STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (425) 649-7000

January 11, 2000

Mr. Ronald Yingling
Ktsap County Public Works
614 Division Street
Port Orchard, WA 98366

Dear Mr. Yingling:

Re: Independent Remedial Action
Kitsap County North Road Shop, Poulsbo, Washington

Thank you for submitting the results of your independent remedial action for review by the State of Washington Department of Ecology (Ecology). Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Kitsap County North Road Shop facility located at Highway 305 and Bond Road, Poulsbo, Washington:

1. Summary of results for Kitsap County North Road Shop Investigation, Bainbridge, Washington, letter prepared by Golder Associates, Inc., dated July 17, 1996.
2. Final report and Laboratory results for Kitsap County North Road Shop investigation, Bainbridge, Washington, letter prepared by Golder Associates Inc., dated January 6, 1997.
3. Soil Excavation and Disposal Activities to Support Closure of the Kitsap County North Road Shop (NRS), Bainbridge, Washington, report prepared by Golder Associates, Inc., dated April 16, 1998.
4. Transmittal of Ablation Till Contour Detail at the Kitsap County North Road Shop Maintenance Facility, Poulsbo, Washington, letter prepared by Golder Associates, Inc., dated March 5, 1999.
5. First Quarter, Second Quarter and Third Quarter, 1999, Monitoring Results for Area Surface Waters near the North Road Shop, Poulsbo, Washington, letter prepared by Golder Associates, Inc., dated November 16, 1999.

The reports listed above will be kept in the Central Files of the Northwest Regional Office (NWRO) of Ecology for review by appointment only. Appointments can be made by calling Central Records at the NWRO at (425) 649-7190 or -7239.

Based upon the information in the reports listed above, Ecology has determined that, at this time, the release of gasoline, diesel and heavy oil into the soil and shallow groundwater no longer poses a threat to human health or the environment.

Therefore, Ecology is issuing this determination that no further remedial action is necessary at this site under MTCA, chapter 70.105D RCW. However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is written pursuant to RCW 70.105D.030(1)(i) and does not constitute a settlement by the state under RCW 70.105D.040(4) and is not binding on Ecology. Furthermore, you must conduct the necessary monitoring and maintenance to assure that this site does not pose a threat to human health or the environment, as specified in the following paragraph.

You must continue surface water monitoring at NRS-4A, NRS-10 and NRS-2A for two more quarters (winter and spring). NRS-4A is in the location that appears to receive the most direct discharge of shallow groundwater, and potential residual contamination, from the site. Monitoring results have been non-detect since the winter of 1998 at this location. NRS-10 is at a stormwater collection box that receives direct storm-water runoff from the site's paved surface. Monitoring results from this location have also been non-detect, and are indicative of improved best management practices at the North Road Shop facility. NRS-2A is the discharge point near Dogfish Creek, and the one accessible surface water monitoring location that has had gasoline and BTEX detected about MTCA Method A groundwater standards. The source of this contamination in the storm drain line (which is not perforated) and its potential connection with residual contamination at the site is not clear. However, the two more quarters of monitoring are intended to confirm the downward trend of contamination at this location, which has been below cleanup standards for gasoline and BTEX for the last two quarters. Failure to conduct necessary monitoring and maintenance results in the automatic withdrawal of Ecology's no further action determination. Please submit the results from the two quarters of monitoring to Ecology in a single report as soon as possible following completion.

In addition, the Restrictive Covenant filed on your property dated January 7, 2000, is a condition to maintain Ecology's no further action determination. The Restrictive Covenant is attached to this letter as Attachment A. Ecology's no further action determination automatically terminates and will have no force and effect if any portion of the Restrictive Covenant is violated. WAC 173-340-440(6) requires you to notify and seek comment from a city or county department with land use planning authority for real property subject to the Restrictive Covenant.

Ecology's no further action determination is made only with respect to the release identified in the reports listed above. This no further action determination applies only to the area of the property affected by the release identified in the report at SR 305 and Bond Road. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by Kitsap County. This no further action determination does not apply to remedial actions determined necessary as a result of confirmational monitoring."

Ecology will update its Leaking Underground Storage Tank database to reflect this "No Further Action" determination. Your site will not appear in future publications of the LUST database.

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 determination.

If you have any questions, please contact me at 425-649-7233.

Sincerely,

Joanne Polayes

Joanne Polayes
Toxics Cleanup Program

JP:jp
Attachment A, Restrictive Covenant

cc: Tom Stapp, Golder & Associates (without attachment)