



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 17, 2014

D.E. Wickham
13013 Panorama Drive, No. 125
Fountain Hills, AZ 85268

RE: Contained-in determination for soils contaminated with listed dangerous waste constituents located at 608 North First Street, Tacoma, Washington. RCRA Site ID No. WAD027555184

References:

- (a) Request for contained-in determination from Alan Noell (Aspect Consulting) dated March 31, 2014 to Ava Edmonson (Ecology).
- (b) Request for contained-in determination from Alan Noell (Aspect Consulting) dated March 31, 2014 to Samuel Iwenofu (Ecology) received via electronic mail.

Dear Mr. Wickham:

The Washington State Department of Ecology (Ecology) received a Contained-in Determination request for approximately fifteen (15) tons of soil containing F001 listed dangerous waste constituents that would be generated from additional trenching at 608 North First Street (former Morrell's Dry Cleaner), Tacoma, Washington.

Analytical data for the contaminated soils and supplemental information were submitted to Ecology to determine if the soils contaminated with listed dangerous waste constituent should be managed as dangerous wastes according to the "Contained-In/Out Policy." Ecology understands that these specific soils do not designate under federal characteristics (WAC 173-303-090) or state-only criteria (WAC 173-303-100).

Based on the information received and reviewed, Ecology has determined that these soils are contaminated with listed dangerous waste constituent at concentrations that do not warrant management as dangerous wastes,¹ and Ecology will not require disposal of these soils as listed wastes at a RCRA permitted treatment, storage, and disposal (TSD) facility, provided all of the conditions below are implemented:

1. The contaminated soils should be kept completely covered and contained during transport and disposal. If the soil should be emptied directly into a truck or trailer, the delivery truck or railcar shall be plastic lined, and during transport, all loads must be covered to

¹ February 19, 1993 Ecology Contained-In Policy Memo

prevent wind dispersion. All other adequate measures shall be taken to prevent spills and dispersion due to wind or rain erosion. Measures shall also be taken to prevent unauthorized contact with these soils and groundwater at all times.

2. Directly deliver these soils to a permitted **RCRA Subtitle D** Waste Management Landfill in Arlington, Oregon, as proposed in your request. Please be aware that local solid waste agencies have the authority to impose additional requirements on solid waste streams.
3. The contaminated soils shall be placed directly in the landfill cell, and are not to be used for daily, intermediate, or final cover.
4. These contaminated soils shall not be sent to any incinerator, thermal desorption unit, or recycling facility unless that facility is a RCRA Subtitle C permitted hazardous waste TSD facility.
5. Copies of all bills of lading/weight (scale) tickets and signed solid waste landfill receipt records for these contaminated soils should be forwarded, **within 10 days of your receipt**, to Ecology's Southwest Regional Office, Attention: Samuel Iwenofu.

Ecology issued this determination based on the information provided and reviewed to date. This written decision does not apply to any other area or media. Additional contained-in determination requests would be required for on-going and future investigation and cleanup activities.

This letter is intended to only address the procedures for disposal of fifteen (15) tons of contaminated soil in accordance with Washington State's Dangerous Waste Regulations (Chapter 173-303 WAC). Regulatory decisions regarding the applicable soil and groundwater cleanup levels and appropriate exposure pathways will be addressed by project managers in Ecology's Toxics Cleanup Program.

Failure to comply with the terms of this letter may result in the issuance of an administrative order and/or penalty as provided by the Revised Code of Washington, Sections 70.105.080 and/or .095 (Hazardous Waste Management Act).

If you have questions regarding this letter, please feel free to contact Samuel Iwenofu of my staff at (360) 407-6346 or electronically at siwe461@ecy.wa.gov.

Sincerely,



Ava Edmonson, Section Manager
Hazardous Waste and Toxics Reduction Program
Southwest Regional Office

By Certified Mail:

91 7199 9991 7032 9243 8246

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cc: Central Files
Samuel Iwenofu, Department of Ecology
Eugene Radcliff, Department of Ecology
Dean Yasuda, Department of Ecology
Alan Noell, anoell@aspectconsulting.com
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