



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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October 3, 2018

Chad Winger  
Winger Family LP  
4600 Shady Hollow Lane  
Bremerton, WA 98312

**Re: No Further Action at the following Site:**

- **Site Name:** Winger Property/Golden Homes
- **Site Address:** 19647 Viking Way NW, Poulsbo, Washington
- **Facility/Site No.:** 5181107
- **VCP Project No.:** NW 3107

Dear Mr. Winger:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Winger Property/Golden Homes 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**

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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**

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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, benzene, ethylbenzene, and xylene into the soil

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

### **Basis for the Opinion**

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

1. Underground Storage Tank Site Assessment Report – Winger Property – Poulsbo, Washington by Associated Earth Sciences and dated May 7, 2003
2. Independent Cleanup and Ground Water Characterization Report – Winger Land Company Property – Poulsbo, Washington by Associated Earth Sciences and dated June 26, 2003
3. Ground Water Monitoring Report – Winger Land Company Property – Poulsbo, Washington by Associated Earth Sciences and dated December 2, 2003
4. Ground Water Monitoring Report – Winter Quarter 2003 – 2004 – Winger Land Company Property – Poulsbo, Washington by Associated Earth Sciences and dated June 2, 2004
5. Cleanup Action Report – Winger Property/Golden Homes – Poulsbo, Washington Associated Earth Sciences and dated December 20, 2016

Those 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](mailto: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**

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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 March of 2003, following the removal of two underground storage tanks (one gasoline and one diesel), confirmational soil samples revealed gasoline and benzene contamination in the soil. Six soil samples were collected, two were analyzed for diesel and oil and four were analyzed for gasoline, benzene, ethylbenzene, toluene, and xylene. One of the four samples was also analyzed for lead. No exceedances of the MTCA Method A standards for diesel, oil, or lead were found. One of the four soil samples exceeded the MTCA Method A standards for gasoline, benzene, ethylbenzene, and xylene while a second soil sample equaled the MTCA Method A standard for benzene. Three groundwater monitoring wells were also installed. Groundwater samples from each of the three wells were analyzed for gasoline, benzene, ethylbenzene, toluene, and xylene. No exceedances of MTCA Method A standards for gasoline, benzene, ethylbenzene, toluene, or xylene were found. One sample was analyzed for total lead and found to exceed the MTCA Method A standard for total lead. Two groundwater samples were analyzed for volatile organic compounds including methyl tertiary butyl ether, 1,2-dibromoethane, and 1,2-dichloroethane. Additional groundwater samples were collected over the following twelve months and analyzed for the same volatile organic compounds. No exceedances of MTCA Method A standards for any of the volatile organic compounds were found.

In October of 2016, two soil borings and two groundwater monitoring wells were installed on-site. The two soil borings were located in the area of the previous benzene exceedance and the two groundwater monitoring wells were to replace two earlier monitoring wells that could not be found. Soil samples from the two borings and the two groundwater monitoring wells were analyzed for gasoline, benzene, ethylbenzene, toluene, and xylene. No detections of any analyte were found in any of the four soil samples. Groundwater samples were collected from the two soil borings and analyzed for the same suite of analytes. No detections of any of the analytes were found in either groundwater sample. No groundwater samples were collected from the two groundwater monitoring wells after the wells were installed.

## **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

Benzene – 0.03 mg/Kg

Ethylbenzene – 6 mg/Kg

Xylene – 9 mg/Kg

Lead – 250 mg/Kg

### Groundwater

Gasoline – 800 µg/l

Benzene – 5 µg/l

Ethylbenzene – 700 µg/l

Xylene – 1,000 µg/l

Lead – 15 µg/l

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 – excavation of the contaminated soil and transporting the soil off-site to a permitted facility – 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 March of 2003, following the removal of two underground storage tanks (one gasoline and one diesel), confirmational soil samples revealed gasoline and benzene contamination in the soil. The tanks were taken off-site for recycling. One hundred cubic yards of petroleum-contaminated soil was excavated and landfarmed on site.

When no noticeable signs of petroleum contamination were found, the landfarmed soil was used for on-site fill. An air-sparging system was installed and operated for one year to reduce residual soil contamination.

### **Listing of the Site**

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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.

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#### **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.

#### **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).

Chad Winger  
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### **Termination of Agreement**

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Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (NW 3107).

For more information about the VCP and the cleanup process, please visit our web site: [www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm](http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm). If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at 360 – 407 - 7223 or e-mail at [chris.maurer@ecy.wa.gov](mailto:chris.maurer@ecy.wa.gov).

Sincerely,



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

Enclosure:           A – Description and Diagrams of the Site

cc:     Otto Paris, Associated Earth Sciences  
       Beth McKee, Ecology

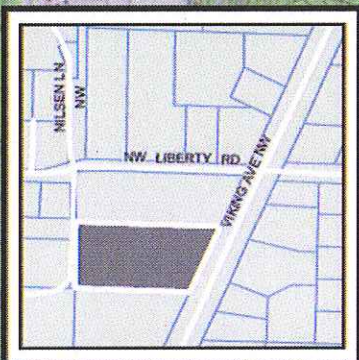
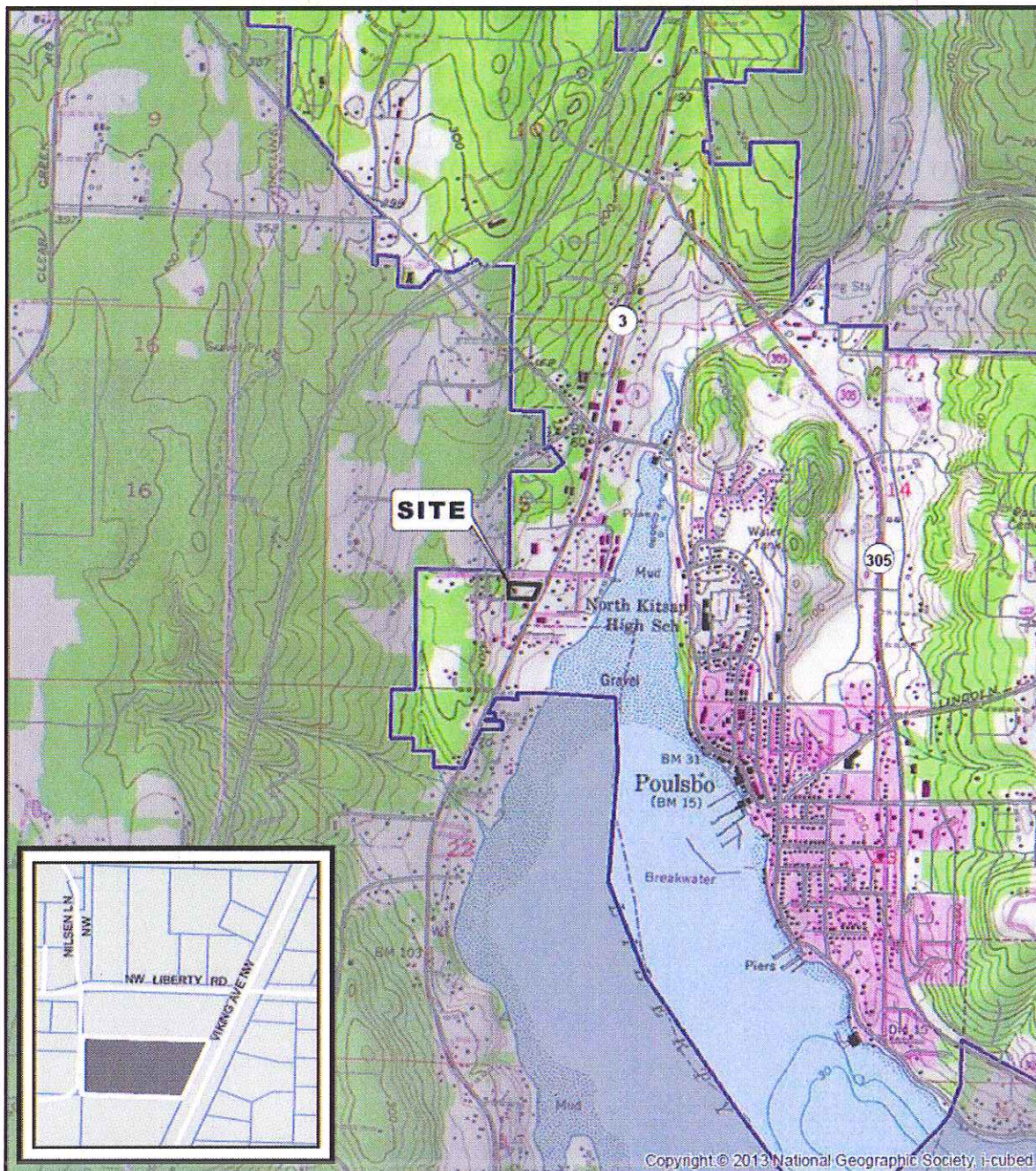
## **Enclosure A**

### **Description and Diagrams of the Site**

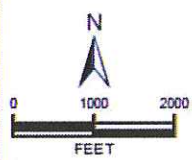




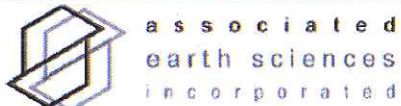
THAT PORTION OF GOVERNMENT LOT 4, SECTION 15, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., CITY OF POULSBO IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE SOUTHWEST CORNER OF GOVERNMENT LOT 4; THENCE S88\*28'E A DISTANCE OF 343.06 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 21; THENCE N23\*40'E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 223.49 FEET; THENCE N88\*32'W A DISTANCE OF 434.47 FEET; THENCE S0\*28'E A DISTANCE OF 206.82 FEET TO THE POINT OF BEGINNING.



DATA SOURCES / REFERENCES:  
 USGS: 24K SERIES TOPOGRAPHIC MAPS  
 KITSAP CO: STREETS, PARCELS 2015  
 LOCATIONS AND DISTANCES SHOWN ARE APPROXIMATE



NOTE: BLACK AND WHITE  
 REPRODUCTION OF THIS COLOR  
 ORIGINAL MAY REDUCE ITS  
 EFFECTIVENESS AND LEAD TO  
 INCORRECT INTERPRETATION



VICINITY MAP

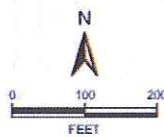
WINGER PROPERTY / GOLDEN HOMES  
 POULSBO, WASHINGTON

PROJ NO.	KV160495A	DATE:	12/16	FIGURE:	1
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**LEGEND:**

— SITE BOUNDARY



NOTE: BLACK AND WHITE REPRODUCTION OF THIS COLOR ORIGINAL MAY REDUCE ITS EFFECTIVENESS AND LEAD TO INCORRECT INTERPRETATION.

NOTE: LOCATION AND DISTANCES SHOWN ARE APPROXIMATE. BASE MAP REFERENCE: BING



associated  
earth sciences  
incorporated

**SITE AND SURROUNDING AREA**

GOLDEN HOMES  
POULSBO, WASHINGTON

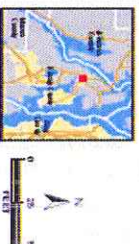
PROJ NO.	DATE	FIGURE
KV160495A	12/16	2



**LEGEND:**

- SITE
- GEOPROBE BORGNO
- GROUND WATER MONITORING WELL
- CROSS SECTION
- PARCEL BOUNDARY
- CONTOUR 10 FT
- CONTOUR 2 FT

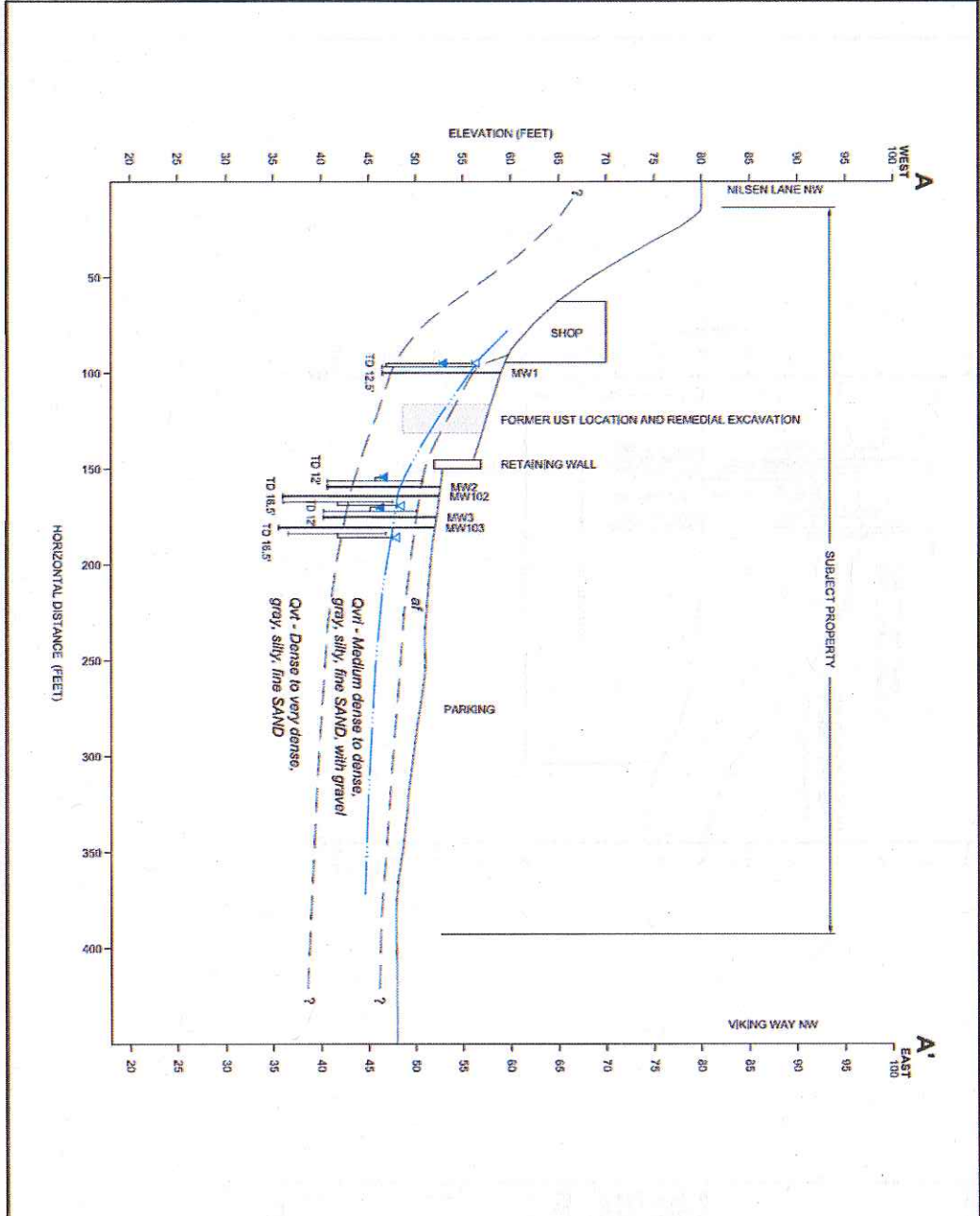
DATE: 10/15/2001  
 DRAWN BY: J. BROWN  
 CHECKED BY: J. BROWN  
 PROJECT: GOLDEN HOUSES  
 LOCATION: POLLSBO, WASHINGTON



**SITE AND EXPLORATION PLAN**

**GOLDEN HOUSES**  
 POLLSBO, WASHINGTON

PROJECT NO: 100055V001 DATE: 1/18 SCALE: 1/4" = 10'



LEGEND

- FILL
- VASHON ICE CONTACT DEPOSITS
- VASHON LODGEPOLE TILL
- BORING
- WATER LEVEL AT TIME OF DRILLING
- STATIC WATER LEVEL DATE PROVIDED IN LOGS
- SCREENED INTERVAL
- TD TOTAL DEPTH OF BORING
- GEOLOGIC CONTACT
- INFERRED GROUND WATER TABLE

VERTICAL EXAGGERATION = 5X

NOTE: LOCATION AND DISTANCES SHOWN ARE APPROXIMATE

NOTES

1. THE DISBURSED CONTAMINANTS PRESENTED IN THIS GEOLOGIC CROSS-SECTION ARE BASED ON AN INTERPRETATION OF CONTAMINANT EXPOSURES BY THE WASHINGTON STATE DEPARTMENT OF ECOLOGY. FOR MORE INFORMATION ON THE DISBURSED CONTAMINANTS AND PRESENTED IN THIS GEOLOGIC CROSS-SECTION SHOULD NOT BE CONSIDERED AS A WARRANTY OF ACTUAL SUBSTANCE CONCENTRATIONS AT WATER CONTACTS OR WATER SUBSIDIARILY OVER BANK DISTANCES.

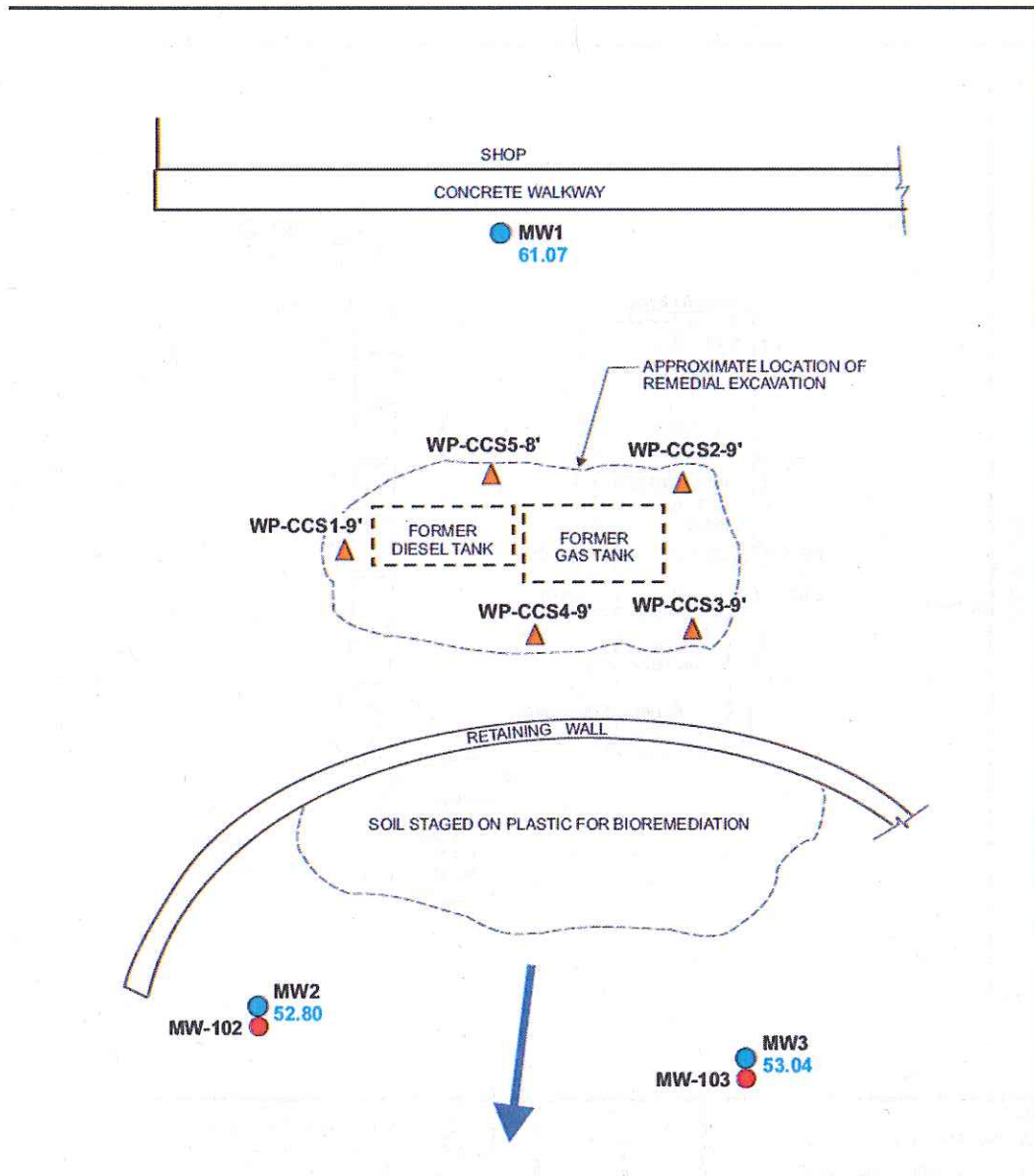
NOTE: MDCR AND WSPR REPRESENTATIONS OF THIS GEOLOGICAL INFORMATION BY SPECIFICNESS AND TO PROVIDE INTERESTING INFORMATION






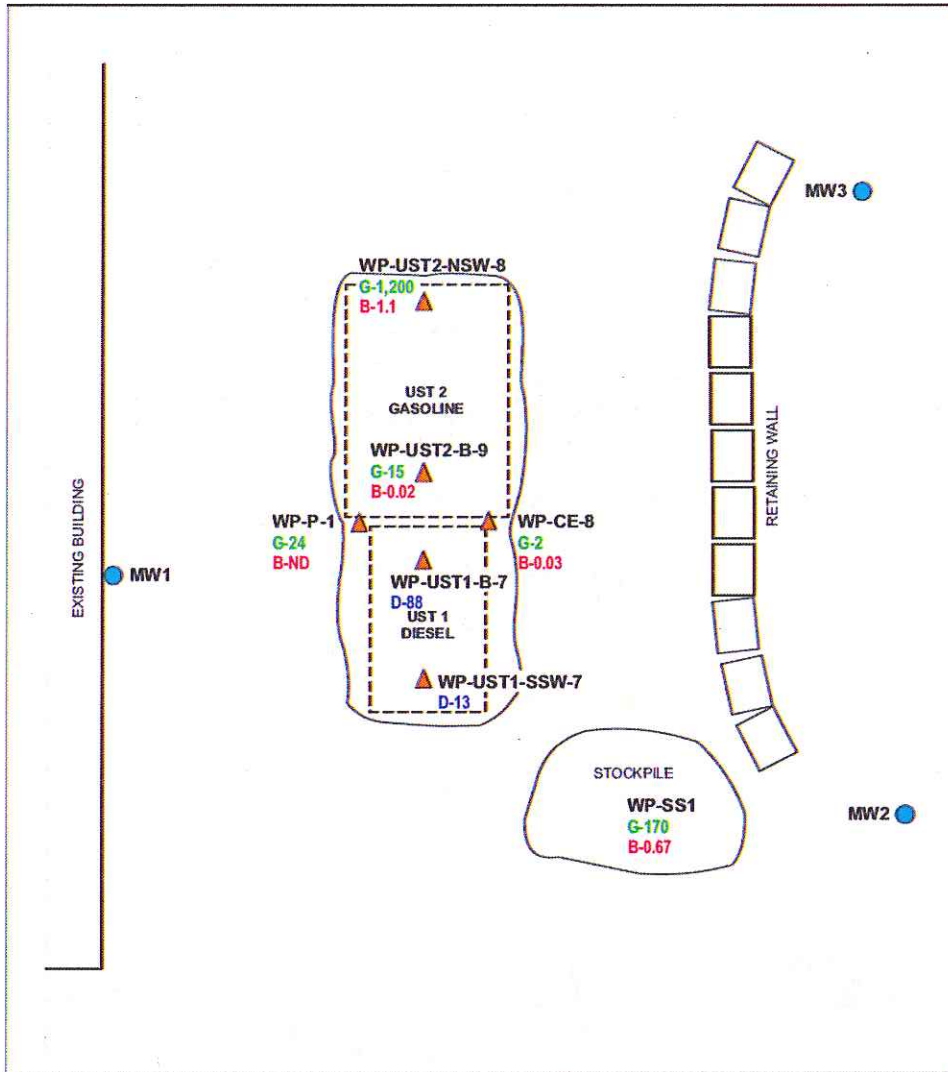
**CONCEPTUAL SITE MODEL**  
**GEOLOGIC CROSS-SECTION A-A'**  
 GOLDEN HOMES  
 POULSBO, WASHINGTON

PROJ. NO. KV160499A DATE: 12/16 FIGURE: 3



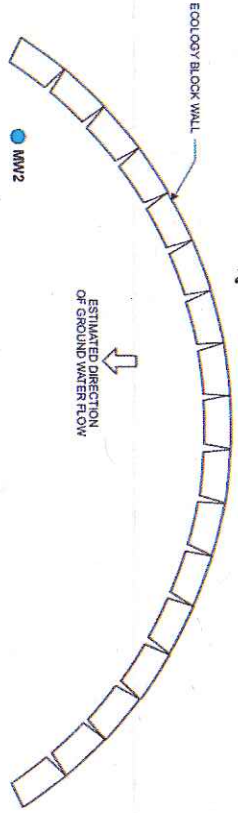
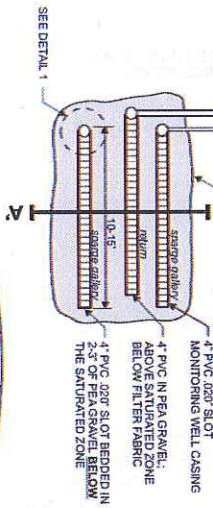
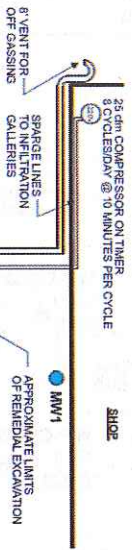
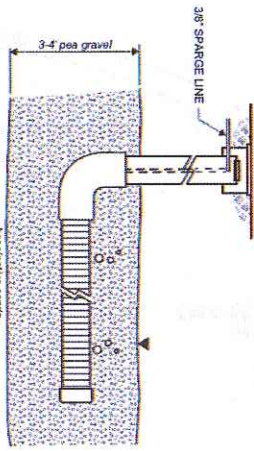
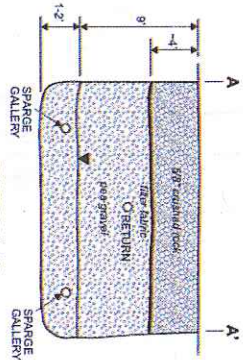


<p><b>LEGEND:</b></p> <ul style="list-style-type: none"> <li><span style="color: blue;">●</span> MW MONITORING WELL - 2003</li> <li><span style="color: orange;">▲</span> WP CONFIRMATION SOIL SAMPLE - 2003</li> <li><span style="color: blue;">52.80</span> GROUNDWATER ELEVATION IN FEET</li> <li><span style="color: blue;">←</span> INFERRED GROUND WATER FLOW DIRECTION</li> <li><span style="color: red;">●</span> MW MONITORING WELL - 2016</li> </ul> <p>NOTE: LOCATION AND DISTANCES SHOWN ARE APPROXIMATE.</p>	    <small>NOTE: BLACK AND WHITE REPRODUCTION OF THIS COLOR ORIGINAL MAY REDUCE ITS EFFECTIVENESS AND LEAD TO INCORRECT INTERPRETATION.</small>	<div style="text-align: center;">  <p>associated earth sciences incorporated</p> </div> <p style="text-align: center;"><b>GROUND WATER FLOW MAP</b></p> <p style="text-align: center;">GOLDEN HOMES POULSBO, WASHINGTON</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">PROJ NO.</td> <td style="width: 33%;">DATE:</td> <td style="width: 33%;">FIGURE:</td> </tr> <tr> <td style="text-align: center;">KV160495A</td> <td style="text-align: center;">12/16</td> <td style="text-align: center;">4</td> </tr> </table>	PROJ NO.	DATE:	FIGURE:	KV160495A	12/16	4
PROJ NO.	DATE:	FIGURE:						
KV160495A	12/16	4						



<p><b>LEGEND:</b></p> <p><b>MW</b> MONITORING WELL - 2003</p> <p><b>WP</b> SITE CHARACTERIZATION SAMPLE - 2003</p> <p>CONTAMINANT CONCENTRATION IN SOIL:</p> <p><b>G</b> = GASOLINE PPM  <b>B</b> = BENZENE PPM  <b>D</b> = DIESEL PPM  <b>ND</b> = BELOW LABORATORY REPORTING LIMITS</p> <p>NOTE: LOCATION AND DISTANCES SHOWN ARE APPROXIMATE.</p>	<p>N</p> <p>NO SCALE</p> <p>NOTE: BLACK AND WHITE REPRODUCTION OF THIS COLOR ORIGINAL MAY REDUCE ITS EFFECTIVENESS AND LEAD TO INCORRECT INTERPRETATION.</p>	<p> associated earth sciences incorporated</p> <p><b>SITE SCHEMATIC WITH CHARACTERIZATION SAMPLES</b>  <b>GOLDEN HOMES</b>  <b>POULSBO, WASHINGTON</b></p> <table border="1"> <tr> <td>PROJ. NO.</td> <td>DATE:</td> <td>FIGURE:</td> </tr> <tr> <td>KV160495A</td> <td>12/16</td> <td>5</td> </tr> </table>	PROJ. NO.	DATE:	FIGURE:	KV160495A	12/16	5
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KV160495A	12/16	5						





MM2

MM3

LEGEND:  
 MM MONITORING WELL

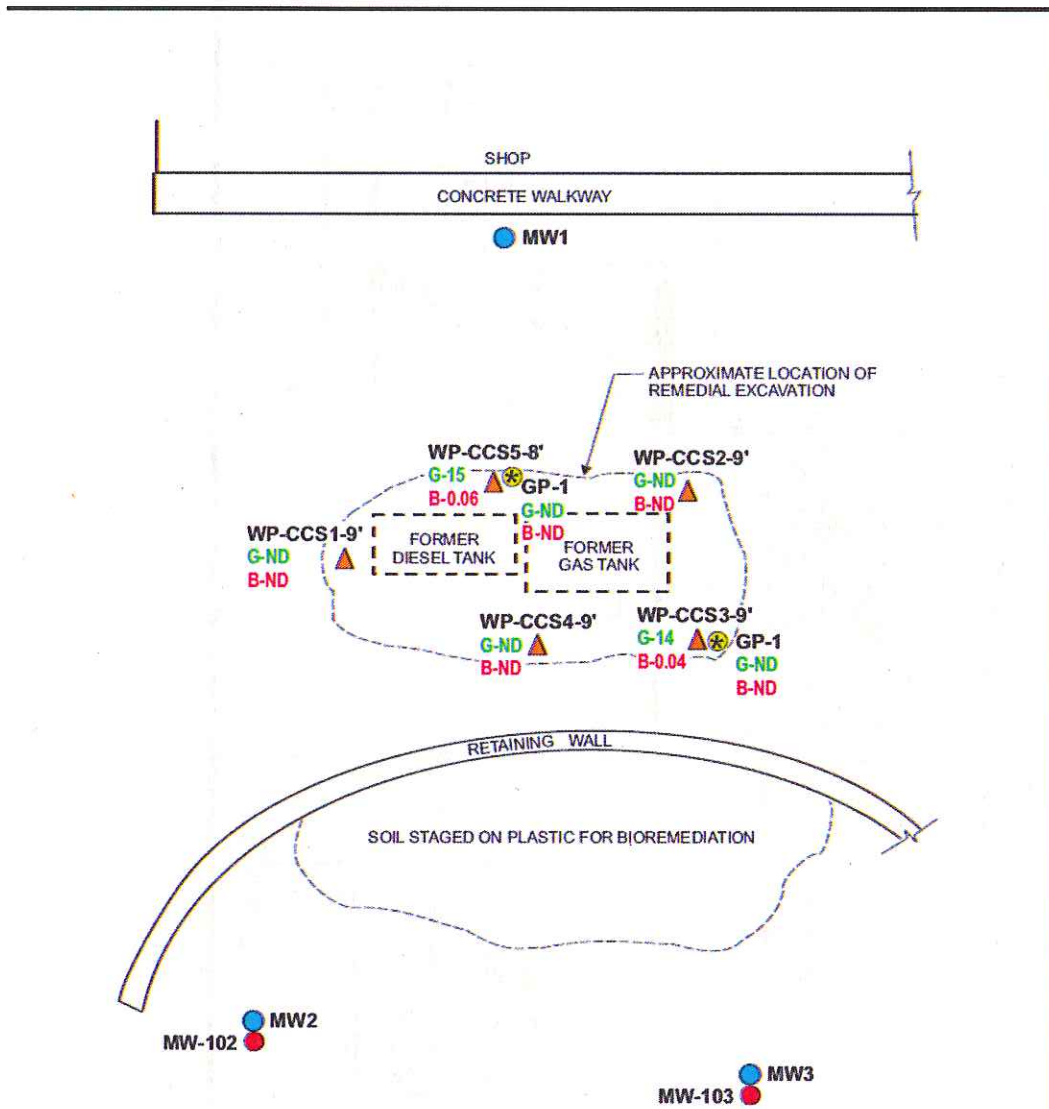
NOTE: LOCATION AND DISTANCES SHOWN ARE APPROXIMATE.

BLACK AND WHITE REPRODUCTION OF THIS DOCUMENT MAY EXCEED THE EFFECTIVENESS AND LEAD TO INACCURATE INTERPRETATION.



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AIR SPARGING SYSTEM  
 GOLDEN HOMES  
 POLUISBO, WASHINGTON  
 PROJ. NO. KY160495A DATE 12/16 FIGURE 6



<p><b>LEGEND:</b></p> <ul style="list-style-type: none"> <li><span style="color: blue;">●</span> MW MONITORING WELL - 2003</li> <li><span style="color: red;">▲</span> WP SOIL SAMPLE - 2003</li> <li><span style="color: yellow;">⊗</span> GP CONFIRMATION BORING - 2016</li> </ul> <p>CONTAMINANT CONCENTRATION IN SOIL:</p> <ul style="list-style-type: none"> <li><span style="color: green;">G</span> = GASOLINE PPM</li> <li><span style="color: red;">B</span> = BENZENE PPM</li> <li><span style="color: black;">ND</span> = BELOW LABORATORY REPORTING LIMITS</li> </ul> <p><span style="color: red;">●</span> MW MONITORING WELL - 2016</p> <p>NOTE: LOCATION AND DISTANCES SHOWN ARE APPROXIMATE.</p>	<p>NO SCALE</p> <p>NOTE: BLACK AND WHITE REPRODUCTION OF THIS COLOR ORIGINAL MAY REDUCE ITS EFFECTIVENESS AND LEAD TO INCORRECT INTERPRETATION.</p>	<div style="text-align: center;"> <p>associated earth sciences incorporated</p> </div> <p style="text-align: center;"><b>SOIL CONFIRMATION SAMPLES</b></p> <p style="text-align: center;">GOLDEN HOMES POULSBO, WASHINGTON</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">PROJ NO.</td> <td style="width: 33%;">DATE:</td> <td style="width: 33%;">FIGURE:</td> </tr> <tr> <td style="text-align: center;">KV160495A</td> <td style="text-align: center;">12/16</td> <td style="text-align: center;">7</td> </tr> </table>	PROJ NO.	DATE:	FIGURE:	KV160495A	12/16	7
PROJ NO.	DATE:	FIGURE:						
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