



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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October 4, 2017

Mr. Thomas Lee
1775 12th Avenue NW, Suite 220
Issaquah, WA 98027

Re: Second Contained-Out Determination for the Gateway Center located at 2525 and 2513
6th Street, Bremerton, Washington (WAH000049561)

Reference: 1. Letter Report from B. Jurista, Farallon Consulting, L.L.C (Farallon) to D. Yasuda,
Department of Ecology, dated September 26, 2017
2. Email response from B. Jurista, Farallon Consulting, L.L.C (Farallon) to D.
Yasuda, Department of Ecology, dated October 2, 2017

Dear Mr. Lee:

The Washington State Department of Ecology (Ecology) received a second contained-out determination request from your environmental consultant, Farallon Consulting, for **305 tons of F002 listed waste contaminated soils** to be excavated at the Gateway Center located at 2525 and 2513 6th Street, Bremerton, Washington.

Analytical data and the supplemental information were submitted to Ecology to determine if these excavated soils contaminated with F002 listed dangerous waste constituents (F002) may be exempt from management as dangerous wastes per the "Contained-In Policy"¹.

Based on Ecology's review of the information provided, its determination is as follows:

Ecology understands that the **305 tons** of F002 listed waste contaminated soils generated from the five foot deep excavation (see Figure 2 attached) at the site do not designate under federal characteristics (WAC 173-303-090) or State-only criteria (WAC 173-303-100). Therefore, Ecology will not require disposal of the 305 tons of F002 listed DW contaminated soils as listed dangerous wastes at a RCRA permitted dangerous waste treatment, storage and disposal (TSD) facility, provided that all of the following conditions are implemented. This contained-out determination applies only to the above described contaminated soils, and does not pertain to contaminated water or any mixture of contaminated soils and drilling fluids.

¹ Washington State Department of Ecology Contained-in Policy, dated February 19, 1993



You or your environmental consultant, Farallon Consulting shall:

- Ensure that no standing water is present in the roll off containers holding the 305 tons of contaminated soils. All water must be removed to the maximum extent possible from the contaminated soils and managed as F002 dangerous wastes or as otherwise allowed under Chapter 173-303 WAC;
- Directly deliver the soils to a solid waste landfill permitted under WAC 173-351 inside Washington State. If you plan to deliver the contaminated soils to a landfill outside Washington State, you must submit to Ecology written approval for the contaminated soil disposal from the receiving State hazardous waste program and the out of state landfill, before the soils are delivered to the out of state landfill.
- Do not consolidate these contaminated soils with other soils that do not pertain to this contained out determination. No off-loading of the contaminated soils is allowed between the cleanup site and the permitted solid waste landfill;
- Ensure that the transporter is properly trained to handle hazardous waste so that the transporter manages the contained-out soils during transport in a manner that is protective of human health and the environment;
- Dispose of the contaminated soils at the permitted solid waste landfill by December 4, 2017. This contained-out determination letter is no longer valid after December 4, 2017 and the contaminated soils must be managed as dangerous wastes after this date;
- Notify Ecology before disposal of the contaminated soil if the amount exceeds the approved amount in this letter. Ecology needs to make sure that the additional soil qualifies for this contained-out determination;
- Provide copies of all signed solid waste landfill receipts and a summary table including disposal dates, tonnages, etc. or a certificate of disposal issued by the receiving landfill for these contaminated soils to Ecology, attention of Dean Yasuda, within 15 days of your receipt. This is an important verification step for you and your consultant to follow in order for this Ecology decision to be valid;
- Take measures to prevent unauthorized contact with these soils at all times;
- Plastic line the delivery truck (or roll off boxes) and cover all loads if delivered by truck;
- During transport, take adequate measures to prevent spills and dispersion due to wind erosion;
- Provide instructions to the landfill operator that these soils are not to be used for daily, intermediate, or final cover;
- Provide copies of all soil analytical data to the landfill operator, upon request; and

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- Do not send these contaminated soils to any incinerator, thermal desorption unit or recycling facility unless that facility is a RCRA Subtitle C permitted dangerous waste TSD facility.

Ecology issued this determination based on the information provided in your proposal (references 1 and 2) and does not apply to any other area or other media. Any data used for this contained-out determination is intended for use in determining the proper disposal of the Ecology approved contained out soils, according to the Washington State Dangerous Waste Regulations (Chapter 173-30 WAC) and the Ecology Contained-in Policy.

This letter is not a No Further Action (NFA) letter and not written approval for any cleanup action plan you may have submitted. Instead, this letter only addresses the procedures for disposal of the contaminated soils according to the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC). Regulatory decisions regarding the cleanup action, applicable soil and groundwater cleanup levels and any other cleanup issues must comply with the requirements under Ecology Model Toxics Control Act (Chapter 173-340 WAC). Local agencies may have the authority to impose additional requirements on this waste stream.

If you fail to comply with the terms of this letter, Ecology may issue an administrative order and/or penalty as provided by the Revised Code of Washington, Sections 70.105.080 and/or .095 (Hazardous Waste Management Act).

If you have any questions concerning this letter, please contact Dean Yasuda (425) 649-7264, dyas461@ecy.wa.gov.

Sincerely,

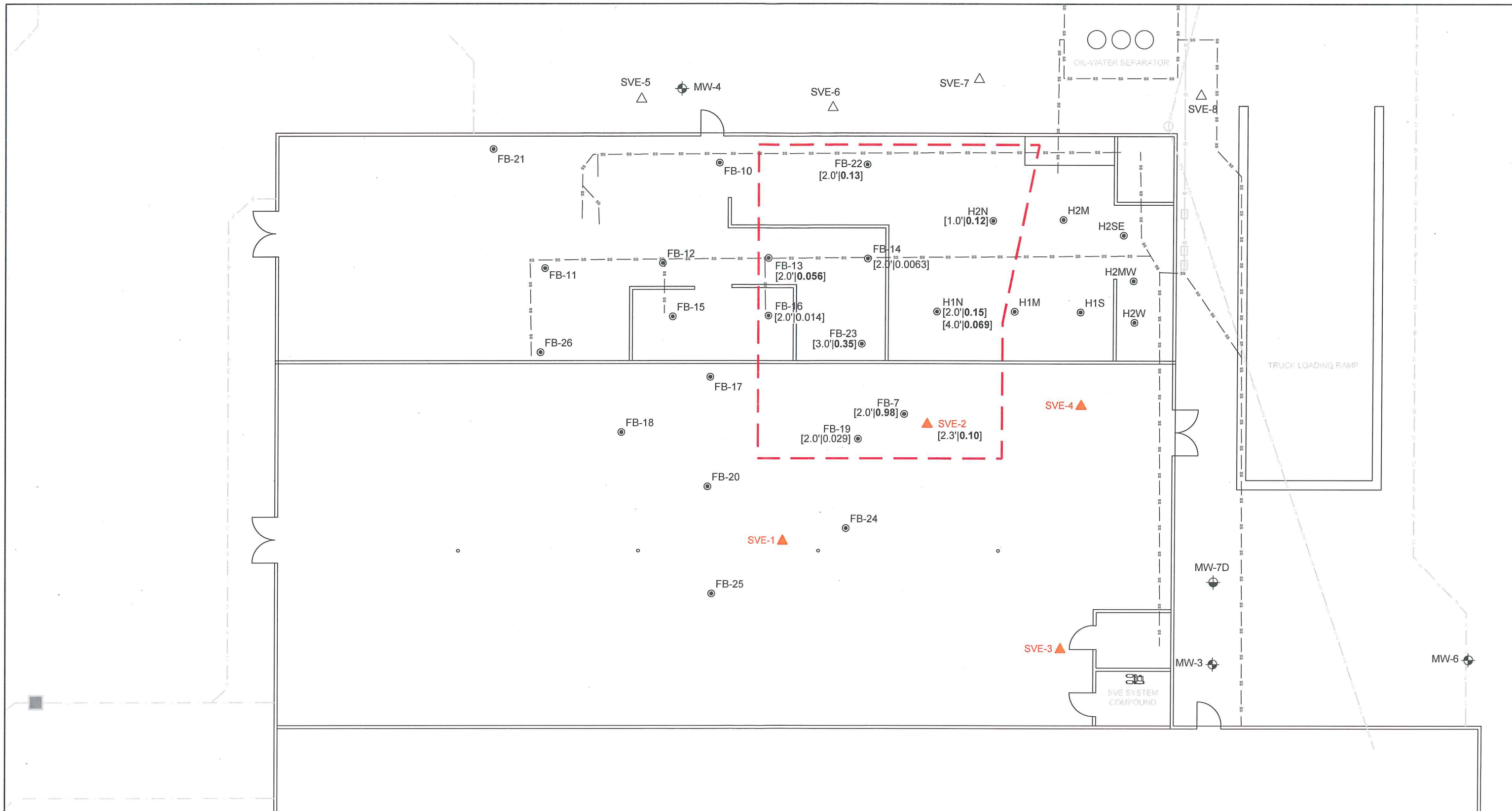


Dean Yasuda, PE
Hazardous Waste and Toxics Reduction Program

By certified mail: 9171 9690 0935 0136 8289 40

cc: Brani Jurista, Farallon
WAH000049561, HZW 5.4.1
VCP NO. NW3003

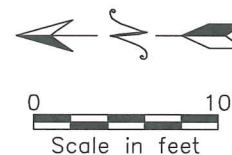
ecc: Lisa Brown, Ecology-ERO
Tamara Cardona, Ecology-TCP
Greg Caron, Ecology-CRO
Mindy Collins, Ecology-BFO
Chuck Hoffman, Ecology-SWRO
Byung Maeng, Ecology-NWRO
David Christensen, King County Public Health, david.christensen@kingcounty.gov
Darshan Dhillon, Seattle-King County Public Health, darshan.dhillon@kingcounty.gov



- MW-5 SHALLOW MONITORING WELL
- MW-7D DEEP MONITORING WELL
- SVE-1 INTERIOR SVE WELL
- SVE-5 EXTERIOR SVE WELL

- LEGEND:**
- FB-25 BORING
 - AREA OF CONTAINED-IN SOIL THAT WILL BE EXCAVATED TO 5 FEET BELOW GROUND SURFACE
 - DEPTH OF SOIL SAMPLE (IN FEET) AND TETRACHLOROETHENE CONCENTRATION IN SOIL (IN MILLIGRAMS PER KILOGRAM)
 - [1.0'|0.12] =

- STORM SEWER
- SANITARY SEWER
- OVERHEAD POWER



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Drawn By: JJ Checked By: BJ

Date: 09/22/2017 Disk Reference: 510-002_d.dwg

FIGURE 2

LOCATION OF CONTAINED-IN SOIL
 2525 AND 2513 6TH STREET
 BREMERTON, WASHINGTON

FARALLON PN: 510-002