



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

November 2, 2018

Allison Geiselbrecht, Principal
Floyd Snider
601 Union Street, Suite 600
Seattle, WA 98101

RE: Ecology objection to Floyd Snider memorandum titled: “*Summary of Groundwater Results and Recommendations for Continued Groundwater Monitoring*”

- **Site Name:** Smith-Kem Ellensburg Inc.
- **Site Address:** 200 South Railroad Avenue, Ellensburg
- **FSID No.:** 12832256
- **CSID No.:** 4257
- **Agreed Order:** DE 12908

Dear Allison Geiselbrecht:

The Department of Ecology (Ecology) rejects the acceptance of the above-mentioned draft memorandum. The Model Toxics Control Act (MTCA) calls for sufficient investigation to “adequately characterize the areal and vertical distribution and concentrations of hazardous substances in the ground water and those features which affect the fate and transport of these hazardous substances” [WAC 173-340-350(7)(c)(iii)]. Based on our review of the data, the groundwater investigations to date are not satisfactory for this purpose.

The primary issue involves the attainment of analytical resolution adequate to allow comparison of the quantified concentrations in environmental media to their applicable MTCA cleanup levels. An associated result is that, per MTCA, Ecology cannot fully evaluate criteria such as the protectiveness of the cleanup alternatives when the cleanup standards (i.e., the applicable cleanup levels at their points of compliance) are not established.

In addition, Floyd Snider did not provide a satisfactory explanation in writing to explain why the analytical laboratory failed to achieve sufficient analytical resolution or the attainment of Practical Quantitation Limits (PQLs) low enough and necessary to allow a comparison to the applicable groundwater cleanup levels for the contaminants of concern.

We disapprove of your proposed approach as an acceptable solution to address the issue with the PQLs of the contaminants of concern.



Allison Geiselbrecht
Floyd Snider
November 2, 2018
Page 2

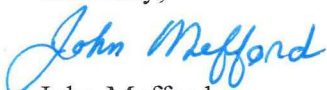
The memorandum is also inconsistent with the groundwater characterization provision in Agreed Order DE 120908. Section VII(P) of that Order specifies the performance of quarterly groundwater monitoring for a minimum of four consecutive quarters for characterization of the nature and extent of contamination. This stipulation applies to any groundwater monitoring wells including new or additional wells such as those wells installed in the Phase 2 investigations. Therefore, Ecology is requiring that the sampling of groundwater resume at the new monitoring wells per the provision in the Agreed Order and that steps be taken to provide a higher data quality as explained in WAC 173-340-830(2). Should you not agree with this requirement, you may invoke the dispute resolution process outlined in the Agreed Order.

Action steps:

1. Ecology requires additional analytical methods to be conducted to provide a higher data quality as provided for under WAC 173-340-830(2)(h).
2. Ecology requires compliance with other requirements under WAC 173-340-830 that may be applicable.
3. Ecology will collect split samples per the provision under Section VIII (E) of the Agreed Order when groundwater characterization resumes.

Please feel free to contact me at 509-454-7836 if you have any questions.

Sincerely,



John Mefford
Cleanup Project Manager
Toxics Cleanup Program
Central Region Office

JM:rl

cc: Koalani Kaulukukui, Assistant Attorney General
Andrew King, Foster Pepper PLLC
Andrea Wing, Shell Oil Products US