



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

August 2, 2010

Steve Wilson
Vice President
Business Loan Center, Ciena Capital, LLC
One Independence Pointe, Suite 102
Greenville, South Carolina 29615

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

- Name: Mr. Sudsy Car Wash Kent
- Address: 209 South Central Avenue
- Facility/Site No.: 58168724
- VCP No.: NW2267

Dear Mr. Wilson:

Thank you for submitting documents regarding your proposed remedial action for the Mr. Sudsy Car Wash Kent 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 documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release at the Site:

- Petroleum Hydrocarbons in Soil and 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 accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.



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This opinion is based on the information contained in the documents listed in Enclosure B.

The reports listed in Enclosure B will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7190.

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

- Petroleum Hydrocarbons in Soil and Groundwater

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

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 release at the Site, Ecology has determined:**

As specifically requested, this opinion is in regards to the Remedial Investigation actions accomplished at the property. These actions are summarized below and also described in the Description and History of the Site included in Attachment A.

Petroleum contamination was initially discovered at the property in 1992 during excavation work to install an additional underground storage tank (UST). Three test pits were excavated to groundwater to determine the extent of the contaminated soil. Contaminated soil discovered in one test pit ~ 50 ft. north of the UST excavation demonstrated that soil contamination at the property was not limited to the UST locations. Soil samples from the UST excavation and test pits were analyzed for total petroleum hydrocarbons gasoline range (TPH-G) and diesel/oil range; and benzene, toluene, ethylbenzene, xylenes (BTEX), and lead. The samples confirmed the presence of soil with contaminant levels of TPH-G / BTEX above Method A soil cleanup levels.

During 2002, eight push-probe borings were advanced 12 -15 ft. bgs throughout the property to determine the extent of the contamination. Soil samples were acquired at four ft. intervals along with a groundwater sample from each boring. Select soil samples and the groundwater samples were analyzed for TPH-G and BTEX (also MTBE for groundwater samples). The probe data defined an area of groundwater contamination with levels of TPH-G and benzene in excess of Method A groundwater cleanup levels extending to the northwest ~90 ft. from the USTs and western pump island. Soil contamination appeared to be limited to the immediate area beneath and adjacent to the UST and pump island locations, and also associated with the groundwater plume.

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Six monitoring wells were installed on the property: one well upgradient, three wells downgradient, and two wells in the source area near the USTs and pump islands. Groundwater monitoring accomplished over approximately seven years demonstrated that contaminant levels, although not attenuating, were stable with no migration off property.

The Remedial Investigation actions described above are sufficient to determine the contaminants of concern and define the site. The characterization of the site is sufficient to establish cleanup standards and select a cleanup action.

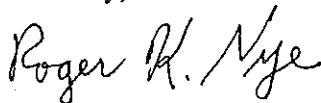
This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain 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 in Enclosure B. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

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

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements. If you have any questions regarding this opinion, please contact me at (425) 649-7251.

Sincerely,



Roger K. Nye
NWRO Toxics Cleanup Program

By certified mail: 7008 0150 0003 7623 7258

Enclosures: 2 (A and B)

cc: John Bland

Enclosure A

Description, History, and Diagrams of the Site

Site Description

The Site is associated with an operational gasoline station and car-wash facility at 209 Central Avenue South in Kent, Washington. Gasoline was released to the soil and groundwater at the property and comprises the Site.

The property is one half acre in size, and located on the southwest corner of the intersection of Central Avenue and Gowe Street. The area surrounding the property includes retail, commercial, and light industrial properties. The Green River is 3/4 mile to the southwest of the property. Mill Creek and an associated area of extensive forested parkland is 1/3 mile to the northeast. The northern extent of a narrow band of forested land associated with a steep hillside is located ~500 ft. southeast of the property. There are no areas of undeveloped land within 500 ft. of the Site. The property is 45 ft. above mean sea level (msl), and land in the area slopes slightly down to the northwest and more steeply up to the southeast to an area 200-400 ft. above msl. This upland area lies between Mill Creek Canyon to the east and the Green River Valley to the west.

The Site is located on the Green River Valley floor and underlain by an alluvial aquifer. Shallow geological conditions at the Site generally consist of two to four feet of fill (sandy gravel with concrete and other debris fragments) overlying sand. The sand is described in boring logs as fine to coarse grained with some silt and minor gravel. The sand extends down to the maximum depth of exploration (16 ft. below ground surface- bgs). Depth to groundwater at the Site is 7- 9 ft. bgs with a flow direction that varies from west to northwest across the Site. Significant water leakage (if occurring) from operations of the car wash could possibly influence groundwater conditions. The property is completely paved.

Gasoline is reportedly the only petroleum product that has been/is stored and dispensed on the property. Subsurface investigations of the property indicate that gasoline was released from spills and/or leakage from the fuel storage and dispensing system. Soil adjacent to the underground storage tanks (USTs) and beneath the pump islands is contaminated. The groundwater is also contaminated over an area extending to the northwest ~90 ft. from the USTs and pump islands. Contaminant levels in groundwater are significantly in excess of Method A cleanup levels in the near vicinity of the USTs and western pump island. A "smear zone" of soil contamination is associated with the extent of the groundwater contamination. Long-term monitoring of contaminant levels in groundwater indicate the groundwater contamination is contained within the property boundaries. The levels of contamination in groundwater are variable, but do not appear to be naturally attenuating.

Site History

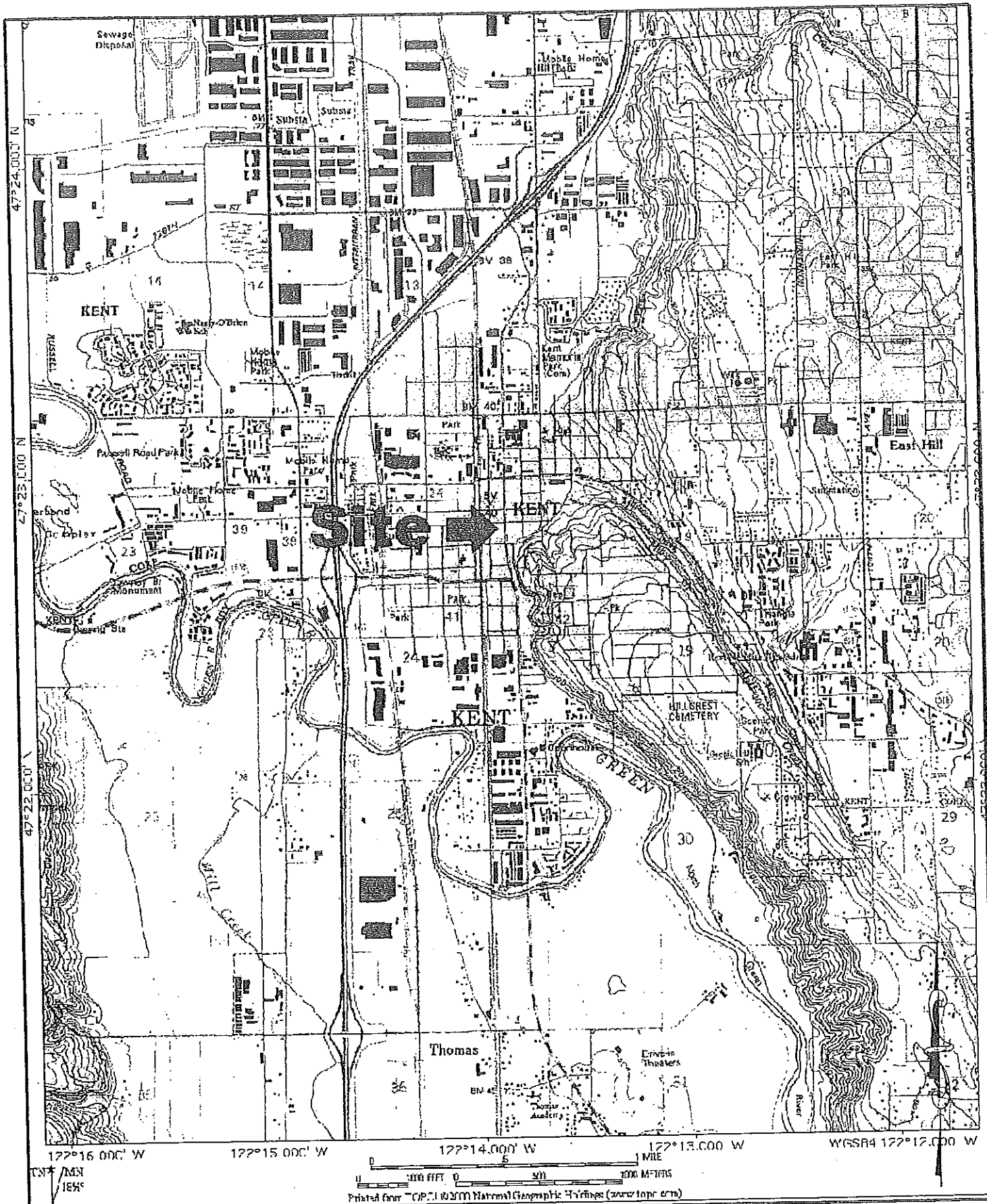
The gasoline station and car wash facility has occupied the property since 1972. Prior to 1972, the property was used for residential and other commercial purposes. Structures on the property include the car wash equipment and building, three underground storage tanks (USTs) with associated piping, and two dispenser islands. Two metal USTs 12,000 gallons in capacity were installed in 1972. A fiberglass UST 8,000 gallons in capacity was installed in 1992. The two older USTs were upgraded with impressed current and fiberglass linings and fuel lines in 1992.

Gasoline-contaminated soil was discovered at the property in 1992 during installation of an additional UST. Groundwater with sheen and odor seeped into the excavation. Approximately 250 cubic yards of contaminated soil was removed. Three test pits were excavated in other areas to determine the extent of soil contamination. Contaminated soil was discovered at depth (8 ft.) in one test pit north of the UST excavation. Soil samples from the UST excavation and test pits were analyzed for TPH-gasoline range (TPH-G) and benzene, toluene, ethylbenzene, and total xylenes (BTEX). There were contaminant levels in soil above Method A cleanup levels. A groundwater pump and treat system with one recovery well in the UST excavation was installed, and also a soil vapor-extraction system. The remedial systems operated from late 1992 until October 1995. No conformational sampling was done to evaluate the results of these systems.

The recovery well was sampled during October, 2002. Levels of TPH-G and benzene above Method A cleanup levels remained in groundwater. Eight push-probe borings were subsequently advanced 12-15 ft. bgs throughout the property to characterize the extent of soil and groundwater contamination. The probe data indicated that an area of groundwater contamination and associated smear-zone soil contamination extended ~90 ft. to the northwest from the USTs and western pump island. Based on the probe data and presumed groundwater flow direction, four monitoring wells were installed during February 2003 - one well upgradient and three wells downgradient. Elevation data from the wells confirmed the groundwater flow direction at the Site was predominantly to the northwest. During March 2004, two additional monitoring wells were installed in the source area near the pump islands and USTs.

Except for a two-year hiatus during 2006-2008, long-term groundwater monitoring was ongoing in the six monitoring wells and the recovery well at the Site from early 2003 until June, 2009. All wells have been sampled 10-14 times. There have been no significant detections of contaminants of concern (TPH-G, BTEX) in the upgradient well or in the three downgradient wells. Levels of TPH-G (1,000-6,000 ppb) and benzene (100-4,000 ppb) persist in the groundwater recovery well and in a monitoring well (MW-5) ~25 ft. to the northwest. There have been minor detections of benzene in a monitoring well (MW-6) ~40 ft. east of MW-5. The groundwater data are variable, but there doesn't appear to be long-term attenuation of contaminant levels. During August 2004, 1220 pounds of an oxygen-release compound (ORC) were injected through 20 boreholes in and upgradient of the source area. The ORC injection did not affect the long-term contaminant levels in groundwater. During May 2009, 650 pounds of a chemical oxidation product were injected through 5 boreholes near MW-5 as a pilot test. This injection produced a short-term reduction of contaminant levels in MW-5.

Site Diagrams



Adapt Engineering, Inc.
615 - 8th Avenue South
Seattle, Washington 98104

Tel (206) 654-7045
Fax (206) 654-7048

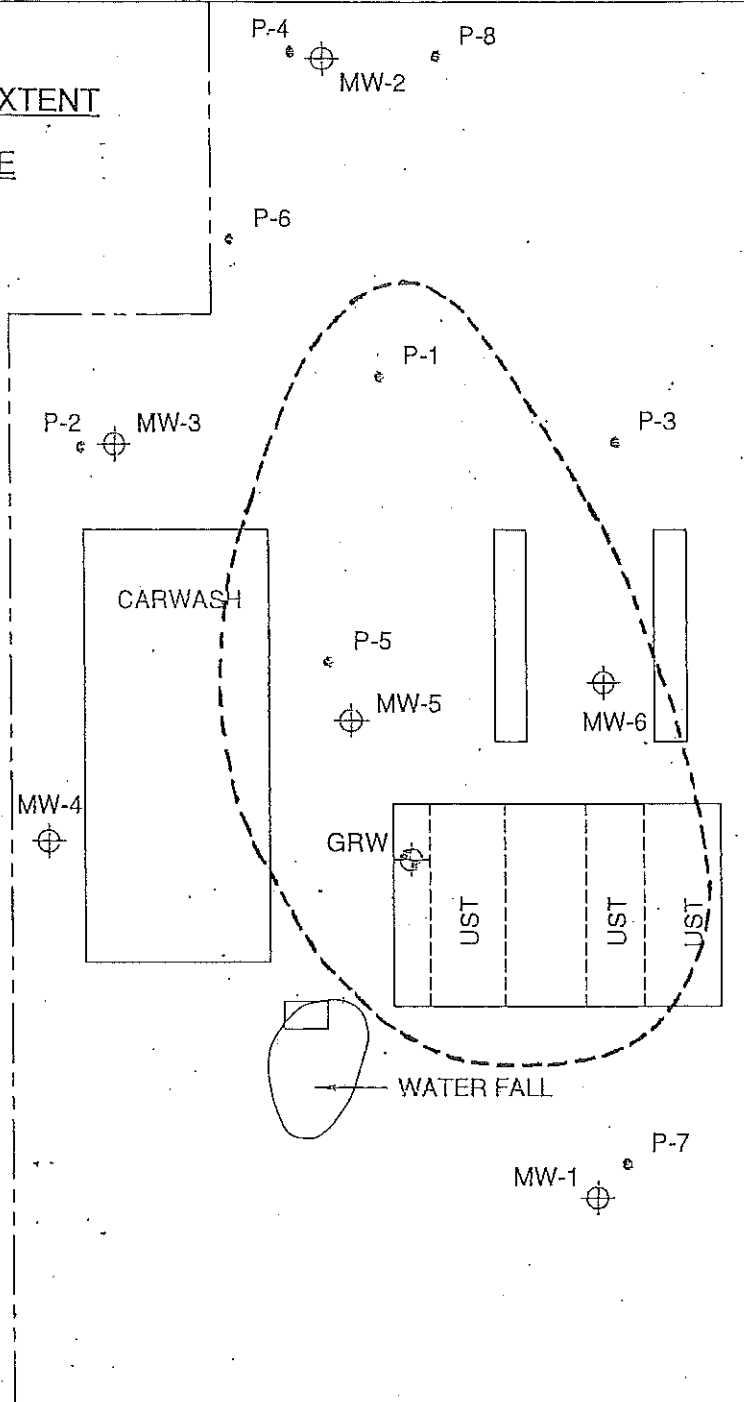
FIGURE 1 - Location/Topographic Map

Project : Mr. Sudsy's Car Wash
Location : 209 Central Avenue South
Kent, WA 98032
Client : Ciena Capital
Project No : WA02-8544-PH2

Date : 01/19/09

EAST GOWE STREET

APPROXIMATE EXTENT
OF THE SITE



CENTRAL AVENUE SOUTH

LEGEND:

P-7 - STRATA PROBE NUMBER AND APPROXIMATE LOCATION

GRW - APPROXIMATE LOCATION OF GROUNDWATER RECOVERY WELL
(INSTALLED 1992)

MW-1 - APPROXIMATE LOCATION OF GROUNDWATER MONITORING WELL
(02/12/03) + (03/09/04)

0 32 64
APPROXIMATE SCALE IN FEET



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FIGURE 2 - Site and Exploration Plan

Project : Mr. Sudsy's Car Wash
Location : 209 Central Avenue South
Kent, WA 98032
Client : Ciena Capital
Project No : WA02-8544-PH2 Date : 01/19/09

Enclosure B
Basis for the Opinion - List of Documents

1. Applied Geotechnology Inc., Site Check During Underground Storage Tank Installation Mr. Sudsy Car Wash, August 31, 1992
2. AGI Technologies, Project Update Hydrocarbon Remediation Mr. Sudsy Car Wash, September 29, 1998.
3. GMC-CMI Administrative Construction Management Services, Phase I Environmental Site Assessment, Mr. Sudsy Car Wash, April 23, 2002.
4. LSI Adapt, Phase I Environmental Site Assessment and Limited Groundwater Sampling and Analysis, November 6, 2002.
5. LSI Adapt, Phase II Environmental Site Assessment Mr. Sudsy Carwash-Kent, November 21, 2002.
6. LSI Adapt, Groundwater monitoring Well Installation, and 1st Quarter Groundwater Quality Monitoring Report, March 14, 2003.
7. LSI Adapt, June 2003 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, June 20, 2003.
8. LSI Adapt, September 2003 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, October 20, 2003.
9. LSI Adapt, December 2003 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, January 12, 2004.
10. LSI Adapt, September 2004 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, October 14, 2004.
11. LSI Adapt, December 2004 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, January 17, 2005.
12. LSI Adapt, June 2005 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, August 9, 2005.
13. LSI Adapt, November 2005 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, January 10, 2006.
14. Adapt Engineering, Inc., May 2006 Quarter Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, June 2, 2006.
15. Adapt Engineering, Inc., March and August 2008 Groundwater Quality Monitoring Report Mr. Sudsy Carwash-Kent, January 30, 2009.
16. Adapt Engineering, Inc., Groundwater Monitoring, Recovery Well Decommissioning, and Remedial Action Pilot Test Report, Mr. Sudsy Carwash-Kent, July 20, 2009.