



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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August 23, 2017

Electronic Copy

Amarjeet Singh
GSM Investments LLC
15235 SE 273rd Pl
Kent WA 98042

Re: No Further Action at the following Site:

- **Site Name:** Main Street Grocery
- **Site Address:** 901 Martin Luther King Jr. Way, Tacoma, WA
- **Facility/Site No.:** 53355321
- **Cleanup No.:** 12291
- **VCP Project No.:** SW1481

Dear Mr. Singh:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Main Street Grocery 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

Ecology has determined that no further remedial action is 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

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 and constituents to the Soil.

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

This opinion is based on the information contained in the following documents:

1. *Limited Phase II Site Assessment*, Northwest Environmental Solutions, Inc., January 9, 2014.
2. *Phase II Environmental Site Assessment*, Associated Environmental Group, LLC, July 21, 2017.

These documents are kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. You may 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 remedial action** is 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**.

In July 2016, a Phase II investigation was performed at the Site to determine if any petroleum impacts to soil were present. The work investigated the area where a detection of benzene above the Method A cleanup level had previously been found and other areas of potential concern.

Ground penetrating radar and electromagnetic surveys were conducted to determine if an underground storage tank (UST) that had been reported removed was actually gone. The supposed removal of this UST had not been well documented. The surveys did not detect any anomalies that could have been USTs.

After the geophysical surveys were completed, five soil borings were advanced in locations based on previous borings and Ecology's January 20, 2016 opinion letter (Figure 2).

Soil samples were field screened based on observations and a photoionization detector. No indications of contamination were found. Since no evidence of contamination was found, samples were collected at 5 foot intervals.

Ten soil samples were collected and submitted for laboratory analyses. The samples were analyzed for Total Petroleum Hydrocarbons-Gasoline, Total Petroleum Hydrocarbons-Diesel, Total Petroleum Hydrocarbons-Heavy Oil, benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, ethylene dibromide, and ethylene dichloride. Three of these samples were also analyzed for total naphthalenes, total carcinogenic polynuclear aromatic hydrocarbons, and lead.

Only two constituents were detected above the method detection limits (Table 1). These results were Petroleum Hydrocarbons-Heavy Oil at 270 milligrams per kilogram (mg/kg) and lead at 34 mg/kg. The Method A cleanup levels for these constituents are 2,000 mg/kg and 250 mg/kg, respectively.

The total depth reached in all of the borings was 20 feet bgs. Groundwater was not encountered in any of the borings. It is estimated to be between 90 feet and 100 feet bgs.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance established for the Site meet the substantive requirements of MTCA.

Ecology's *Model Remedies for Sites with Petroleum Contaminated Soils* (Publication 15-09-043, September 2015) were applied to this site since groundwater was not impacted and due to the depth of groundwater, is highly unlikely to have been impacted. Model Remedy 1 is appropriate for determining cleanup levels at this Site.

MTCA Method A Cleanup Levels for unrestricted land use for soil and groundwater were used to characterize the Site.

The Method A soil cleanup levels used are:

TPH-Gasoline	30 mg/kg
TPH-Diesel	2,000 mg/kg
TPH-Oil	2,000 mg/kg
Benzene	0.03 mg/kg
Toluene	7 mg/kg
Ethylbenzene	6 mg/kg
Total Xylenes	9 mg/kg

Points of compliance

Standard points of compliance were used for the Site.

The Points of Compliance used are:

Soil -Direct Contact: For soil cleanup levels based on human exposure via direct contact, the point of compliance is: *"...throughout the Site from ground surface to 15 feet below the ground surface."*

Since all results of the contaminants of concern were either not detected or below Method A cleanup levels, this pathway of exposure is incomplete.

Soil- Leaching: For sites where soil cleanup levels are based on the protection of groundwater: *"...the point of compliance is throughout the Site."*

This pathway is incomplete due to lack of contaminants in soil.

Groundwater: For groundwater, the standard point of compliance as established under WAC 173-340-720(8) is: *"...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."*

This pathway is incomplete due to lack of contaminants in soil and the estimated depth to groundwater of a minimum of 90 feet bgs.

Vapor: Ambient and Indoor Air throughout the site

Since there is no contamination in soil, this is an incomplete pathway of exposure.

3. Selection of cleanup action.

A selection of a cleanup action was not necessary since no contamination above Method A cleanup levels was found.

Soil boring B-4 was drilled in the area where a detection of benzene at 0.038 mg/kg was found. Boring B-4 confirmed that the concentration of benzene has likely degraded and is no longer above the Method A cleanup level of 0.03 mg/kg.

Groundwater was not found at the total depth explored of 20 feet bgs. Since the estimated depth to groundwater is at least 90 feet bgs, it is highly unlikely that any of the originally detected contamination has impacted groundwater.

4. Cleanup.

Since no contamination was found, cleanup actions were not needed at the Site.

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List.

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 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 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).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (#SW1481).

Mr. Amarjeet Singh
August 23, 2017
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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. If you have any questions about this opinion, please contact me by phone at (360) 407-6263 or Carol.Johnston@ecy.wa.gov.

Sincerely,



Carol A. Johnston
Toxics Cleanup Program

CAJ: kb

By Certified Mail: [91 7199 9991 7037 7496 0173]

Enclosure A: Site Description, Site History, and Diagrams of the Site

cc: Scott Rose, AEG
Rob Olsen, TPCHD
Nicholas Acklam, Ecology
Matthew Alexander, Ecology
Mark Gordon, Ecology

Enclosure A

Site Description, Site History, and Diagrams of the Site

Site Description

The Site is located on the southeast corner of the intersection of Martin Luther King Jr. Way and South 9th Street in Tacoma, Pierce County, Washington (Figure 1). It is comprised of two tax parcels with a combined area of 0.3 acres. The business building, with the address of 911 Martin Luther King Jr. Way, is located on a third parcel to the south and is 0.15 acres. The building at the Site contains the Main Street Grocery and several other small businesses.

Topography at the Site slopes gently to the northeast. The majority of the area is paved with planters on the northern corners. The surrounding area is commercial/residential. A community park that has fun playground equipment is located to the west of the Site.

The general area is underlain by till, consisting of a heterogeneous mixture of clay, sit, sand, gravel, and boulders deposited in front of the advancing Vashon Stade glaciers. The till often contains small, discontinuous perched groundwater zones. The depth to a viable aquifer in this area is estimated to be 90 to 100 feet below ground surface (bgs).

Site History

A Phase II report was conducted at the Site in 1998, however, a complete copy of the report was not been found in Ecology's file nor provided by the consultant for review.

An UST closure report was done in 1999. Ecology did not find a copy of this report in the file. Apparently no contamination was found.

In January 2014, a phase II investigation consisting of aerial photographs review, interviews of people associated with the Site, database reviews, visual inspection, and advancement of three direct push borings was conducted at the Site.

Soils encountered during drilling were described as brown sand to brown sand with gravel. Groundwater was not encountered at the total depth of 17 feet below ground surface (bgs).

Results of this investigation found a detection of benzene at 14 feet bgs in sample 2AE (Figure 2). The concentration was 0.038 milligrams per kilogram (mg/kg). The Method A cleanup level for benzene is 0.03 mg/kg. Total Petroleum Hydrocarbons-Gasoline (TPH-G), toluene, ethylbenzene, and xylenes were found in the sample, but were below their Method A cleanup levels.

Sample 3N, collected at 5 feet bgs on the east side of the dispenser island, was analyzed using only the Hydrocarbon Identification (HCID) method. This is a qualitative analytical method and does not determine quantity. Although the results were non-detect for TPH-G and Total Petroleum Hydrocarbons-Diesel extended (TPH-Dx), no analyses were done for benzene, toluene, ethylbenzene, or xylenes (BTEX).

In March, 2014, the *Environmental Actions Report* states that a "Phase III" was completed at the Site that consisted of excavation at specific areas, one of them being the location of sample 3N. The area of the drain to the oil water separator was also excavated. The area around sample location 2AE was excavated to approximately 3 feet. Samples were collected at depths of 1 foot, 2 feet, and 3 feet. Samples were collected for laboratory analysis during this work. No discussion of the results are presented in the text.

In April, 2014, additional investigations were completed. A direct push sample was collected from what the text in the *Environmental Actions Report* described as beneath the closed in place UST. No documentation of this work or the sampling location was provided to Ecology for review.

Site Diagrams

FILENAME	DRAWN BY	CHECKED BY	APPROVED BY	PROJECT NUMBER
16-144_1702.DWG	ICD	6/15/2017	NP	6/15/2017



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-2017, 7.5 MINUTE QUADRANGLE MAP
TACOMA NORTH, WASHINGTON



0 50 100
SCALE IN FEET



FIGURE 1
VICINITY MAP

MAIN STREET GROCERY
901 MARTIN LUTHER KING JR. WAY
TACOMA, WASHINGTON

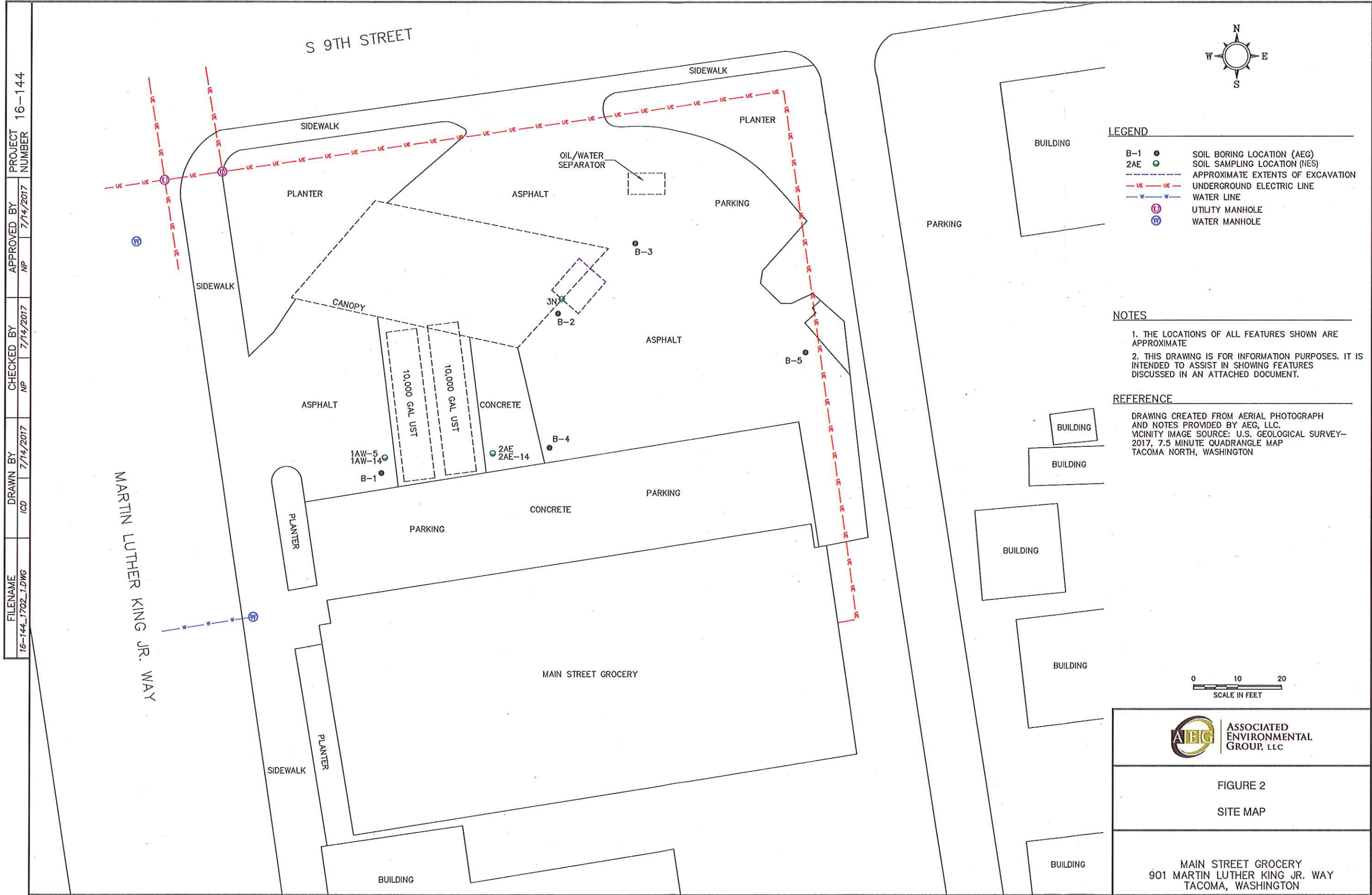


Table 1 - Summary of Soil Analytical Results
Main Street Grocery
Tacoma, Washington

Sample Number	Depth Collected (feet)	Date Collected	Total Petroleum Hydrocarbons				Volatile Organic Compounds						Total Naphthalenes	Total cPAHs	Total Lead
			Gasoline	Diesel	Heavy Oil	Benzene	Toluene	Ethylbenzene	Xylenes	MTBE	EDC	EDB			
B1-5	5.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	--	--	--
B1-15	15.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	--	--	--
B2-10	10.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	<0.02	<0.02	<5.0
B2-20	20.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	--	--	--
B3-10	10.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	--	--	--
B3-15	15.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	<0.02	<0.02	<5.0
B4-10	10.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	--	--	--
B4-20	20.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	--	--	--
B5-10	10.0	7/6/2017	<10	<50	270	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	<0.02	<0.02	34
B5-15	15.0	7/6/2017	<10	<50	<100	<0.02	<0.05	<0.05	<0.15	<0.05	<0.05	<0.005	--	--	--
PQL			10	50	100	0.02	0.05	0.05	0.15	0.05	0.05	0.005	0.02	0.02	5.0
MTCA Method A Cleanup Levels			100	2,000	2,000	0.03	7	6	9	20	11*	0.005	5	0.1	250

Notes:

All values reported in milligrams per kilogram (mg/kg)

-- = 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

Black Bold indicates the detected concentration is below Ecology MTCA Method A cleanup levels

* No MTCA Method A cleanup level established, Method B cleanup level used

MTBE = Methyl-t-butyl ether

EDC = 1,2-Dichloroethane

EDB = 1,2-Dibromoethane

cPAHs = Carcinogenic polycyclic aromatic hydrocarbons