PERIODIC REVIEW

Kitsap County North Road Shop
Facility Site ID#: 65471731

301 Bernt Road,
Poulsbo, WA

Northwest Region Office

Toxics Cleanup Program

June 2012

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1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup Site conditions and monitoring data to ensure that human health and the environment are being protected at the Kitsap County North Road Shop (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

Cleanup activities at this Site were completed under Ecology's Voluntary Cleanup Program (VCP). VCP identification number for the Site was NW 0074. Following cleanup actions, gasoline, diesel and heavy oil-range petroleum hydrocarbons remain in soil at the Site at concentrations exceeding MTCA Method A cleanup levels. There may also be residual petroleum contamination in perched shallow groundwater at the Site. The MTCA Method A cleanup levels for soil are established under WAC 173-340-740. The MTCA cleanup levels for groundwater are established under WAC 173-340-720. WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a Site every five years under the following conditions:

(a) Whenever the department conducts a cleanup action;
(b) Whenever the department approves a cleanup action under an order, agreed order or consent decree;
(c) Or, as resources permit, whenever the department issues a no further action opinion;
(d) And one of the following conditions exists:

1. Institutional controls or financial assurance are required as part of the cleanup;
2. Where the cleanup level is based on a practical quantitation limit; or
3. Where, in the department's judgment, modifications to the default equations or assumptions using Site-specific information would significantly increase the concentration of hazardous substances remaining at the Site after cleanup, or the uncertainty in the ecological evaluation, or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

(a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site;
(b) New scientific information for individual hazardous substances of mixtures present at the Site;
(c) New applicable state and federal laws for hazardous substances present at the Site;
(d) Current and projected Site use;
(e) Availability and practicability of higher preference technologies; and
(f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The Department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site Description and History

The Site is located within Kitsap County North Road Shop at 301 Bernt Road, Poulsbo, Washington (see Vicinity Map - Appendix 6.1). The Site comprises petroleum releases to soil and groundwater.

The Property is zoned for light industrial use and located in a mixed commercial and industrial area. It is bordered by State Route (SR) 305 and a medical center to the southwest and State Route 307 and forested land to the northwest. Bernt Road and a nursery border the Property on the northeast. Dogfish Creek, a salmon-rearing stream is located across SR 307 to the north. The Property has been operated as Kitsap County North Road Shop for more than 50 years. Activities conducted on the Property include vehicle and heavy machinery repair and maintenance, construction equipment storage, roadbed materials storage and vehicle fueling.

The Property is paved and currently has two underground storage tanks (USTs) south of Building 2. One is a 6,000-gallon gasoline UST, the other is a 12,000-gallon diesel UST. There is no evidence of leakage from these two USTs.

The soils underlying the Property consist of fill overlying recessional outwash and till. Depth to groundwater is shallow and varies seasonally from 2 to 5 feet below ground surface. It is likely that groundwater is perched above the till layer and flows in the direction of the till layer gradient. However, groundwater flow direction has not been confirmed.

2.2 Site Investigations and Remedial Activities

Three USTs were removed south of Building 2 in 1988, including two 2,000-gallon gasoline USTs and one 4,000-gallon diesel UST. Another two USTs were also removed in 1988, including one 2,000-gallon gasoline UST and one 1,000-gallon diesel UST located north of Building 2. No documentation is available for tank removal. However, employee indicated that some contaminated soils were removed with the USTs and replaced with clean fill.

Several site investigations were conducted by Golder Associates in 1996 prior to excavation at the Site. Gasoline, diesel and heavy oil-range petroleum hydrocarbons were detected in soil and groundwater. Petroleum contaminated soils appear to be limited above the till which acts as an aquitard. Elevated concentrations of gasoline-range petroleum hydrocarbons and associated compounds of benzene, toluene, ethylbenzene and xylenes (BTEX) were detected in several locations from soil gas sampling. Surface water samples were collected from upstream and downstream locations relative to the Property in Dogfish Creek, and drainage ditch outside the Property. Petroleum impacts from the Property to the nearby Dogfish creek appear to be minimal.

The primary sources of contamination of diesel and heavy oil in the western portion of the Property were likely associated with leakage from transit busses parked at that area and poor maintenance practices. That area was not paved prior to site remediation. The contamination in the mid central portion of the Property is more likely associated with historical USTs present south and north of Building 2. Those USTs were removed in 1988.

The majority of petroleum contaminated soils were removed within the Property in the summer of 1997. Appendix 6.2 shows the extent of the excavation. Approximately 5,513 tons of petroleum contaminated and overburden clean soils were excavated, transported and disposed of at Olympic View Landfill. The unpaved portion of the site was paved after completion of the excavation. However, excavation was limited by structures, including fences, storm drain/water lines, USTs, and a building. Petroleum contaminated soils were left under the storm drain/water main, beneath Building 2 and below the western fence of the Property. It should be noted that results from soil confirmation sampling showed some exceedences above Method A soil cleanup levels, however, all the results were in compliance with Method C soil cleanup levels for industrial sites. No groundwater sampling was conducted after excavation. It was believed that any potentially contaminated groundwater exiting the Site can be captured by the nearby surface waters. Five surface water sampling events were conducted following excavation. Sampling locations are shown on Appendix 6.3, and analytical results are summarized in Appendix 6.4. Results from the surface water sampling events indicated that petroleum hydrocarbons and associated compounds of BTEX were either non-detected or detected but below their respective Method A groundwater cleanup levels.

A Phase II Preliminary Site Investigation was conducted by Landau Associates for a WSDOT project in 2004. WSDOT proposed a road widening project by adding an HOV lane along the southwest Property boundary that fronts SRs 305 and 307. A bioswales was constructed to treat stormwater runoff associated with SR 305. Soil, groundwater and surface water samples were collected during this Phase II Preliminary Site Investigation from locations as shown on Appendix 6.5. Analytical results from this investigation were summarized in Appendix 6.6 through Appendix 6.8. Results were either non-detected or detected but below the MTCA Method A cleanup levels. However, a water sample collected from a catch basin down gradient of the Property located just outside the northwest property boundary had benzene concentration of 4.7 µg/L. This concentration exceeded the surface water cleanup level for benzene of 1.2 µg/L, but below the MTCA Method A groundwater cleanup level of 5 µg/L. The source of this contamination was not clear, but it could be associated with road runoff. Petroleum sheen/odor was discovered in a signal pole auger hole during construction of the WSDOT project in 2007. The signal pole was located about 145 feet southwest of the Property boundary. An initial investigation completed by Ecology (ERTS# 560800) on May 25, 2007 concluded that there was no definitive evidence of off-site migration from the Site. Contamination appears to be minimal and localized, and no further action was required.

2.3 Cleanup Levels

MTCA Method A cleanup levels were determined to be appropriate for this Site. The cleanup actions conducted at the Site were determined to be ‘routine’, few hazardous substances were

found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance. It should be noted that the MTCA Method A soil and groundwater cleanup levels for petroleum hydrocarbons are the same for residential, commercial and industrial properties.

Since groundwater from the Site is most likely to discharge to nearby surface water. The highest beneficial use for groundwater therefore should also be protective of surface water beneficial uses, and cleanup levels for groundwater need to be equivalent to the most stringent surface water cleanup levels. Ecology does have MTCA surface water cleanup levels for benzene, toluene and ethylbenzene. However, Ecology does not have MTCA surface water cleanup levels available for petroleum hydrocarbons and xylenes, therefore, the MTCA Method A groundwater cleanup levels are used, which were established for protection of groundwater as drinking water sources.

2.4 Regulatory Summary

Following remedial activities and filing of a Restrictive Covenant on the Property on January 7, 2000, Ecology issued a No Further Action (NFA) determination letter on January 11, 2000. The NFA was contingent upon the Restrictive Covenant. The NFA also required two more quarters of surface water monitoring from three locations as well as maintenance to assure that the Site does not pose a threat to human health and the environment.

Ecology issued another opinion letter following two more quarters of surface water monitoring events. Ecology stated in the letter dated July 27, 2000 that surface water monitoring may be discontinued since monitoring results showed that most samples were non-detect or below cleanup levels for petroleum and BTEX. The one exceedence was 1.1 mg/L diesel detected from a sample collected at NRS-2a on July 2, 1999. This sampling location receives water from the drainage ditches outside the southwest Property boundary. Since these drainage ditches receive runoff from roadways besides water collected from the Site, Ecology determined that the exceedence of diesel in this location was due to anomalous or perhaps attributable to road runoff.

Ecology completed the first 5-year periodic review for this Site on January 24, 2007. Per request from Ecology, another round of surface water monitoring was conducted from three locations on September 12, 2006. Benzene was the only compound detected, and it was detected only in one sample collected from NRS-2a. The concentration of benzene was above the MTCA surface water cleanup level, but below the MTCA Method A groundwater cleanup level. As stated above, sample collected from NRS-2a might represent a combination of roadway runoff and water from the Site, not the surface water condition at the creek. No petroleum or other associated compounds BTEX were detected in the samples collected from either the upstream and downstream locations. Ecology concluded that this Site passed the first 5-year periodic review, and no further action was required at that time.

As stated in Section 2.2, an initial investigation completed by Ecology on May 25, 2007 concluded that there was no definitive evidence of off-site migration from the Site.

Contamination appears to be minimal and localized, and no further action was required from Ecology.

2.5 Restrictive Covenant

Based on the Site use, surface cover and cleanup levels, it was determined that the Site was eligible for a 'No Further Action' determination if a Restrictive Covenant was recorded for the property. A Restrictive Covenant was recorded for the Property in 2000 which imposed the following limitations:

Section 1.

1. The Property shall be used only for traditional industrial uses, as described in RCW 70.105D.020(23) and defined in and allowed under the COUNTY of Kitsap zoning regulations codified in the Kitsap County Zoning Ordinance 2-16-1998, and Title 17 of the Kitsap County Code, as of the date of this Restrictive Covenant.

2. No groundwater may be taken for any use from the Property.

3. (a) A portion of the Property contains petroleum contaminated soil located below the storm drain/water main routes that service the facility, below the Western fence boundary, within the fenced Water District Compound, and extending under the foundations of Building 2. The Owner shall not alter, modify, or remove the existing structures in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.

(b) Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) days advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance

of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restriction on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is consistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

The Restrictive Covenant is available in Appendix 6.9.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

Ecology conducted a site visit on May 31, 2012. A photo log is available in Appendix 6.10. The Property continues to operate as Kitsap County North Road Shop. Some stains were noticed during the Site visit beneath the sand spreaders. There are some cracks on the pavement in several spots across the Property. Other than that, the building and pavement (cap) appear in general good conditions and no repair, maintenance, or contingency actions have been required at this time. It is likely that soils with petroleum hydrocarbons concentrations higher than MTCA Method A cleanup levels are still present at the Property. This contamination is contained beneath either the building or pavement. This cap will continue to provide an adequate barrier to prevent human exposure through ingestion and direct contact with contaminated soils. Also best management practices will continue being applied at the facility to prevent future spill/release.

This Restrictive Covenant requires Ecology's approval prior to conducting any activities that will result in the release of contaminants at the Site. It also prohibits any use of the Property that is inconsistent with the Covenant. This Restrictive Covenant serves to ensure the long term integrity of the remedy.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

There is no new relevant scientific information for the contaminants related to the Site.

3.3 New applicable state and federal laws for hazardous substances present at the Site

Initial cleanup at the Site was governed by Chapter 173-340 WAC (1991 ed.). Current WAC 173-340-702(12) (c) provides that,

"A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment."

Although cleanup levels changed for several compounds as a result of modifications to MTCA in 2001, contamination remains at the Site above MTCA Method A cleanup levels and the cleanup action is still protective of human health and the environment. A comparison of cleanup levels from pre-2001 and post-2001 are available in the table below:

Table 1: MTCA Method A Cleanup Levels

Analyte	1991 MTCA Soil Cleanup Level (ppm)	2001 MTCA Method A Soil Cleanup Level (ppm)	1991 MTCA Method A Groundwater Cleanup level (ppb)	2001 MTCA Method A Groundwater Cleanup Level (ppb)
Benzene	0.5	**0.03**	5	**5**
Ethylbenzene	20	**6**	30	**700**
Toluene	40	**7**	40	**1000**
Total Xylenes	20	**9**	20	**1000**
TPH	NL	**NL**	1000	NL
TPH-Gas	100	**100/30**	NL	1000/**800**
TPH-Diesel	200	**2000**	NL	**500**
NL = None listed				

3.4 Current and projected Site use

The Site is currently used as a road maintenance facility by Kitsap County. There have been no changes in current or projected future Site or resource uses.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection below selected Site cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

The following conclusions have been made as a result of this periodic review:

- The cleanup actions completed at the Site appear to be protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however, under WAC 173-340-740(6)(d), the cleanup action is determined to comply with cleanup standards, since the long-term integrity of the containment system is ensured and the requirements for containment technologies in WAC 173-340-360(8) have been met.
- The Restrictive Covenant for the property is in place and will be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.
- Results from surface water sampling to date indicate impact from the Site on the nearby surface waters are minimal.

Based on this periodic review, Ecology has determined that the requirements of the Restrictive Covenant are being met. No additional remedial actions are required at this time. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the remedial action is maintained.

4.1 Next Review

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

May 31, 2012. Site Visit. Ecology.

May 25, 2007. ERTS 560800. Ecology

January 10, 2007. Final Surface Water Investigation Near the Kitsap County North Road Shop Site, Poulsbo, Washington. Golder Associates Inc.

November 18, 2004. Preliminary Site Investigation. Kitsap County North Road Shop. State Route 305 and Bond Road (SR 307). Poulsbo, Washington. Landau Associates.

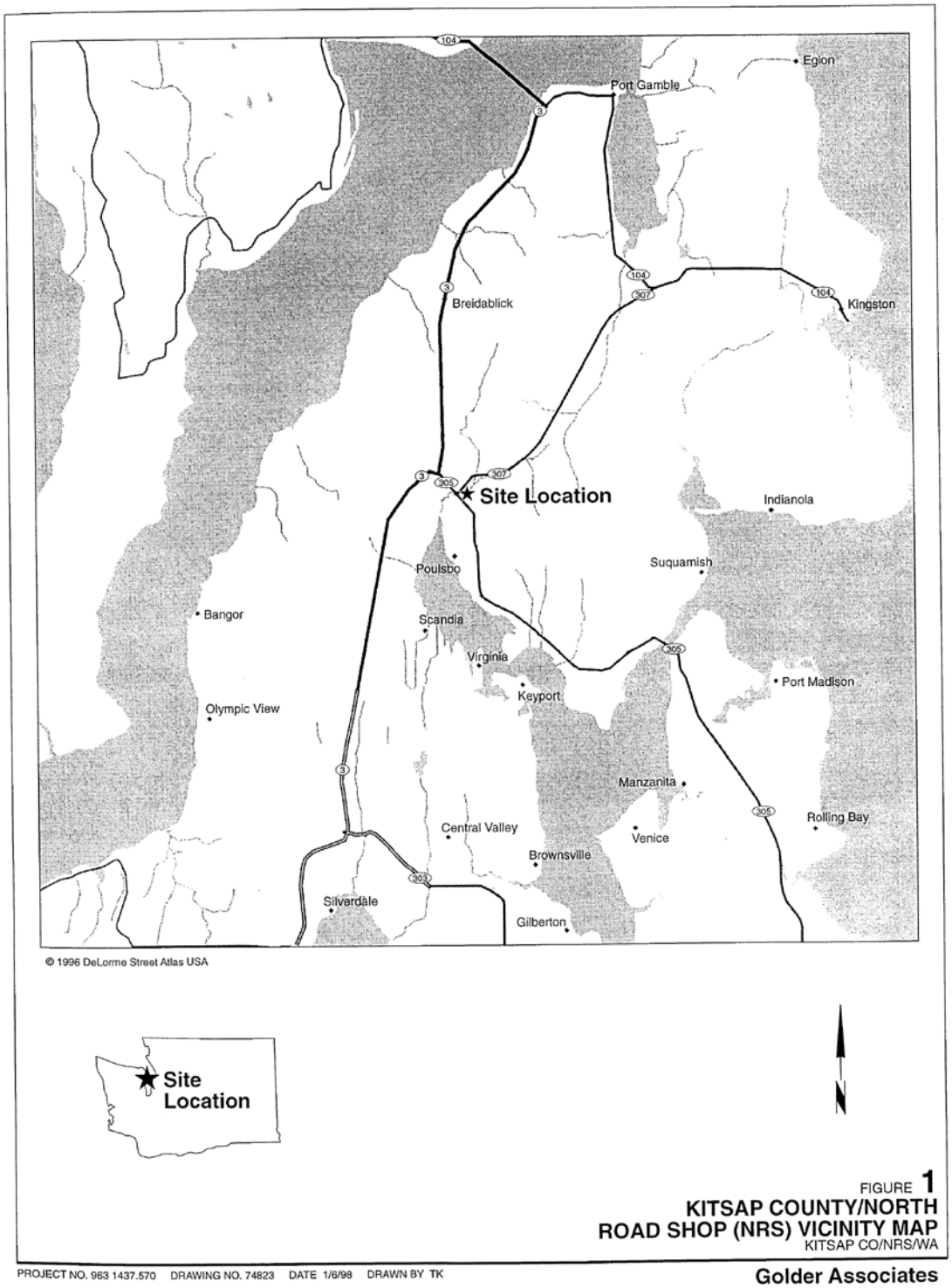
July 27, 2000. Re: Follow-up Monitoring, Independent Remedial Action. Kitsap County North Road Shop, Poulsbo, Washington. Ecology.

January 11, 2000. No Further Action Opinion Letter. Ecology.

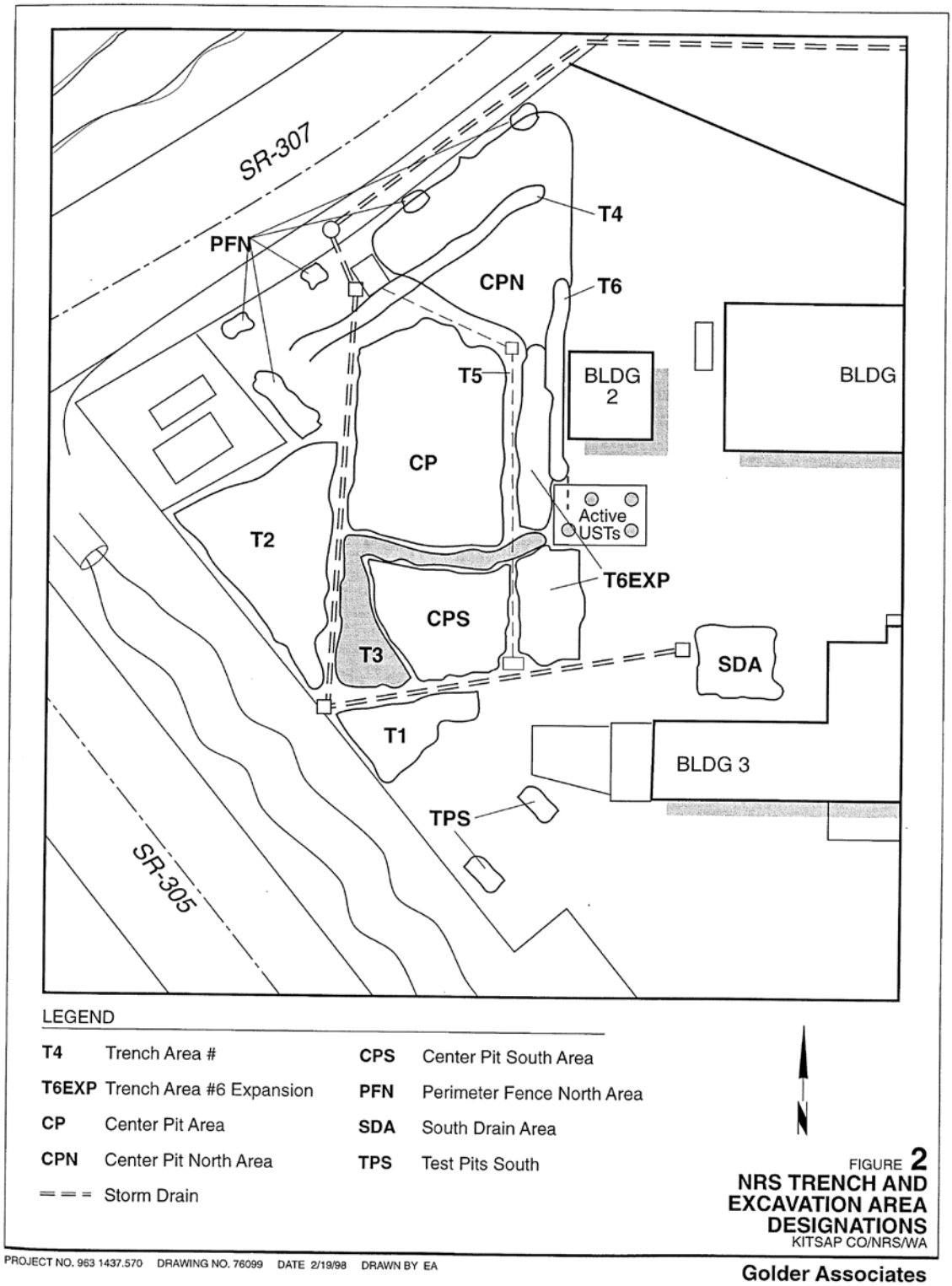
April 16, 1998. Soil Excavation and Disposal Activities to Support Closure of the Kitsap County North Road Shop (NRS). Golder Associates Inc.

6.0 APPENDICES

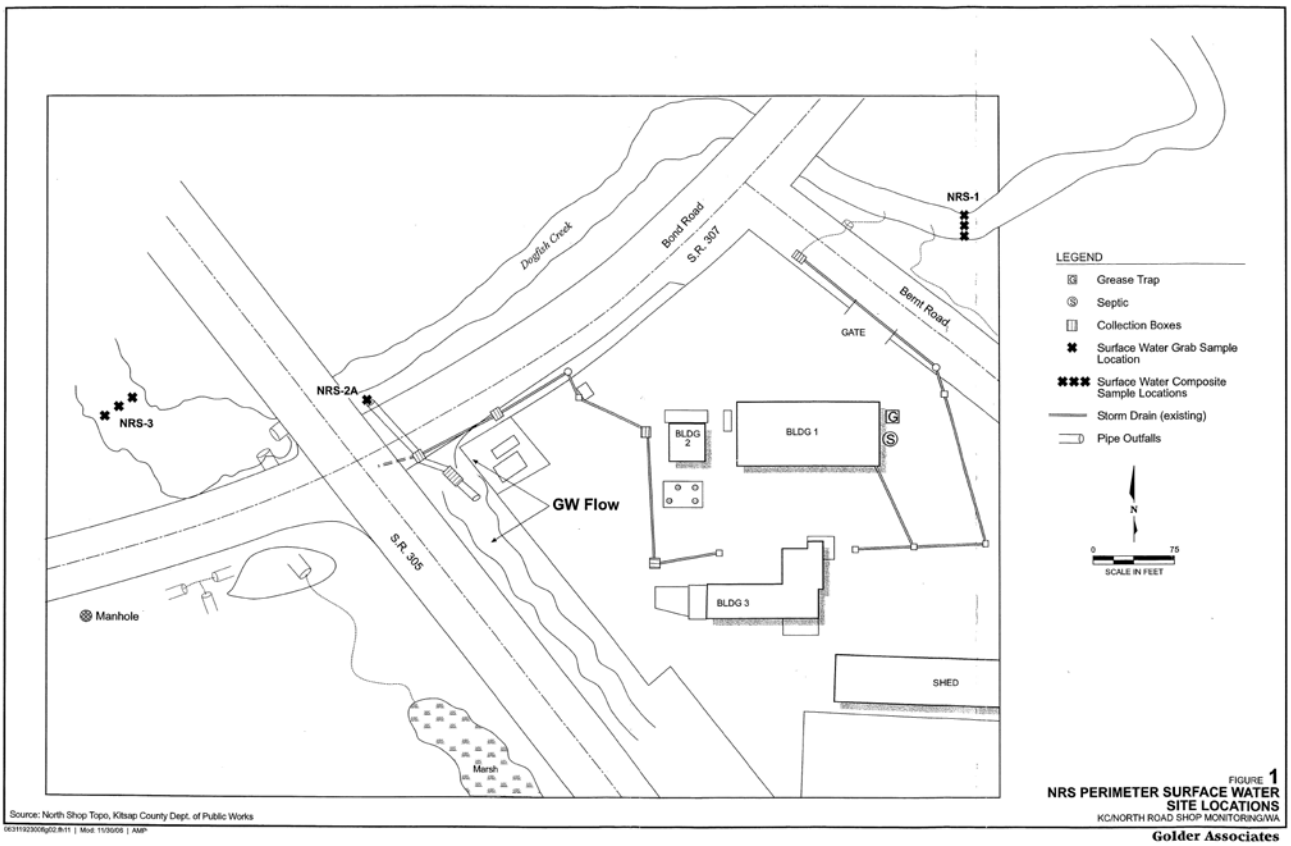
6.1 Vicinity Map



6.2 Extent of 1997 Excavation



6.3 Surface Water Sampling Locations



6.4 Surface Water Sampling Results (1999-2006)

12/8/2006

TABLE 1

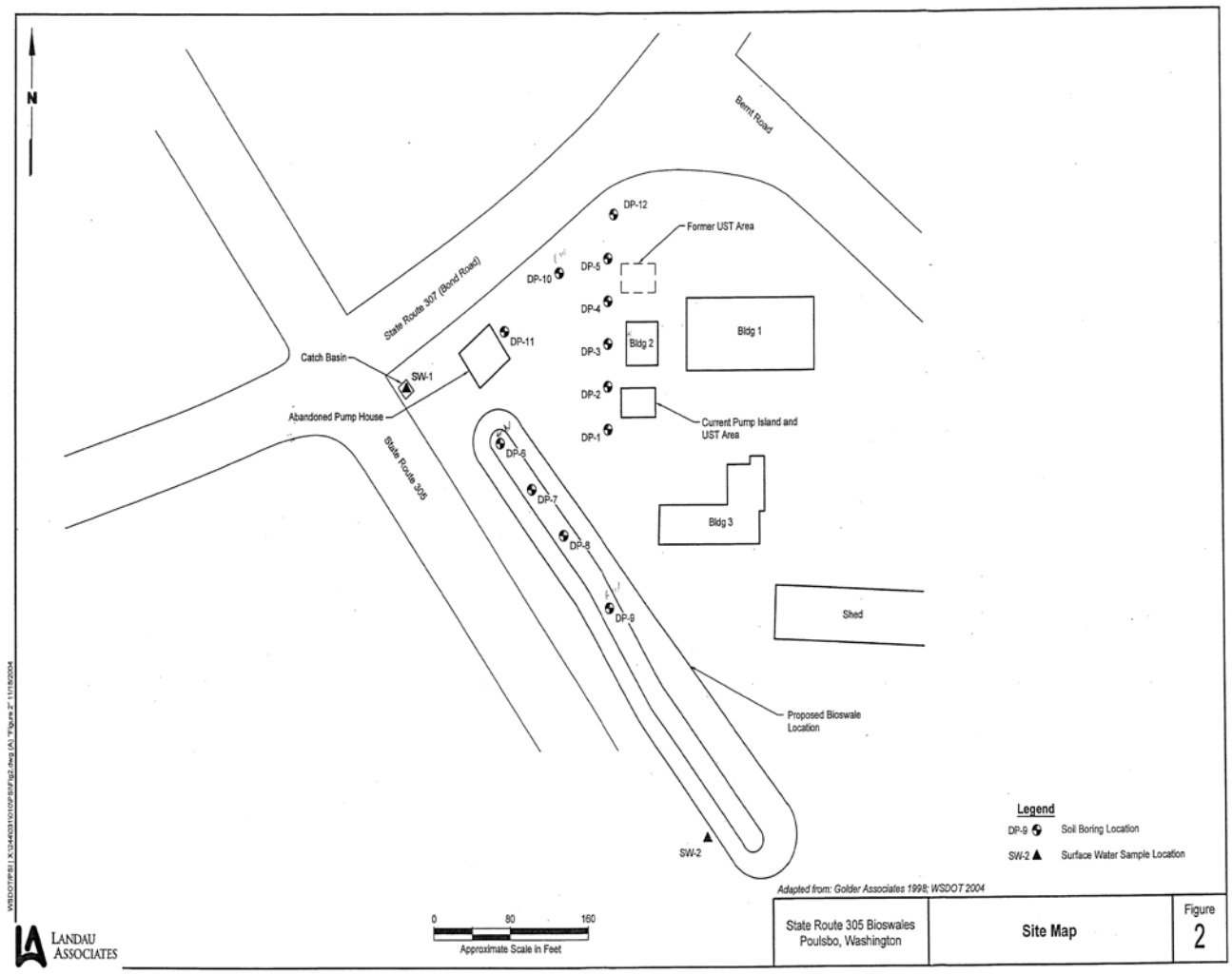
Project # 063-1192.300

KITSAP COUNTY NORTH ROAD SHOP (NRS)
Area Surface Water Analytical Summary

Analysis Method:				NW-TPH / Gx, BTEX[1]							NW-TPH / Dx[2]	
Analytes:	pH	(deg. C)	TPH-Gas	Benzene	Toluene	Ethyl benzene	m,p-Xylene	o-Xylene	Diesel Range Petroleum	Lube Oil Range Petroleum
Cleanup Criteria[3]:			0.8	0.005	1.0	0.7	1.0	1.0	0.5	0.5
Sample ID	Collect Date / Time	UNITS:	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
NRS-1	9-12-2006 1700	6.92 12.0	0.1 U	0.001 U	0.001 U	0.001 U	0.001 U	0.001 U	0.25 U	0.40 U
NRS-2a	9/12/2006 1735	6.87 16.3	0.1 U	0.0023	0.001 U	0.001 U	0.001 U	0.001 U	0.25 U	0.40 U
NRS-2a Duplicate	9/12/2006 1737	6.87 16.3	0.1 U	0.0018	0.001 U	0.001 U	0.001 U	0.001 U	0.25 U	0.40 U
NRS-3	9/12/2006 1850	7.24 12.2	0.1 U	0.001 U	0.001 U	0.001 U	0.001 U	0.001 U	0.25 U	0.40 U
NRS-1	2/22/2000	7.32 7.7	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U	Note 4	0.25 U	0.5 U
NRS-2a	2/22/2000	6.79 8.2	0.23	0.0016	0.001 U	0.0023	0.0046		0.25 U	0.5 U
NRS-3	2/22/2000	7.28 7.6	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U		0.25 U	0.5 U
NRS-1	10/7/1999	7.29 11.3	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U		0.25 U	0.5 U
NRS-2a	10/7/1999	6.67 14.2	0.13	0.001 U	0.001 U	0.0018	0.0029		0.25 U	0.5 U
NRS-3	10/7/1999	6.79 10.9	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U		0.25 U	0.5 U
NRS-2a	8/18/1999	5.9 16	0.51	0.0024	0.001 U	0.0025	0.017		0.31	0.5 U
NRS-1	7/2/1999	6.75 11.4	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U		0.25 U	0.5 U
NRS-2a	7/2/1999	6.55 15	0.59	0.0025	0.001 U	0.01	0.017		0.25 U	1.1
NRS-3	7/2/1999	6.89 11.6	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U		0.25 U	0.5 U
NRS-1	4/8/1999	6.67 8.3	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U		0.25 U	0.5 U
NRS-2a	4/8/1999	6.65 10.6	0.55	0.0021	0.001 U	0.0082	0.017		0.25 U	0.5 U
NRS-3	4/8/1999	7.22 8.5	0.1 U	0.001 U	0.001 U	0.001 U	0.002 U		0.25 U	0.5 U

Notes:
1- NW-TPH/Gx; Northwest Total Petroleum Hydrocarbon Method for Gasoline and components, with extended range in the volatile fraction.
2- NW-TPH/Dx; Northwest Total Petroleum Hydrocarbon Method for Diesel with extended range.
3- Cleanup Criteria established in Model Toxics Control Act Method A calculations.
4- o-Xylene was combined with m,p-Xylene in previous analyses.
U - The sample concentration is non-detect at the detection limit indicated.

6.5 Sampling Locations - WSDOT SR 305 Project



6.6 Soil Analytical Results, WSDOT SR 305 Project

TABLE 1
SOIL ANALYTICAL RESULTS
WSDOT SR 305 PROJECT
POULSBO, WASHINGTON

	MTCA Method A Unrestricted (a)	DP-1-4 0410-104-01 10/13/2004	DP-2-4 0410-104-02 10/13/2004	DP-3-4 0410-104-03 10/13/2004	DP-4-3 0410-104-04 10/13/2004	DP-5-1 0410-104-05 10/13/2004	DP-6-6 0410-104-06 10/13/2004	DP-7-4 0410-104-08 10/13/2004
TPH-G and BTEX (mg/kg)								
Benzene	0.03	0.020 U	0.023	0.020 U	0.020 U	0.020 U	0.020 U	0.020 U
Ethyl Benzene	6	0.038 U	0.045	0.038 U	0.036 U	0.053 U	0.036 U	0.035 U
m,p-Xylene	9 (b)	0.038 U	0.064	0.038 U	0.036 U	0.053 U	0.036 U	0.035 U
o-Xylene	9 (b)	0.038 U	0.035 U	0.038 U	0.036 U	0.053 U	0.036 U	0.035 U
Toluene	7	0.038 U	0.035 U	0.038 U	0.036 U	0.053 U	0.036 U	0.035 U
TPH-Gas	30 (c)	3.8 U	7.2	3.8 U	3.6 U	5.3 U	3.6 U	3.5 U
TPH-D (mg/kg)								
Diesel Range	2000	28 U	27 U	28 U	28 U	26 U	28 U	27 U
Lube Oil Range	2000	55 U	54 U	56 U	56 U	52 U	56 U	54 U

11/18/2004 \\Edmdata\shared\doc\244\031\010\Data Tables Soil

Landau Associates

TABLE 1
SOIL ANALYTICAL RESULTS
WSDOT SR 305 PROJECT
POULSBO, WASHINGTON

	MTCA Method A Unrestricted (a)	DP-8-4 0410-104-09 10/13/2004	DP-9-4 0410-104-10 10/13/2004	DP-10-4 0410-104-12 10/14/2004	DP-12-2 0410-104-14 10/14/2004	DP-11-1-2 0410-104-15 10/14/2004
TPH-G and BTEX (mg/kg)						
Benzene	0.03	0.020 U	0.020 U	0.020 U	0.020 U	0.020 U
Ethyl Benzene	6	0.037 U	0.039 U	0.043 U	0.040 U	0.039 U
m,p-Xylene	9 (b)	0.037 U	0.039 U	0.043 U	0.040 U	0.039 U
o-Xylene	9 (b)	0.037 U	0.039 U	0.043 U	0.040 U	0.039 U
Toluene	7	0.037 U	0.039 U	0.043 U	0.040 U	0.039 U
TPH-Gas	30 (c)	3.7 U	3.9 U	4.3 U	4.0 U	3.9 U
TPH-D (mg/kg)						
Diesel Range	2000	27 U	28 U	29 U	28 U	28 U
Lube Oil Range	2000	54 U	55 U	57 U	56 U	95

U = Indicates compound was analyzed for, but was not detected above the indicated laboratory reporting limit.
(a) MTCA Method A soil cleanup levels for unrestricted land uses.
(b) Cleanup level is for total xylenes.
(c) MTCA Method A states that if benzene is present or if the total of ethylbenzene, toluene, and xylenes are more than 1% of the gasoline, then the lower gasoline cleanup level of 30 mg/kg should be used. As a conservative screening approach, the lower gasoline cleanup level was used.

6.7 Groundwater Analytical Results, WSDOT SR 305 Project

TABLE 2
GROUNDWATER ANALYTICAL RESULTS
WSDOT SR 305 PROJECT
POULSBO, WASHINGTON

	MTCA Method A for Groundwater (a)	DP-6-101304 0410-104-07 10/13/2004	DP-9-101304 0410-104-11 10/13/2004	DP-10-101404 0410-104-13 10/14/2004
TPH-G and BTEX (µg/L)				
Benzene	5	1.0 U	1.0 U	1.0 U
Ethyl Benzene	700	1.0 U	1.0 U	1.0 U
m,p-Xylene	1000 (b)	1.0 U	1.0 U	1.0 U
o-Xylene	1000 (b)	1.0 U	1.0 U	1.0 U
Toluene	1000	1.0 U	1.0 U	1.0 U
TPH-Gas	1000 (c)	100 U	100 U	100 U
TPH-Dx (mg/L)				
Diesel Range	0.5	0.26 U	0.25 U	0.25 U
Lube Oil Range	0.5	0.41 U	0.40 U	0.41 U

U = Indicates compound was analyzed for, but was not detected above the indicated laboratory reporting limit.
(a) MTCA Method A cleanup levels for groundwater.
(b) Cleanup level is for total xylenes.
(c) MTCA Method A states that if there is no detectable benzene in groundwater, then the higher gasoline cleanup level of 1000 µg/L should be used.

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6.8 Surface Water Analytical Results, WSDOT SR 305 Project

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TABLE 3
SURFACE WATER ANALYTICAL RESULTS
WSDOT SR 305 PROJECT
POULSBO, WASHINGTON

	MTCA Method B Cleanup Level for Surface Water (a)	SW-1-101404 0410-104-16 10/14/2004		SW-2-101404 0410-104-17 10/14/2004	
TPH-G and BTEX (µg/L)					
Benzene	1.2		4.7		1.0 U
Ethyl Benzene	3100		1.7		1.0 U
m,p-Xylene			1.4		1.0 U
o-Xylene			1.0 U		1.0 U
Toluene	6800		1.0 U		1.0 U
TPH-Gas			270		100 U
TPH-Dx (mg/L)					
Diesel Range			0.25 U		0.25 U
Lube Oil Range			0.40 U		0.40 U

U = Indicates compound was analyzed for, but was not detected above the indicated laboratory reporting limit.
(a) = MTCA Method B cleanup level was selected based on the most protective value from applicable state and federal regulations, and is equal to the Ambient Water Quality Criteria for fresh surface water for protection of human health.
Boxed value indicates exceedance of cleanup level.

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6.9 Environmental Covenant

PUBLIC WORKS ENGINEERING COVEN $11.00

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DECLARATION OF RESTRICTIVE COVENANT

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Kitsap County Roads, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

An independent remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Restrictive Covenant. The Remedial Action conducted at the property is described in the following document(s):

1. Summary of results for Kitsap County North Road Shop Investigation, Bainbridge, Washington, letter prepared by Golder Associates, Inc., dated July 17, 1996.
2. Final report and Laboratory results for Kitsap County North Road Shop Investigation, Bainbridge, Washington, letter prepared by Golder Associates, Inc., dated January 6, 1997.
3. Soil Excavation and Disposal Activities to Support Closure of the Kitsap County North Road Shop Investigation, Bainbridge, Washington, report prepared by Golder Associates, Inc., dated April 16, 1998.
4. Transmittal of Ablation Till Contour Detail at the Kitsap County North Road Shop Maintenance Facility, Poulsbo, Washington, letter prepared by Golder Associates, Inc., dated March 5, 1999.
5. First Quarter, 1999 Monitoring Results for Area Surface Waters near the North Road Shop, Poulsbo, Washington, letter prepared by Golder Associates, Inc., dated July 1, 1999.

These documents are on file at Ecology's Northwest Regional Office.

This Restrictive Covenant is required because the Remedial Action resulted in residual concentrations of diesel, heavy oil and gasoline which exceed the Model Toxics Control Act Method A Residential Cleanup Levels for soil established under WAC 173-340-740. There may also be residual petroleum contamination in perched shallow groundwater at the site; however water quality monitoring in the down-gradient drainage ditch (along the Southwest property boundary) and nearby stream, where shallow groundwater from the site would be expected to drain, does not indicate that any contamination is migrating off-site.

The undersigned, Kitsap County Roads, is the free owner of real property (hereafter "Property") in the County of Kitsap, State of Washington, that is subject to this Restrictive Covenant. The Property is legally described in Attachment "A" of this Restrictive Covenant and made a part hereof by reference.

(112601-3-009-2007 - Section 11, Township 26 North, Range 1 East, W.M.
SW 1/4 SW 1/4 Kitsap County, Washington)

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Kitsap County Roads makes the following declaration as to limitations, restrictions and uses to which the Property may be put and specifies that such declaration shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1

1. The Property shall be used only for traditional industrial uses, as described in RCW 70.105D.020(23) and defined in and allowed under the COUNTY of Kitsap zoning regulations codified in the Kitsap County Zoning Ordinance 2-16-1998, and Title 17 of the Kitsap County Code, as of the date of this Restrictive Covenant.
2. No groundwater may be taken for any use from the Property.
3. (a) A portion of the Property contains petroleum contaminated soil located below the storm drain/water main routes that service the facility, below the Western fence boundary, within the fenced Water District Compound, and extending under the foundations of Building 2. The Owner shall not alter, modify, or remove the existing structures in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.
   (b) Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

Section 2

Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3

Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4

The Owner of the property must give thirty (30) days advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

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Section 5
The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restriction on the use of the Property.

Section 6
The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7
The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

Section 8
The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

BOARD OF KITSAP COUNTY
COMMISSIONERS

Tim Botkin, Chair

Date: 1-7-00

GIVEN under my hand and official seal this 7th day of January, 2000.

Molly Foster
Notary Public in and for the State of
Washington, residing at Port Orchard

My Commission expires: 3-5-01

MOLLY FOSTER NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 3-5-01

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PUBLIC WORKS ENGINEERING COVEN $11.00

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Attachment A

ATS/C2330 RP LEGAL DESCRIPTION FOR 112601-3-009-2007 08/17/99

SECTION 11 TOWNSHIP 26 RANGE 1E
PAR (1) BAAP 10FT W OF SE COR OF SW1/4 SW1/4 TH N 250FT TO
CO RD TH FOLG E BDRY OF CO RD IN SWLY DIR 400FT TO PT DUE W
OF BEG TH E 360FT TO BEG EXC TO HWY 21 A PAR (2) THE W 495FT
OF SE1/4 SW1/4 EXC S 15FT EXC PT PER VOL 726/145 PAR (3) TH
PTN OF SEC 14-26-1E DAF, PT OF NW1/4 NW1/4 BAAP 15FT S OF NE
COR OF NW1/4 NW1/4 TH W 208FT TH S 104FT TH E 208FT TH N
104FT TO BEG ALSO BEG 119FT S0*0' 41E FR NE COR OF NW1/4
NW1/4 TH S0*0'41 E ALG E LN OF SD NW1/4 NW1/4 208FT TH
N89*43'32W PLT N LN OF NW1/4 NW1/4 DIST OF 208FT TH
N0*00'41W 208FT TH S89*43' 32E 208FT TO POB ALSO A STRIP OF
LAND 25FT WIDE BEING TH PT OF S 25FT OF N 40 FT OF NW1/4
NW1/4 LY BTW CO RD BOND PROJ NO 15 & A PT 208FT W OF E LN OF
NW1/4 NW1/4 EXC TO HWY NO 21A ALSO THE N 165FT OF W1/2 W1/2
NE1/4 NW1/4 EXC N 30FT THOF & EXC W 30FT OF S 90FT OF N
120FT THOF

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6.10 Photo Log

Photo1: The Site - from east (The sand spreaders are located in the middle portion of the picture)

Photo 2: Building 3 and the two pump islands – from northwest

Photo 3: Building 2 and the two pump islands – from southwest

Photo 4: Drums inside Building 1 – the maintenance workshop

Photo 5: Drainage ditch and catch basin along Bernt Road – from the northeast

Photo 6: Drainage ditch along SR305 – from northwest

Photo 7: Dogfish Creek and the drainage outfall (Sampling location of NRS-2A)