



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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November 6, 2018

Eric Silvers
Sr. Environmental Manager
Regency Centers, LP
One Independent Drive, Suite 114
Jacksonville, Florida 32202

Re: Contained-in Determination for Contaminated Soils from the Former Dirks Fine Dry Cleaning Site in Sammamish, Washington (Ecology Cleanup Site ID: 1044)

Reference: 1. Letter Report from J. Xu, Apex Companies, LLC to B. Maeng, Ecology, dated November 1, 2018
2. Emails from J. Foxwell, Apex Companies, LLC to B. Maeng, Ecology on November 5, 2018

Dear Eric Silvers:

The Washington State Department of Ecology (Ecology) received a contained-in determination request from your environmental consultant, Apex Companies for eight (8) 55-gallon drums of soils generated during the investigation activities and approximately 100 tons of contaminated soils to be excavated from the former Dirks Fine Dry Cleaning site located at 701 228th Avenue NE in Sammamish, Washington (Reference 1). Analytical data and supplemental information for the contaminated soils were submitted to Ecology (References 1 and 2) to determine if these soils contaminated with listed dangerous waste constituents (F002) may be exempt from management as dangerous wastes per the "Contained-In Policy"¹.

This contained-in determination only applies to **approximately 50 tons of soils to be excavated from the east half of the site** (refer to the figure attached) and **eight (8) 55-gallon drums of soil from the soil borings (SB-1 through SB-5)**. Ecology understands that these contaminated soils do not designate under federal characteristics (WAC 173-303-090) or State-only criteria (WAC 173-303-100). The other 50 tons of soil to be excavated from the west half of the site will be reviewed for a contained-in determination after additional soil sampling data are submitted.

Based on the information received and reviewed, Ecology has determined that these soils are contaminated with F002 listed dangerous waste constituents at concentrations that do not warrant

¹ Washington State Department of Ecology Contained-in Policy, dated February 19, 1993



management as dangerous wastes, and Ecology will not require disposal of these soils as listed dangerous wastes at a RCRA permitted dangerous waste treatment, storage and disposal (TSD) facility, provided that all of the following conditions are implemented. This contained-in determination applies only to the contaminated soils, and does not pertain to contaminated water or any mixture of contaminated soils and drilling fluids.

You or your consultant, Apex Companies shall:

- Ensure that no standing water is present within the drums/containers holding the contaminated soils. All water must be removed to the maximum extent possible from the drums/containers and managed as F002 dangerous wastes or as otherwise allowed under Chapter 173-303 WAC. Adding bentonite or similar materials to absorb standing F002 listed waste contaminated water in the containers is not allowed. Mixtures of bentonite or similar materials and the listed waste contaminated water must be managed as F002 listed dangerous wastes;
- Directly deliver the soils to a solid waste landfill permitted under WAC 173-351 inside Washington State. If you plan to deliver the contaminated soils to a landfill outside Washington State, you must submit Ecology written approval for the contaminated soil disposal from the receiving State hazardous waste program and the out of state landfill, before the soils are delivered to the out of state landfill;
- If you load the contaminated soils directly onto the truck bed or the contaminated soils are transported in roll-off bins, the truck or the roll-off bins must be lined with plastic and properly covered to prevent leaks, spills or dispersion due to wind erosion;
- Dispose of the contaminated soils at the solid waste landfill by December 31, 2018. The contaminated soils must be managed as dangerous wastes after December 31, 2018;
- Provide copies of all signed solid waste landfill receipts or a certificate of disposal issued by the receiving landfill for these contaminated soils to Ecology, attention of Byung Maeng, by January 31, 2019. This is an important verification step for you and your consultant to follow in order for this Ecology decision to be valid;
- Do not consolidate these contaminated soils with other soils that do not pertain to this contained in determination;
- Notify Ecology before disposal of the soils if the amount exceeds the approved amount in this letter. Ecology needs to make sure that the additional soil qualifies for this contained-in determination;
- Ensure that the transporter is properly trained to handle hazardous waste so that the transporter manages the contained-in determination soils during transport in a manner that is protective of human health and the environment;

- Take measures to prevent unauthorized contact with these soils at all times;
- Provide instructions to the landfill operator that these soils are not to be used for daily, intermediate, or final cover;
- Provide copies of all soil analytical data to the landfill operator, upon request; and
- Do not send these contaminated soils to any incinerator, thermal desorption unit or recycling facility unless that facility is a RCRA Subtitle C permitted dangerous waste TSD facility.

Ecology issued this determination based on the information provided and reviewed to date. This Ecology determination will be rescinded if Ecology finds that the information submitted by the property owner or its environmental consultant does not accurately represent the site conditions, or if the Ecology requirements listed above are not followed.

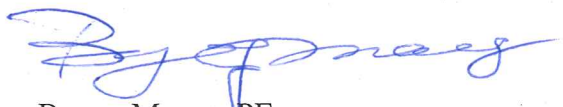
This written decision only applies to the 50 tons of soils and 8 55-gallon drums of soils described above, and does not apply to any other area or other media. Any data used for this contained-in determination is intended for use in determining the proper disposal of the soils according to the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC) and the Ecology Contained-in Policy. This letter is not an Ecology approval for dangerous waste designation or disposal of contaminated soils that may be generated or already excavated from other areas in this property.

This letter is not a No Further Action (NFA) letter and not written approval for any cleanup action plan you may have submitted. Instead, this letter only addresses the procedures for disposal of the contaminated soils according to the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC). Regulatory decisions regarding the cleanup action, applicable soil and groundwater cleanup levels and any other cleanup issues must comply with the requirements under the Ecology Model Toxics Control Act (Chapter 173-340 WAC). Local agencies may have the authority to impose additional requirements on this waste stream.

If you fail to comply with the terms of this letter, Ecology may issue an administrative order and/or penalty as provided by the Revised Code of Washington, Sections 70.105.080 and/or .095 (Hazardous Waste Management Act).

If you have any questions concerning this letter, please contact me at (425) 649-7253 or bmae461@ecy.wa.gov.

Sincerely,



Byung Maeng, PE
Hazardous Waste and Toxics Reduction Program

Eric Silvers
November 6, 2018
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Sent by Certified Mail: 9171 9690 0935 0203 0796 95

Enclosure: Figure 2 Soil Excavation Area

ecc: John Foxwell, Apex Companies, LLC, jfoxwell@apexcos.com
Jie Xu, Apex Companies, LLC, jie.xu@apexcos.com
Eyasu Ayalew, Seattle-King County Public Health, eyalew@kingcounty.gov
Darshan Dhillon, Seattle-King County Public Health, darshan.dhillon@kingcounty.gov
Greg Caron, Ecology
Mindy Collins, Ecology
Chuck Hoffman, Ecology
Donna Musa, Ecology
Karen Wood, Ecology
Dean Yasuda, Ecology

DRAFT



UNIT 703

Temporary Soil Drop Box
Loading and Staging

AA-5A

Demolish restroom and dispose as solid waste. Prior sampling indicate asbestos-containing materials are not present (Apex, 2018). Bathroom will not be rebuilt at this time. Vents and drain pipes will be capped. Future reconstruction to be permitted as part of tenant improvements.

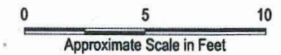
Legend:

- MW-1 Monitoring Well Location
- S-1 Pre-SVE Soil Sample Location (1995)
- B-3 Soil Sample Location (2014)
- SB-3 Soil Boring Location (2018)
- Vapor Pin Sample Location
- AA Ambient Air Sample Location

9/23/2014			Date Sampled
B-3	PCE	TCE	Analyte Sampled
5'	0.18	0.056	Concentration in mg/kg
7-8'	<0.013	<0.013	<i>Italics = Exceeds Cleanup Level</i>
			Sample Depth
			J = Estimated Value

Excavation depth is 6 feet. Excavation may be extended deeper based on results. Excavations greater than 4 feet deep will not be entered.

Note:
1) All site features and historical locations are approximate.
2) Only soil sample results collected after remediation are shown.



Soil Excavation Area

Site Investigation - Inglewood Plaza
701 228th Avenue NE
Redmond, Washington

Apex Companies, LLC
3015 SW First Avenue
Portland, Oregon 97201

Project Number	REGEN-220	Figure
October 2018		2

Compound	Soil Cleanup Level (mg/kg)
PCE	0.05
TCE	0.03

UNIT 657

Area to be managed as dangerous waste until sampling data from excavation area is available for Contained-In Determination.

Area included in Contained-In Determination.

After completion, backfill with 3/4" minus compacted to 90% -or- controlled density fill with 100psi strength. Replace concrete and dowel every 18 inches.

Approximate Location of Former Dry Cleaning Equipment

9/23/2014			7/11/2018			7/12/2018		
B-1	PCE	TCE	SB-2	PCE	TCE	SB-4	PCE	TCE
1-2'	0.046	<0.0012	3-4'	0.144	0.000785J	4'	0.278	0.0262
6'	0.092	0.0068	9'	0.0225	0.00155	7'	0.00997	<0.00106
			13'	0.00137J	<0.00199	15'	<0.00332	<0.00133

9/23/2014			7/12/2018		
B-3	PCE	TCE	SB-1	PCE	TCE
5'	0.18	0.056	0-1'	0.0281	<0.00107
7-8'	<0.013	<0.013	5'	0.424	0.00987
			14-15'	<0.00278	<0.00111

9/23/2014			7/12/2018		
B-2	PCE	TCE	SB-5	PCE	TCE
3-4'	0.17	0.0016	2-3'	0.463	<0.00107
6'	0.064	0.0036			

MW-1B

MW-1A

Restroom (To be Demolished)

Former Dirk's Fine Dry Cleaning

