



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

July 6, 2017

Mr. Jamie Dykman  
Protective Coatings, Inc.  
1208 4<sup>th</sup> Avenue North  
Kent, WA 98032

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

- **Site Name:** Protective Coatings, Inc.
- **Site Address:** 1215 2<sup>nd</sup> Avenue N, Kent, WA 98032
- **Facility/Site No.:** 85155236
- **Cleanup Site ID No.:** 12337
- **VCP Project No.:** NW2843

Dear Mr. Dykman:

Thank you for submitting the cleanup action plan regarding your proposed remedial action for the Protective Coatings, Inc. facility (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 a review of submitted document pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following releases at the Site:

- Trichloroethylene (TCE) and cadmium in soil.
- 1,1-Dichloroethene (1,1-DCE), 1,2-Dichloroethene (1,2-DCE), and arsenic in ground water.

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



Mr. Jamie Dykman  
July 6, 2017  
Page 2

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:

1. GHD, March 9, 2017, Status of VCP Project

The document listed above will be 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](mailto:nwro_public_request@ecy.wa.gov).

The Site is more particularly illustrated in Figure 1 to this letter, which includes a detailed Site diagram.

Based on a review of supporting documentation listed above, pursuant to **requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following releases at the Site, Ecology has approved the work plan with the following determinations and requirements:**

The Status of VCP Project report (2017) prepared by GHD includes three sections including a summary of previous investigations and remedial activities, a report of a Site remediation feasibility study, and a work plan for Site cleanup.

- Based on the Status of VCP Project report, TCE, 1,1-DCE and 1,2-DCE in MW-3, and arsenic contamination were detected in all the monitoring wells at concentrations exceeding MTCA Method C cleanup levels for Industrial Properties. The sources of the contamination are to operations of the historical and current industrial facility.
- Currently, the Property is occupied by a metal plating manufacturing operation, which contains a packaging/shipping warehouse and an outdoor wastewater treatment and chemical storage space. Therefore, Ecology concurs with the application of Method C cleanup levels in soil at this Site.

Ecology, however, disapproves the application of Method C cleanup levels used in ground water at this Site. In accordance to the MTCA regulation, WAC 173-340-706(1)(a), you must demonstrate that either MTCA B cleanup levels are below the regional background, or application of MTCA B cleanup levels will cause more harm than good at this Site, in order to utilize MTCA C cleanup levels. Classification of industrial land use does not automatically qualify you to select MTCA Method C cleanup levels for ground water.

In addition, you are still required to consider US Environmental Protection Agency (EPA)'s Maximum Contamination Levels (MCL), to remediate ground water at this Site (WAC 730-340-720(5)(b)(i)), even if you are able to clarify qualification of Method C cleanup levels. Therefore, Ecology has determined that MCLs as if be used as the cleanup levels in ground water at this Site for all the chemicals of concern (COCs) listed below:

- 1) 1,1-DCE - 7 µg/L
  - 2) 1,2-cis-DCE – 16 µg/L
  - 3) 1,2-trans-DCE – 100 µ/L
  - 4) Arsenic - 0.01 mg/L or 10 ppb
- Contamination on the Site has been fully characterized, and the chemicals of concern (COCs) that define this Site include TCE and cadmium in soil, and 1,1-DCE, 1,2-DCE, and arsenic in ground water.
  - Three cleanup alternatives were developed; Cleanup Action Alternative 1 was selected as a preferred remedial option. Ecology concurs with the proposed cleanup actions in Alternative 1, which includes:
    - 1) Contaminated soil with concentrations exceeding MTCA Method C cleanup levels will be over-excavated to depths until soil with concentrations below the cleanup levels is confirmed. The removed contaminated soil will be disposed off-Site at an appropriate facility.
    - 2) Post-construction ground water monitoring will be conducted until contaminant concentrations in the ground water are below Ecology's cleanup levels for a minimum of four consecutive quarterly sampling events.

For Ecology to consider providing a No Further Action (NFA) determination following the cleanup, the requirements listed below must be also met:

- 1) Laboratory results of confirmation soil samples collected at the excavation limits must show Site contaminant concentrations below MTCA Method C cleanup levels.
- 2) Ground water encountered and entering the excavation must be treated and disposed of appropriately. The ground water flow direction on the Property should be determined such that any contaminant plume emanating from the



Mr. Jamie Dykman  
July 6, 2017  
Page 4

source area can be fully monitored for its fate and migration.

- 3) During the ground water monitoring, additional actions shall be considered to enhance the natural attenuation process. A minimum of four consecutive quarters of ground water monitoring data below the MCL levels are required.

**This opinion does not represent a determination by Ecology that a 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 appropriate documentation to Ecology 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.**

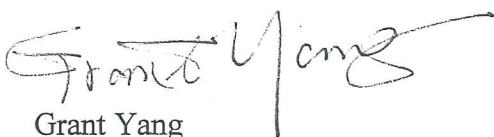
Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

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 about this opinion, please contact me by phone at (425) 649-7126 or by e-mail at [grant.yang@ecy.wa.gov](mailto:grant.yang@ecy.wa.gov).

Sincerely,



Grant Yang  
Site Manager  
NWRO Toxics Cleanup Program

cc: Christina McClelland, GHD  
Sonia Fernandez, VCP Coordinator, Ecology

Figure 1 Site Plan Showing the Proposed Cleanup Area within the Property

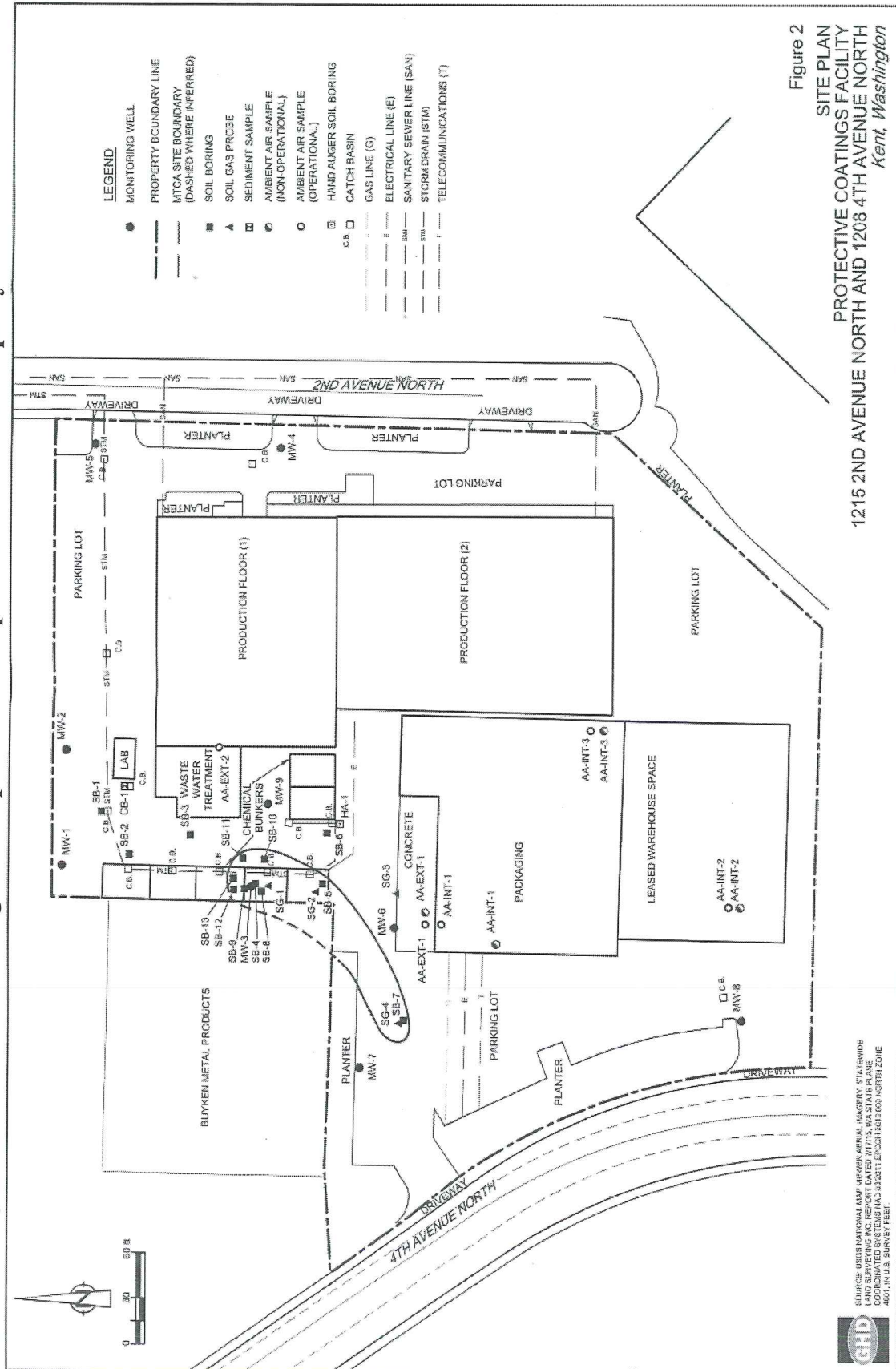


Figure 2  
SITE PLAN  
PROTECTIVE COATINGS FACILITY  
1215 2ND AVENUE NORTH AND 1208 4TH AVENUE NORTH  
Kent, Washington