substantive requirements of MTCA. However, much of the action is conceptual in nature. Actual Site conditions may require modifications and/or additions.

The general concept of air sparging of groundwater meets the minimum requirements in WAC 173-340-360(2). However, the extent of sparging may need to go beyond the identified boundaries in the cleanup action plan. Depending on the sample analyses results, further action may be warranted.

Four consecutive quarters of groundwater monitoring, as identified, could be sufficient to confirm groundwater cleanup if analysis results are below the cleanup levels. However, if an exceedence above the cleanup levels is detected, additional monitoring, monitoring wells, or other further action may be required.

The evaluation of the soil vapor pathway does not identify modeling, modeling input parameters, soil vapor testing, or indoor testing methods. Ecology could require modeling and testing. Results would all be subject to Ecology concurrence for a No Further Action Determination.

Arsenic in groundwater may or may not be determined to be the result of background concentrations.

The final cleanup must be documented in a report for Ecology's review. Our review of the report would determine whether the cleanup met the requirements for a No Further Action or if further action is warranted.

### **Limitations of the Opinion**

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**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 proposed will be substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

**3. Opinion is limited to proposed cleanup.**

This letter does not provide an opinion on whether further remedial action will actually be necessary at the Site upon completion of your proposed cleanup. To obtain such an opinion, you must submit a report to Ecology upon completion of your cleanup and request an opinion under the VCP.

**4. 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**

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

Mr. Ed Shannon

March 1, 2010

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For more information about the VCP and the cleanup process, please visit our web site: [www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm](http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm). If you have any questions about this opinion, please contact me by phone at 360-407-7239 or e-mail at [mkun461@ecy.wa.gov](mailto:mkun461@ecy.wa.gov).

Sincerely,

A handwritten signature in cursive script, reading "Michael Kuntz". The signature is written in black ink and is positioned above the typed name.

Michael Kuntz LPG. LPHG  
HQ Toxics Cleanup Program

Enclosures: A – Description and Diagrams of the Site  
B – Basis for the Opinion: List of Documents

cc: Cindy Bartlett, Geo Engineers  
Dolores Mitchell, Ecology (without enclosures)

## **Enclosure A**

### **Description and Diagrams of the Site**

#### **Site Description**

The approximately six-acre site comprises three acres that have been occupied by Snelson since about 1946, and three acres that were occupied by Snelson since the 1970s. Offices and a warehouse occupy two buildings on the northern portion of the property, and the remaining three buildings on site house industrial activity related to their pipeline supply business that has been conducted on approximately half of the site since the 1940s. The southern portion of the site is used primarily for storage of large equipment and pipes. Snelson Company (previously Seven Sisters) has been using the Site for their pipeline business since they occupied the property.

The tax parcel number on the VCP application is P76956. The legal description taken from the Skagit County Assessor's Web Site is as follows:

SEDRO AC LOT 13 EXC PTN DAF N 15 FT OF E 5 FT & ALL THAT PTN SD LT 13 LY  
NLY OF FOL DESC R/W LI BATNE COR LT 13 TH S 5 FT TH W ALG LI WH IS PARA TO  
& 5 FT S OF S LI W STATE ST 80.79 FT TH ON CRV TO LEFT HAV CA OF 18-38-27 &  
RAD OF 275.00 FT ARC DIST 89.47 FT TH SWLY ALG LI WH IS PARA TO & 60  
FTSWLY OF & MEAS AT R/A TO S LI BN RR R/W 337.20 FT TH ON CRV TO RIGHT  
HAV CA OF 63-00-00 & RAD OF 110.00 FT ARC DIST 120.95 FT M/L TAP ON S LI BN RR  
R/W & TERM R/W LI

Please refer to attachments A through G for details to the Site.

## **Enclosure B**

### **Basis for the Opinion: List of Documents**

1. Focused Feasibility Study and Cleanup Action Plan Addendum, Snelson Properties, Geo Engineers, February 16, 2010.
2. Supplemental Site Characterization Focused Feasibility Study and Cleanup Action Plan, Snelson Industries, Geo Engineers, August 25, 2009.
3. Response to Ecology's Comments, Snelson's Industries Site, Geo Engineers, February 25, 2008. Voluntary Cleanup Program Application with site diagram submitted to Ecology. January 2007 - benzene, ethyl benzene, and xylenes in soil above the cleanup level are confirmed. Arsenic in groundwater above the cleanup level is confirmed.
4. Dangerous Waste Compliance Inspection, Ecology, May 24, 2006.
5. Results of Groundwater Monitoring and Sampling Snelson's Industries Site, Sedro Woolley, Geo Engineers, February 22, 2006.
6. Results of Groundwater Monitoring and Sampling, August 2002, Snelson's Industries Site, Sedro Woolley, Geo Engineers, September 18, 2002.
7. Report of Environmental Services Soil Remediation Excavation and Supplemental Subsurface Assessment, Snelson's Industries Site, Sedro Woolley, Geo Engineers, December 3, 2001. *Monitoring Well Nos. 3, 4, 5 –monitoring interval 4-14 feet.*
8. Letter withdrawing from the Voluntary Cleanup Program, Seven Sisters, October 5, 2000.
9. Further Action Letter, Ecology, September 20, 2000. The letter identified toxicity testing in the drum storage area, total petroleum hydrocarbons above the Method A level in the UST area, and elevated concentrations of metals in soil where painting and sandblasting occurred.
10. Further Action Letter, Ecology, January 10, 2000. The letter recommends groundwater sampling and questions the location of monitoring wells MW-4 and MW-5. It also raises concerns over toxic substances and total petroleum hydrocarbons exceeding cleanup levels in soil and groundwater.
11. Review of Work Plan, Ecology, December 16, 1999. The letter mentions concerns that groundwater left in the UST excavation has concentrations of 1,170 ppm gasoline, 3.27 ppm diesel, and 11.3 ppm benzene.
12. Proposed Work Plan - Geo Engineers, November 24, 1999. The plan proposes to further assess groundwater and test for volatile organic compounds.
13. Further Action Letter, Ecology, September 8, 1999. The letter raises questions over the determined direction of groundwater flow and requires additional soil and groundwater

samples from the Former Storage Area to confirm that volatile organic compounds do not exceed Method B cleanup levels.

14. Report of Environmental Services Underground Storage Tank Removal and Subsurface Assessment, Snelson's Industries Site, Sedro Woolley, Geo Engineers, July 3, 1999. (2 copies) *Monitoring Well Nos. 1, 2, 3, - monitoring intervals 4-14 feet.*
15. Report Application for a Voluntary Cleanup, Seven Sisters, Inc. May 7, 1999. Gasoline, diesel, BTEX, copper, zinc, cadmium, chromium, lead, asbestos, and heavy oil are listed in soil above the cleanup level. Cadmium and lead are listed in groundwater above the cleanup level.
16. Further Action Letter, Ecology, August 17, 1998. The letter identifies groundwater with cadmium at 165 ppb and lead at 26 ppb - above the Method B levels. The letter also references volatile organics and TPH-g and TPH-D that were not presented in the letter dated July 31, 1998.
17. IRAP cleanup report for Snelson's Industries Site, 601 West State Street, Sedro Woolley, Advanced Soil Mechanics, June 27, 1991.
18. 1997 file with correspondences, waste manifest, photographs, and log book for IRAP cleanup activity of 1991.





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NOTICE: As of 6/1/2009 we are installing new software and migrating our records to a new Assessment and Collections system and data will not be updated until the migration is complete.

**Parcel Number** P76956   **XrefID** 4170-000-013-0001   **Quarter**   **Section** 23   **Township** 35   **Range** 04

[Zoom to this Parcel on iMap](#)

[View Assessor Parcel Map of this section: \(PDF\) \(DWF\)](#)

**Owner Information**

SCI PROPERTIES LLC  
 601 W STATE ST  
 Sedro-woolley, Wa 98284

**Site Addresses**

601 State St  
 [Old Situs] 601 State St  
 Sedro Woolley, WA 98284

**2009 Value Breakdown**

**Building Market Value** \$628,500.00  
**Land Market Value** \$844,200.00  
**Total Market Value** \$1,472,700.00  
**Assessed Value** \$1,472,700.00  
**Taxable Value** \$1,472,700.00

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**2009 Property Tax Summary**

**2009 Taxable Value** \$1,472,700.00  
**General Taxes** \$12,941.94  
**Special Assessments** \$60.58  
**Total Taxes** \$13,002.52

[View Tax Statement](#)

**Legal Description Abbreviation Definitions**

SEDRO AC LOT 13 EXC PTN DAF N 15 FT OF E 5 FT & ALL THAT PTN SD LT 13 LY NLY OF FOLDESC R/W LI BAT  
 NE COR LT 13 TH S 5 FT TH W ALG LI WH IS PARA TO & 5 FT S OF S LI W STATE ST 80.79 FT TH ON CRV TO  
 LEFT HAV CA OF 18-38-27 & RAD OF 275.00 FT ARC DIST 89.47 FT TH SWLY ALG LI WH IS PARA TO & 60 FT  
 SWLY OF & MEAS AT R/A TO S LI BN RR R/W 337.20 FT TH ON CRV TO RIGHT HAV CA OF 63-00-00 & RAD OF  
 110.00 FT ARC DIST 120.95 FT M/L TAP ON S LI BN RR R/W & TERM R/W LI

**Levy Code**

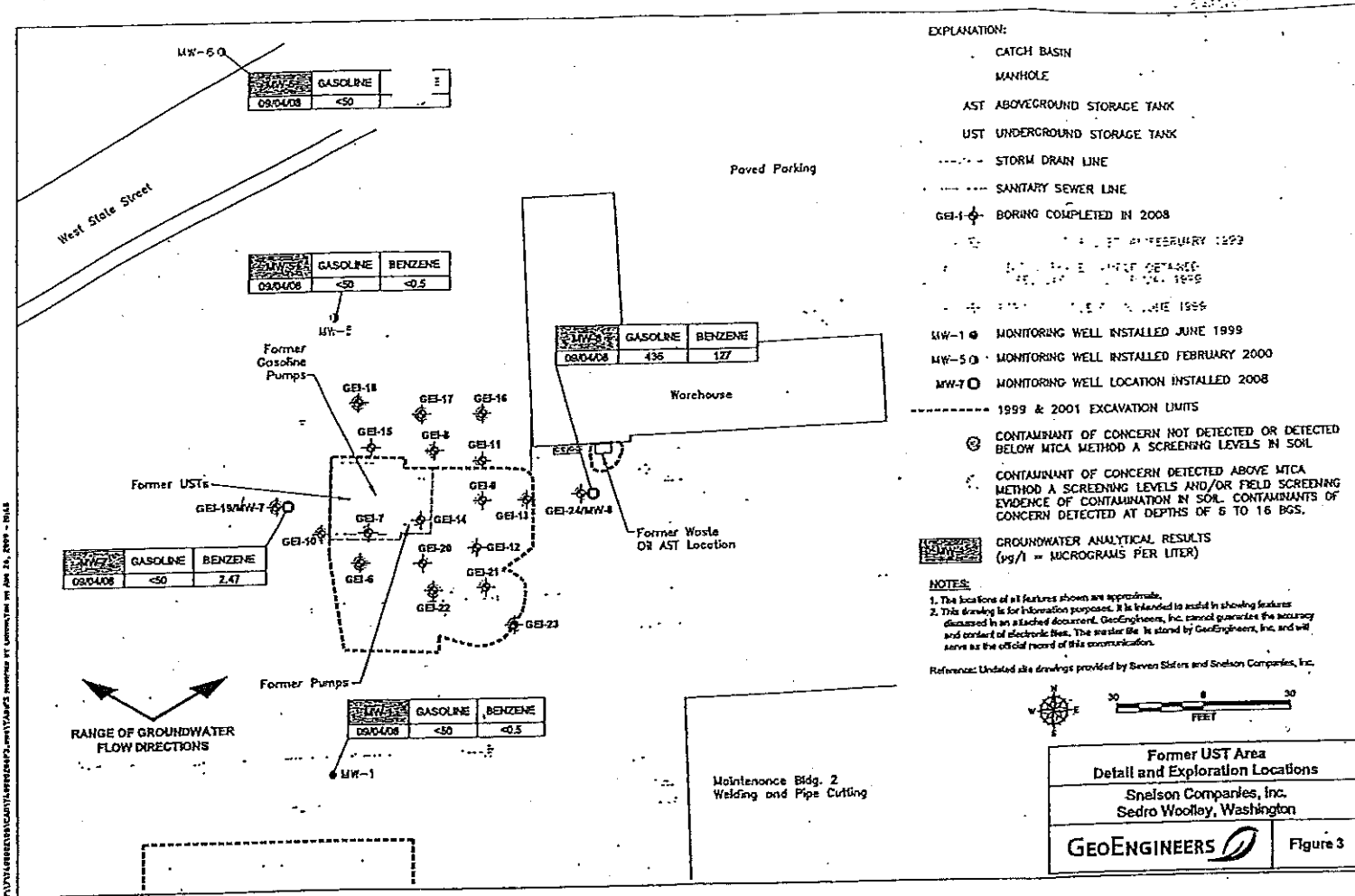
0935

**Neighborhood**

INDUSTRIAL BLDG

Attachment A

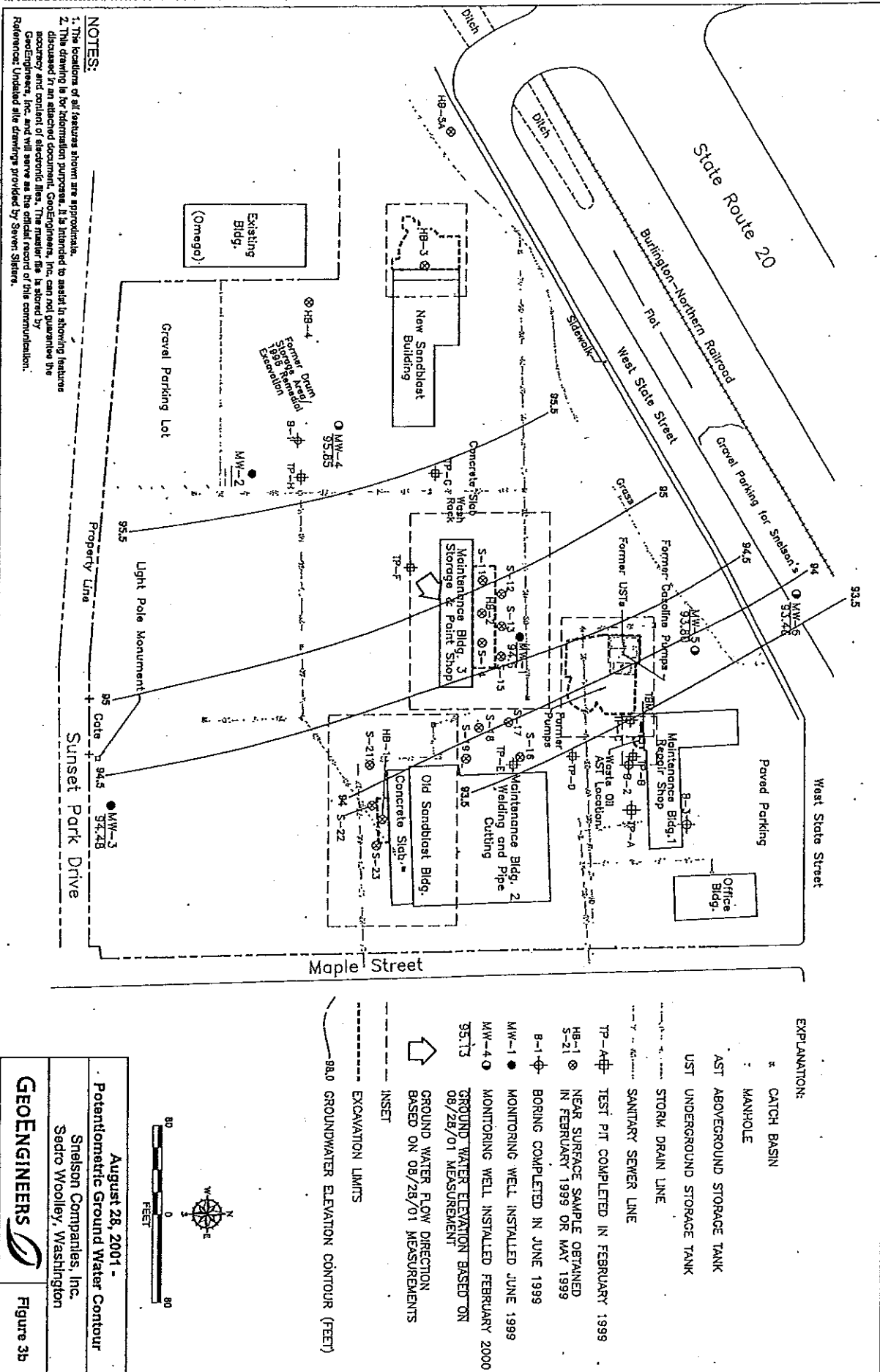




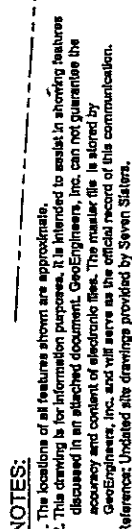
Attachment C

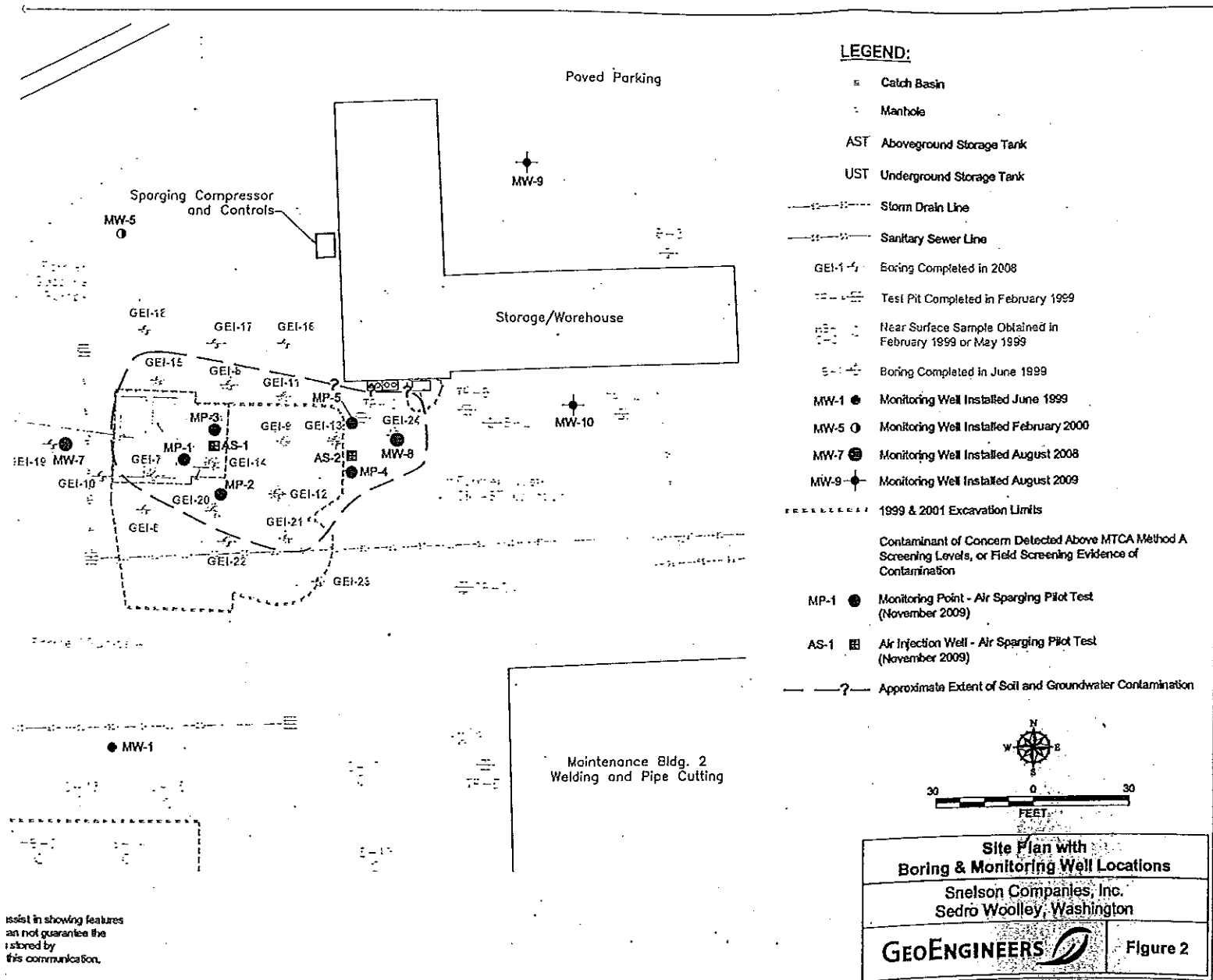


ATTACHMENT E



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Attachment G

