

DRAFT

[Date]

[Client Signatory]

[Organization]

[Street Address]

[City State Zip]

Re: No Further Action at the following Site:

- **Site Name:** Henry Bacon Building Materials
- **Site Address:** 5210 E Lake Sammamish Parkway SE, Issaquah, 98029
- **Facility/Site No.:** 8428648
- **VCP Project No.:** NW3149

Dear [Project Manager]:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Henry Bacon Building Materials facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively “substantive requirements of MTCA”). The analysis is provided below.

Description of the Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following releases:

- Gasoline, diesel, oil, benzene, ethylbenzene, toluene, xylene, and lead into the soil and groundwater

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no

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information that the parcel(s) associated with this Site are affected by other sites.

Basis for the Opinion

This opinion is based on the information contained in the following documents:

1. Environmental Investigation Results – 5210 East Sammamish Parkway Southeast – Issaquah, Washington by TRC Environmental and dated April 6, 1998
2. Remedial Investigation/Feasibility Study and Remedial Action Report – BMC Issaquah Facility – 5210 East Lake Sammamish Parkway Southeast – Issaquah, Washington by ZipperGeo and dated April 13, 2016
3. Revised Remedial Investigation/Feasibility Study and Remedial Action Report – BMC Issaquah Facility – 5210 East Lake Sammamish Parkway Southeast – Issaquah, Washington by ZipperGeo and dated February 26, 2018
4. Addendum Letter – Request for Additional Information – Henry Bacon Building Materials – 5210 East Sammamish Parkway Southeast – Issaquah, Washington by ZipperGeo and dated April 2, 2018

These documents are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. You can make an appointment by calling the NWRO resource contact at (425) 649-7024 or sending an email to nwro_public_request@ecy.wa.gov.

This opinion is void if any of the information contained in those documents is materially false or misleading.

Analysis of the Cleanup

Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A**.

In June of 1996, ten soil borings were installed at the site. Four composite soil samples and three groundwater grab samples were collected and analyzed for total petroleum hydrocarbons, benzene, ethylbenzene, toluene, and xylene.

Except for two exceedances for total petroleum hydrocarbons, no exceedances of MTCA Method A standards were found for any of the analytes. The three groundwater grab samples were analyzed for the same analytes. Although traces of all analytes were found in three of the four samples, no exceedances of the MTCA Method A standards for any analyte were found in any groundwater sample.

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In December of 1997, six additional soil borings were installed on site. Two soil samples were collected from each borehole, with four of the soil samples being analyzed for volatile petroleum hydrocarbons, benzene, ethylbenzene, toluene, and xylenes. Three of four soil samples exceeded the MTCA Method A standards for volatile petroleum hydrocarbons and benzene, two of the three soil samples exceeded the MTCA Method A standard for total xylenes, and one of the three soil samples exceeded the MTCA Method A standard for ethylbenzene. The fourth soil sample had no exceedances of any of the analytes. A groundwater grab sample was collected from each of the six soil borings and analyzed for the same analytes. Two groundwater samples exceeded the MTCA Method A standards for all five analytes, one groundwater sample exceeded the MTCA Method A standards for four of the five analytes, one groundwater sample exceeded the MTCA Method A standard for one analyte, and two groundwater samples had no exceedances of any analyte.

In April of 2013, nine additional soil borings were installed on site, with four of the soil borings being converted to monitoring wells. Nineteen soil samples were collected from the nine soil borings and analyzed for gasoline, diesel, oil, benzene, ethylbenzene, toluene, xylene, methyl tertiary butyl ether, and lead. One soil sample had exceedances of the MTCA Method A standards for gasoline, benzene, ethylbenzene, and xylene; one soil sample had exceedances of the MTCA Method A standards for gasoline and benzene; and two soil samples had exceedances of the MTCA Method A standard for gasoline. The remaining fifteen soil samples had no exceedances of MTCA Method A standards for any analyte. One groundwater sample was collected from each of the four monitoring wells and analyzed for the same analytes. No exceedances of the MTCA Method A standards for any analyte were found in any of the groundwater samples except one groundwater sample exceeded the MTCA Method A standard for gasoline.

A geophysical survey was also performed. The survey identified the previous location of the underground storage tanks.

In November of 2015, three groundwater monitoring wells were installed at the site. Two of the wells replace two earlier installed wells which had been abandoned during remediation activities. The five groundwater monitoring wells were sampled quarterly between December of 2015 and September of 2016, with the groundwater samples being analyzed for gasoline, benzene, ethylbenzene, toluene, and xylene. None of the analytes were detected in any of the groundwater samples.

In February of 2016, four soil samples were collected at the water table from the right-of-way adjoining the site and analyzed for gasoline, benzene, ethylbenzene, toluene, and xylene. None of the analytes were detected in any of the soil samples.

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2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

Soil

Gasoline – 30 mg/kg

Diesel – 2,000 mg/kg

Oil – 2,000 mg/kg

Benzene – 0.03 mg/kg

Ethylbenzene – 6 mg/kg

Toluene – 7 mg/kg

Xylene 9 mg/kg

Lead 250 mg/kg

Groundwater

Gasoline – 1000 µg/l

Diesel – 500 µg/l

Oil – 500 µg/l

Benzene – 5 µg/l

Ethylbenzene – 700 µg/l

Toluene – 1,000 µg/l

Xylenes – 1,000 µg/l

Methyl tertiary butyl ether – 20 µg/l

Lead – 15 µg/l

Points of Compliance

A standard horizontal point of compliance, the property boundary, was used for soil contamination.

A standard vertical point of compliance, fifteen feet for soils, was established in the soils throughout the site from the ground surface to fifteen feet below the ground surface. Fifteen feet is protective for direct contact with the contaminated soil.

A standard vertical point of compliance, from the uppermost level of the saturated zone to the lowest depth that could potentially be affected, was used for groundwater contamination.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

The method selected for soil - excavation of the underground storage tanks and petroleum contaminated soil, transporting the tanks and soil off-site, and placement of oxygen releasing compound in the base of the excavation meets the minimum requirements for cleanup actions by providing a permanent solution, immediate restoration time frame, provides for confirmation monitoring, and protects human health and the environment.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

In January of 1989, three underground storage tanks, their dispensers, and associated piping were excavated and taken off-site. One soil sample was collected and analyzed for total petroleum hydrocarbons, benzene, ethylbenzene, toluene, and xylene. No exceedances of State standards for any analyte were found.

In July of 2015, 1,396 tons of petroleum-contaminated soil was excavated and taken off-site to a permitted facility. Twenty-four confirmational soil samples were collected from the excavation and analyzed for gasoline, diesel, oil, benzene, ethylbenzene, toluene, xylene, and lead. No exceedances of MTCA Method A standards for any analyte were found except for one soil sample which exceeded the MTCA Method A standards for gasoline and benzene. Eleven hundred pounds of oxygen-releasing compound were mixed in the base of the excavation and the excavation was backfilled.

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In March of 2018, a soil sample was collected in the area where the one soil exceedance of MTCA Method A standards was observed. The soil sample was analyzed for gasoline, benzene, ethylbenzene, toluene, xylene, methyl tertiary butyl ether, 1,2-dibromoethane, and 1,2-dichloroethane. None of the analytes were detected in the sample. At the same time, a groundwater sample was collected from each of the five monitoring wells and analyzed for methyl tertiary butyl ether, 1,2-dibromoethane, and 1,2-dichloroethane. None of the analytes were detected in any of the groundwater samples.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.

That process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdraw this opinion.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion **does not**:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70.105D.040(4).

2. Opinion does not constitute a determination of substantial equivalence.

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you performed is substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

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3. State is immune from liability.

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 opinion. *See* RCW 70.105D.030(1)(i).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (NW 3149).

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions please contact me at (360) 407-7223 or christopher.maurer@ecy.wa.gov.

Sincerely,

Christopher Maurer, P.E.
HQ - Toxics Cleanup Program

Enclosure: A – Description and Diagrams of the Site

cc:

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Enclosure A

Description and Diagrams of the Site

ALBERTSONS/BMC WEST-BSP
Plat Block:
Plat Lot: 3

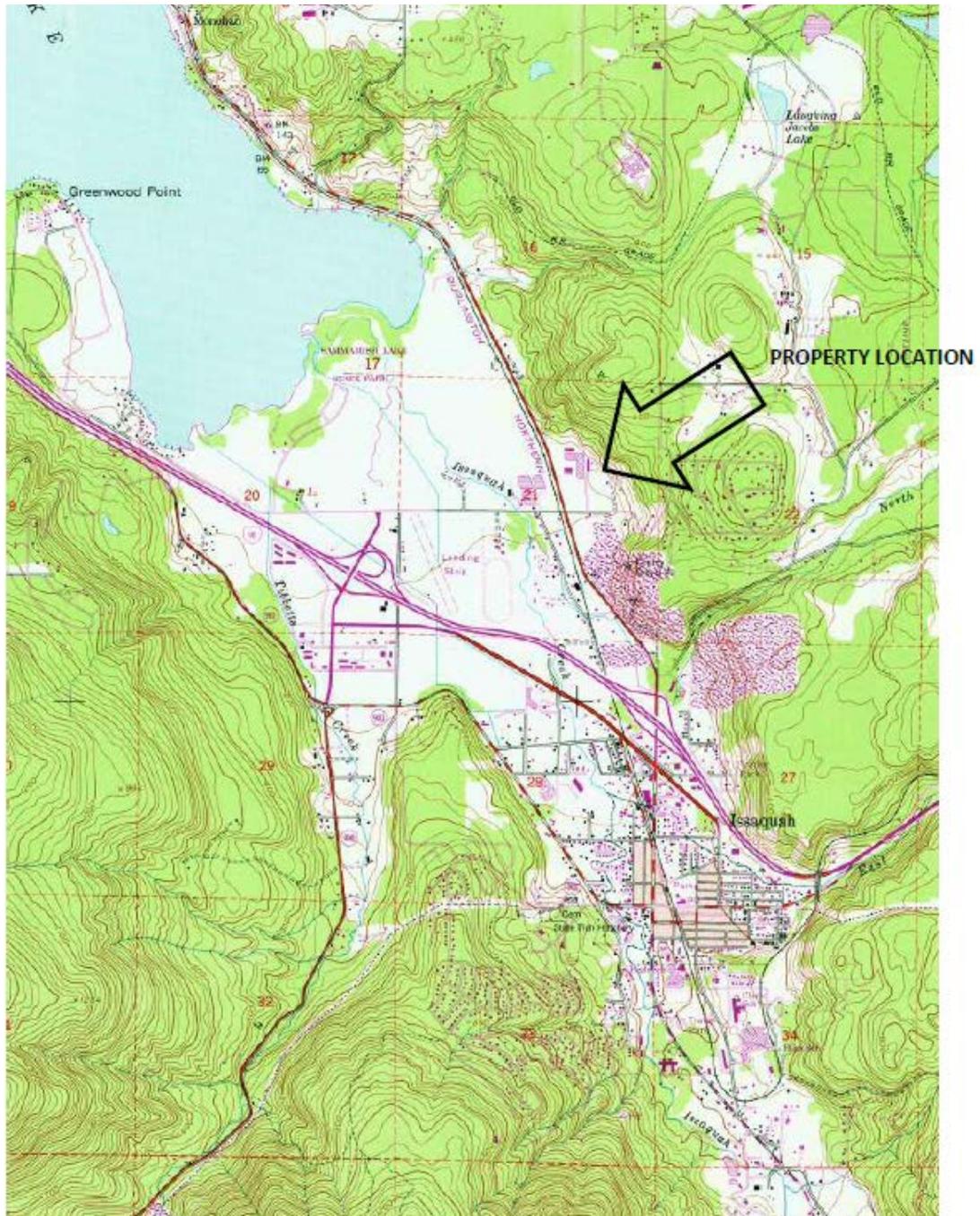
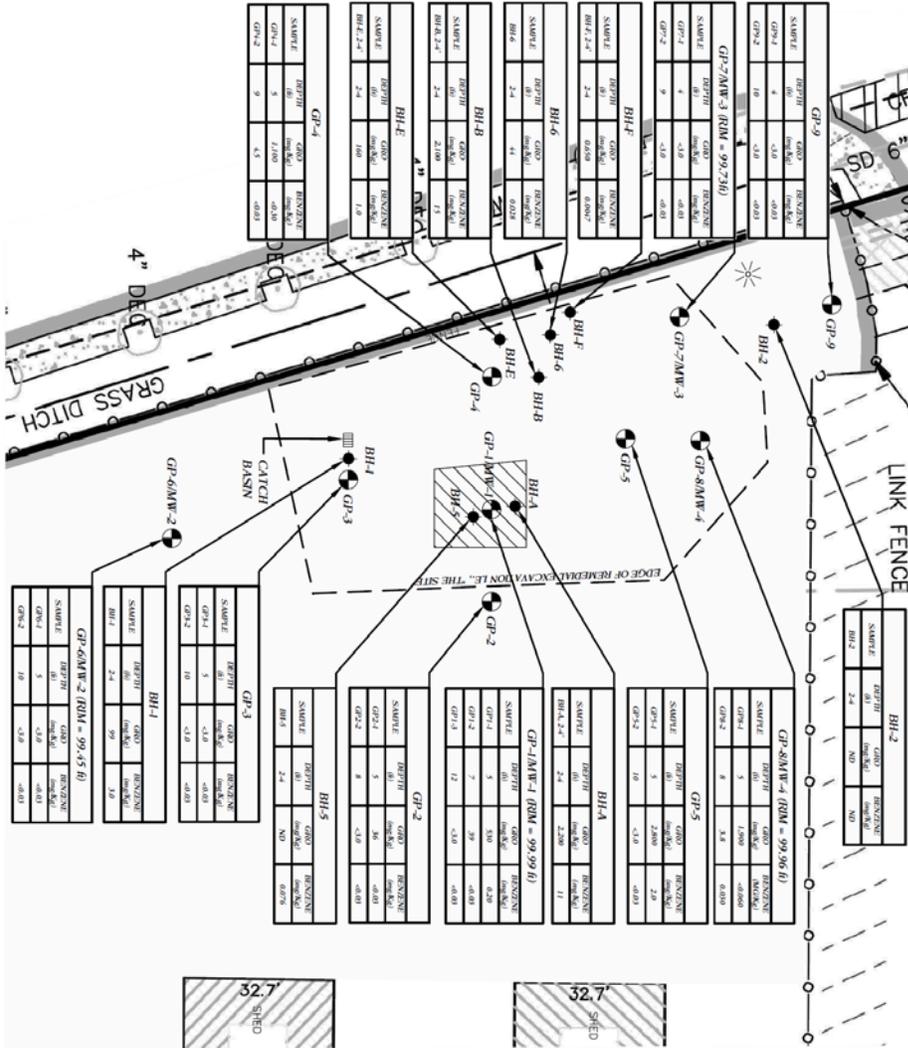


Figure 1. Approximate location of the Property depicted on the Issaquah, Washington Quadrangle (U.S. Geological Survey, 1950, photo-revised 1968 and 1973).



Figure 2 – 2016 Aerial Photograph (Google Earth). The property boundary is indicated by the black dashed line. The site as defined by WAC 173-340-200 can be seen as the trapezoidal-shaped patch of fresh asphalt.



WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
GP-1	4	0.00
GP-2	10	0.00
GP-3	5	-0.10
GP-4	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
GP-5	8	0.00
GP-6	5	0.00
GP-7	9	0.00
GP-8	5	-0.10
GP-9	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
BH-1	2.4	0.00
BH-2	2.4	0.00
BH-3	1.0	0.00
BH-4	1.0	0.00
BH-5	1.0	0.00
BH-6	1.0	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
GP-1	4	0.00
GP-2	10	0.00
GP-3	5	-0.10
GP-4	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
GP-5	8	0.00
GP-6	5	0.00
GP-7	9	0.00
GP-8	5	-0.10
GP-9	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
BH-1	2.4	0.00
BH-2	2.4	0.00
BH-3	1.0	0.00
BH-4	1.0	0.00
BH-5	1.0	0.00
BH-6	1.0	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
GP-1	4	0.00
GP-2	10	0.00
GP-3	5	-0.10
GP-4	9	0.00

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GP-6	5	0.00
GP-7	9	0.00
GP-8	5	-0.10
GP-9	9	0.00

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BH-4	1.0	0.00
BH-5	1.0	0.00
BH-6	1.0	0.00

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GP-1	4	0.00
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GP-3	5	-0.10
GP-4	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
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GP-6	5	0.00
GP-7	9	0.00
GP-8	5	-0.10
GP-9	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
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GP-3	5	-0.10
GP-4	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
GP-5	8	0.00
GP-6	5	0.00
GP-7	9	0.00
GP-8	5	-0.10
GP-9	9	0.00

WELL	DEPTH (ft)	GROUNDWATER ELEVATION (ft)
BH-1	2.4	0.00
BH-2	2.4	0.00
BH-3	1.0	0.00
BH-4	1.0	0.00
BH-5	1.0	0.00
BH-6	1.0	0.00

LEGEND

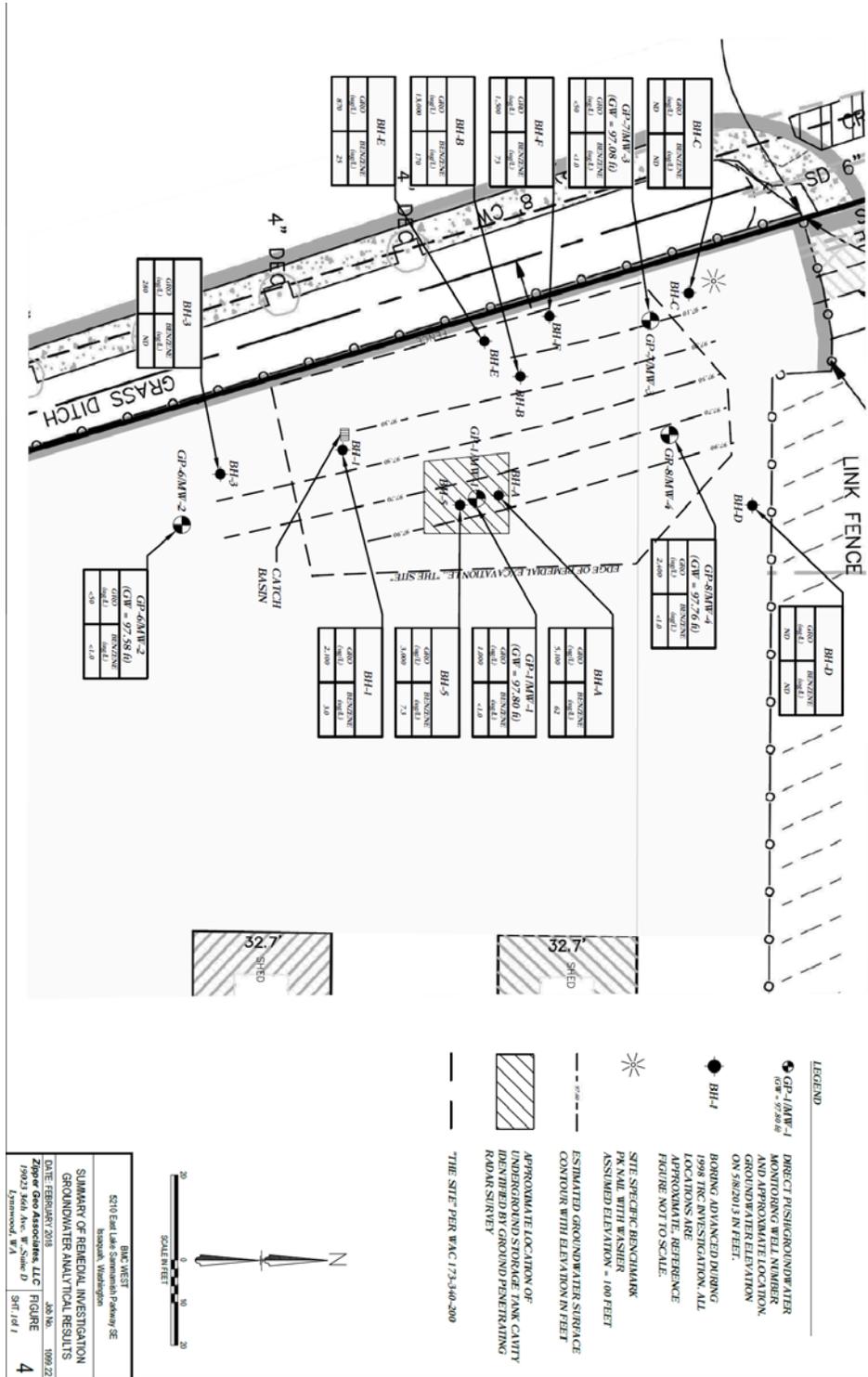
GP-1/MW-1 (IRM = 99.99 ft)

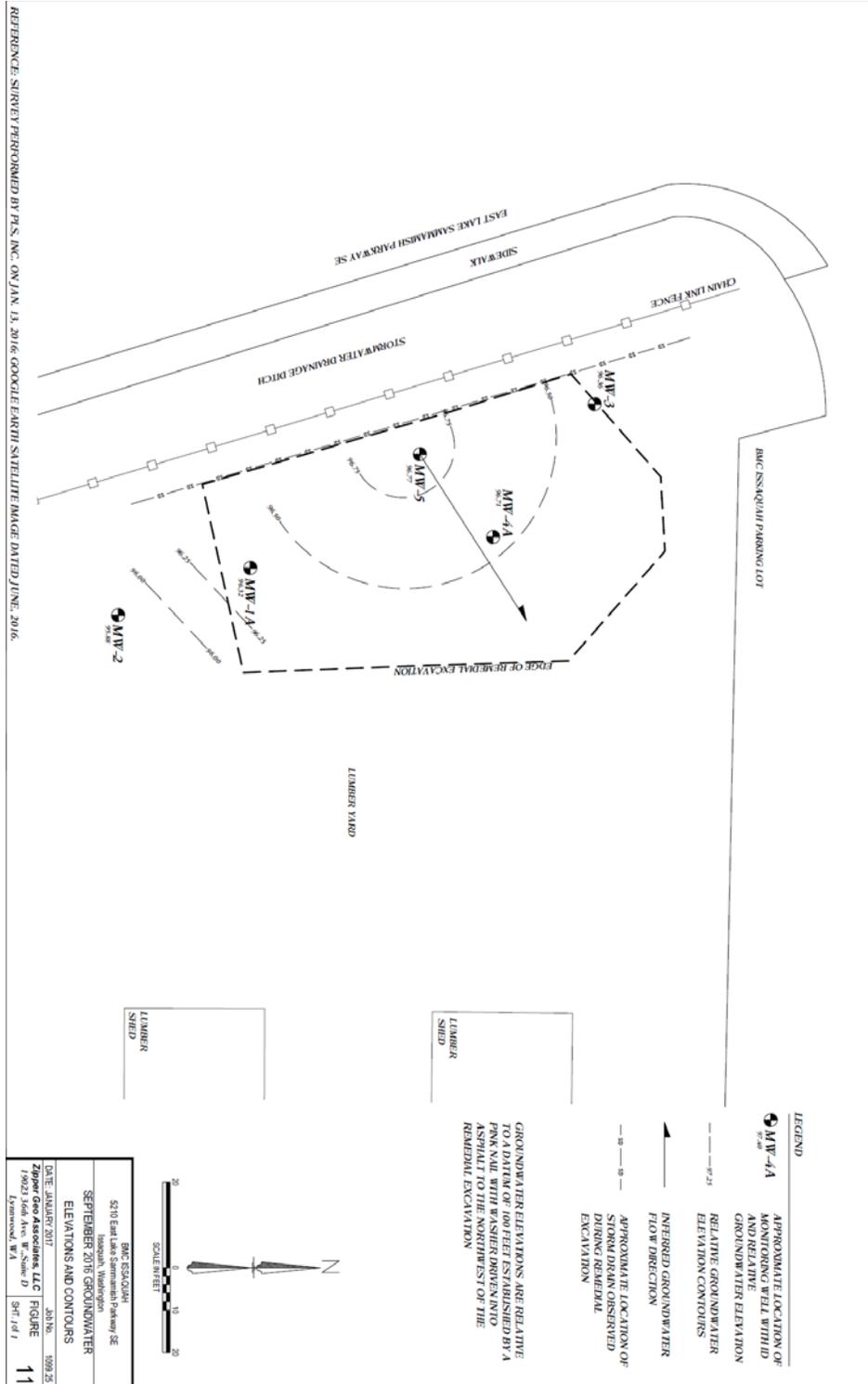
BH-1

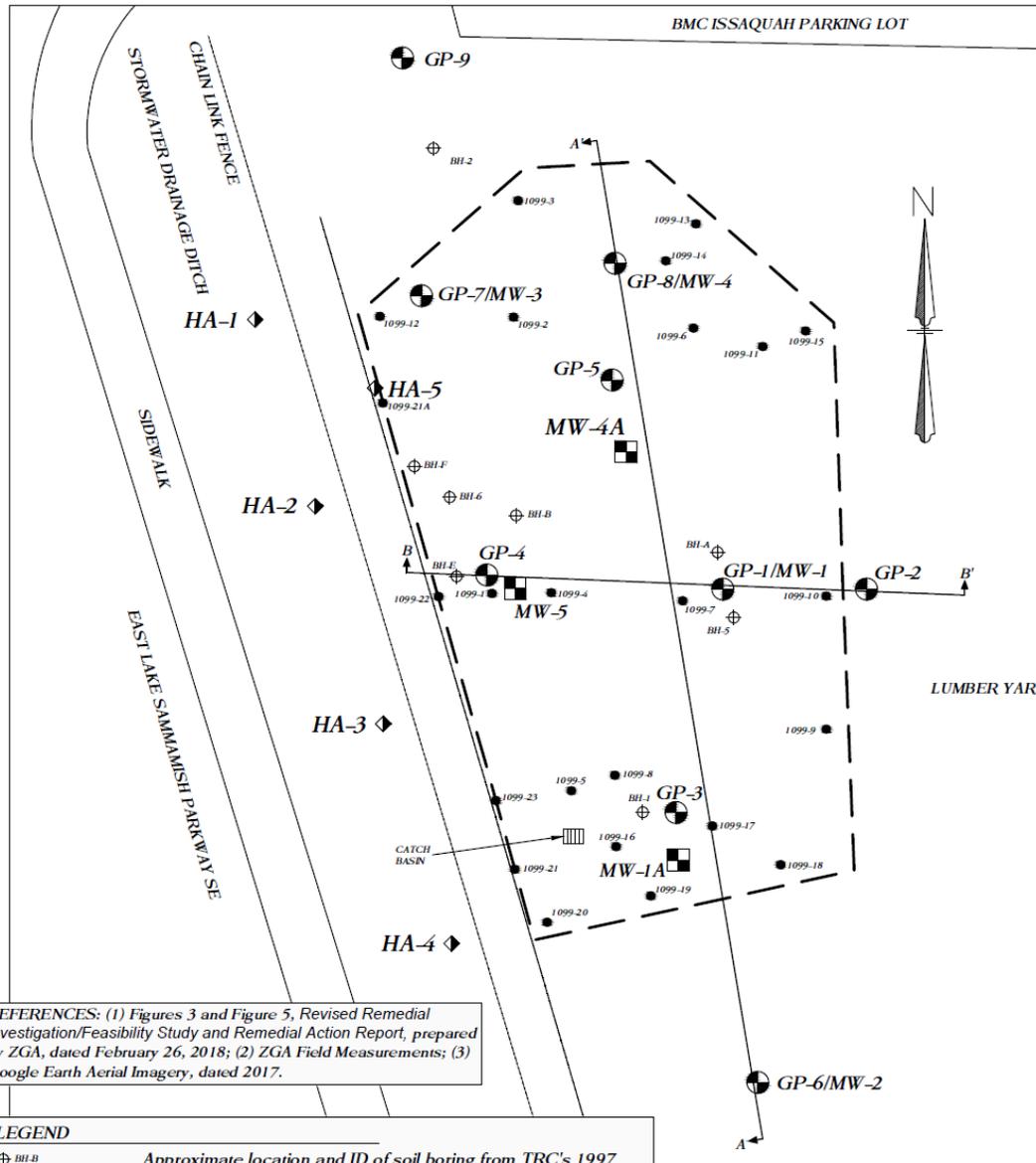
APPROXIMATE LOCATION OF (UNDERGROUND STORAGE TANK) CAPTIVE DRAINAGE BY GROUND PENETRATING RADAR SURVEY, AND FORMER SITE AND PUMP ISLAND AS DETERMINED BY TRC (1998)

THE SITE PER WAC 173-340.200

DATE: FEBRUARY 2018
 SUMMARY OF REMEDIAL INVESTIGATION SOIL ANALYTICAL RESULTS
 SCALE IN FEET
 0 10 20





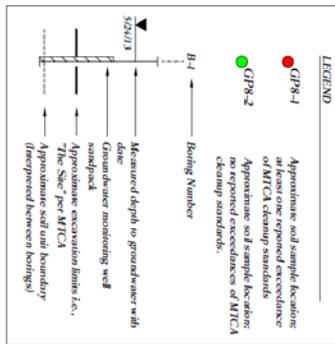
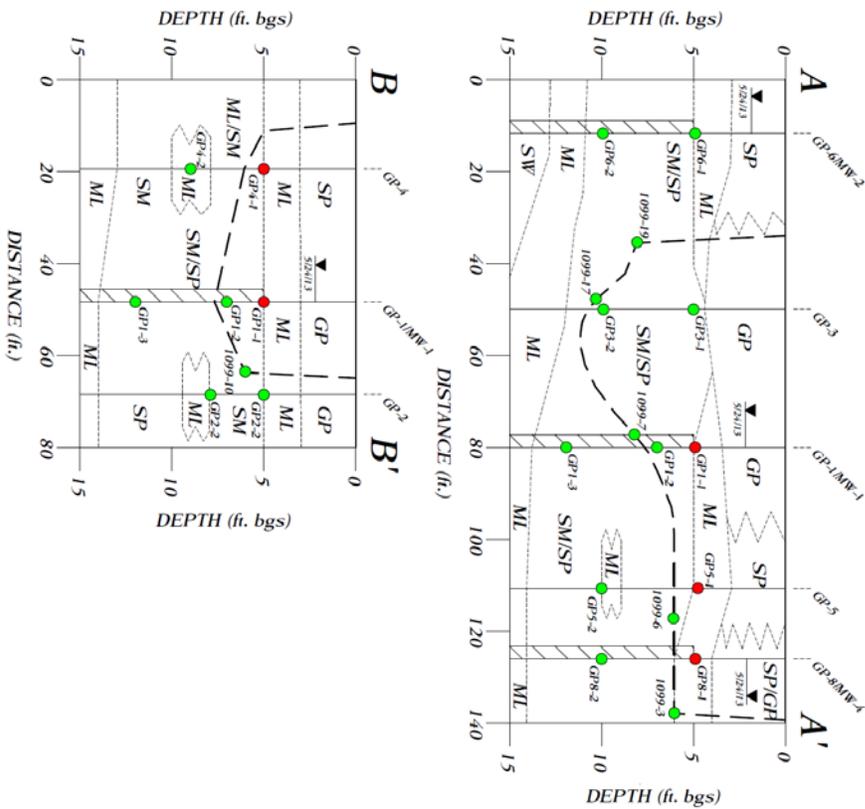


REFERENCES: (1) Figures 3 and Figure 5, Revised Remedial Investigation/Feasibility Study and Remedial Action Report, prepared by ZGA, dated February 26, 2018; (2) ZGA Field Measurements; (3) Google Earth Aerial Imagery, dated 2017.

LEGEND	
	Approximate location and ID of soil boring from TRC's 1997 investigation.
	Approximate location and ID of soil boring/monitoring well from ZGA's Phase II ESA.
	Approximate location and ID of closure soil sample collected by ZGA before backfill of remedial excavation.
	Approximate location and ID of soil monitoring well installed by ZGA post-remedial excavation.
	Approximate location and ID of hand auger advanced by ZGA.
	Approximate location of generalized cross-section depicted on Figure 2.
	Approximate edge of remedial excavation i.e., "The Site" per MTCA.

BMC ISSAQUAH SUPPLEMENTAL LETTER 5210 East Lake Sammamish Parkway SE Issaquah, Washington	
SITE AND EXPLORATION PLAN	
DATE: MARCH 2018	Job No. 1089.25
Zipper Geo Associates, LLC 19019 36th Ave. W., Suite E Lynnwood, WA	FIGURE 1 SHT. 1 of 1

REFERENCE: (1) Figures 3 and Figure 5, Revised Remedial Investigation/Feasibility Study and Remedial Action Report, prepared by ZKA, dated February 26, 2018; (2) Figure 1.



4a Vertical Embankment

BAC SQUARE SUPPLEMENTAL LETTER	
5210 East Lake Sammamish Pkwy SE	
Issaquah, Washington	
GENERALIZED CROSS SECTIONS	
DATE PLOTTED: 03/18/2018	DATE: 03/18/2018
PROJECT: 19019 26th Ave. W. State E	FIGURE: 2
ISSUED BY: ZKA	SHEET: 1 of 1