



PERIODIC REVIEW

**Kitsap County North Road Shop
Facility Site ID#: 65471731**

**301 Bernt Road,
Poulsbo, Washington**

Northwest Regional Office

Toxics Cleanup Program

October 2018

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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). The VCP identification number was NW0074.

Following cleanup actions, gasoline, diesel, and heavy oil-range petroleum hydrocarbons (and possibly benzene, ethylbenzene, and/or xylenes) remain in soil at the Site at concentrations exceeding MTCA Method A cleanup levels. There may also be residual petroleum contamination in perched groundwater at the Site at concentrations exceeding MTCA Method A cleanup levels.

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 (also referred to as the department) 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. When an institutional control and/or financial assurance is required as part of the cleanup action;
 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 or mixtures present at the Site;
- (c) New applicable state and federal laws for hazardous substances present at the Site;

- (d) Current and projected Site and resource uses;
- (e) The availability and practicability of more permanent remedies; 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 the Kitsap County North Road Shop property at 301 Bernt Road, Poulsbo, Washington (see Vicinity Map - Appendix 6.1). The Kitsap County parcel number is 112601-3-009-2007. The property is owned by Kitsap County Public Works Road Division.

The property is zoned by the City of Poulsbo for light industrial use and is located in a mixed commercial- and residential-zoned area. The property is bordered by State Route (SR) 305 to the southwest with medical offices across the road. SR 307 (also known as Bond Road) is to the northwest of the property with undeveloped land beyond. The property is bordered by Bernt Road to the northeast with a plant nursery beyond. Self-storage units and multi-tenant, strip retail buildings are located southeast of the property. 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 regulated 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 was no evidence of leakage from these two USTs, according to past subsurface investigations.

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 suspected that groundwater is perched above the till layer and flows in the direction of the till layer gradient. However, groundwater flow direction has never been properly measured.

The Site comprises petroleum releases to soil and groundwater.

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 regarding the UST removals. However, an employee indicated that some contaminated soils were removed with the USTs and replaced with clean fill.

Several Site subsurface investigations were conducted by Golder Associates in 1996 prior to the remedial excavation at the Site (see Appendix 6.2 for sampling locations). Elevated concentrations of gasoline, diesel, and heavy oil-range petroleum hydrocarbons and benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected in soil and groundwater. Petroleum contaminated soils appeared to be limited above the till, which acts as an aquitard. The extent of contaminated groundwater was never delineated, particularly in the westernmost corner of the property near the former fenced water district compound (see Appendices 6.2 and 6.3 for groundwater sampling locations and groundwater data). Elevated concentrations of gasoline-range petroleum hydrocarbons and 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 in the drainage ditch that borders the property. Petroleum impacts from the property to the nearby Dogfish Creek appeared 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 buses parked in 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.

Petroleum contaminated soils were removed from the property in the summer of 1997 (see Appendix 6.4 for the extent of the remedial excavation). Approximately 5,513 tons of petroleum contaminated soils and overburden clean soils were excavated, transported, and disposed of at Olympic View Landfill. Contaminated groundwater was observed in the remedial excavations.

The excavation was limited by fences, storm drain/water lines, active USTs, and a building. Petroleum contaminated soils above Method A soil cleanup levels were left under the storm drain/water main, beneath Building 2, and below the western fence of the property (see Appendix 6.5 and 6.6 for the confirmation soil sampling map and data). Petroleum contaminated soils may also remain to the north of Building 2.

No groundwater sampling was conducted after the remedial excavation. It was believed at the time that the contaminated groundwater exiting the Site would be captured by the drainage ditch along the southwest border of the property (as described by Golder Associates and as noted in the Restrictive Covenant). However, groundwater flow was never measured, and therefore it is unknown whether the groundwater flow direction is towards the southwest property boundary (although groundwater flow direction is suspected to be either southwest or west). In addition, no hydrogeological study was conducted that provides evidence for the hypothesis that all contaminated groundwater is being captured by the drainage ditch.

Prior to the remedial excavation, contaminated groundwater (exceeding MTCA Method A cleanup levels) had been identified in test probes located near the western fence that surrounded a former fenced water district compound. The location of the test probes was at the boundary of the remedial excavation where contaminated soil (exceeding MTCA Method A cleanup levels) was left in place. Therefore, contaminated groundwater likely remains in the vicinity of the former water district compound at the western fence, and may have migrated off-property given the proximity of the contaminated test probes to the right-of-way. (It should be noted that the property boundary was altered and the fenced water district compound was removed in 2007 during a WSDOT road widening project.)

Five surface water sampling events were conducted following the remedial excavation. Sampling locations are shown on Appendix 6.7, and analytical results are summarized in Appendix 6.8. Results from the surface water sampling events indicated that petroleum hydrocarbons and associated compounds of BTEX were either not detected or detected below their respective Method A groundwater cleanup levels. However, surface water samples are not representative of groundwater quality.

The unpaved portion of the Site was paved after completion of the remedial excavation.

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 bioswale 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 in Appendix 6.9. Analytical results from this investigation were summarized in Appendices 6.10 through 6.12.

The 2004 results were either not detected or detected below the MTCA Method A soil and groundwater cleanup levels. However, the groundwater sample locations did not appear to be close enough to the remaining contaminated soil and groundwater that was left in place to have adequately evaluated post-cleanup groundwater quality.

A water sample collected in 2004 from a catch basin down gradient of the property located just outside the northwest property boundary had a benzene concentration of 4.7 µg/L. This concentration exceeded the surface water cleanup level for benzene of 1.2 µg/L, but was 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 west of the property boundary near the southern corner of the intersection of SR 305 and SR 307. An initial investigation completed by Ecology on May 25, 2007 (ERTS# 560800) concluded that there was no definitive evidence of off-Site migration from the Site and no further action was required. However, no contaminant source was ever identified.

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 may 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 a drinking water source.

2.4 Regulatory Summary

Following remedial activities and filing of a Restrictive Covenant (also known as an Environmental 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 hydrocarbons and BTEX. The one exceedence was 1.1 mg/L of diesel that was 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 in addition to runoff and potential groundwater from the Site, Ecology determined that the exceedence of diesel in this location was 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 surface water cleanup level, but below the MTCA Method A groundwater cleanup level. As stated above, samples collected from NRS-2a might represent a combination of roadway runoff and water from the Site, not the surface water condition of the creek. No petroleum or other associated BTEX compounds 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.

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 (document number 3230789), 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 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.

The Restrictive Covenant is available in Appendix 6.14.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

Ecology conducted a Site visit on September 18, 2018 and was accompanied by Mr. Ron Moore, Maintenance & Operations Supervisor. A photo log is available in Appendix 6.15.

The property continues to operate as Kitsap County North Road Shop. Minor staining was observed in some areas during the site visit, but is considered typical of this type of facility.

There was minor cracking on the pavement in several spots across the property. Mr. Moore indicated that he is responsible for maintaining the pavement, which was last patched approximately a month ago. Mr. Moore has asphalt added on top of the old asphalt, therefore, the cracking is not likely to be creating a significant exposure pathway.

Two of the buildings on the property, the old shop building (currently used for storage) and the pickup truck barn, have unpaved gravel floors. A portion of the old shop building is covered with deteriorated wood boards on top of a dirt floor.

It is likely that soil and groundwater with petroleum hydrocarbons concentrations higher than MTCA Method A cleanup levels are still present at the property. The environmental covenant requires that this contamination be contained beneath either buildings or pavement. The cap provides an adequate barrier to prevent human exposure through ingestion and direct contact with contaminated soils and provides a partial barrier from vapor intrusion. Therefore, the floors of all buildings should be paved in order to maintain the cap.

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 Restrictive Covenant. This Restrictive Covenant serves to ensure the long term integrity of the remedy.

A sanitary sewer line easement was granted by Kitsap County to the City of Poulsbo. It was recorded with Kitsap County on July 14, 2008. The easement is in the northernmost corner of the property (see Appendix 6.13 for the map), which is an area that may have remaining petroleum contamination exceeding MTCA Method A cleanup levels. Ecology was not informed of this easement, as required by the Restrictive Covenant. Ecology did not receive any reports of contaminated soil being encountered during work on the sanitary sewer line. The area is currently paved parking lot.

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

Due to new scientific information with regards to vapor intrusion from petroleum contaminated media, vapor intrusion is now an exposure pathway that would likely be evaluated given the concentrations of contaminants of concern that were left in place at the property. Given the property use (light industrial zoning), the types of contaminants, and the age of the contamination/cleanup, vapor intrusion is not considered to be a significant risk to human health

or the environment. However, a surface cap should be maintained at the property in the effort to prevent exposure, which includes buildings and pavement.

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 and resource uses

The Site is currently used as a road maintenance facility by Kitsap County. There have been no changes in current Site or resource uses since the last periodic review. However, according to Mr. Moore, Kitsap County intends to move the facility and sell the property within the next 3 to 5 years. A potential new occupant is City of Poulsbo, who may continue with a similar use. Ecology will need to be notified of the sale of the property.

3.5 Availability and practicability of more permanent remedies

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

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

Some of the analytical methods used at the time of the remedial action are no longer in use, and did not distinguish between diesel-, oil-, and gasoline-range petroleum hydrocarbons. The analytical methods were capable of detection below selected Site cleanup levels, with the exception of heavy-oil range petroleum hydrocarbons. The practical quantitation limit (PQL) for heavy-oil range petroleum hydrocarbons for some of the water sample results was 1.0 mg/L (1,000 µg/L) according to the laboratory report. The MTCA Method A groundwater cleanup level for heavy-oil range petroleum hydrocarbons is 500 µg/L, which is below this PQL. However, the presence of improved analytical techniques with lower detection limits would not have affected the decisions or recommendations made for the Site, based on the contaminant concentrations that were allowed to remain in soil and groundwater at the time.

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 at this time.
- Soil and groundwater 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, at this time, is effective in protecting the integrity of the cleanup action and protecting public health and the environment from exposure to hazardous substances.

However, the following conditions exist that may affect these conclusions, and will be evaluated during the next periodic review:

- The contaminated groundwater at the Site was not delineated and groundwater flow direction was not measured. Historical data indicates that the contaminated groundwater may have migrated from the westernmost corner of the property into the right-of-way. Ecology has requested that the property owner install three groundwater monitoring wells to evaluate groundwater quality and flow direction in this area. Given that the area of contaminated groundwater at the western property boundary appears to be relatively limited in extent (if still present), there are no exposure pathways in the right-of-way, and, at this time, there are no sensitive receptors on the adjoining properties, Ecology is allowing this work to be completed within the next five years. The work will need to be completed prior to the next periodic review so that it can be evaluated at that time.
- Two of the buildings on the property, the old shop building (currently used for storage) and the pickup truck barn, have unpaved gravel or dirt floors. Given the presence of remaining contamination on the Site, soils should be contained beneath either buildings or pavement. The cap provides a barrier to prevent human exposure through ingestion and direct contact with contaminated soils, and provides a partial barrier from potential vapor intrusion. Therefore, the floors of unpaved buildings should be paved in order to maintain the cap. This work can also be completed within the next five years, prior to the next periodic review.

Based on this periodic review, Ecology has determined that the requirements of the Restrictive Covenant are being met, or likely will be met, when the above referenced actions are taken. 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

September 18, 2018. Site Visit. Ecology.

July 14, 2008. Sanitary Sewer Line Easement. Kitsap County Public Works.

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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.

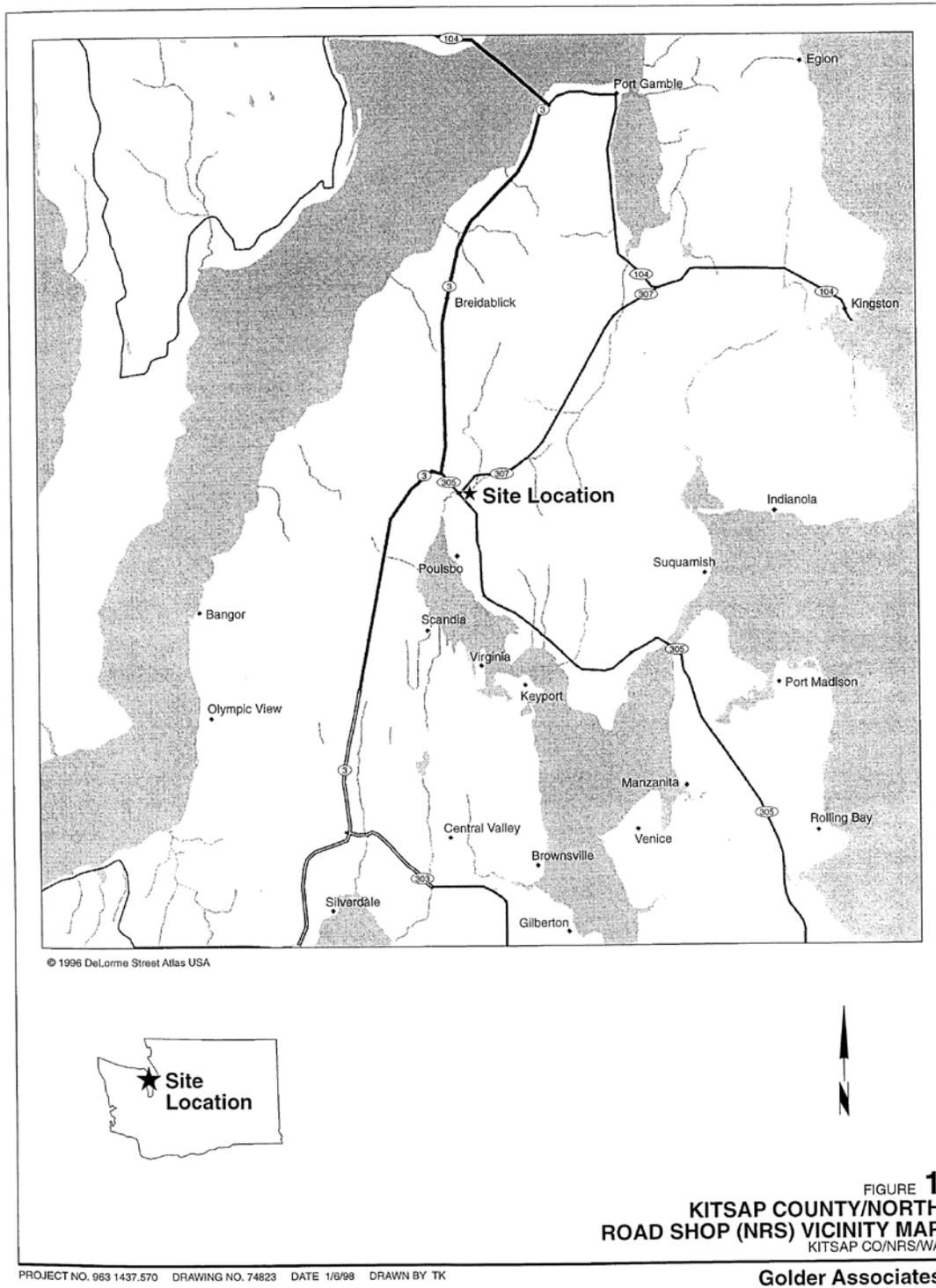
January 7, 2000. Restrictive Covenant. Ecology.

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

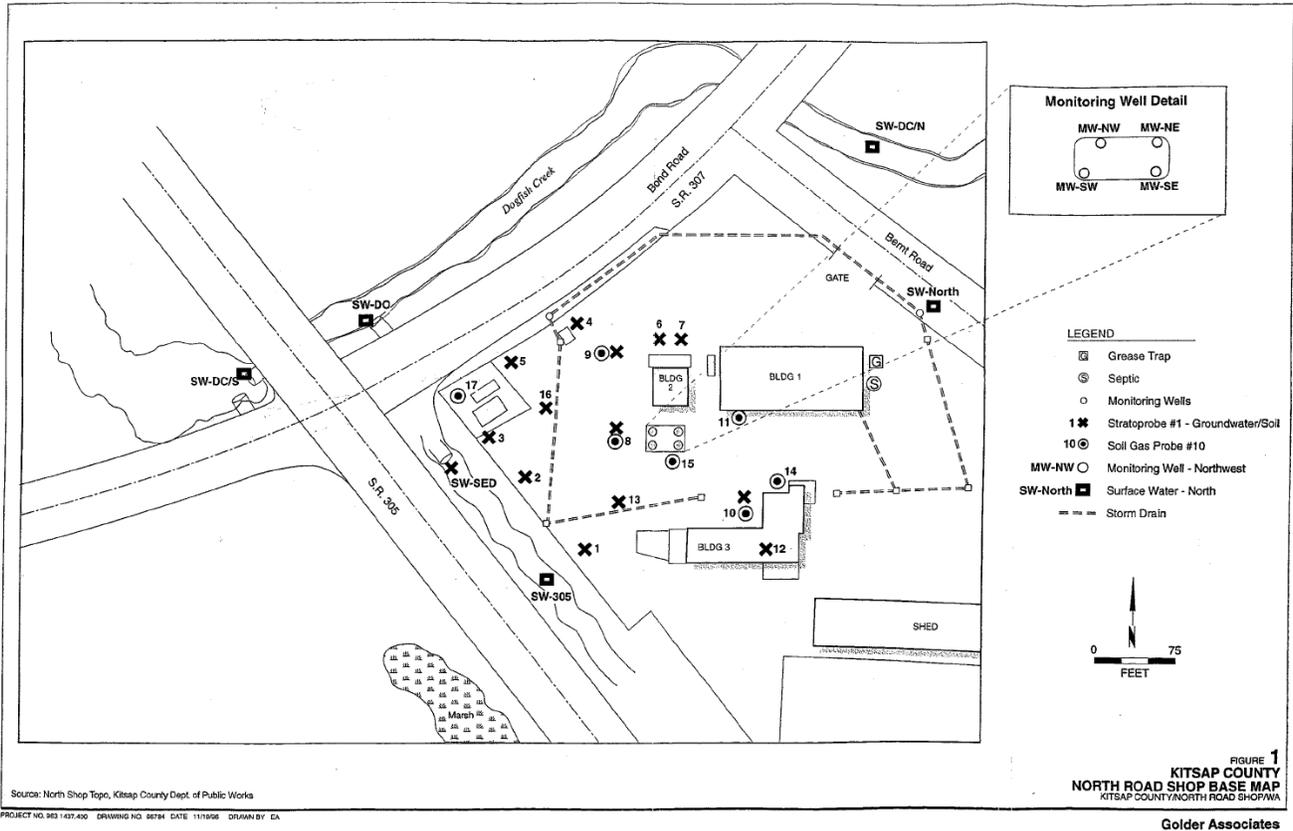
January 6, 1997. Final Report and Laboratory Results for Kitsap County North Road Shop Investigation, Bainbridge, Washington. Golder Associates Inc.

6.0 APPENDICES

6.1 Vicinity Map



6.2 1996 Subsurface Investigation Map



6.3 1996 Subsurface Investigation Groundwater Data

January 3, 1997

TABLE 3

963-1437

KITSAP COUNTY NORTH ROAD SHOP/
 GROUNDWATER SAMPLES

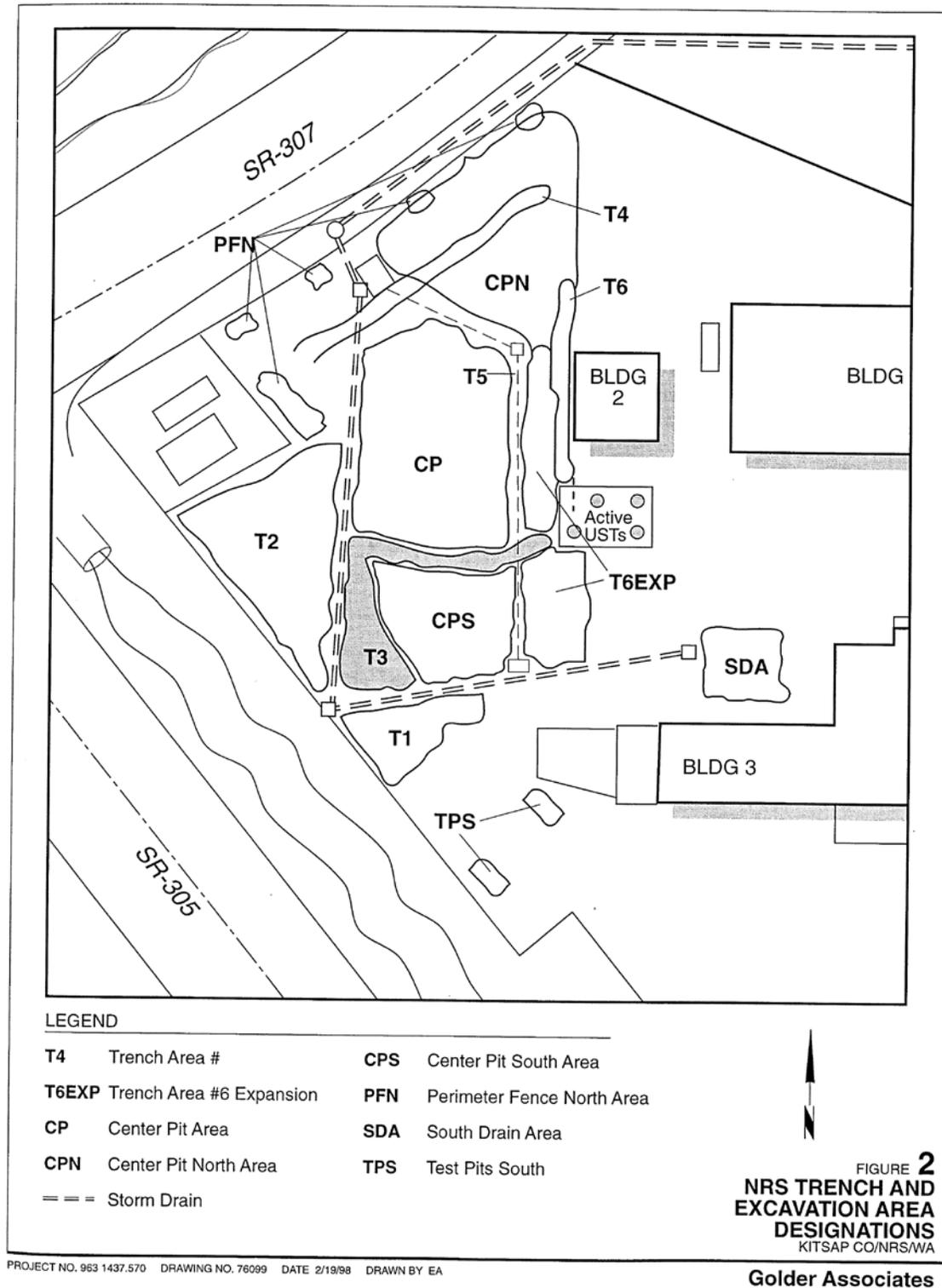
SAMPLE LOCATIONS:	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#12	#13	MW-Cmp
SAMPLE DATE:	6/4/96	6/4/96	6/4/96	6/4/96	6/4/96	6/4/96	6/4/96	8/12/96	8/12/96	8/12/96	6/4/96	8/12/96	6/4/96
GC Screen Analysis (Golder Laboratory):													
Units:	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
Gasoline	<0.5	<0.5	18.1	<0.5	<0.5	<0.5	<0.5	NA	NA	NA	<0.5	NA	<0.5
B	nd	nd	0.13	nd	0.014	0.003	0.002	NA	NA	NA	nd	NA	nd
T	nd	nd	0.06	nd	nd	nd	nd	NA	NA	NA	nd	NA	nd
E	0.001	nd	0.65	nd	0.003	nd	nd	NA	NA	NA	nd	NA	nd
X	nd	nd	0.98	nd	0.001	nd	nd	NA	NA	NA	nd	NA	nd
GC Analysis (Confirmation Laboratory):													
Units:	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
WTPH/Gas	NA	NA	40	NA	1	NA	NA	14	<0.1	1.8	NA	0.21	NA
B	NA	NA	0.16	NA	0.018	NA	NA	0.027	nd	0.039	NA	nd	NA
T	NA	NA	0.1	NA	nd	NA	NA	0.018	0.002	0.027	NA	nd	NA
E	NA	NA	1.4	NA	0.004	NA	NA	0.1	nd	0.038	NA	0.002	NA
X	NA	NA	5.9	NA	0.001	NA	NA	0.11	0.002	0.09	NA	0.002	NA
WTPH as diesel or motor oil analyses:													
Units:	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
WTPH-418.1	<0.5 ^c	<0.5 ^c	22 ^d	NA	22 ^d	NA	NA	NA	NA	NA	<0.55	NA	<0.5
WTPH/Diesel	NA	NA	NA	NA	NA	NA	NA	56	<0.5	0.69	NA	<0.5	NA

Golder Associates

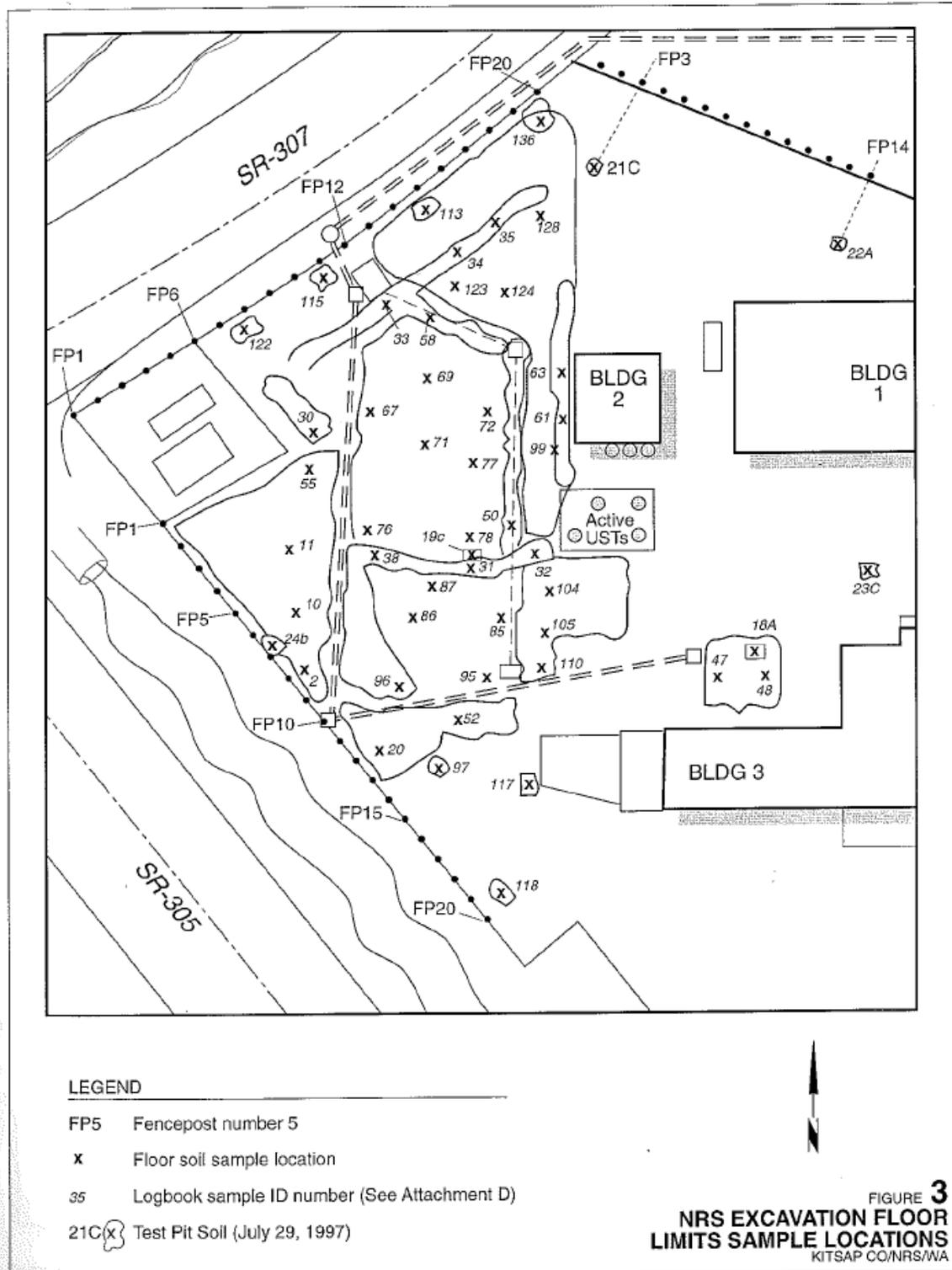
NA - Not analyzed. MW-Cmp = Monitoring Well Composite.
 mg/L = PPM (part per million) c - Compositated samples SP1-GW and SP2-GW.
 nd - Not detected at practical quantitation limit of 1 part p d - Compositated samples SP3-GW and SP5-GW.
 B - benzene
 T - toluene
 E - ethyl benzene
 X - xylenes

1118tb3.xls

6.4 1997 Remedial Excavation Areas



6.5 1997 Remedial Excavation Confirmation Soil Sampling Locations



PROJECT NO. 963 1437.570 DRAWING NO. 78096 DATE 2/18/08 DRAWN BY EA

Golder Associates

6.6 1997 Remedial Excavation Confirmation Soil Sampling Data (1 of 3 Pages)

KITSAP COUNTY / NORTH ROAD SHOP

TABLE 5

LABORATORY COMPARISON RESULTS										
FIELD LOGBOOK SAMPLE ID #	CONFIRMATION LABORATORY SAMPLE ID #	FIELD LOGBOOK SAMPLE LOCATION DESIGNATOR	SAMPLE DEPTH	PIT LOCATION	SAMPLE / ANALYSIS DATE	FIELD IR ANALYSIS RESULT	CONFIRMATION LABORATORY RESULT			
							EPA 418.1 (mg/Kg)	NWTPH-GAS (mg/Kg)	NWTPH-DIESEL (mg/Kg)	NWTPH-OIL (mg/Kg)
(See Atch. D)	(See Atch. E)		(FT)	(See Fig. 1)	(1997)	(mg/Kg)				
-	24B	FP6.5 @2.5'	2.5	T2	29-Jul	-	-	<5.6	-	-
-	25A	FP1.5 @0-1'	0-1	T2	29-Jul	-	65,000	-	-	-
9	9	FP7 @3'	3	T2	26-Aug	1,200	-	<24	920	640
-	10C	FP6.5 @ 5'	5	T2	26-Aug	-	-	25,000	2,800	2,800
6	-	FP6 E @ 5'	5	T2	26-Aug	480	-	-	-	-
12	12	FP3/ CNTR FLR @4.5'	4.5	T2	27-Aug	480	-	580	<60	<119
11	11	FP5 + 20'E @ 5.5'	5.5	T2	27-Aug	<10	-	<27	<28	<28
32	32	T3/DLPI +100' @6'	6	T3	29-Aug	160	-	<22	84	<112
65	65	T6 + 40' @0.5-2	0.5-2	T6	10-Sep	3,500	-	13	-	-
101	101	T6 +23' S @3-6'	3-6	T6 EXP	15-Sep	250	-	<22	360	300
102	102	TRUCK COMPOSITE	NA	T6 EXP	15-Sep	175	-	80	200	140
100	19A,B,C	T6 + 23'S @0.5-3'	0.5-4'	T6 EXP	29-Jul	88	150	-	-	-
28	28	FP10 +25'E @4.5'	4.5	CPS	29-Aug	3,500	-	<24	1,700	<119
86	-	FP10 +35'E @4.5'	4.5	CPS	29-Aug	44	-	-	-	-
130	21A,B,C	PFN/ FP20 + 15' @0-2'	0.5-3.5	PFN	29-Jul	107	-	-	48	250
29	29	FP Cmr + 5' @1-2'	1-2	PFN	29-Aug	650	1,000	<24	220	820
45	23C	SDA / E wall @1-2'	3	SDA	29-Jul	110	-	-	<27	<54
43	18A	SDA/ W wall @1-2'	0.5-3	SDA	29-Jul	<20	-	<5.7	-	-
47	-	SDA/ W Fir @6'	6	SDA	2-Sep	<10	-	-	-	-
98	98	SW OVERBURDEN	0-1	TPS	15-Sep	3,300	-	<22	2,200	1,800
T4 - Trench number 4.				CPS - Center Pit South.						
T6 EXP - Trench number 6 expansion.				PFN - Perimeter Fence North.						
CP - Center Pit.				SDA - South Drain Area.						
CPN - Center Pit North.				TPS - Test Pit South.						

KITSAP COUNTY / NORTH ROAD SHOP

TABLE 6

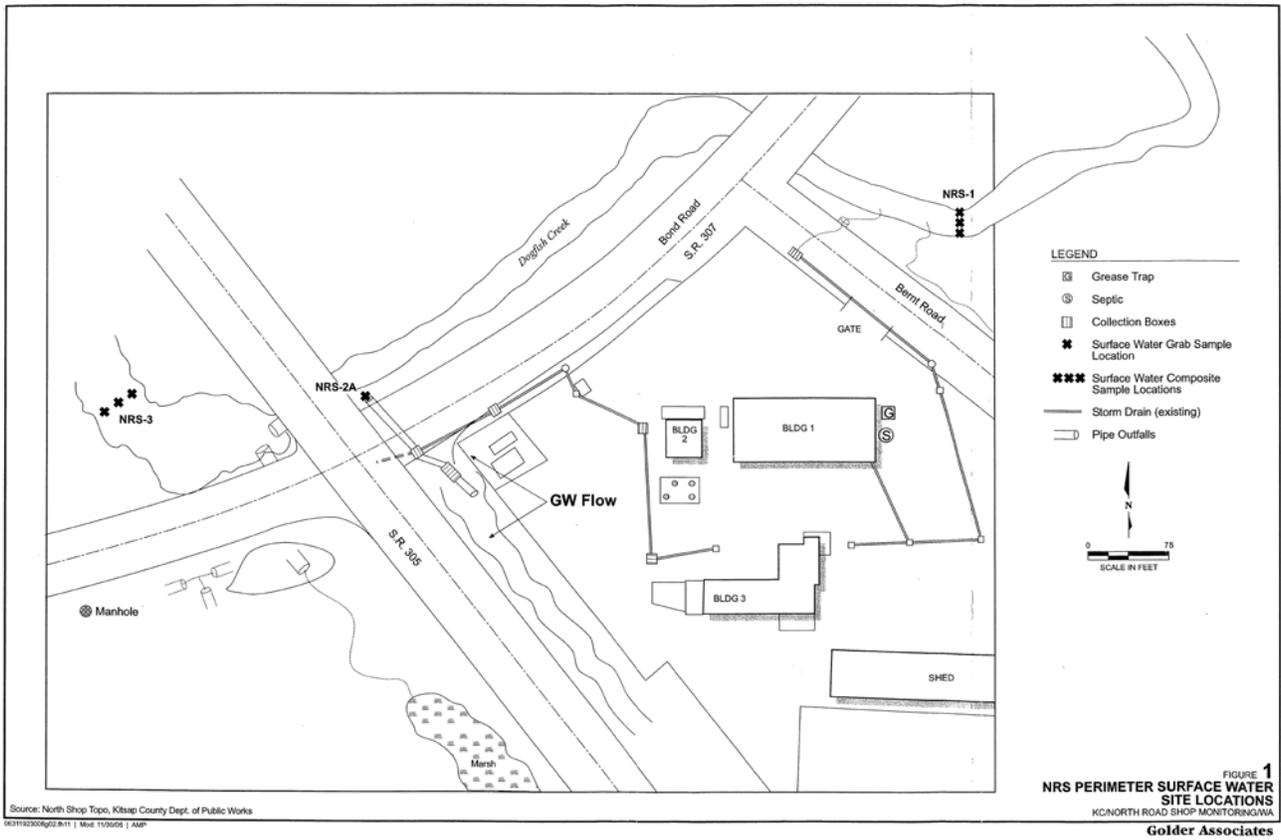
PERIMETER SOILS TEST RESULTS					
PIT LOCATION (See Fig.1)	LOGBOOK SAMPLE ID #	LOGBOOK SAMPLE LOCATION DESIGNATOR	SAMPLE DEPTH (FT)	SAMPLE / ANALYSIS DATE	IR ANALYSIS RESULT (mg/Kg)
		(See Atch.D)			
T2	2	FP8 @4.5'	4.5	26-Aug	<20
BLDG 3	12	TPS/ BLDG 3 Interior	Water	4-Jun-96	<0.55 mg/L
T2	13	FP2 @2-4'	2-4	26-Aug	130
T2	16	FP1 + 8' @1-3'	1-3	27-Aug	32
T1	20	FP12 + 5' @6'	6	29-Aug	<20
T1	25	FP13 + 8' @0.5-2'	0.5-2	29-Aug	<20
T1	26	FP13 + 8' @3-6'	3-6	29-Aug	<20
PFN	29	FP Cmr + 5' @1-2'	1-2	29-Aug	650
PFN	30	FP Cmr + 5' @4-6'	4-6	29-Aug	35
SDA	43	SDA/ W wall @1-2'	1-2	2-Sep	<20
SDA	44	SDA/ W wall @4-6'	4-6	2-Sep	<20
SDA	45	SDA/ E wall @1-2'	1-2	2-Sep	110
SDA	46	SDA/ E wall @2-4'	2-4	2-Sep	<20
SDA	47	SDA/ W Floor @6'	6	2-Sep	<20
SDA	48	SDA/ E Floor @8'	8	2-Sep	<20
T1	51	FP13 + 20' @0.5-3'	0.5-3	29-Aug	<20
T1	52	FP13 + 20' @3-4.5'	3-4.5	3-Sep	<20
T2	54	FP1.5 + 40' @1-3'	1-3	3-Sep	1,500
T2	55	FP1.5 + 40' @4.5-6.5'	4.5-6.5	3-Sep	64
T6	61	T6 + 12' N @5'	5	10-Sep	<10
T6	63	T6 + 30' N @4.5'	4.5	10-Sep	<10
T6	64	T6 + 30' N @0.5-4.5'	0.5-4.5	10-Sep	1,500
T6	65	T6 + 40' N @0.5-2'	0.5-2	10-Sep	3,500
T6	66	T6 + 40' N @2-4'	2-4	10-Sep	<10
T6	92	T6 wall cmprs @1-4'	1-4	15-Sep	46
CPS	95	CPS/ FP12 +53'E @5'	5	15-Sep	<10
CPS	96	CPS/ FP11 +35'E @5'	5	15-Sep	<10
T6 EXP	99	T6 + 0' @7'	7	15-Sep	<10
T6 EXP	100	T6 +23'S @0.5-3'	0.5-3	15-Sep	88
T6 EXP	101	T6 +23'S @3-6'	3-6	15-Sep	250
T6 EXP	104	T6 +40'S @4.5'	4.5	18-Sep	<10

KITSAP COUNTY / NORTH ROAD SHOP

TABLE 6

PERIMETER SOILS TEST RESULTS (cont.)					
PIT LOCATION(S ee Fig.1)	LOGBOOK SAMPLE ID #	LOGBOOK SAMPLE LOCATION DESIGNATOR	SAMPLE DEPTH (FT)	SAMPLE / ANALYSIS DATE	IR ANALYSIS RESULT (mg/Kg)
		(See Attch.D)			
T6 EXP	105	T6 +55'S @4'	4	18-Sep	<10
T6 EXP	106	T6 +45'S @0-1'	0-1	15-Sep	190
T6 EXP	107	T6 +70'S @0-1'	0-1	18-Sep	1,650
T6 EXP	108	T6 +70'S @1-2'	1-2	18-Sep	<10
T6 EXP	109	T6 +70'S @2-3.5'	2-3.5	18-Sep	<10
PFN	113	TP 307/ FP15 @4'	4	18-Sep	26
PFN	115	TP 307/ FP11 @4'	4	18-Sep	<10
TPS	117	TPS/ FP17 +35' @3'	3	18-Sep	<10
TPS	118	TPS/ FP19.5 +8' @2'	0-2	18-Sep	26
PFN	122	307/ FP8 @2'	2	22-Sep	32
CPN	126	307/ FP16 + 4' @2'	2	22-Sep	50
CPN	127	307/ FP18 + 5' @2'	2	22-Sep	20
CPN	129	307/ FP20 + 6' @2'	2	22-Sep	<10
CPN	130	307/ FP20 + 15' @0-2'	0-2	22-Sep	107
CPN	131	307/ FP20 +23' @0-1'	0-1	22-Sep	900
CPN	132	307/ FP20 +23' @1-2'	1-2	22-Sep	71
CPN	133	307/ FP19 + 38' @0-3'	0-3	22-Sep	106
PFN	134	TP 307/ FP20 @0-3'	0-3	22-Sep	<10
PFN	135	TP 307/ FP20 @3-6'	3-6	22-Sep	<10
BLDG 3	17A,B,C	TPS/ BLDG 3 EAST	0.5-3	29-Jul	<29 DIESEL
SDA	18A	SDA/ @0.5-3'	0.5-3	29-Jul	<5.7 GAS
PFN	21A,B,C	TP/ PF-NORTHEAST	0.5-3.5	29-Jul	48 DIESEL
PFN	22A	TP/ PF-NORTHEAST	3.5	29-Jul	<5.7 GAS
SDA	23C	TP/ SDA-EAST	3	29-Jul	<54 DIESEL
T2	24B	FP6.5 @2-2.5'	2.5	29-Jul	<5.6 GAS
T2	25A	FP1.5 @ 0-1'	0-1	29-Jul	65,000
T2	35A	FP1 + 8' @3-5'	3-5	2-Sep	330

6.7 Surface Water Sampling Locations



6.8 Surface Water Data (1999-2006)

Project # 063-1192.300

TABLE 1

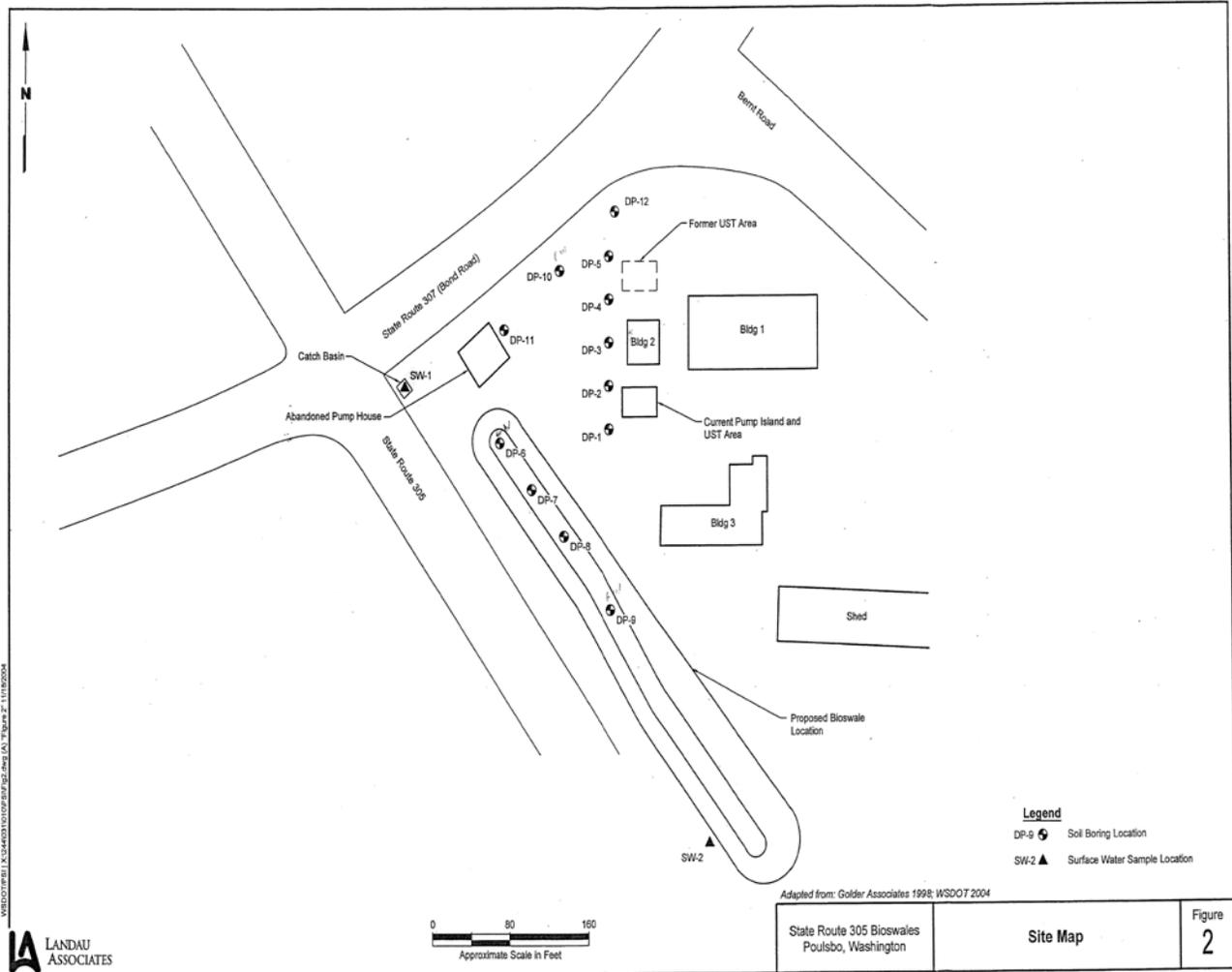
KITSAP COUNTY NORTH ROAD SHOP (NRS)
Area Surface Water Analytical Summary

12/8/2006

Sample ID	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 :	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	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	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	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	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	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	0.23	0.0016	0.001 U	0.0023	0.0046		0.25 U	0.5 U	
NRS-3	2/22/2000	7.28	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	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	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	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	0.51	0.0024	0.001 U	0.0025	0.017		0.31	0.5 U	
NRS-1	7/2/1999	6.75	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	0.59	0.0025	0.001 U	0.01	0.017		0.25 U	1.1	
NRS-3	7/2/1999	6.89	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	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	0.55	0.0021	0.001 U	0.0082	0.017		0.25 U	0.5 U	
NRS-3	4/8/1999	7.22	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.

6.9 2004 WSDOT Subsurface Investigation Map



6.10 2004 WSDOT Subsurface Investigation Soil Data

Page 1 of 2

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

	MTCA Method A Unrestricted (e)	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				
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

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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.

6.11 2004 WSDOT Subsurface Investigation Groundwater Data

Page 1 of 1

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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6.12 2004 WSDOT Subsurface Investigation Surface Water Data

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

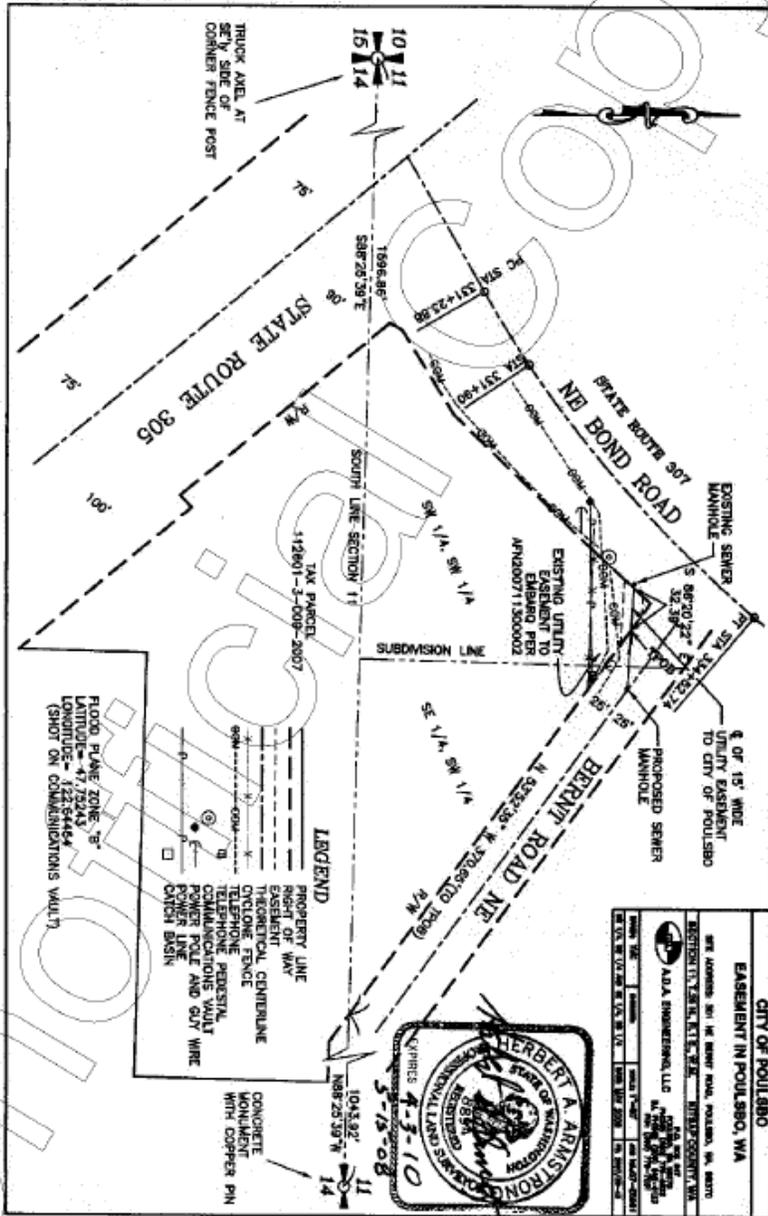
	MTCA Method B Cleanup Level for Surface Water (a)	SW-1-101404 0410-104-16 10/14/2004	SW-2-101404 0410-104-17 10/14/2004
TPH-G and BTEX (µg/L)			
Benzene	1.2	4.7	1.0 U
Ethyl Benzene	3100	1.7	1.0 U
m,p-Xylene		1.4	1.0 U
o-Xylene		1.0 U	1.0 U
Toluene	6800	1.0 U	1.0 U
TPH-Gas		270	100 U
TPH-DX (mg/L)			
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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11/18/2004 \\Edmdata\shareddoc\244\0311010\Data Tables SW

6.13 2008 Sanitary Sewer Line Easement Map



6.14 Environmental Covenant



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Kitsap Co. WA

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)

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.



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 POET ORCHARD

My Commission expires: 3-5-01



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Kitsap Co, WA

Attachment A

ATS/C2330

RP LEGAL DESCRIPTION FOR 112601-3-009-2007

08/17/99

SECTION 11 TOWNSHIP 26 RANGE 1E
1 PAR (1) BAAP 10FT W OF SE COR OF SW1/4 SW1/4 TH N 250FT TO
2 CO RD TH FOLG E BDRY OF CO RD IN SWLY DIR 400FT TO PT DUE W
3 OF BEG TH E 360FT TO BEG EXC TO HWY 21 A PAR (2) THE W 495FT
4 OF SE1/4 SW1/4 EXC S 15FT EXC PT PER VOL 726/145 PAR (3) TH
5 PTN OF SEC 14-26-1E DAF, PT OF NW1/4 NW1/4 BAAP 15FT S OF NE
6 COR OF NW1/4 NW1/4 TH W 208FT TH S 104FT TH E 208FT TH N
7 104FT TO BEG ALSO BEG 119FT S0*0' 41E FR NE COR OF NW1/4
8 NW1/4 TH S0*0'41 E ALG E LN OF SD NW1/4 NW1/4 208FT TH
9 N89*43'32W PLT N LN OF NW1/4 NW1/4 DIST OF 208FT TH
10 N0*00'41W 208FT TH S89*43' 32E 208FT TO POB ALSO A STRIP OF
11 LAND 25FT WIDE BEING TH PT OF S 25FT OF N 40 FT OF NW1/4
12 NW1/4 LY BTW CO RD BOND PROJ NO 15 & A PT 208FT W OF E LN OF
13 NW1/4 NW1/4 EXC TO HWY NO 21A ALSO THE N 165FT OF W1/2 W1/2
14 NE1/4 NW1/4 EXC N 30FT THOF & EXC W 30FT OF S 90FT OF N
15 120FT THOF



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6.15 Photo Log

Photo 1: The entrance of the site from Bernt Road, facing west.



Photo 2: View of buildings and paved yard on the site, facing west.



Photo 3: View of buildings, two pump islands, and patched asphalt on the site, facing east.



Photo 4: The pickup truck barn has an unpaved gravel floor.



Photo 5: The old shop building, now used for storage, has an unpaved gravel floor.



Photo 6: Part of the old shop building has a deteriorated wood floor covering the gravel.

