



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 5, 2012

Mr. Robert Barrett
BDM Investments, LLC
8045 Lakemont Drive NE
Seattle, WA 98115-5235

Re: No Further Action at the Following Site:

- **Site Name:** Barrett Hardware (United Fuel Co. Inc.)
- **Site Address:** 12230 Aurora Avenue North, Seattle
- **Facility/Site No.:** 64214334
- **VCP Project No.:** NW2482

Dear Mr. Barrett:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Barrett Hardware (United Fuel Co. Inc.) facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

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, Chapter 173-340 WAC (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 release:



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- Gasoline, diesel, and heavy oil range petroleum hydrocarbons into the Soil, and Ground Water.

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this Site are affected by other sites.

Basis for the Opinion

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

1. Independent Cleanup Action Report, dated May 16, 2012, prepared by The Riley Group, Inc.
2. Groundwater Monitoring Report 1st Quarter 2012, United Fuel Company (Barrett Hardware, dated March 30, 2012, prepared by The Riley Group, Inc.

Those documents are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. You can make an appointment by calling the NWRO resource contact at (425) 649-7235 or via email NWRO_Public_Request@ecy.wa.gov.

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

Analysis of the Cleanup

Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A**.

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.

MTCA Method A Soil Cleanup Levels for Unrestricted Land Uses (WAC 173-340-740, Table 740-1) and MTCA Method A Cleanup Levels for Ground Water (WAC 173-340-720, Table 720-1) were the selected cleanup standards for this Site.

The Standard Point of Compliance was established as throughout the Site.

3. Selection of cleanup action.

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

The selected cleanup action was excavation and off-site disposal of all contaminated soil, followed by quarterly groundwater compliance monitoring.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

Between May 9, 2011, and May 16, 2011, a total of 677.98 tons (approximately 484 cubic yards) of contaminated soil was excavated at the Site. Petroleum contaminated soil was encountered from approximately 15 feet bgs to approximately 24 feet bgs, generally confined within the glacial till underlying the Site.

Soil samples collected at the excavation limits confirmed that all the contaminated soil had been removed and that the remaining *in-situ* soils contained either non-detectable concentrations of the COCs or concentrations below the MTCA Method A Soil Cleanup Levels for Unrestricted Land Uses.

On May 19 and 20, 2011, three groundwater monitoring wells were constructed at the Site.

- Groundwater monitoring well MW-1 was located on the west side of the building adjacent to Aurora Avenue, in the inferred up gradient position on the Site.
- Groundwater monitoring well MW-2 was located on the east side of the building near the southeast corner of the Site.
- Groundwater monitoring well MW-3 was located near the northeast corner of the Site.

On May 26, 2011, MW-1, MW-2, and MW-3 were purged, and developed. Quarterly groundwater compliance monitoring was initiated at this time.

Based on the results of groundwater compliance monitoring which began on May 26, 2011, and ended on March 21, 2012, and the compliance soil samples collected from the excavation limits, Ecology has determined that No Further Action is required at this Site

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List and Leaking Underground Storage Tank 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.

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 Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (#NW2482).

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For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (425) 649-4446 or e-mail at damy461@ecy.wa.gov.

Sincerely,



Dale R. Myers
Site Manager
Toxics Cleanup Program

Enclosures (1): A – Description and Diagrams of the Site

cc: Mr. Frederick Becker, The Riley Group
Dolores Mitchell, VCP Financial Manager, Ecology

Enclosure A

Description and Diagrams of the Site

The Barrett Hardware property (hereafter referred to as the Site) consists of approximately 5.5 acres located on the east side of Aurora Avenue North, Seattle, King County, WA (Figure 1). The Site, King County tax identification number 3026049088, contains a two-story commercial building that originally contained Barrett Hardware (1955 to 1979); Barrett Brothers Fuel Company (1956 to 1979) and United Fuel Company (1979 to 1985). Various retail businesses occupied the Site from 1985 until January 2011.

The Site was developed with a home heating oil business for approximately 30 years, from 1956 to approximately 1985. The heating oil business operated three underground storage tanks (USTs), a 3,000-, a 10,000-, and a 12,000-gallon-capacity, single-wall steel tank. The 3,000-gallon heating oil UST was converted to gasoline storage in the 1960s. The three USTs were removed in February 1990.

- The Site contained an approximately 55-year-old, 300-gallon heating oil UST.
- Fuel delivery truck maintenance was reportedly performed on the Site.
- An auto mechanic and a motor cycle shop operated at the Site for a brief period of time.

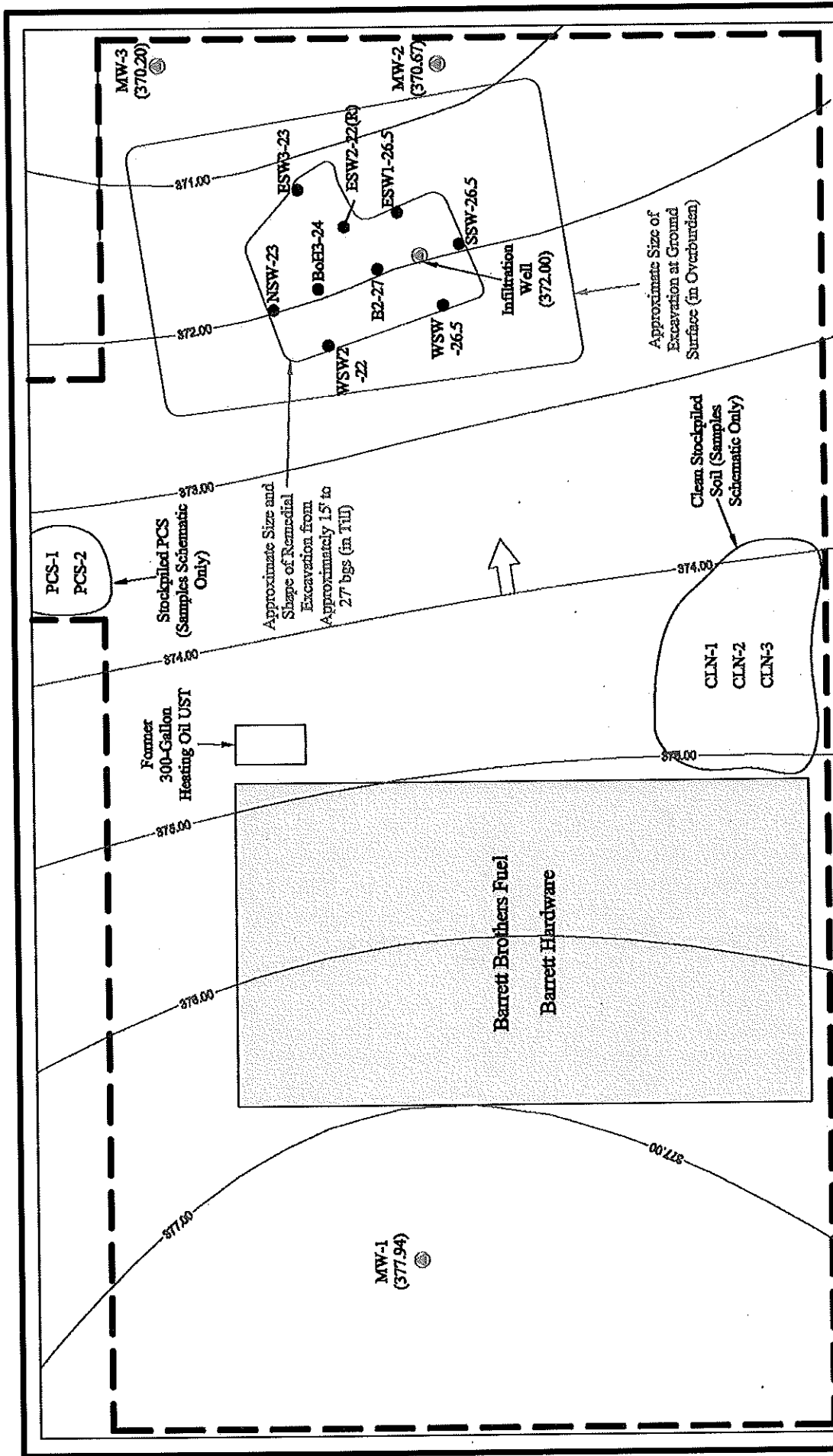
PETROLEUM-CONTAMINATED SOILS (PCS)

PCS was encountered from approximately 15 feet bgs to approximately 24 feet bgs, and was generally confined within the glacial till.

GROUNDWATER

During the excavation activities at the Site, groundwater was encountered at an approximate depth of 27 feet bgs. Depth to groundwater in the monitoring wells ranged from 25 to 37 feet bgs.

Site Diagrams



--(377.00)-- = Groundwater contours generated using Surfer Software (based on Kriging method).
 Contours based on May 26, 2011 water level measurements.

- ⇐ = Groundwater Flow Direction
- ⊙ = Groundwater Monitoring Well Location by RGI 05/19/11
- = Confirmation Soil Sample Location
- (R) = Removed



The Riley Group, Inc.		Barrett Hardware		Figure 3	
17522 Bothell Way Northeast, Suite A Bothell, Washington 98011 Phone: 425.415.0551 ♦ Fax: 425.415.0311		RGI Project Number	Remedial Excavation	Date Drawn:	05/2012
		2011-087C		Address: 12230 Aurora Avenue North, Seattle, Washington 98133	

