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DEPARTMENT OF ECOLOGY
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February 25, 2019

Tracey Larson
Gig Harbor Transmission
5066 SE Hovgaard Rd
Olalla, WA 98359

Re: No Further Action at the following Site:

- **Site Name:** Gig Harbor Transmission
- **Site Address:** 14610 Purdy Dr. NW, Gig Harbor, Pierce County, WA 98332
- **Facility/Site No.:** 11876
- **Cleanup Site No.:** 1952
- **VCP Project No.:** SW1590

Dear Tracey Larson:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your proposed independent cleanup of the Gig Harbor Transmission facility (Site). Ecology received your request for opinion on January 15, 2019.

A complete Voluntary Cleanup Program (VCP) opinion request, including upload of all Site data to Ecology's electronic information management (EIM) system and receipt of electronic and hard copies of reports, was complete as of January 17, 2019.

Ecology appreciates EcoCon's (ECI's) responsiveness. This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), chapter 70.105D Revised Code of Washington (RCW).¹

Issue Presented and Opinion

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site. This closure is completed using Model Remedy 1.²

¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70.105D>

² Ecology Publication No. 16-09-057, *Model Remedies for Sites with Petroleum Impacts to Groundwater*, Revised December 2017. See pp. 19-20.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, chapter 70.105D RCW, and its implementing regulations, Washington Administrative Code ([WAC](#) chapter 173-340³) (collectively “substantive requirements of MTCA”). The analysis is provided below.

Description of the Site

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following releases:

- Total petroleum hydrocarbons (TPH) as heavy oil (TPH-O) into soil.
- Carcinogenic polycyclic aromatic hydrocarbons (cPAHs) into soil.
- Cadmium, lead, and chromium into soil.
- Total lead and potentially chromium into groundwater.

This opinion is limited to addressing two apparent heavy oil releases at the Site, the first occurred prior to March 12, 2009, (ERTS #609920) and a second release occurred between February 2010 and January 2017. The MTCA Site is wholly contained within Pierce County tax parcel 0122133089.

Please note the Property is also located within the projected boundaries of the Tacoma Smelter Plume facility (facility Site identification [FSID] #62855481). At this time, we have no information that this Property is actually affected. This opinion does not apply to any contamination associated with the Tacoma Smelter Plume facility.

Basis for the Opinion

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

1. ECI, Re: Request for No Further Action Using Model Remedies, January 17, 2019.
2. ECI, Re: Request for No Further Action, January 14, 2019.
3. ECI, *Groundwater Monitoring Report*, January 11, 2019.
4. ECI, *Groundwater Monitoring Report*, May 18, 2018.
5. ECI, *Groundwater Monitoring Report*, February 28, 2018.

³ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

6. Ecology, Re: *Opinion on Proposed Cleanup of the following Site*, January 16, 2018.
7. Ecology, Re: *Opinion on Proposed Cleanup of the following Site*, September 27, 2017.
8. ECI, *Groundwater Monitoring Gig Harbor Transmission*, October 24, 2017.
9. Email correspondence between Stephen Spencer, EcoCon Inc. (ECI), and Tim Mullin, Ecology, August 21, 2017.
10. ECI, *Gig Harbor Transmission Terrestrial Ecological Evaluation*, received August 7, 2017.
11. ECI, *Cleanup Action Report (CAR)*, April 26, 2017.
12. ECI, *Phase I Environmental Site Assessment (ESA)*, January 27, 2017.
13. Environmental Management Services, LLC (EMS), *Phase II Subsurface Investigation*, February 19, 2010.
14. Alkai Environmental Consultants, *Phase I ESA*, January 22, 2010.
15. Ecology, Initial Investigation Field Report, July 8, 2009.
16. Ecology, ERTS report #609920, December 8, 2008.

Those documents are kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. Information on obtaining those records can be found on [Ecology's public records requests web page](#).⁴

Some reports are available electronically on the [Document Repository](#)⁵ for the Site.

This opinion is void if any of the information contained in those documents is materially false or misleading.

⁴ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

⁵ <https://fortress.wa.gov/ecy/gsp/CleanupSiteDocuments.aspx?csid=1952>

Analysis of the Cleanup

Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site. Previous Site characterization activities are summarized in Ecology's September 27, 2017, and January 16, 2018, opinions for the Site. That conclusion is based on the following analysis:

1. Performance soil and groundwater sampling completed.

Confirmatory soil sampling indicated that all contaminated soils, from both releases, were removed and disposed of off-Site.⁶ Both releases were believed to be from a hydraulic hoist used to support a wash pad to clean the undersides of vehicles before transmission servicing.

Groundwater performance monitoring followed the requirements outlined in Ecology's opinion letter dated September 27, 2017. The performance monitoring evaluated groundwater quality to ensure that no impacts to groundwater had occurred from either release to soil and to determine if a 2010 exceedance of the MTCA Method A cleanup level for lead in groundwater was representative of groundwater conditions.

Using low flow groundwater methodology, all concentrations of Site hazardous substances during the 2018 performance groundwater monitoring were less than the laboratory reporting limits.⁷ All laboratory reporting limits were less than the applicable MTCA cleanup levels.

Three soil borings, advanced in an attempt to obtain grab groundwater samples in October 2017, were dry. Based on requirements in a letter from Ecology dated September 27, 2017, and January 16, 2018,⁸ one monitoring well was installed. Four consecutive quarters of performance monitoring from monitoring well MW-1 was attempted during 2018. ECI successfully sampled groundwater in March, May/June, and December 2018. In August and November 2018, MW-1 was dry.

It is Ecology's opinion that it is more likely than not⁹ that MW-1 being dry in August and November 2018 supports ECI's evaluation that groundwater beneath the Site is perched. Groundwater sampling at MW-1 was consistent with the Stage II monitoring requirement as presented in section 10.3 in Ecology publication No. 10-09-057, *Guidance for Remediation of Petroleum Contaminated Sites*, Revised June 2016.

Based on the 2018 groundwater sampling results, the February 2010 lead and chromium concentrations in groundwater were more likely than not the result of lead and chromium adhered to suspended soil particles in the grab groundwater sample and not representative of actual groundwater quality. The 2018 groundwater results confirm that all Site hazardous

⁶ See Table 2 in ECI's *Groundwater Monitoring Report*, January 11, 2019.

⁷ See Table 3 in ECI's *Groundwater Monitoring Report*, January 11, 2019.

⁸ Both letters are available at: <https://fortress.wa.gov/ecy/gsp/CleanupSiteDocuments.aspx?csid=1952>

⁹ Professional judgment as allowed under WAC 173-340-360(2).

substances¹⁰ are less than established cleanup levels. It is Ecology’s opinion that sufficient groundwater data has been collected to conclude that groundwater beneath the Site has not been contaminated by either release.

Site data have been uploaded to EIM and have been accepted by Ecology.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA. Standard points of compliance have been established for soil and groundwater.

As originally discussed in Ecology’s September 27, 2017, opinion letter, the table below shows the applicable cleanup levels for the Site.

Groundwater cleanup values were not established for barium and mercury as concentrations in soil were below the applicable MTCA cleanup levels. Chromium in soil was speciated and identified as trivalent and not hexavalent in nature. Diesel, though not detected in soil or groundwater at the Site, has cleanup levels established along with the heavy oil range hydrocarbons, as part of a total petroleum hydrocarbons value.

Site Hazardous Substance (Site COC)	MTCA Method	Soil (mg/kg)	Groundwater (µg/L)
Diesel	A	2,000	500
Heavy oil	A	2,000	500
cPAHs (benzo[a]pyrene as reference]	A	0.1	0.1
Barium	B	1,650	Not established
Cadmium	A	2	5
Chromium ¹¹	A	2,000	50
Lead	A	250	15
Mercury	A	2	Not established

¹⁰ Also may be referred to as Site contaminants of concern (COC).

¹¹ Cleanup levels are for total chromium (trivalent species). Hexavalent chromium was not detected at the Site.

These are the applicable points of compliance for the Site:

- Per WAC 173-340-740(6)(b), “[f]or soil cleanup levels based on the protection of ground water, the point of compliance shall be established in the soils throughout the site.”
- Per WAC 173-340-740(6)(d): “[f]or soil cleanup levels based on human exposure via direct contact or other exposure pathways where contact with the soil is required to complete the pathway, the point of compliance shall be established in the soils through the site from the ground surface to fifteen feet below ground surface.”
- For groundwater, per WAC 173-340-720(8)(b): “[t]he standard point of compliance shall be established throughout the site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the site.”

As described in Ecology’s September 27, 2017, letter, cleanup levels and points of compliance were not established for air, surface water, sediment, and ecological pathways. These pathways were determined to be incomplete.

Site cleanup levels have been met at the standard points of compliance for the Site. Current and future land use is anticipated to remain as commercial.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

As a model remedy closure was used, a feasibility study with disproportionate cost analysis was not required. Contaminated soils for both releases were removed by excavation. Ecology concurs with the selected cleanup action.

The implemented cleanup action meets the requirements of WAC 173-340-360(2):

- Contaminated soils were permanently removed and disposed of off-Site.
- The cleanup complies with MTCA cleanup levels and standard points of compliance established for the Site.
- Confirmational soil samples were collected and analytical results comply with the MTCA cleanup levels established for the Site.

- The concentrations of metals in groundwater, at or exceeding the MTCA Method A cleanup levels, was more likely than not the result of the grab groundwater sampling methodology. Sample turbidity likely caused an elevated result which was not representative of actual Site groundwater quality.
- Performance groundwater monitoring at MW-1, representative of Site groundwater quality, demonstrated that Site hazardous substances were less than the applicable MTCA cleanup levels.

4. Model Remedy.

Based on Site data, a closure request using Model Remedy No. 1 for sites with petroleum impacts to groundwater is appropriate. The following items are initial requirements in order to request closure under the Model Remedies program:

- A release to the environment has been confirmed.
- Ecology has been notified of the release.
- Emergency/Interim Actions have been implemented (if appropriate).
- An adequate Site characterization has been completed.

Additionally, vapor pathway evaluation is required for Site closure eligibility using a Model Remedy.¹² When TPH concentrations or other petroleum volatile organic compound concentrations are significantly higher than a concentration derived for protection of groundwater, the soil to vapor pathway must be evaluated.¹³

As all contaminated soils were removed and confirmatory soil and groundwater sampling results met applicable MTCA cleanup levels, the vapor pathway is incomplete. Based on Ecology's review of Site data and reports provided as part of the most recent request for Site closure, the Site is eligible for closure under a Model Remedy.

The selected cleanup action of excavation complies with the Model Remedy No. 1 requirements:

- Soil meets the MTCA Method A cleanup levels.
- Groundwater meets MTCA Method A cleanup levels throughout the Site.

¹² Washington State Department of Ecology – Toxics Cleanup Program, Publication No. 16-09-057, *Model Remedies for Sites with Petroleum Impacts to Groundwater*, Revised December 2017, p. 11.

¹³ WAC 173-340-740(3)(b)(iii)(C).

- Standard points of compliance were used for the cleanup.
- Sufficient confirmation sampling and post-remedial monitoring has been completed to demonstrate compliance with cleanup levels established for the Site.
- The vapor pathway is incomplete.
- Cadmium, chromium, lead, and cPAHs are commonly found in association with heavy oil. See Table 7.2 in Ecology publication No. 10-09-057, *Guidance for Remediation of Petroleum Contaminated Sites*, Revised June 2016.
- No non-petroleum contaminants were comingled with the petroleum releases.
- The Site was excluded from further terrestrial ecological evaluation.
- The remedy selected removed all contaminated soil.

5. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards and points of compliance established for the Site. In 2017, a total of 3.69 tons of contaminated soil within the concrete lined trench along the western side of the shop building and the trench to the north of the hydraulic lift were disposed of off-Site. In 2009, contaminated soil from the first release was removed. Off-Site disposal of contaminated soils was handled by the PRS Group, Inc.

6. Public Comment Period.

Per section 3 (p. 10) of Ecology's opinion letter dated September 27, 2017, Gig Harbor Transmission is a ranked Site (3 – Moderate Risk). A minimum 30-day public comment period is required to allow public comment on this NFA letter.

7. Monitoring Well Decommissioning.

Once the public comment period is complete, resource protection (monitoring) wells¹⁴ associated with this Site no longer being used for their intended purpose must be properly decommissioned.¹⁵ Specific standards apply to decommissioning resource protection wells.¹⁶

Report the decommissioning of MW-1 to Ecology, including the VCP Site Manager. Ecology may revoke this no further action opinion determination if MW-1 is not properly decommissioned.

¹⁴ WAC 173-160-410

¹⁵ WAC 173-160-381

¹⁶ WAC 173-160-460

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion **does not**:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70.105D.040(4).

2. Opinion does not constitute a determination of substantial equivalence.

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you performed is substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

3. State is immune from liability.

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

Termination of Agreement

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing this project (#SW1590).

For more information about the VCP and the cleanup process, please visit our [Voluntary Cleanup Program web site](#).¹⁷ If you have any questions about this opinion, please contact me by phone at (360) 407-6265 or at tmul461@ecy.wa.gov.

Sincerely,



Tim Mullin, LHG
Southwest Regional Office
Toxics Cleanup Program

TCM: tam

By certified mail: 9489 0090 0027 6066 5563 27

cc: David Polivka, ECI
Stephen Spencer, ECI
Nick Acklam, Ecology (by email)
Mark Gordon, Ecology (by email)
Beth McKee, Ecology (by email)
Ecology Site File

¹⁷ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process/Cleanup-options/Voluntary-cleanup-program>



March 7, 2019

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