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December 7, 1998
Project No. WECI-98012

Fortune Company
5936 6th Avenue South
Seattle, Washington 98108

Attention: Mr. Chong Lee

Subject: Limited Phase II Environmental Assessment
Everett Dry Cleaner & Laundry
1130 North Broadway
Everett, Washington

Dear Mr. Lee:

Wolfe Environmental Consulting, Inc (WECI) is pleased to present the results of our Limited Phase II Environmental Site Assessment for the above-referenced property. Authorization to render these services was provided by you in the form of a signed proposal dated November 23, 1998 (proposal number WECI-P98005). This report presents the findings of our limited subsurface exploration program, which included obtaining and analyzing subsurface soil samples collected from two test holes advanced beneath the dry cleaning room in the building on the subject property.

INTRODUCTION AND SCOPE OF SERVICES

The purpose of this investigation was to characterize the soil beneath a portion of the building on the subject property with regard to the possible presence of volatile organics.

The scope of work for this project consisted of:

- Coring through the foundation of the building and advancing two post-hole excavated test holes into the soil beneath the dry cleaning room in the building;
- Collecting three soil samples from each test hole at depths ranging from 14 inches to nearly 2.5 feet below the floor level;
- Submitting the soil samples to a certified laboratory for analysis of volatile organics by EPA method 8260;
- Preparation of this Limited Phase II Environmental Site Assessment Report.

This report has been prepared in accordance with generally accepted environmental assessment practices, for the exclusive use of the Fortune Company and their agents, for specific application to the subject property. No other warranty, express or implied, is made. In the event that there are any changes on the existing

property or nearby properties, the conclusions and recommendations contained in this report should be reviewed by our office.

SUBJECT PROPERTY BACKGROUND

The subject property consists of a single-story laundromat and dry cleaning facility located at 1130 North Broadway in Everett, Snohomish County, Washington. The property is located in a commercial neighborhood and is bordered by a motel to the north; 12th Street to the south, beyond which is a restaurant; an asphalt-paved alley to the west, beyond which are residential properties; and North Broadway to the east, beyond which is a motel.

The building on the subject property covers a footprint area of approximately 5,000 square feet. The remainder of the property is paved with asphalt, which provides customer parking along the east side of the building. The subject property and surrounding area are relatively flat. Due to the topography of the area, it is possible that near-surface groundwater may flow to the north or east toward the Snohomish River or to the west toward Possession Sound[1].

Previous Studies

In November 1998, Northwest HydroGeo Consultants completed an *Environmental Site Assessment, Phase I* report for the subject property (November 5, 1998). Based on the results of that study, it was concluded that the subject property is classified as a Conditionally Exempt Small Quantity Generator of hazardous waste, and that hazardous wastes (dry cleaning solvents) are picked up regularly by a licensed hazardous waste contractor. Furthermore, the report concluded that the hazardous waste materials were being properly handled and stored on the subject property, and management practices at the dry cleaning facility were good. Based on observations made by Northwest HydroGeo Consultants, no further environmental investigation was recommended in their report. However, as part of due diligence for this property transaction, WECI was hired to sample and analyze the soil beneath the building.

SUBSURFACE EXPLORATION AND CONDITIONS

The exploration program consisted of observing as Cascade Concrete Sawing and Drilling cored through the concrete foundation in two locations within the dry cleaning room in the building. The criterion used for choosing the location of the test holes was based on finding easily accessible areas, which would, in our opinion, be most likely to exhibit potential indications of impacted soil in the event of spills or releases in the room. The two test holes were advanced in close proximity to two floor drains observed in the room. The approximate locations of the test holes are illustrated on the Site and Exploration Plan, Figure 1, appended to this report.

Soils encountered within the borings generally consisted of 5-10 inches of concrete foundation over a layer of 6-mil visqueen. Beneath the plastic, fill material consisted of moist, tan-brown sand, well graded with gravel. Native soil was encountered at approximately 1.5 feet below ground surface in both test holes. Native soil consisted of moist, dark brown silt with sand and some organics. The test holes were terminated at approximately two feet.

While no soil staining was observed in the field, at the time of sampling, strong odors believed to be indicative of the presence of dry cleaning solvents were noted.

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1 *Environmental Site Assessment, Phase I* conducted by Northwest HydroGeo Consultants, November 5, 1998.

Sample Collection

Once the core plugs were removed, soil samples were obtained from each of the two test holes, as shown in the following table. The samples shaded in the table were selected for analysis:

Sample Number	Depth of Sample below ground surface/below floor level
TH1-1	9 inches/19 inches
TH1-2	15 inches/25 inches
TH1-3	19 inches/29 inches
TH2-1	9 inches/14 inches
TH2-2	15 inches/20 inches
TH2-3	19inches/24 inches

The samples were obtained utilizing a post-hole digger and sampling shovel. The samples were classified in the field and immediately transferred to glass jars, tightly sealed with a Teflon-lined threaded cap. Samples were stored and transported in a chilled ice chest. Selected soil samples were subsequently transferred to the chemical testing laboratory in accordance with strict chain of custody procedures.

Following sampling, the test holes were filled in with the remaining soil, and a new layer of 6 mil visqueen was placed over the dirt. Fresh concrete was then poured into the holes to restore the floor to its original condition.

ANALYTICAL RESULTS

One sample from each test hole was selected for analysis. The sample which exhibited the strongest odor (TH2-3) was chosen from test hole 2. Although sample TH1-3 exhibited the strongest odor in test hole 1, sample TH1-2 was chosen for analysis in an effort to provide additional information regarding the depth of contamination. Those samples were delivered to OnSite Environmental, Inc. with instructions to analyze the samples for volatile organics by EPA method 8260.

Results of the analysis indicated that both of the samples contained elevated concentrations of Tetrachloroethene, (a.k.a. PCE, a common cleaning solvent). The sample obtained from test hole TH-2 also revealed elevated concentrations of Trichloroethene and 1,2-Dichloroethene, (related compounds that often result from degradation of PCE) as shown in the following table:

Table 1:
ANALYTICAL RESULTS OF SAMPLES

Compound	Sample TH1-2	Sample TH2-3	Clean-up Level*
Dichlorodifluoromethane	ND	ND	NA
Chloromethane	ND	ND	NA
Vinyl Chloride	ND	ND	NA
Bromomethane	ND	ND	NA
Chloroethane	ND	ND	NA
Trichlorofluoromethane	ND	ND	NA
1,1-Dichloroethene	ND	ND	NA
Methylene Chloride	ND	ND	NA
(trans) 1,2-Dichloroethene	ND	ND	NA

Compound	Sample TH1-2	Sample TH2-3	Clean-up Level*
1,1-Dichloroethane	ND	ND	NA
2,2-Dichloropropane	ND	ND	NA
(cis) 1,2-Dichloroethene	ND	9.9 parts per million	**800 parts per million
Chloroform	ND	ND	NA
1,1,1-Trichloroethane	ND	ND	NA
Carbon Tetrachloride	ND	ND	NA
1,1-Dichloropropene	ND	ND	NA
1,2-Dichloroethane	ND	ND	NA
Trichloroethene	0.26 parts per million	75 parts per million	0.5 parts per million
1,2-Dichloropropane	ND	ND	NA
Dibromomethane	ND	ND	NA
Bromodichloromethane	ND	ND	NA
(cis) 1,3-Dichloropropene	ND	ND	NA
(trans) 1,3-Dichloropropene	ND	ND	NA
1,1,2-Trichloroethane	ND	ND	NA
Tetrachloroethene	5.7 parts per million	860 parts per million	NA
1,3-Dichloropropane	ND	ND	NA
Dibromochloromethane	ND	ND	

meth B
800.
90.9
19.6

* Based on the Model Toxics Control Act (MTCA) Method A Cleanup Level.
** There is no Method A Cleanup Level for this compound, therefore, the cleanup level indicated in the table is based on the MTCA Method B Cleanup Level. It should be noted, however, that a Risk Based Assessment should be completed for the property before relying upon use of the Method B Cleanup Level.

A copy of the analytical laboratory report along with the chain-of-custody documents have been attached to this report as Appendix A.

CONCLUSIONS AND RECOMMENDATIONS

Based upon the analytical results of the soil samples taken during this Limited Phase II ESA, it appears that the soils beneath the dry cleaning room on the subject property have been impacted by volatile organics, likely due to the presence and use of dry cleaning chemicals. The soil sample analysis indicates the soil contains PCE constituents in excess of the MTCA Method A Cleanup Levels. Based on a report by the Washington State Department of Ecology entitled *Reporting Releases of Hazardous Substances*, the release encountered at the Everett Dry Cleaner and Laundromat should be reported to Ecology by the owner of the property. As stated in Ecology's report: "New discharges of dangerous wastes or hazardous substances into the environment, including historic releases that continue to discharge to the environment" must be reported. A copy of Ecology's report has been appended to this report as Appendix B.

Based on the known presence of contamination with these soils, additional characterization including soil and groundwater analysis is recommended in order to further delineate the extent of the contamination. A proposal to conduct additional characterization will be sent under separate cover.

Limitations

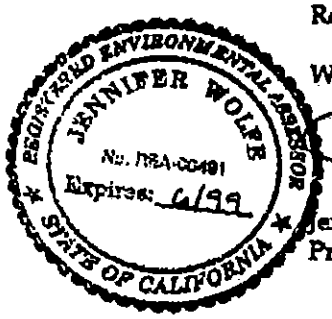
This report has been prepared for the Fortune Company in order to aid in the evaluation of this property with regard to the potential for hazardous substances at the time of this study. The information in this report is based on our field observations, explorations and laboratory analyses conducted for this study. The presented conclusions reflect our interpretation of the analytical laboratory test results, as well as our experience and observations during the project field study. The number, locations, and depths of the explorations, including the analytical testing scope, were completed within property constraints.

The conclusions in this report in part relies on the credibility of subcontracted analytical laboratory reports, and, therefore, an alteration in documentation or verbal information obtained may result in the redirection of the conclusions presented in this report. The conclusions are also based on visual field observations performed within the property boundaries at this specific point in time and, therefore, do not including the potential for the presence of hazardous substances within undocumented fills placed on the subject property or potential off-site sources of contamination.

We appreciate this opportunity to be of service to you and would be pleased to discuss the contents of this report or other aspects of the project with you at your convenience.

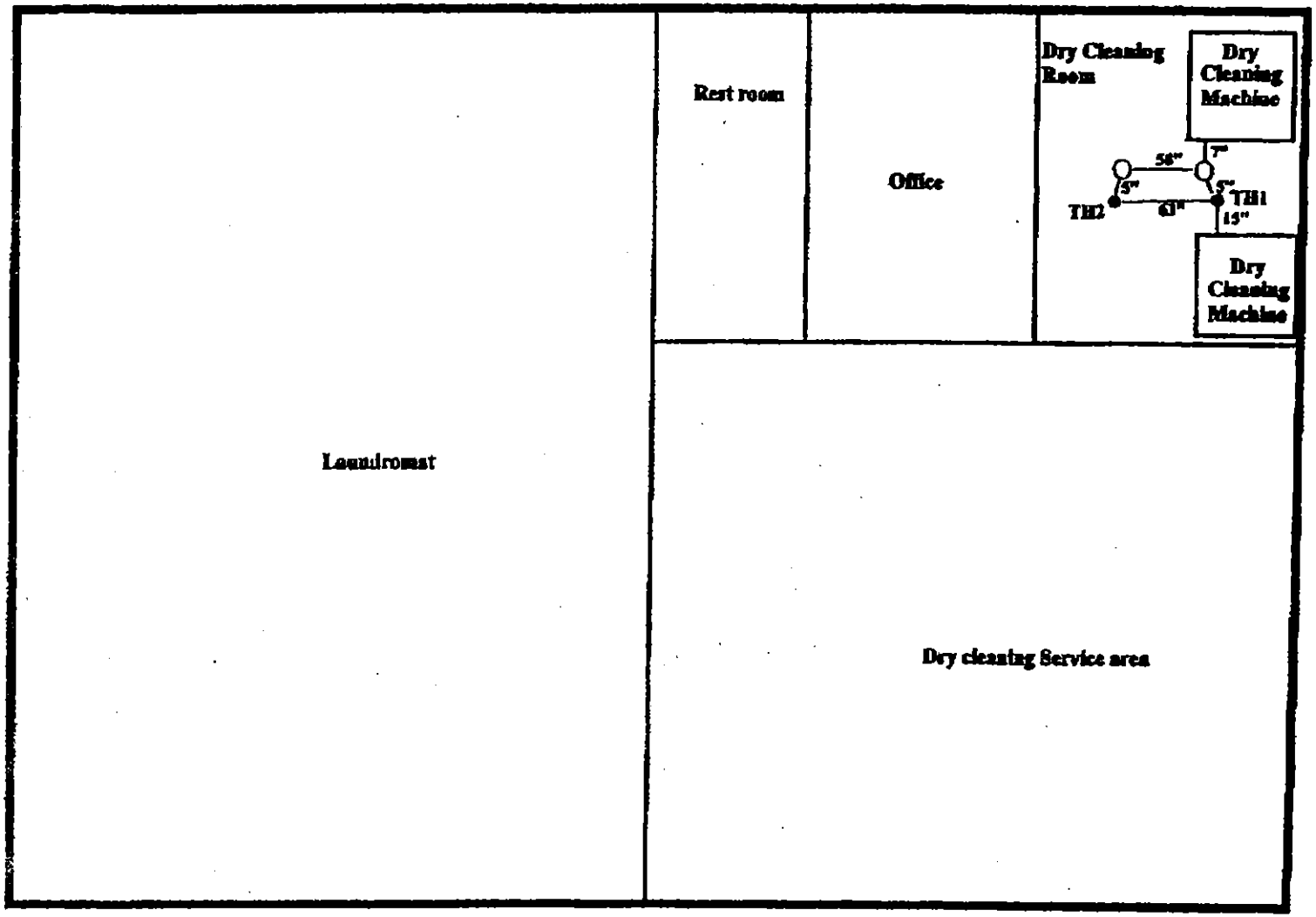
Respectfully submitted,

Wolfe Environmental Consulting, Inc.



Jennifer Wolfe, R.E.A.
Principal Environmental Assessor

Attachments:
Figure 1 – Site and Exploration Plan
Appendix A – Analytical Laboratory Reports and Chain of Custody Documents
Appendix B - Ecology's Reporting Releases of Hazardous Substances Report



KEY: ● TH1 - denotes approximate location of the test hole
○ - denotes approximate location of floor drains
——5"- denotes approximate distance in inches between two locations

Figure 1 - Site and Exploration Plan
Everett Dry Cleaning and Laundromat
Everett, Washinghton
Project No. WECI-98012
Not to Scale

APPENDIX A
ANALYTICAL LABORATORY REPORTS
AND
CHAIN OF CUSTODY DOCUMENTS

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-161
Project: WEC1-98012

HALOGENATED VOLATILES by EPA 8260B

Date Extracted: 12-2-98
Date Analyzed: 12-2-98

Matrix: Soil
Units: mg/Kg (ppm)

Lab ID: 11-161-02
Client ID: TH1-2

Compound	Results	Flags	PQL
Dichlorodifluoromethane	ND		0.055
Chloromethane	ND		0.055
Vinyl Chloride	ND		0.055
Bromomethane	ND		0.055
Chloroethane	ND		0.055
Trichlorofluoromethane	ND		0.055
1,1-Dichloroethene	ND		0.055
Methylene Chloride	ND		0.27
(trans) 1,2-Dichloroethene	ND		0.055
1,1-Dichloroethane	ND		0.055
2,2-Dichloropropane	ND		0.055
(cis) 1,2-Dichloroethene	ND		0.055
Chloroform	ND		0.055
1,1,1-Trichloroethane	ND		0.055
Carbon Tetrachloride	ND		0.27
1,1-Dichloropropene	ND		0.055
1,2-Dichloroethane	ND		0.055
Trichloroethene	0.26		0.055
1,2-Dichloropropane	ND		0.055
Dibromomethane	ND		0.055
Bromodichloromethane	ND		0.055
(cis) 1,3-Dichloropropene	ND		0.055
(trans) 1,3-Dichloropropene	ND		0.055
1,1,2-Trichloroethane	ND		0.055
Tetrachloroethene	5.7		0.055
1,3-Dichloropropane	ND		0.055
Dibromochloromethane	ND		0.055

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-161
Project: WEC1-98012

HALOGENATED VOLATILES by EPA 8260B
page 2 of 2

Lab ID: 11-161-02
Client ID: TH1-2

Compound	Results	Flags	PQL
1,2-Dibromoethane	ND		0.055
Chlorobenzene	ND		0.055
1,1,1,2-Tetrachloroethane	ND		0.055
Bromoform	ND		0.055
Bromobenzene	ND		0.055
1,1,2,2-Tetrachloroethane	ND		0.055
1,2,3-Trichloropropane	ND		0.27
2-Chlorotoluene	ND		0.055
4-Chlorotoluene	ND		0.055
1,3-Dichlorobenzene	ND		0.055
1,4-Dichlorobenzene	ND		0.055
1,2-Dichlorobenzene	ND		0.055
1,2-Dibromo-3-chloropropane	ND		0.27
1,2,4-Trichlorobenzene	ND		0.055
Hexachlorobutadiene	ND		0.27
1,2,3-Trichlorobenzene	ND		0.055

Surrogate	Percent Recovery	Control Limits
Dibromofluoromethane	90	65-125
Toluene-d8	103	77-116
4-Bromofluorobenzene	107	67-133

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-161
Project: WEC1-98012

HALOGENATED VOLATILES by EPA 8260B

Date Extracted:	12-2-98
Date Analyzed:	12-4-98
Matrix:	Soil
Units:	mg/Kg (ppm)
Lab ID:	11-161-06
Client ID:	TH2-3

Compound	Results	Flags	PQL
Dichlorodifluoromethane	ND		3.6
Chloromethane	ND		3.6
Vinyl Chloride	ND		3.6
Bromomethane	ND		3.6
Chloroethane	ND		3.6
Trichlorofluoromethane	ND		3.6
1,1-Dichloroethene	ND		3.6
Methylene Chloride	ND		18
(trans) 1,2-Dichloroethene	ND		3.6
1,1-Dichloroethane	ND		3.6
2,2-Dichloropropane	ND		3.6
(cis) 1,2-Dichloroethene dichloroethylene	9.9		3.6
Chloroform	ND		3.6
1,1,1-Trichloroethane	ND		3.6
Carbon Tetrachloride	ND		18
1,1-Dichloropropene	ND		3.6
1,2-Dichloroethane	ND		3.6
Trichloroethene trichloroethylene	75		3.6
1,2-Dichloropropane	ND		3.6
Dibromomethane	ND		3.6
Bromodichloromethane	ND		3.6
(cis) 1,3-Dichloropropene	ND		3.6
(trans) 1,3-Dichloropropene	ND		3.6
1,1,2-Trichloroethane	ND		3.6
Tetrachloroethene Tetrachloroethylene	860		3.6
1,3-Dichloropropane -	ND		3.6
Dibromochloromethane	ND		3.6

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-161
Project: WEC1-98012

HALOGENATED VOLATILES by EPA 8260B
page 2 of 2

Lab ID: 11-161-06
Client ID: TH2-3

Compound	Results	Flags	PQL
1,2-Dibromoethane	ND		3.6
Chlorobenzene	ND		3.6
1,1,1,2-Tetrachloroethane	ND		3.6
Bromoform	ND		3.6
Bromobenzene	ND		3.6
1,1,2,2-Tetrachloroethane	ND		3.6
1,2,3-Trichloropropane	ND		18
2-Chlorotoluene	ND		3.6
4-Chlorotoluene	ND		3.6
1,3-Dichlorobenzene	ND		3.6
1,4-Dichlorobenzene	ND		3.6
1,2-Dichlorobenzene	ND		3.6
1,2-Dibromo-3-chloropropane	ND		18
1,2,4-Trichlorobenzene	ND		3.6
Hexachlorobutadiene	ND		18
1,2,3-Trichlorobenzene	ND		3.6

Surrogate	Percent Recovery		Control Limits
Dibromofluoromethane	---	S	65-125
Toluene-d8	---	S	77-116
4-Bromofluorobenzene	---	S	67-133

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-161
Project: WEC1-98012

HALOGENATED VOLATILES by EPA 8260B
METHOD BLANK QUALITY CONTROL

Date Extracted: 12-2-98
Date Analyzed: 12-2-98

Matrix: Soil
Units: mg/Kg (ppm)

Lab ID: MB1202S1

Compound	Results	Flags	PQL
Dichlorodifluoromethane	ND		0.050
Chloromethane	ND		0.050
Vinyl Chloride	ND		0.050
Bromomethane	ND		0.050
Chloroethane	ND		0.050
Trichlorofluoromethane	ND		0.050
1,1-Dichloroethene	ND		0.050
Methylene Chloride	ND		0.25
(trans) 1,2-Dichloroethene	ND		0.050
1,1-Dichloroethane	ND		0.050
2,2-Dichloropropane	ND		0.050
(cis) 1,2-Dichloroethene	ND		0.050
Chloroform	ND		0.050
1,1,1-Trichloroethane	ND		0.050
Carbon Tetrachloride	ND		0.25
1,1-Dichloropropene	ND		0.050
1,2-Dichloroethane	ND		0.050
Trichloroethene	ND		0.050
1,2-Dichloropropane	ND		0.050
Dibromomethane	ND		0.050
Bromodichloromethane	ND		0.050
(cis) 1,3-Dichloropropene	ND		0.050
(trans) 1,3-Dichloropropene	ND		0.050
1,1,2-Trichloroethane	ND		0.050
Tetrachloroethene	ND		0.050
1,3-Dichloropropane	ND		0.050
Dibromochloromethane	ND		0.050

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-181
Project: WEC1-98012

HALOGENATED VOLATILES by EPA 8260B
METHOD BLANK QUALITY CONTROL
page 2 of 2

Lab ID: MB120281

Compound	Results	Flags	PQL
1,2-Dibromoethane	ND		0.050
Chlorobenzene	ND		0.050
1,1,1,2-Tetrachloroethane	ND		0.050
Bromoform	ND		0.050
Bromobenzene	ND		0.050
1,1,2,2-Tetrachloroethane	ND		0.050
1,2,3-Trichloropropane	ND		0.25
2-Chlorotoluene	ND		0.050
4-Chlorotoluene	ND		0.050
1,3-Dichlorobenzene	ND		0.050
1,4-Dichlorobenzene	ND		0.050
1,2-Dichlorobenzene	ND		0.050
1,2-Dibromo-3-chloropropane	ND		0.25
1,2,4-Trichlorobenzene	ND		0.050
Hexachlorobutadiene	ND		0.250
1,2,3-Trichlorobenzene	ND		0.050

Surrogate	Percent Recovery	Control Limits
Dibromofluoromethane	96	65-125
Toluene-d8	104	77-116
4-Bromofluorobenzene	102	67-133

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-161
Project: WEC1-98012

HALOGENATED VOLATILES by EPA 8260B
MS/MSD QUALITY CONTROL

Date Extracted: 11-30-98
Date Analyzed: 11-30-98

Matrix: Soil
Units: mg/Kg (ppm)

Lab ID: 11-152-02

Compound	Spike Amount	MS	Percent Recovery		MSD	Percent Recovery	RPD	
1,1-Dichloroethene	2.50	1.83	73		1.90	76	4.0	
Benzene	2.50	2.83	113	**	2.66	106	6.3	
Trichloroethene	2.50	2.51	100		2.04	82	20	*
Toluene	2.50	2.14	85		2.04	81	4.8	
Chlorobenzene	2.50	1.96	78		1.85	74	5.4	

** Compound outside control limits.
* RPD outside control limits.

Date of Report: December 9, 1998
Samples Submitted: November 30, 1998
Lab Traveler: 11-161
Project: WEC1-98012

Date Analyzed: 12-2-98

% MOISTURE

Client ID	Lab ID	% Moisture
TH1-2	11-161-02	9.0
TH2-3	11-161-06	31

OnSite Environmental Inc.

DATA QUALIFIERS AND ABBREVIATIONS

A - Due to high sample concentration, the amount spiked is insufficient for meaningful MS/MSD recovery data.

B - The analyte indicated was also found in the blank sample.

C - The duplicate RPD is outside control limits due to high result variability when analyte concentrations are within five times the quantitation limit.

D - Data from 1:____ dilution.

E - The value reported exceeds the quantitation range, and is an estimate.

F - Surrogate recovery data is not available due to the high concentration of coeluting target compounds.

G - Insufficient sample quantity for duplicate analysis.

J - The value reported was below the practical quantitation limit. The value is an estimate.

K - Sample duplicate RPD is outside control limits due to sample inhomogeniety. The sample was re-extracted and re-analyzed with similar results.

M - Predominantly _____ range hydrocarbons present in the sample.

N - Hydrocarbons in the gasoline range (C7-toluene) are present in the sample.

O - Hydrocarbons in the heavy oil range (>C24) are present in the sample.

P - Hydrocarbons in the diesel range (C12-C24) are present in the sample which are elevating the oil result.

Q - The RPD of the results between the two columns is greater than 25.

R - Hydrocarbons outside the defined gasoline range are present in the sample; NWTPH-Dx recommended.

S - Surrogate recovery data is not available due to the necessary dilution of the sample.

T - The sample chromatogram is not similar to a typical _____.

U - Matrix Spike/Matrix Spike Duplicate RPD are outside control limits due to matrix effects.

V - Matrix Spike/Matrix Spike Duplicate recoveries are outside control limits due to matrix effects.

X - Sample underwent silica gel cleanup procedures.

Y - Sample underwent acid cleanup procedures.

Z - Interferences were present which prevented the quantitation of the analyte below the detection limit reported.

ND - Not Detected
MRL - Method Reporting Limit
PQL - Practical Quantitation

APPENDIX B
ECOLOGY'S REPORTING RELEASES OF HAZARDOUS SUBSTANCES REPORT

A Department of Ecology Report

Reporting Releases of Hazardous Substances

The Department of Ecology is responsible for regulating and overseeing management and disposal of hazardous substances in Washington State. State laws address the labeling of hazardous waste containers; waste reduction and recycling; treatment, storage, disposal, and transportation of hazardous wastes; accidental spills of hazardous substances; and the identification, investigation, and cleanup of hazardous substances.

Owners or operators of facilities are responsible for reporting spills or releases of hazardous substances under several state environmental laws. The laws govern different types of facilities and types of releases. Each spill or release of hazardous substances must be reported to federal or state authorities within a set time limit. The reporting requirements ensure that Ecology and other emergency response personnel are aware of activities or accidents that have caused, or could cause, a release of hazardous substances that may threaten human health or the environment.

This *Ecology Report* is an overview of the requirements for reporting releases of hazardous substances, organized according to the type of release involved. The following Washington State laws are addressed:

- Oil and Hazardous Substance Spill Prevention and Response Act (Chapter 90.56 RCW)
- Hazardous Waste Management Act (Chapter 70.105 RCW)
- Water Pollution Control Act (Chapter 90.48 RCW)
- Underground Storage Tank (UST) Act (Chapter 90.76 RCW)
- Model Toxics Control Act (Chapter 70.105D RCW)

The difference between the laws is how quickly the report must be made. Don't worry about the distinction between a spill, a leak, and a release. Just report when and where you discovered the environmental problem, the kind of material(s) released, the cleanup status, apparent resource damages (i.e. dead fish), and the telephone number of a contact person at the site.

Reports may be made anonymously if you aren't the owner or operator of the site.

In most cases, one phone call to the Division of Emergency Management will satisfy the reporting requirements for all laws discussed in this document. They will let you know if you need to call anyone else. This may not apply if you are a permitted facility.

To report releases of oil or hazardous substances call:

Division of Emergency Management 24-hour Emergency Line
1-800-258-5990

(Calls answered daily)

Or you may call the Department of Ecology's main regional office numbers 24 hours a day to report releases. Contact the region where the release occurred. TDD numbers are only answered during work hours (8am - 5pm, Mon - Fri), a recorded message may be left at the TDD number after hours, but it will not be answered until the following workday. The Division of Emergency Management is establishing a TDD number that will be answered everyday 24 hours a day, effective in the autumn of 1994.

Ecology's Regional Offices are:

Southwest:
(206) 407-6300
(Voice - 24 hrs daily)
(206) 407-6306
(TDD 8 a.m. - 5 p.m., Mon-Fri)

(Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, Wahkiakum counties)

Northwest:
(206) 649-7000
(Voice - 24 hrs daily)
(206) 649-4259
(TDD 8 a.m. - 5 p.m., Mon-Fri)

(Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom counties)

Central:
(509) 575-2490
(Voice - 24 hrs daily)
(509) 454-7673
(TDD 8 a.m. - 5 p.m., Mon-Fri)

(Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima counties)

Eastern:
(509) 456-2926
(Voice - 24 hrs daily)
(509) 458-2055
(TDD 8 a.m. - 5 p.m., Mon-Fri)

(Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman counties)

Most Oil & Hazardous Substance Spills

Under the Water Pollution Control Act, it is *illegal* to discharge any pollutant to the waters of the state (RCW 90.48.080). In addition, the discharge of hazardous substances into a well or drainfield is prohibited by WAC 173-218-080. In some cases a commercial or industrial facility may receive an approval to discharge certain types and amounts of solid or liquid wastes into Washington's waters. These approvals are obtained in the form of a permit and specific requirements to report any variance from the allowed amount of discharge are built into the discharge permit.

Any unauthorized discharge of oil or hazardous substances, including any discharge in variance with a waste disposal permit, released to the waters of the state (including groundwater, surface water, coastal waters, and sewers) must immediately be reported to the Division of Emergency Management under the Oil and Hazardous Substance Spill Prevention and Response Act (RCW 90.56.280). Some releases of oil to the waters of the state may also need to be reported to the U.S. Coast Guard. When you call the 24 hour hotline at the Division of Emergency Management, they will let you know if you should also call the U.S. Coast Guard.

Leaks or Spills from Underground Storage Tanks

The Underground Storage Tank Act (Ch. 90.76 RCW) and the Model Toxics Control Act (Ch. 70.105D RCW) have essentially the same reporting requirements for leaking underground storage tanks. You need only report once to satisfy reporting requirements for both laws.

The Underground Storage Tank (UST) Act deals with tank permitting, tank fitness testing, system design, construction, installation, operating requirements, release detection, and reporting. The Model Toxics Control Act deals with cleaning up sites where underground storage tanks have leaked contaminants to the soil or groundwater. Both laws are implemented by the Department of Ecology; one law regulates the tanks and the other addresses the cleanup of product released from the tanks.

There are two specific situations in which owners or operators of underground storage tanks must report current releases of petroleum products and other regulated substances to the Department of Ecology. When you report depends on the quantity of product spilled and where it is spilled (i.e. containment, soil, surface, or ground water.)

The first situation, governed by WAC 173-360-360, applies when you suspect an underground storage tank is leaking. When there is indication that a tank is leaking, the owner or operator must report to Ecology within 24 hours of its discovery. The second situation, governed by WAC 173-360-375, applies to owners or operators when underground storage tanks are overfilled or product is spilled while tanks are being filled.

Spills or *overfills* of petroleum or hazardous substances in *de minimis* amounts that do not come in contact with soil, groundwater, or surface water do not have to be reported.

Spills or overfills of petroleum or hazardous substances above a *de minimis* amount that:

- Come in contact with soil, groundwater, or surface water must be reported immediately.
- Do not come in contact with soil, ground water, or surface water, must be reported within 24 hours.

*A *de minimis* amount is any amount that evaporates immediately.

Historic Releases of Hazardous Substance

The Model Toxics Control Act and its regulation, Ch. 173-340 WAC, primarily address releases of hazardous substances that have occurred as a result of past business practices.

Owners or operators who know of or discover a release of a hazardous substance that may threaten human health or the environment must report the release to the department within 90 days of discovery (WAC 173-340-300). Although owners and operators are required to report, anyone may report a known or suspected release to the department, or Ecology may discover sites on its own.

Spills at Hazardous Waste Facilities

The Hazardous Waste Management Act, Ch. 70.105 RCW, is applicable to releases of dangerous wastes and hazardous substances resulting from current business practices of anyone who generates, transports, manages, or disposes of dangerous wastes. You should already know if you are one of these facilities because you will have a current EPA/State identification number.

A person who owns or operates a facility that produces solid waste needs to determine if the waste is classified as a hazardous waste. (Contact the Department of Ecology's Hazardous Waste And Toxics Reduction Program if you need help making this determination.) If the waste is hazardous, the generator must obtain an EPA/ State

Spills at Hazardous Waste Facilities

identification number and maintain records of the waste(s) generated. Transfer, treatment, storage or disposal (TSD) facility owners/operators are also subject to labeling, storage, and transportation requirements. Each off-site shipment of regulated wastes must be reported through a nationwide manifest system that tracks the voyage of the waste from the generator through the transporter to a licensed disposal facility.

Persons who own or operate a facility that uses hazardous substances in its manufacturing process but does not generate, store, or transport any waste materials may not need to have an EPA/ State ID number. However, the moment a spill occurs, or manufacturing processes change and previously used substances are now sitting around unused, the facility becomes subject to the requirements of the Dangerous Waste Regulations (the rules used to carry out the Hazardous Waste Management Act). An EPA/ State ID number is required for such facilities.

Under the Dangerous Waste Regulations, Ch. 173-303 WAC, unless you have a permit for the release, any person responsible for a spill or discharge of dangerous waste or hazardous substances into the air, ground, groundwater, or surface water such that human health or the environment is threatened, regardless of the quantity, must immediately notify the Division of Emergency Management.

Quick Reference For Release Reporting:

Report Immediately:

- Spills or discharges of oil or hazardous substances to the waters of the state or into wells or drainfields.
- Contamination discovered in a public or private drinking water supply.
- New discharges of dangerous wastes or hazardous substances into the environment, including historic releases that continue to discharge to the environment.
- Spills or overfills of petroleum products or other regulated substances from an underground storage tank which come in contact with soil, groundwater, or surface water that are above a *de minimis* amount.

Report Within 24 Hours:

- Leaks of petroleum product from underground storage tanks.
- Spills or overfills of petroleum from underground storage tanks which are above a *de minimis* amount but do not come in contact with soil, groundwater, or surface water.

Report Within 90 Days:

- Historic Releases

For More Information

Contact the identified Ecology Program at the regional office near you (Phone numbers are found on page 1):

- Most Oil and Hazardous Substance Spills, Chapter 90.56 RCW: Spill Operations of *Central Programs.*
- Water Pollution Control Act, Chapter 90.48 RCW and Chapter 173-201 WAC, Water Quality Standards For Surface Waters of the State of Washington and Chapter 173-200 WAC, Ground Water Quality Standards for Washington: *Water Quality Program.*
- Wastewater Discharge permits and National Pollutant Discharge Elimination System permits: *Water Quality Program.*
- Spills at Hazardous Waste Management Facilities, Chapter 70.105 RCW and Chapter 173-303 WAC: *Hazardous Waste And Toxics Reduction Program.*
- Spills or Leaks From Underground Storage Tanks, Chapter 90.76 RCW and Chapter 173-360 WAC : *Toxics Cleanup Program, UST/LUST Section.*
- Historic Releases, Model Toxics Control Act, Chapter 70.105D RCW and Chapter 173-340 WAC: *Toxics Cleanup Program.*

For copies of laws or regulations call or write Ecology's Publication Distribution Office at:

(206)407-7472 (Voice)
or
(206) 407-6006 (TDD only)

P.O. Box 47600, Olympia WA 98504-7600.

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If you have special accommodation needs, please contact the Toxics Cleanup Program at (206) 407-7170 (Voice) or (206) 407-6006 (TDD only).