



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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June 12, 2006

GREG HELLEND
SCS ENGINEERING
2405 140TH AVE NE STE 107
BELLEVUE WA 98005

**Re: Further Action Determination under WAC 173-340-515(5) for the following
Hazardous Waste Site:**

- Site Name: MEEKER GAS STATION FORMER
- Site Address: 105 N WASHINGTON AVE KENT WA
- Facility/Site No.: 44681713
- VCP No.: NW0878

Dear: MR HELLAND

Thank you for submitting your independent remedial action report for the MEEKER GAS STATION FORMER facility (Site) for review by the State of Washington Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

1. April 10, 2006 Notification of Pending Inactive Determination Status for the following Hazardous Waste Site enrolled in the Voluntary Cleanup Program by Ecology

2. June 9, 2006 Determination Status for the following Hazardous Waste Site enrolled in the Voluntary Cleanup Program by Ecology
3. 2004 & 2005 Groundwater Monitoring Report by SCS ENGINEERS

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

The Site is defined by the extent of contamination caused by the following release(s):

- TPH Diesel, Gasoline and BTEX in the Soil and Groundwater;

The Site is more particularly described in Enclosure A to this letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) performed at the Site are not sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing any of the contamination at the Site.** Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **further remedial action is necessary** at the Site under MTCA.

Further Action is required at this site for the following reasons:

- Potential Off property migration of TPH Diesel, Gasoline and BTEX in the Soil south and southeast off the property limits (Washington Ave and West Meeker Street).
- Potential Off property migration of TPH Gasoline and Benzene in the Groundwater south and southeast off the property limits (Washington Ave and West Meeker Street).
- Extent of potential TPH Diesel, Gasoline and BTEX in the Soil and Groundwater impacts in the soil and groundwater off the property limits to the south and southeast are unknown
- Restrictive Covenant may be needed for residual contamination on the City of Seattle Right-of-ways
- Lack of active cleanup activity in the past 12 months.

Ecology's Interim NFA of 07/29/02 issued to this site is hereby rescinded.

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.