



## **PERIODIC REVIEW**

**Renton Shopping Center  
Facility Site ID#: 26515148**

**351 Hardie Avenue SW  
Renton, WA**

**Northwest Region Office**

**Toxics Cleanup Program**

**June 2017**

<b>1.0 INTRODUCTION.....</b>	<b>1</b>
<b>2.0 SUMMARY OF SITE CONDITIONS.....</b>	<b>3</b>
2.1 Site Description and History .....	3
2.2 Regulatory Summary .....	3
2.3 Site Investigations and Remedial Activities.....	4
2.4 Cleanup Standards.....	5
2.5 Restrictive Covenant .....	6
<b>3.0 PERIODIC REVIEW .....</b>	<b>8</b>
3.1 Effectiveness of completed cleanup actions.....	8
3.2 New scientific information for individual hazardous substances for mixtures present at the Site .....	8
3.3 New applicable state and federal laws for hazardous substances present at the Site .....	8
3.4 Current and projected Site use .....	9
3.5 Availability and practicability of higher preference technologies.....	9
3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels .....	9
<b>4.0 CONCLUSIONS.....</b>	<b>10</b>
4.1 Next Review.....	10
<b>5.0 REFERENCES.....</b>	<b>11</b>
<b>6.0 APPENDICES .....</b>	<b>12</b>
6.1 Vicinity Map .....	13
6.2 Site Map.....	14
6.3 June 1992 to October 1992 Excavation Map.....	15
6.4 December 1992 and January 1993 Excavation Map.....	16
6.5 Summary of Soil Confirmation Sampling Results – June 1992 to October 1992 Excavation.....	17
6.6 Summary of Soil Confirmation Sampling Results – December 1992 and January 1993 Excavation.....	18
6.7 Summary of Analytical Laboratory Results: Groundwater.....	19
6.8 Environmental Covenant.....	21
6.9 Photo Log .....	31

## 1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup Site conditions and monitoring data to ensure that human health and the environment are being protected at the Renton Shopping Center (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

Cleanup activities at this Site were completed under Ecology's Voluntary Cleanup Program (VCP). VCP identification numbers for the Site were NW 0684 and NW 1740. Following cleanup actions, gasoline-range petroleum hydrocarbons (GRPH); benzene, toluene, ethylbenzene and xylenes (BTEX) remain in soil at the Site at concentrations exceeding MTCA Method A cleanup levels. The MTCA Method A cleanup levels for soil are established under WAC 173-340-740. WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a Site every five years under the following conditions:

- (a) Whenever the department conducts a cleanup action;
- (b) Whenever the department approves a cleanup action under an order, agreed order or consent decree;
- (c) Or, as resources permit, whenever the department issues a no further action opinion;
- (d) And one of the following conditions exists:
  - 1. Institutional controls or financial assurance are required as part of the cleanup;
  - 2. Where the cleanup level is based on a practical quantitation limit; or
  - 3. Where, in the department's judgment, modifications to the default equations or assumptions using Site-specific information would significantly increase the concentration of hazardous substances remaining at the Site after cleanup, or the uncertainty in the ecological evaluation, or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site;
- (b) New scientific information for individual hazardous substances of mixtures present at the Site;
- (c) New applicable state and federal laws for hazardous substances present at the Site;
- (d) Current and projected Site use;
- (e) Availability and practicability of higher preference technologies; and
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The Department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

## **2.0 SUMMARY OF SITE CONDITIONS**

### **2.1 Site Description and History**

The Site is located at 351 Hardie Avenue Southwest, across the street from the Renton Shopping Center – Fred Meyer store in Renton, Washington (Vicinity Map - Appendix 6.1). A former car wash/retail gasoline facility was located on the property between 1958 and 1985. The Site is defined by petroleum releases to soil and groundwater associated with historical operations of the former car wash/retail gasoline facility. The contamination migrated off-property to the south and east as shown on the Site map in Appendix 6.2.

The property is approximately 2.5 acres, and is bisected by a bedrock cliff which parallels Hardie Avenue SW. The western portion of the Site is occupied by bedrock, which is elevated and forms a cliff approximately 40 feet higher than the eastern portion of the property. The eastern portion of the property is generally flat but slopes gently to the south.

Underground storage tanks (USTs) were removed in 1987. The car wash building was demolished in April 1992. The northeastern portion of the property is paved and used as a parking lot. The southeastern portion of the property is currently vacant and covered with gravel. A bio-swale is located in the middle west portion of the Site.

The property is located near the western edge of the narrow valley connecting Lake Washington with the Green River Valley. Shallow geologic conditions at the Site consist of a few feet of fill overlying alluvium. The alluvium consists of an upper 10 to 15 feet of fine-grained floodplain sediment (sandy silt, silty sand and clayey silt), and overlying gravels and sands.

Groundwater occurs within the alluvial deposits under unconfined conditions. The water table fluctuates seasonally between 6-9 feet below ground surface. Groundwater flows southeast towards Hardie Avenue. Historical reports and maps indicate the channel of the former Black River was located near and followed the current trend of Hardie Avenue.

### **2.2 Regulatory Summary**

Following remedial activities, Ecology issued a No Further Action (NFA) determination letter in 1998 contingent upon filing of a Restrictive Covenant on the property. The restrictive covenant was recorded for the property in 1999. The Site failed Ecology's periodic review in 2005 due to concentrations of benzene in groundwater exceeding MTCA Method A cleanup levels. Ecology rescinded the 1998 NFA and issued a Further Action (FA) determination letter. The Site obtained a NFA in 2008 after additional cleanup work was completed based on the requirements in Ecology's 2005 FA letter. It should be noted that the 2008 NFA is contingent upon the Restrictive Covenant recorded in 1999.

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## 2.3 Site Investigations and Remedial Activities

A Phase I and II environmental assessments were conducted by RZA-AGRA in 1990, followed by supplemental soil and groundwater characterization in 1991. Analytical results from those site assessments and investigations indicated the presence of GRPH, BTEX and lead in soil and groundwater above their MTCA Method A cleanup levels respectively. Petroleum contaminated soils (PCS) were found within the eastern portion of the property in the vicinity of the former USTs, and extended below the water table.

Approximately 800 cubic yards of PCS were excavated from the former car wash facility and treated on-site by land farming from June to October 1992. An additional 275 cubic yards of PCS were over excavated and disposed of off-site in December 1992. The excavation was backfilled to grade with on-site and imported clean fill. Borings and monitoring wells were installed at the eastern and southern property boundaries beyond the limits of the former excavations. Analytical results from confirmation soil samples collected at the limits of the excavation indicated that elevated concentrations of GRPH and/or BTEX above cleanup levels were present in the south and east sidewalls at depths of approximately 7 to 10 feet. Further excavation was not feasible due to physical limitations of Hardie Avenue and presence of utility lines. In addition, a soil sample collected on the west sidewall adjacent to the cliff also showed GRPH and xylenes at concentrations of slightly above their respective cleanup levels. However, the remaining contamination beyond the west sidewall was likely limited in extent. Appendices 6.3 and 6.4 showed the extent of excavations, and soil confirmation results were summarized in Appendices 6.5 and 6.6. Due to the presence of GRPH in groundwater within the excavation, a groundwater pumping and treatment system was placed within the excavation and operated for 3 months prior to the backfilling of the excavation in 1992.

Results from groundwater sampling following the remedial excavation indicated a plume of GRPH impacted groundwater extended beyond the south and east property boundaries as shown on the Site Map in Appendix 6.2.

An air sparging and soil vapor extraction system was installed on the Site in 1995 and operated until 1997. Results from subsequent analytical testing indicated that concentrations of GRPH and BTEX in groundwater were significantly reduced following excavation and groundwater remediation in the source area. The Site entered VCP under identification number NW 0684 in December 1997. Ecology issued a NFA letter in 1998 contingent upon recording a restrictive covenant on the property due to the presence of remaining soil and groundwater contamination at concentrations exceeding cleanup levels. The NFA letter also required groundwater compliance monitoring for five years unless eight quarters of consecutive rounds of test results show compliance with cleanup levels. Groundwater compliance monitoring started in January 1999 based on requirements in Ecology's NFA letter. In-situ injections of oxygen release compound (ORC) were conducted in 2004 and 2005 to address residual benzene in groundwater.

In September 2005, Ecology rescinded the 1998 NFA due to benzene concentrations in groundwater still above cleanup level following in-situ remedial actions. Groundwater monitoring therefore continued. The Site re-entered VCP under identification number NW1740

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in February 2007. Ecology issued a NFA in 2008 for the Site after results from four consecutive quarters of groundwater samples demonstrated compliance with cleanup levels. Groundwater monitoring results were summarized in Appendix 6.7.

## 2.4 Cleanup Standards

Cleanup standards consist of cleanup levels and points of compliance, which must be established for each site. Cleanup levels determine at what level a particular hazardous substance does not threaten human health or the environment. Points of compliance designate the location on the site where the cleanup levels must be met.

### a) Cleanup Levels

#### Soil

The Site is located in a mixed commercial and residential area. Soil cleanup levels suitable for unrestricted land uses are therefore applicable to this Site.

Because the cleanup at this Site was relatively straight forward and involved few hazardous substances, the MTCA Method A cleanup levels for unrestricted land uses were deemed applicable and appropriate. Note that the Method A cleanup levels were established based on protection of groundwater.

#### Groundwater

The MTCA Method A cleanup levels for groundwater were deemed applicable and appropriate. Cleanup levels were set for groundwater based on its use as a potential drinking water source.

### b) Points of Compliance

#### Soil

Soil cleanup levels based on human exposure via direct contact or other exposure pathways where contact with the soil is required to complete the pathway, the point of compliance was established in the soils throughout the Site from the ground surface to fifteen feet below the ground surface. Soil cleanup levels are based on protection of groundwater. The point of compliance is in soil throughout the Site.

#### Groundwater

The standard point of compliance for groundwater was established throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the Site.

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## 2.5 Restrictive Covenant

Based on the Site use, surface cover and cleanup levels, it was determined that the Site was eligible for a 'No Further Action' determination if a Restrictive Covenant was recorded for the property. A Restrictive Covenant was recorded for the Site in 1999 which imposed the following limitations:

- Section 1. The Property shall be used only for commercial uses including but not limited to retail and industrial uses as allowed under the COUNTY of King's zoning regulations codified in the RENTON MUNICIPAL CODE as of the date of this Restrictive Covenant.
- Section 2. No groundwater may be taken for any use from the Property without meeting all relevant substantive requirements applicable to the State and County laws.
- Section 3. A portion of the Property contains remnant concentrations of TPH-G, present beneath the vertical bedrock cliff of the western corner of the Former Renton Car Wash Facility, and dissolved petroleum hydrocarbons in groundwater are also present above State Standards on the site. The Owner shall not alter, modify or remove the existing structure[s] in any manner that may result in the release or exposure to the environment of that contaminated soil, groundwater, vapors or create a new exposure pathway without prior written approval from Ecology.
- Section 4. Any activity on the Property that may result in the release or exposure to the environment of that contaminated soil, groundwater, or vapors that remain on the property as part of the Remedial Action, or create a new exposure pathway or that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited without the prior written approval from Ecology. Some examples of activities that are prohibited in the capped areas include drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.
- Section 5. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action.
- Section 6. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. 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 monitoring, operation, and maintenance of the Remedial Action.
- Section 7. The Owner must restrict leases to uses and activities consistent with the

Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

The Restrictive Covenant is available in Appendix 6.8.

## **3.0 PERIODIC REVIEW**

### **3.1 Effectiveness of completed cleanup actions**

Based upon the Site visit conducted on June 12, 2017, the majority of the Site is vacant, though the northeastern portion of the Site is occupied by a paved parking lot. A bedrock cliff remains at the eastern portion of the Site. A stormwater bioswale is present in the center portion of the Site to allow infiltration of stormwater collected from the parking area. The property use, soil cover, pavement and the presence of the cliff at the Site continue to reduce potential exposure to contaminated soils by ingestion or direct contact. The Restrictive Covenant was recorded when groundwater contamination remained at the Site. Since that time, results from additional groundwater monitoring has demonstrated that groundwater contamination is no longer present at concentrations exceeding MTCA Method A cleanup levels. June 2017 Site visit observed no deterioration on surface pavement of groundwater monitoring wells on Site. The Restrictive Covenant for the property will ensure that future property uses will not expose or release contaminated soils remaining at the Site. A photo log is available as Appendix 6.9.

The Restrictive Covenant for the Site was recorded in 1999 and remains active. It has not been amended, nor have any other documents been recorded which would render the Covenant invalid. This Restrictive Covenant requires Ecology's approval prior to conducting any activities that will result in the release of contaminants at the Site. It also prohibits any use of the property that is inconsistent with the Covenant. This Restrictive Covenant serves to ensure the long term integrity of the remedy.

### **3.2 New scientific information for individual hazardous substances for mixtures present at the Site**

There is no new relevant scientific information for the contaminants related to the Site.

### **3.3 New applicable state and federal laws for hazardous substances present at the Site**

The cleanup at the Site was governed by Chapter 173-340 WAC [1996 ed.]. WAC 173-340-702(12) (c) [2001 ed.] provides that,

“A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment.”

Although cleanup levels changed for petroleum hydrocarbon compounds as a result of modifications to MTCA in 2001, contamination remains at the Site above the new MTCA

Method A and B cleanup levels. Even so, the cleanup action is still protective of human health and the environment.

### **3.4 Current and projected Site use**

The Site is currently used as a public parking lot and stormwater infiltration bioswale. There have been no changes in current or projected future Site or resource uses.

### **3.5 Availability and practicability of higher preference technologies**

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

### **3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels**

The analytical methods used at the time of the remedial action were capable of detection below selected Site cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

## 4.0 CONCLUSIONS

The following conclusions have been made as a result of this periodic review:

- The cleanup actions completed at the Site appear to be protective of human health and the environment.
- Results from at least four consecutive quarterly groundwater sampling events indicate compliance with cleanup levels for all wells within and/or downgradient of the former excavation area. If contaminated soil still remains beyond the east and south property boundaries and beneath the vertical cliff, it is of minimal quantities, and it is not likely to pose a threat to human health or the environment by direct contact, vapor intrusion or by leaching to groundwater.
- The Restrictive Covenant for the property is in place and continues to be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, the Department of Ecology has determined that the requirements of the Restrictive Covenant continue to be met. No additional cleanup actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the remedy is maintained.

### 4.1 Next Review

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

## 5.0 REFERENCES

AMEC, 2008. Fourth Quarter Groundwater Monitoring Status Report, 351 Hardie Avenue SW, Former Car Wash Area, Renton Shopping Center.

Ecology, 2017 Site Visit.

Ecology, 2012 Site Visit.

Ecology, 2008. No Further Action opinion letter.

Ecology, 2005. Further Action opinion letter.

Ecology, 1999. Restrictive Covenant.

Ecology, 1998. No Further Action opinion letter.

RZA AGRA, Inc. 1993a. Off-Site Assessment and Groundwater Monitoring, Former Car Wash Area, Renton Shopping Center, Renton, Washington.

RZA AGRA, Inc. 1993b. Interim Remediation/Groundwater Monitoring, Renton Shopping Center, Former Car Wash Facility, Renton, Washington.

RZA AGRA, Inc. 1992a. Interim Soil Remediation, Former Car Wash Facility, Renton Shopping Center, Renton, Washington.

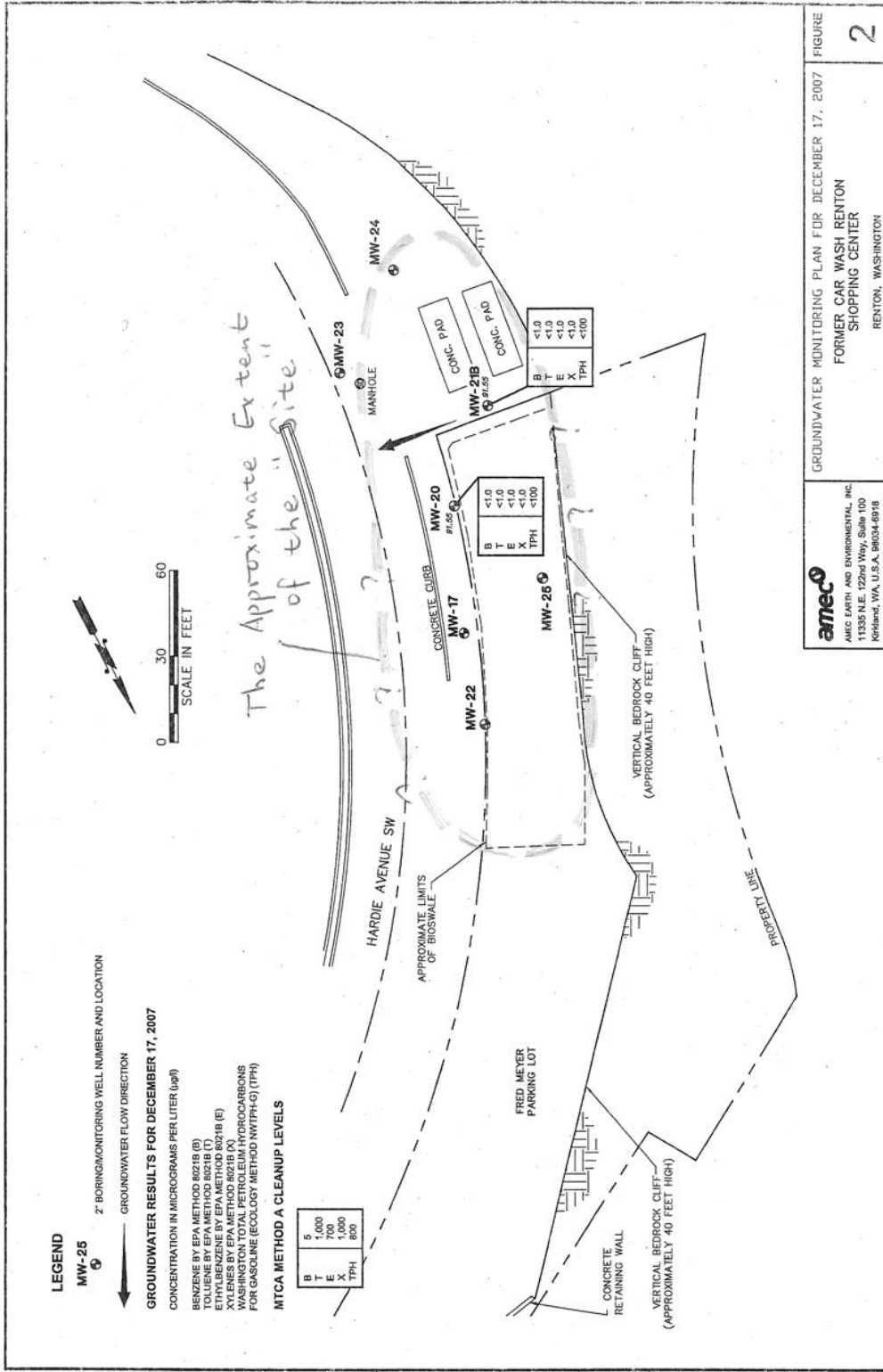
RZA AGRA, Inc. 1992b. Preliminary Remediation Characterization, Renton Shopping Center, Car Wash Facility (Area1), Former Car Wash Facility, Renton, Washington.

## **6.0 APPENDICES**

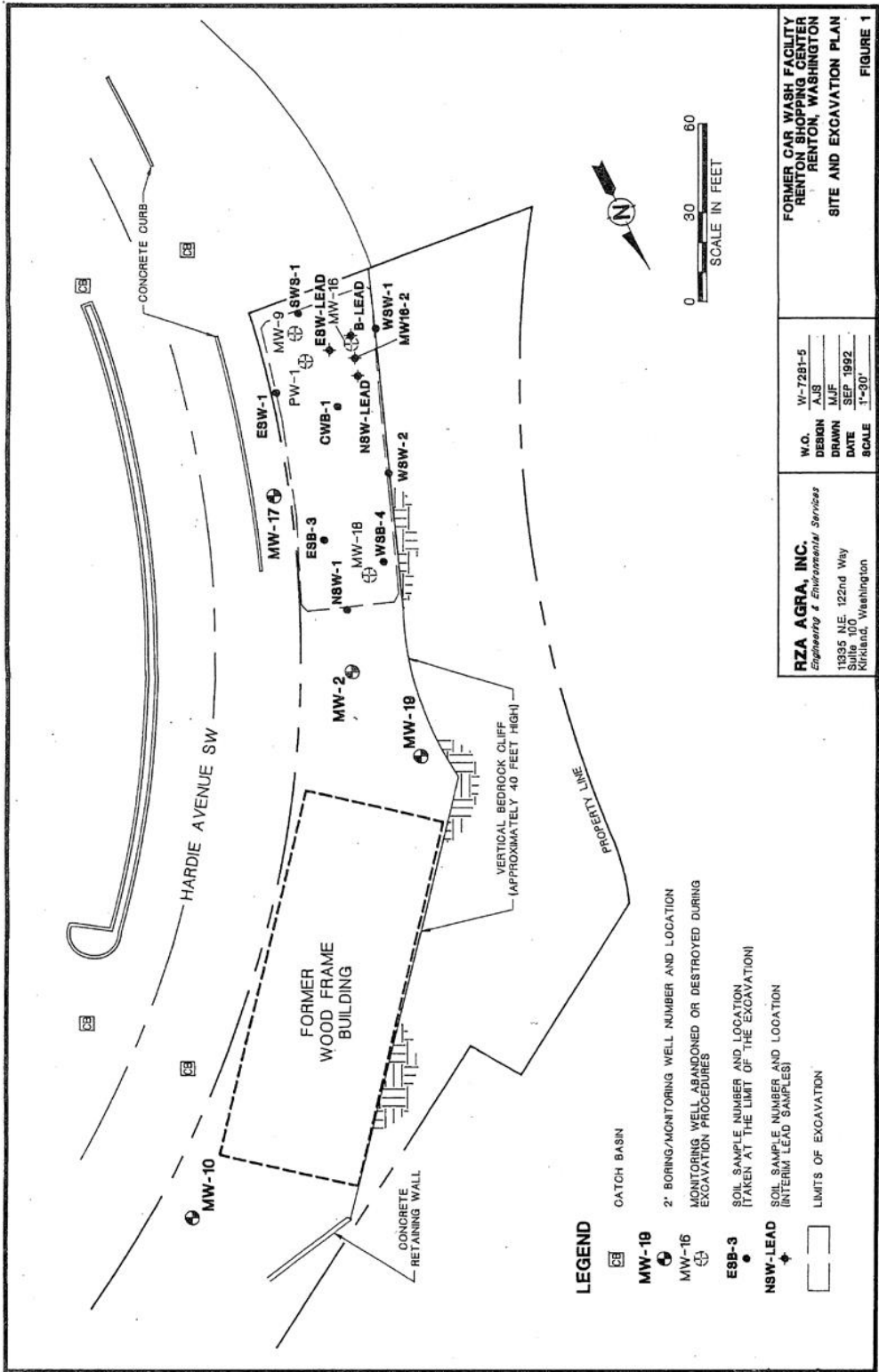
## 6.1 Vicinity Map



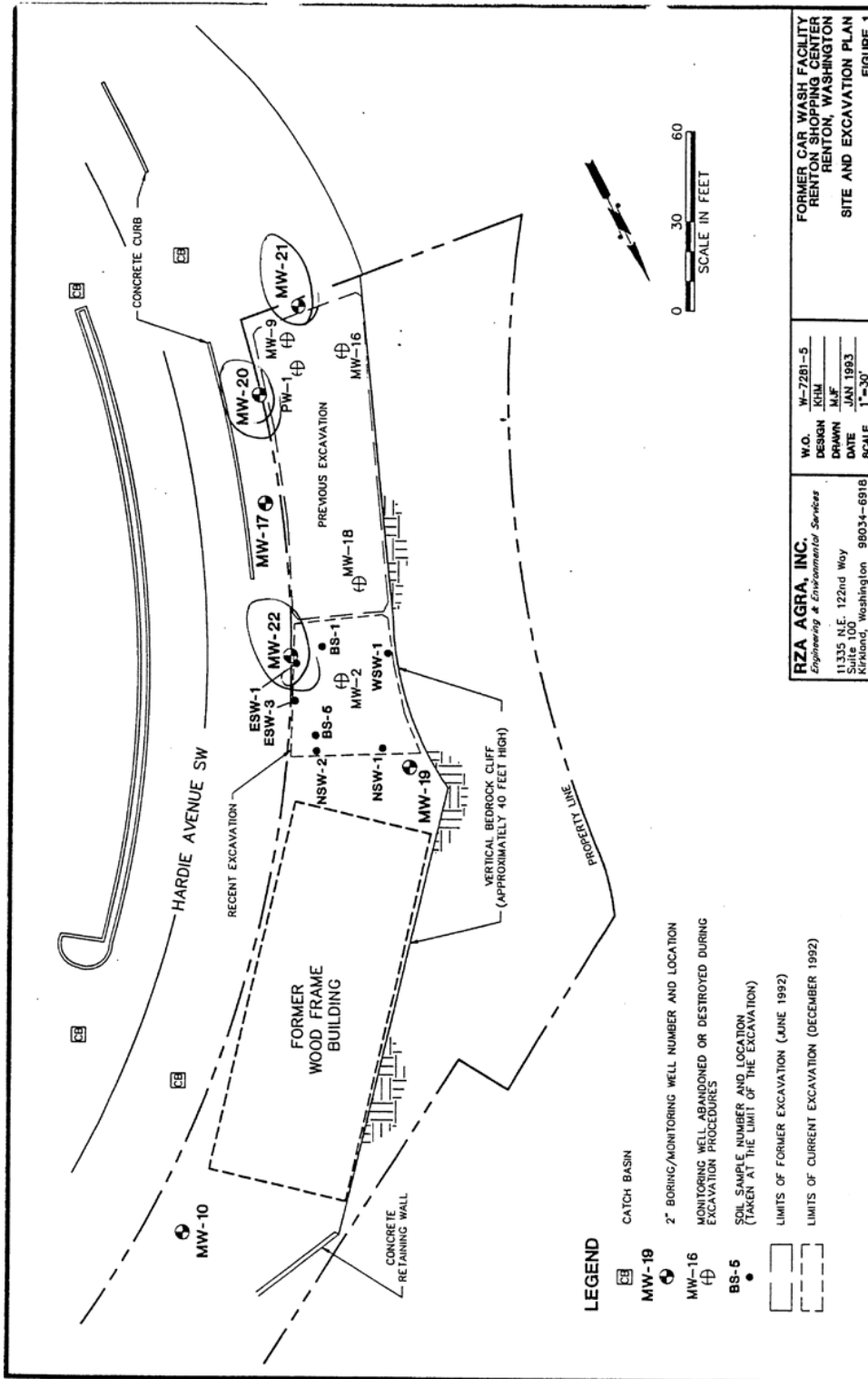
## 6.2 Site Map



### 6.3 June 1992 to October 1992 Excavation Map



### 6.4 December 1992 and January 1993 Excavation Map



## 6.5 Summary of Soil Confirmation Sampling Results – June 1992 to October 1992 Excavation

**Table 1: Summary of Analytical Results: Excavation Samples**  
**Renton Shopping Center**  
**Renton, Washington**  
**RZA AGRA Job No. W-7281-5**  
**Dates Collected: 6/1/92 through 6/6/92**

Sample Identification	Location	Depth Collected (feet)	Benzene (ppm)	Toluene (ppm)	Ethyl Benzene (ppm)	Xylenes (ppm)	Purgeable Hydrocarbons (WTPH-G) (ppm)	Total Lead (ppm)
<b>Excavation Limits</b>								
SWS-1	South Sidewall	8.0	0.34	0.14	1.8	3.5	87	24
WSW-1	West Sidewall	4.5	0.28	0.12	2.0	21	130	170
CWB-1	Bottom	9.0	2.2	28	39	230	1,800	21
NSW-1	North Sidewall	7.0	4.8	58	55	320	3,000	24
ESW-1	East Sidewall	7.0	4.4	12	31	150	1,600	<7.5
WSW-2	West Sidewall	9.0	<0.05	<0.10	0.37	1.8	35	<7.5
ESB-3	Bottom	9.5	<0.05	<0.10	0.17	0.21	34	8.5
WSB-4	Bottom	9.0	<0.05	<0.10	<0.10	<0.10	<1.0	<7.5

<b>Lead Impacted Area</b>								
MW16-2	Near MW-16	6.5	--	--	--	--	--	670
ESW-Lead	Eastern Limit	5.5	--	--	--	--	--	9.2
NSW-Lead	Northern Limit	5.5	--	--	--	--	--	25.3
B-Lead	Bottom Limit	8.0	--	--	--	--	--	673
SP-1 Lead	Stockpile	N/A	--	--	--	--	--	38.4
SP-2 Lead	Stockpile	N/A	--	--	--	--	--	153
DS-Lead 1	Stockpile	N/A	--	--	--	--	--	61.2
DS-Lead 2	Stockpile	N/A	--	--	--	--	--	8.9
DS-Lead 3	Stockpile	N/A	--	--	--	--	--	344

<b>Method Detection Limit</b>	<b>0.05</b>	<b>0.10</b>	<b>0.10</b>	<b>0.10</b>	<b>1</b>	<b>7.5</b>
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<b>MTCA Cleanup Level</b>	<b>0.5</b>	<b>40</b>	<b>20</b>	<b>20</b>	<b>100</b>	<b>250</b>
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**Notes:**

Benzene, toluene, ethylbenzene and xylenes compounds analyzed by EPA Method 8020.

Purgeable Hydrocarbons - Gasoline-range petroleum hydrocarbons analyzed by Ecology Method WTPH-G.

Total Lead was analyzed in accordance with EPA Method 7420.

-- = indicates the sample was not analyzed for that compound.

Indicates concentrations are above the MTCA Method A Cleanup Level.

All concentrations are expressed in parts per million (ppm).

## 6.6 Summary of Soil Confirmation Sampling Results – December 1992 and January 1993 Excavation

**Table 1: Summary of Analytical Results: Soil Samples  
 Renton Shopping Center  
 Renton, Washington  
 RZA-AGRA Job No. W-7281-5**

Sample Number	Sample Location	Depth Collected (feet)	Benzene (ppm)	Toluene (ppm)	Ethyl Benzene (ppm)	Xylenes (ppm)	Purgeable Hydrocarbons (ppm)	Total Lead (ppm)
<b>Excavation Limits</b>								
BS-1	Bottom	10	1.3	0.28	2.6	6.2	120	--
BS-5	Bottom	9.5	0.061	0.043	0.61	0.76	40	5
WSW-1	West Sidewall	10.5	<0.028	<0.028	<0.028	<0.028	<6	<1.8
ESW-1	East Sidewall	9	<0.05	<0.05	8.3	18	700	<15
ESW-3	East Sidewall	7	3.2	35	19	120	1,000	41
NSW-1	North Sidewall	9	0.32	0.07	<0.033	0.19	15	160
NSW-2	North Sidewall	7.5	<0.029	0.03	0.13	0.19	46	9.5
<b>Clean Stockpiled Soils</b>								
CLS-1	NA	N/A	<0.029	0.038	0.034	0.29	21	20
CLS-2	NA	N/A	0.036	0.043	0.031	0.22	<6	16
CLS-3	NA	N/A	0.078	0.031	<0.029	<0.029	<6	23
CLS-4	NA	N/A	<0.028	<0.028	<0.028	0.04	9	40
CL-6	NA	N/A	0.052	0.067	0.064	0.47	9	44
<b>Impacted Stockpiled Soils</b>								
CSP-1	NA	N/A	0.41	2	3.4	22	210	150
CSP-2	NA	N/A	25	420	260	1,500	12,000	35
<b>MTCA Cleanup Level</b>			0.5	40	20	20	100	250

**Notes:**

Benzene, Toluene, Ethylbenzene and Xylenes (BTEX) were analyzed by EPA Method 8020.

Purgeable Hydrocarbons - gasoline range petroleum hydrocarbons analyzed by Ecology Method WTPH-G.

-- indicates sample was not analyzed for that specific compound.

MTCA - Washington State Department of Ecology Model Toxics Control Act Cleanup Guidelines.

█ - indicates sample is above the MTCA cleanup level.

Concentrations are expressed in parts per million (ppm).

## 6.7 Summary of Analytical Laboratory Results: Groundwater

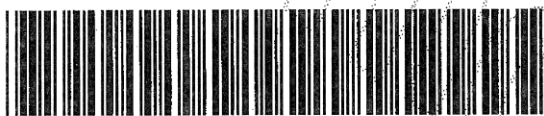
TABLE 2: Summary of Analytical Laboratory Results: Groundwater  
Renton Shopping Center - Car Wash  
Renton, Washington  
AMEC Earth & Environmental, Inc. Project No. 6-914-14011-C

Well Number	Date Collected	WTPH-G (µg/L)	Benzene (µg/L)	Toluene (µg/L)	Ethylbenzene (µg/L)	Total Xylenes (µg/L)	
MW-20	1/25/1993	8,300	160	46	120	770	
	7/1/1993	9,400	470	62	380	790	
	8/1/1995	1,300	84	1.7	59	3.4	
	11/18/1995	< 50	0.54	< 0.5	< 0.5	< 0.5	
	2/13/1996	< 50	9.33	< 0.5	4.31	1.17	
	5/8/1996	124	10.8	< 0.5	8.26	1.96	
	8/15/1996	414	29.5	0.59	27.8	0.77	
	11/13/1996	85.1	5.23	< 0.5	3.72	3.71	
	3/25/1997	78.4	8.87	0.78	6.73	1.86	
	8/26/1997	505	12.8	0.82	14.9	1.73	
	4/3/1998	71.7	2.88	< 0.5	< 0.57	< 0.5	
	1/6/1999	153	2.49	< 0.5	1.56	< 1.5	
	4/30/1999	477	3.22	< 0.5	2.93	2.88	
	8/26/1999	273	0.78	< 0.5	0.55	< 1.5	
	4/12/2000	358	0.61	< 0.5	2.00	< 1.5	
	8/16/2000	1,210	1.18	13.4	0.74	2.22	
	1/31/2001	339	< 0.5	4.34	< 0.5	< 1.5	
	5/29/2001	330	10	< 0.5	2.2	2.2	
	8/2/2001	360	6.9	< 1.0	< 1.0	1.5	
	4/11/2002	< 100	1	< 1.0	< 1.0	< 1.0	
	7/5/2002	100	2.6	< 1.0	< 1.0	< 1.0	
	10/4/2002	400	20	< 1.0	7.3	1.8	
	1/16/2003	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	4/9/2003	< 100	1.3	< 1.0	< 1.0	< 1.0	
	7/1/2003	< 100	3.6	< 1.0	< 1.0	< 1.0	
	10/10/2003	290	15	1.1	1.7	2.5	
	5/9/2005	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	05/09/2005 (Dup)	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	6/23/2006	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	06/23/2006 (Dup)	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	3/30/2007	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	03/30/2007 (Dup)	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	6/22/2007	< 100	1.1	< 1.0	< 1.0	< 1.0	
	08/22/07 (Dup)	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	9/28/2007	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	9/28/07 (Dup)	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	12/17/2007	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	12/17/07 (Dup)	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
	MW-21B	8/14/1995	2,000	590	18	47	260
		11/16/1995	1,900	380	28	23	350
		2/13/1996	738	160	10.8	21.8	77.6
		5/8/1996	591	95	7.74	29.6	70.6
		8/15/1996	118	41	0.94	0.81	3.61
		11/13/1996	188	93.8	3.99	3.24	17.8
		3/25/1997	669	86.6	6.53	25.1	57.9
		8/26/1997	119	21.3	0.95	0.98	2.05
		4/3/1998	531	54.2	4.52	2.89	13.2
1/6/1999		1,450	89.8	4.51	6.4	13.4	
4/30/1999		1,690	33.7	3.46	12	27.8	
8/26/1999		930	31.8	2.01	2.25	6.34	
4/12/2000		1,010	18.4	1.58	2.88	4.37	
8/16/2000		681	17.4	4.10	0.74	2.18	
1/31/2001		939	17.5	4.61	0.75	2.80	
5/29/2001		500	31	2.4	2.0	5.2	
8/2/2001		370	22	1.7	< 1	3.4	
4/11/2002		460	33	2.2	1.5	4.9	
04/11/2002 (Dup)		410	32	2.1	1.4	4.5	
7/5/2002		290	22	1.7	< 1.0	2.8	
07/05/2002 (Dup)		460	31	1.8	< 1.0	3.9	
10/4/2002		140	13	< 1.0	< 1.0	140	
10/04/2002 (Dup)		< 100	8.7	< 1.0	< 1.0	< 1.0	
1/16/2003		370	25	2.1	< 1.0	3.4	
01/16/2003 (Dup)		450	31	2.6	1.1	4.4	
4/9/2003		270	18	1.0	< 1.0	2.0	
04/09/2003 (Dup)		400	24	1.5	< 1.0	3.0	
7/1/2003		220	17	1.1	< 1.0	2.3	
07/01/2003 (Dup)		250	19	1.3	< 1.0	2.6	
10/10/2003		240	20	1.5	< 1.0	3.0	
10/10/2003 (Dup)		180	15	1.1	< 1.0	2.3	
5/9/2005		160	7.2	< 1.0	< 1.0	1.5	
6/23/2006		< 100	4.4	< 1.0	< 1.0	< 1.0	
3/30/2007		< 100	2.8	< 1.0	< 1.0	< 1.0	
6/22/2007		< 100	2.5	< 1.0	< 1.0	< 1.0	
9/29/2007		< 100	3.2	< 1.0	< 1.0	< 1.0	
12/17/2007		< 100	< 1.0	< 1.0	< 1.0	< 1.0	
MTCM Method "A" Cleanup Level		1,000	5	40	30	20	

TABLE 2: Summary of Analytical Laboratory Results: Groundwater  
 Renton Shopping Center - Car Wash  
 Renton, Washington  
 AMEC Earth & Environmental, Inc. Project No. 6-914-14011-C

Well Number	Date Collected	WTPH-G (µg/L)	Benzene (µg/L)	Toluene (µg/L)	Ethylbenzene (µg/L)	Total Xylenes (µg/L)
MW-22	1/26/1993	7,800	980	250	440	930
	7/1/1993	20,000	1,000	48	1,700	3,100
	8/14/1995	960	86	0.57	40	7.4
	11/16/1995	230	31	< 0.5	9.2	7.2
	2/13/1996	585	62.9	0.56	27.7	10.7
	5/8/1996	70.3	1.86	< 0.5	4.26	< 0.5
	8/15/1996	209	8.66	< 0.5	4.29	< 0.5
	11/13/1996	81.3	8.01	< 0.5	1.91	0.87
	3/25/1997	72.4	3.92	< 0.5	1.5	< 0.5
	8/26/1997	86.6	5.51	< 0.5	0.76	< 0.5
	4/3/1998	< 50	0.54	< 0.5	< 0.5	< 0.5
	1/6/1999	294	2.88	< 0.5	< 0.5	< 1.5
	4/30/1999	185	< 0.5	< 0.5	< 0.5	< 0.5
	8/26/1999	123	< 0.5	< 0.5	< 0.5	< 1.5
	4/12/2000	143	< 0.5	< 0.5	< 0.5	< 1.5
8/16/2000	120	< 0.5	1.94	< 0.5	< 1.5	
1/31/2001	172	< 0.5	3.00	< 0.5	< 1.5	
5/29/2001	< 50	4.5	< 0.5	< 0.5	< 1.5	
8/2/2001	< 100	3.2	< 1	< 1	1.2	
MW-24	9/8/1993	270	124	5.41	1.87	24
	8/14/1995	< 50	< 0.5	< 0.5	< 0.5	< 0.5
	11/16/1995	90	4.4	< 0.5	< 0.5	< 0.5
	2/13/1996	< 50	2.49	< 0.5	< 0.5	< 0.5
	5/8/1996	< 50	< 0.5	< 0.5	< 0.5	< 0.5
	4/3/1998	< 50	< 0.5	< 0.5	< 0.5	< 0.5
	1/6/1999	175	1.49	< 0.5	< 0.5	< 1.5
	4/30/1999	118	< 0.5	< 0.5	< 0.5	< 0.5
	8/26/1999	146	< 0.5	< 0.5	< 0.5	< 1.5
	4/12/2000	86.6	< 0.5	< 0.5	< 0.5	< 1.5
	8/16/2000	174	< 0.5	2.53	< 0.5	< 1.5
	1/31/2001	243	< 0.5	2.96	< 0.5	< 1.5
	5/29/2001	< 50	4.7	< 0.5	< 0.5	< 1.5
	8/2/2001	< 100	3.7	< 1.0	< 1.0	1.8
	MW-25	9/8/1993	46,600	232	439	< 2
8/14/1995		14,000	120	12	460	690
11/16/1995		< 50	< 0.5	< 0.5	< 0.5	< 0.5
2/13/1996		< 50	< 0.5	< 0.5	< 0.5	< 0.5
5/8/1996		54.7	< 0.5	< 0.5	2	< 0.5
8/15/1996		3,500	5.87	0.75	130	25
10/1/1996		124	< 0.5	< 0.5	2.86	0.6
11/13/1996		< 50	< 0.5	< 0.5	< 0.5	< 0.5
3/25/1997		< 50	< 0.5	< 0.5	< 0.5	< 0.5
8/26/1997		86.2	< 0.5	< 0.5	3.04	1.17
1/6/1999		145	< 0.5	< 0.5	1.16	< 0.5
4/30/1999		99.7	< 0.5	< 0.5	3.09	< 0.5
8/26/1999		786	10.7	0.75	43.4	12.1
4/12/2000		72	< 0.5	< 0.5	0.76	< 1.5
8/16/2000		542	9.51	4.06	28.4	1.77
1/31/2001		142	< 0.5	1.11	0.67	< 1.5
5/29/2001		< 50	< 0.5	< 0.5	< 0.5	< 0.5
8/2/2001	210	3.0	< 1.0	1.7	1.0	
4/11/2002	< 100	< 1.0	< 1.0	< 1.0	< 1.0	
MTCA Method "A" Cleanup Level		1,000	5	40	30	20
Notes: All results given in micrograms per liter (µg/L) Values preceded by "<" indicate that analyte was not detected at the reported method detection limit. Values shown in bold type indicate concentration is above MTCA Method "A" Cleanup Level.						

## 6.8 Environmental Covenant



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Unofficial  
Document

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16.00


99-205-0180 09:31:00 AM KING COUNTY RECORDS 009 55

**AFTER RECORDING MAIL TO:**

Name NORTHWEST BUILDING CORPORATION  
Address 801 2ND #1300 NORTON BLDG  
City/State SEATTLE WA 98104-1581  
WAYNE E REISENBERG

**Document Title(s):** (or transactions contained therein)

1. RESTRICTIVE COVENANT
- 2.
- 3.
- 4.



**First American Title Insurance Company**

1ST AM  
M-1239-5K  
(9)

(this space for title company use only)

**Reference Number(s) of Documents assigned or released:**

Additional numbers on page \_\_\_\_\_ of document

**Grantor(s):** (Last name first, then first name and initials)

1. WASHINGTON STATE OF - DEPT Ecology
- 2.
- 3.
- 4.
5.  Additional names on page \_\_\_\_\_ of document

**Grantee(s):** (Last name first, then first name and initials)

1. ROUNDUP COMPANY
- 2.
- 3.
- 4.
5.  Additional names on page \_\_\_\_\_ of document

**COURTESY RECORDING ONLY  
NO LIABILITY FOR VALIDITY AND/OR  
ACCURACY ASSUMED BY FIRST AMERICAN  
TITLE INSURANCE COMPANY**

**Abbreviated Legal Description as follows:** (i.e. lot/block/plat or section/township/range/quarter/quarter)

PTN GOVT LOT 11, SEC. 18, TOWNSHIP 23 N, R 5 E W M

Complete legal description is on page 9 of document

**Assessor's Property Tax Parcel / Account Number(s):**

182305-9034

**NOTE** The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**RESTRICTIVE COVENANT**

Roundup Co.

Former Car Wash Facility – Renton Shopping Center

351 Hardie Avenue S.W. Renton, Washington (the "Property")

This Declaration of Restrictive Covenant is made pursuant to RCW 70 105D-030 (l)(f) and (g) and WAC 173-340-440 by Roundup Co., a Washington corporation, its successors and assigns, and the State of Washington department of Ecology, its successors and assigns (hereafter "Ecology") The property is currently undergoing remedial action (as defined below) and Northwest Building Corporation, its successors and assigns, is responsible at its sole cost and expense to perform the Remedial Action

An independent remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Restrictive Covenant The Remedial Action conducted at the property is described in the following documents[s]

- 1 Preliminary Remediation Characterization, Renton Shopping Center – Car Wash Facility (Area 1), January 1992 by RZA AGRA, Inc
- 2 Interim Soil Remediation, Former Car Wash Area – Renton Shopping Center, November 3, 1992 by RZA AGRA, Inc
- 3 Interim Remediation/Groundwater Monitoring, Renton Shopping Center, January 1993 by RZA AGRA, Inc
- 4 Off-Site Assessment and Groundwater Monitoring, Former Car Wash Area - Renton Shopping Center, August 16, 1993 by RZA AGRA, Inc
- 5 Additional Subsurface Investigation and Groundwater Aeration Feasibility Study Summary Report, Former Car Wash Area Renton – Shopping Center, August 16, 1994 by AGRA Earth & Environmental, Inc
- 6 Remediation System and Groundwater Monitoring Status Report, Former Car Wash Area – Renton Shopping Center, December 29, 1995 by AGRA Earth & Environmental, Inc

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**Restrictive Covenant  
Former Car Wash Facility  
Renton Shopping Center**

7. Remediation System and Groundwater Monitoring Status Report, Former Car Wash Area Renton Shopping Center, May 14, 1996 by AGRA Earth & Environmental, Inc
8. Remediation System and Groundwater Monitoring Status Report, Former Car Wash Area Renton Shopping Center, July 12, 1996 by AGRA Earth & Environmental, Inc
9. Remediation System and Groundwater Monitoring Status Report, Former Car Wash Area Renton Shopping Center, October 1, 1996 by AGRA Earth & Environmental, Inc
10. Remediation System and Groundwater Monitoring Status Report, Former Car Wash Area Renton Shopping Center, January 14, 1997 by AGRA Earth & Environmental, Inc
11. Remediation System and Groundwater Monitoring Status Report, Former Car Wash Area Renton Shopping Center, May 12, 1997 by AGRA Earth & Environmental, Inc
12. Remediation System and Groundwater Monitoring Status Report, Former Car Wash Area Renton Shopping Center, October 6, 1997 by AGRA Earth & Environmental, Inc
13. Second Quarter and Groundwater Monitoring Status Report, 351 Hardie Avenue, SW Former Car Wash Area, Renton Shopping Center, April 30, 1998, by AGRA Earth & Environmental, Inc

THESE documents are on file at Ecology's NWRO.

This Restrictive Covenant is required because the Remedial Action resulted in remnant concentrations of TPH-G, beneath the vertical bedrock cliff of the western corner of the Former Renton Car Wash Facility, and because dissolved petroleum hydrocarbons in groundwater are also present above State Standards on the site (See Enclosed Maps, Figs 1 and 2) This remnant and inaccessible contaminated soil is estimated to be about 330 cubic yards in volume

The undersigned Roundup Co is the fee owner of real property (hereafter "Property") in the County of King, State of Washington, that is subject to this Restrictive Covenant The Property is legally described in Exhibit A, of this Restrictive Covenant and made a part hereof by reference.

Roundup Co makes the following declaration as to limitations, restrictions, and uses to which the Property 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 Property (hereafter "Owner").

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**Restrictive Covenant  
Former Car Wash Facility  
Renton Shopping Center**

**Section 1.** The Property shall be used only for commercial uses including but not limited to retail and industrial uses as allowed under the COUNTY of King's zoning regulations codified in the RENTON MUNICIPAL CODE as of the date of this Restrictive Covenant

**Section 2.** No groundwater may be taken for any use from the Property without meeting all relevant substantive requirements applicable to the State and County laws

**Section 3.** A portion of the Property contains remnant concentrations of TPH-G, present beneath the vertical bedrock cliff of the western corner of the Former Renton Car Wash Facility, and dissolved petroleum hydrocarbons in groundwater are also present above State Standards on the site. The Owner shall not alter, modify, or remove the existing structure[s] in any manner that may result in the release or exposure to the environment of that contaminated soil, groundwater, vapors or create a new exposure pathway without prior written approval from Ecology

**Section 4.** Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil, groundwater, or vapors that remain on the property as part of the Remedial Action, or create a new exposure pathway or that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited without the prior written approval from Ecology. Some examples of activities that are prohibited in the capped areas include drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork

**Section 5.** Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action

**Section 6.** The Owner of the property must give thirty- (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. 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 monitoring, operation, and maintenance of the Remedial Action

**Section 7.** The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property

**Restrictive Covenant  
Former Car Wash Facility  
Renton Shopping Center**

**Section 8.** The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

**Section 9.** The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action, to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

**Section 10.** The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that 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 if Ecology, after public notice and opportunity for comment, concurs.

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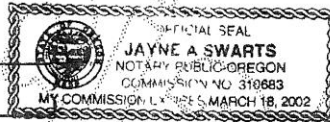
Restrictive Covenant  
Former Car Wash Facility  
Renton Shopping Center

OWNER

Roundup Co

By Scott L. Wippel  
Title Vice President  
Date 12-14-98

STATE OF Oregon  
COUNTY OF Multnomah

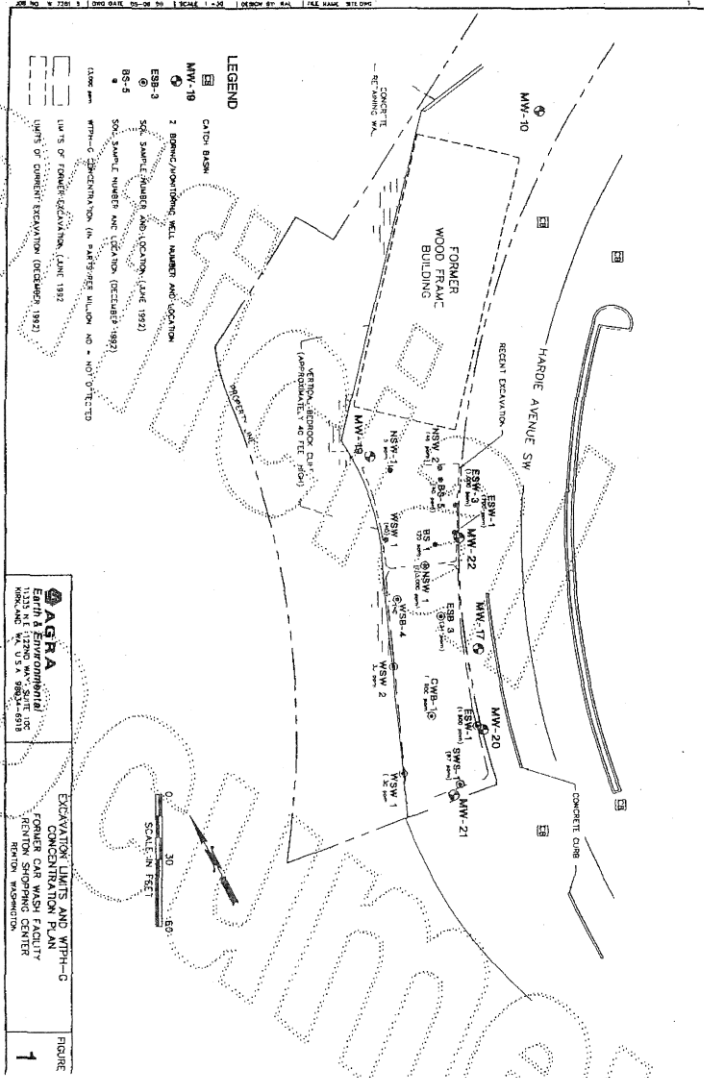
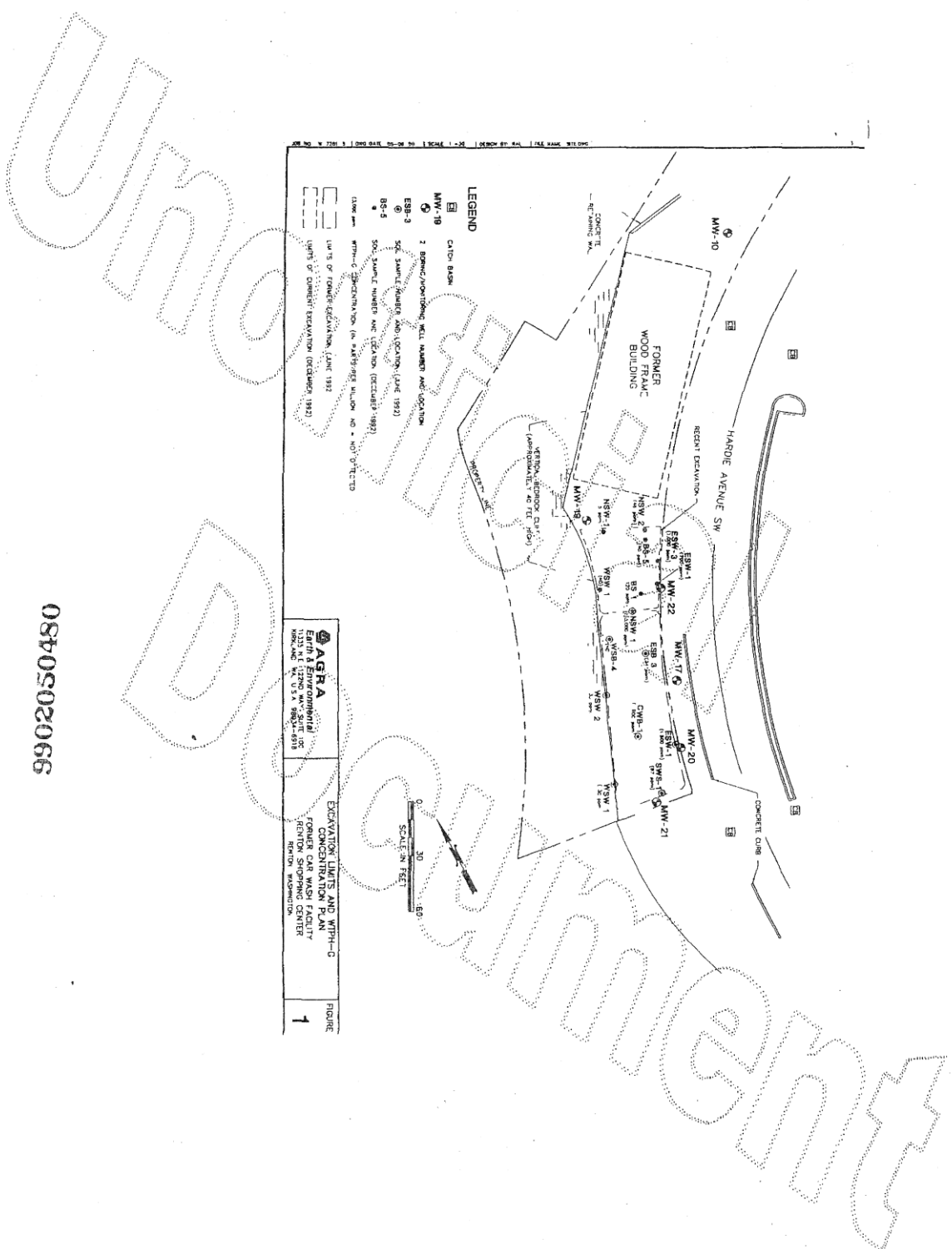


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On this 14<sup>th</sup> day of December, 1998, before me, a Notary Public in and for the State of \_\_\_\_\_, duly commissioned and sworn, personally appeared, Scott L. Wippel to me known to be the Vice President, of Roundup Co, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument

Jayne A Swarts  
Notary Public in and for the State of Washington Oregon

Residing at Portland, Oregon  
My commission expires March 18, 2002



**LEGEND**

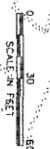
- ☐ Catch Basin
- MW-10 2 Storm/Overflows Well Number and Location
- ESW-1 2 Storm/Overflows Well Number and Location (Land 1993)
- NSW-1 2 Storm/Overflows Well Number and Location (October 1982)
- ESB-3 2 Storm/Overflows Well Number and Location (October 1982)
- ESB-5 2 Storm/Overflows Well Number and Location (October 1982)

--- Limits of Former Excavation (June 1982)  
 --- Limits of Current Excavation (October 1982)

**ASRA**  
 Earth & Environmental  
 11200 NE 122nd Ave, Suite 600  
 Redmond, WA 98073

EXCAVATION LIMITS AND UTILITY LINES  
 FORMER CAR WASH FACILITY  
 RENTON SHOPPING CENTER  
 RENTON, WASHINGTON

FIGURE 1



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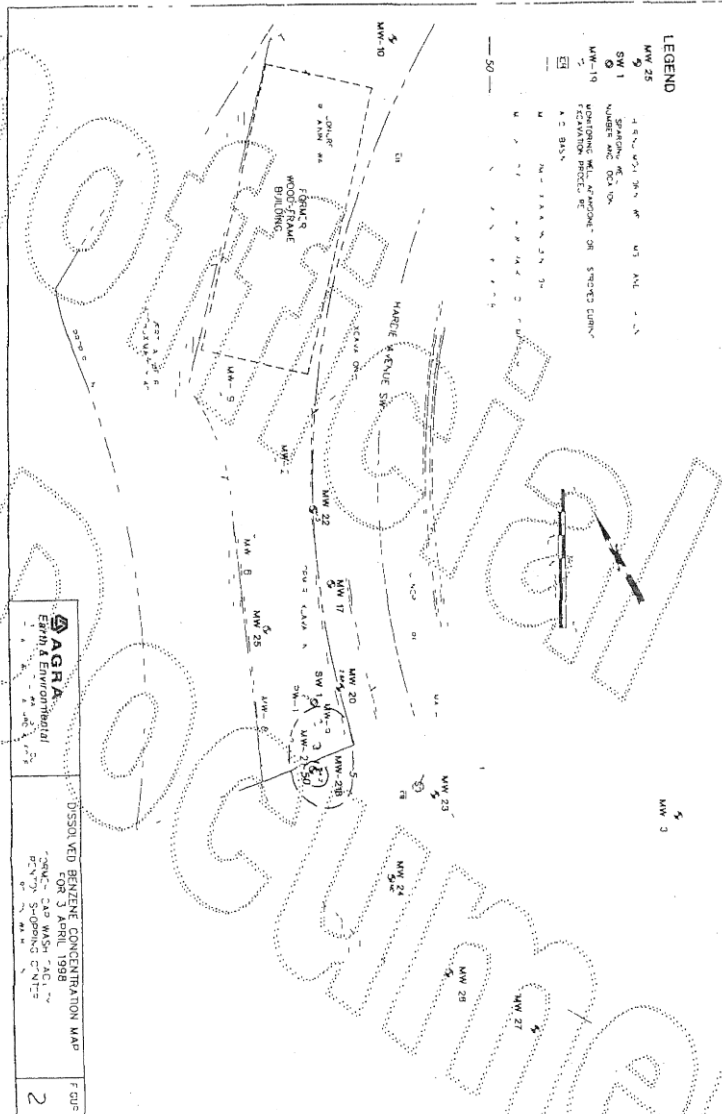


EXHIBIT A LEGAL

PARCEL G:

THAT PORTION OF GOVERNMENT LOT 11, SECTION 18, TOWNSHIP 23 NORTH, RANGE 5 EAST W.M., IN KING COUNTY, WASHINGTON, AND OF HENRY H. TOBIN DONATION LAND CLAIM NO. 17 IN THE SOUTHWEST QUARTER OF SAID SECTION 18, AND OF TRACTS 2 AND 3 AND THE STREET PLATTED THEREIN OF THE COMMISSIONER OF PUBLIC LAND SUPPLEMENTAL MAP OF RENTON SHORE LANDS, SAID STREET NOW VACATED BY ORDINANCE NO. 1849 OF CITY OF RENTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID TRACT 3 OF RENTON SHORE LANDS;  
THENCE SOUTHWESTERLY ALONG THE SOUTHERLY MARGIN OF PRIMARY STATE HIGHWAY NO. 2 A DISTANCE OF 7.18 FEET TO THE TRUE POINT OF BEGINNING;

THENCE EASTERLY AND SOUTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 33.63 FEET, AN ARC DISTANCE OF 106.58 FEET TO A POINT OF TANGENCY;  
THENCE SOUTH  $59^{\circ}31'38''$  WEST 88.92 FEET TO A POINT OF TANGENCY;  
THENCE WESTERLY ALONG AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 389.84 FEET, AN ARC DISTANCE OF 150.04 FEET TO A POINT ON THE NORTHWESTERLY MARGIN OF THE STREETS PLATTED IN SAID MAP OF RENTON SHORE LANDS;  
THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY MARGIN TO THE NORTH LINE PRODUCED EASTERLY OF THE SOUTH 550.92 FEET MEASURED DIAGONALLY ALONG THE WESTERLY BOUNDARY WHICH IS THE EASTERLY MARGIN OF RAINIER BOULEVARD OF THAT PORTION OF GOVERNMENT LOTS 11 AND 14 IN SAID SECTION 18 LYING EAST OF RAINIER BOULEVARD AND PRIMARY STATE HIGHWAY NO. 2, AND NORTH OF A LINE RUNNING DUE EAST FROM THE SOUTHEAST CORNER OF LOT 28, BLOCK 10, PLAT OF EARLINGTON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14 OF PLATS, PAGE 7, IN KING COUNTY, WASHINGTON;  
THENCE WEST ALONG SAID EASTERLY PRODUCTION AND ALONG SAID NORTH LINE OF SAID 550.92 FEET TO THE EASTERLY MARGIN OF SAID RAINIER BOULEVARD;  
THENCE NORTHERLY ALONG SAID EASTERLY MARGIN TO THE SOUTHERLY MARGIN OF PRIMARY STATE HIGHWAY NO. 2;  
THENCE EASTERLY ALONG SAID SOUTHERLY MARGIN TO THE TRUE POINT OF BEGINNING.

ALL SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

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## 6.9 Photo Log

Photo 1: The eastern portion of the Site is located on the left of Hardie Avenue SW – from the south



Photo 2: The western portion the Property over the cliff is located on the left of Maple Avenue SW – from the northwest



Photo 3: The Cliff on the southwestern portion of the Property – from the southeast



Photo 4: The Cliff on the northwestern portion of the Property – from the northeast



Photo 5: The parking lot located on the northeastern portion of the Property – from the north



Photo 6: The parking lot located on the northeastern portion of the Property – from the south



Photo 7: The parking lot located on the northeastern portion of the Property – from the northwest on the cliff



Photo 8: Monitoring well MW-17 – From the north

