



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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

February 3, 2000

Dana T. Bostwick
Ballard Land Management, LLC
30115 First Avenue East
Roy, WA 98580

COPY

Dear Mr. Bostwick,

Re: Independent Remedial Action
Marine Fluid Systems, Inc., 801 NW. 42nd Street, Seattle, WA. 98107

Thank you for submitting the results of your voluntary cleanup for review by the State of Washington's 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 Marine Fluid Systems, Inc. property located at 801 NW. 42nd Street, Seattle, WA.:

1. Report titled "Phase 1 Environmental Site Assessment; Union Bay Ship Building Corporation Site", prepared for Ms. Billie Adams, Tippet Marine Services, Seattle, WA. by Parametrix, Inc., Kirkland, WA., and dated November, 1993.
2. Report titled "Subsurface Environmental Study, Marine Fluid Systems, 801 Northwest 42nd Street, Seattle (Ballard), Washington", prepared for Dana Bostwick, Ballard Land Management, Roy, WA. by Environmental Associates, Inc., Bellevue, WA., and dated March 17, 1999.

The report 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 Sally Perkins at the NWRO at (425) 649-7190.

Mr. T. Bostwick

2/02/00

Page 2

Based on the information in the report listed above, Ecology has determined that, at this time, the releases of petroleum (diesel, heavy oil, and carcinogenic polyaromatic hydrocarbons), PCB's, and metals, into soil and 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, with the condition that semi-annual groundwater monitoring be performed for one year following this determination to demonstrate sustained compliance with MTCA groundwater levels for an industrial-use property; analytical results for groundwater compliance shall include diesel and heavy oils.

In addition, the Restrictive Covenant filed (King County record #19991217001233) on your property, dated 12/17/1999, is a condition to maintain Ecology's no further action determination. Ecology's no further action determination automatically terminates and will have no force and effect if any portion of the Restrictive Covenant is violated.

Please note that because your actions were not, or will not be conducted under a consent decree with Ecology, this letter is not a settlement by the state under RCW 70.105D.040(4) and is not binding on the agency.

Ecology's no further action determination is made only with respect to the releases identified in the independent remedial action reports listed above. This no further action determination applies only to the areas of the property affected by the releases identified in the reports at 801 NW. 42nd Street, Seattle, WA. It does not apply to any other releases at the property, any other areas on the property, nor any other properties owned or operated by Mr. Dana T. Bostwick, Marine fluid Systems, Inc., or Ballard Land Management, LLC. It does not apply to sediments at the property, and sediment contaminant issues may be addressed by Ecology in the future.

Ecology will update its database to reflect this "No Further Action" determination. Your site will not appear in future publications of the Confirmed and Suspected Contaminated Sites Report (previously known as the Affected Media and Contaminants Report). Ecology does not assume any liability for any release, threatened release or other conditions at the site, or for any actions taken or omitted by any person or his/her agents or employees with regard to the release, threatened release, or other conditions at the site.

Again, thank you for taking the initiative to voluntarily address the contamination at your site. Your efforts are recognized by Ecology as a positive step in our work to protect human health and the environment in the State of Washington.

Mr. T. Bostwick

2/02/00

Page 3

If you have any questions regarding this letter, please contact me at 425-649-7185.

Sincerely,

A handwritten signature in cursive script that reads "Ronald W. Timm". The signature is written in dark ink and is positioned below the word "Sincerely,".

Ronald W. Timm
Hydrogeologist III
Toxics Cleanup Program

RWT