STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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October 23, 2019

Gary Watters
South Monroe, LLC
8210 NE 166th Street
Bothell, WA 98028

Re: Further Action at the following Site:

- **Site Name:** Independent Metals Storage Lot
- **Site Address:** 703 S. Monroe Street, Seattle 98108
- **Facility/Site No.:** 21489
- **Cleanup Site ID No.:** 12299
- **VCP Project No.:** NW3223

Dear Gary Watters:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Former Express Dry Cleaners 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

Ecology has determined that 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(s):

- Arsenic in Groundwater.
- Polycyclic Biphenyls (PCBs) in Stormwater (potentially in Soil & Groundwater).
- Chromium & Lead (potentially) in Soil & Groundwater.

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 documents listed below. These 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 sending an email to nwro_public_request@ecy.wa.gov.

- Pacific Crest Environmental (Pacific Crest). *Plant One & Storage Yard Environmental Assessment.* November 2017.
- GO Spectrum Northwest (GO Spectrum). *Phase II Environmental Site Assessment (PHII) Commercial Property – 703 Monroe Street, Seattle, Washington 98109 Final Report.* September 2018.
- GO Spectrum. *Background Information.* February 2019.

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 **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 not sufficient to establish Cleanup Standards and select a cleanup action. The Site is described above and in detail in Enclosure A.

Characterization Activities:

Previous characterization activities are described in detail in Enclosure A. Characterization activities that have commenced to date are described below:

- In January 2012, Seattle Public Utilities (SPU) collected a sample of stormwater runoff originating from the Site (Plant One Storage Yard). SPU indicated that stormwater exhibited a visible sheen.
-

The source of the sheen was reportedly an open container exposed to precipitation, leaching metals and PCB-laden water into the Seattle municipal separate storm sewer system (MS4), along 7th Avenue (Pacific Crest, November 2017).

- In 2013, Independent Metals implemented operational and structural Best Management Practices (BMPs), comprising of a soil berm along the north, west, & south parcel boundaries, as well as a fabric-lined trench along the 7th Avenue right-of-way (ROW).
- In June 2015, Pacific Crest conducted a PHII, including the advancement of three soil borings to a maximum depth of 28-feet below ground surface (bgs). Soil and groundwater samples collected during this PHII did not exhibit any contaminants of concern (CoCs) above the respective MTCA Cleanup Levels (CULs) or laboratory method detection limits (MDLs). The location of these borings is illustrated in Figure 2, (Pacific Crest, November 2017).
- In September 2018, GO Spectrum advanced an additional three soil borings to approximately 20-feet bgs. GO Spectrum reportedly encountered groundwater under unconfined, perched conditions at approximately 6.5-feet bgs. The only CoC detected above the respective CUL was Arsenic in groundwater, with concentrations ranging between 11 to 56 micrograms per liter (µg/L).

GO Spectrum recommended an additional three monitoring wells (MWs) to further characterize the Site.

In summary, on-Site soil & groundwater require further characterization. Follow-up stormwater sampling is recommended as well (see *Comments Section* below).

Exposure Pathways:

Soil-Direct Contact:
This pathway appears *incomplete*. In the event further soil sampling exhibits CoCs at depths less than 15-feet bgs, this pathway will be deemed complete.

Soil-Leaching:
This pathway is *potentially-complete*. Arsenic has not been detected in soil above the applicable MTCA CULs, however, groundwater Arsenic concentrations are above the respective CULs.

Soil-Vapor:
This pathway is *incomplete*. No structures or volatile constituents have been detected.

Groundwater:
This pathway is *complete*. As indicated above and in detail in Enclosure A, Arsenic is present ion groundwater above the respective CULs.

Surface Water:
This pathway is *complete*. PCBs have historically been detected in stormwater and in sediment extracted from a down-gradient catch basin, located in the 7th Avenue ROW.

Ecological:
This pathway is *incomplete*. A Terrestrial Ecological Evaluation (TEE) was completed. This Site is adjacent to the Duwamish Waterway Superfund Site.

Based on a review of the above-listed reports and investigations, Ecology has the following comments:

1. Ecology concurs with the selected cleanup actions present by GO Spectrum in the *Phase Two Environmental Site Assessment* (September 21, 2018).
    - Install, develop, & sample an additional three MWs.

2. Ecology requests an additional round of stormwater sampling to demonstrate that stormwater is not impacted with CoCs. Sampling should be conducted during significant precipitation events, where sheet-flow runoff can be effectively sampled.

3. In accordance with WAC 173-340-840(5) and Ecology Toxics Cleanup Program Policy 840 (Data Submittal Requirements), data generated for Independent Remedial Actions shall be submitted in both a written and electronic format. For additional information regarding electronic format requirements, see the website http://www.ecy.wa.gov/eim. *Data must be submitted to Ecology in this format for Ecology to issue a No Further Action determination.* Please be sure to submit all soil and groundwater data collected to date, as well as any future data, in this format.

2. Establishment of Cleanup Standards.

Ecology has determined the cleanup levels and points of compliance (POCs) you established for the Site meet the substantive requirements of MTCA.

The Groundwater MTCA Method A CUL is:

Arsenic	5 µg/L

Based on the conceptual Site model (CSM), Ecology determined the following POCs apply to the Site:

Soil - Direct Contact: For soil CULs based on human exposure via direct contact, the point of compliance is: "*...throughout the Site from ground surface to 15-feet below the ground surface.*"

Soil - Leaching: For Sites where soil CULs are based on the protection of groundwater: "*...the point of compliance is throughout the Site.*"

Groundwater: For groundwater, the standard POC as established under WAC 173-340-720(8) is: "*...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.*"

3. Selection of Cleanup Action.

Ecology has determined the cleanup action you selected for the Site does not meet the substantive requirements of MTCA, as the Site requires further characterization.

4. Cleanup.

Ecology has determined the cleanup actions do not meet Cleanup Standards at this time, as the Site requires further characterization.

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).

Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

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, please contact me by phone at (360) 407-6834 or e-mail at jason.cook@ecy.wa.gov.

Sincerely,

J.G. Cook, LG
Headquarters - Toxics Cleanup Program

JGC: AF

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

cc: Miguel Ortega
Sonia Fernandez, Ecology
Sandra Caldwell, Ecology

Enclosure A

Description and Diagrams of the Site

Site Description

Site:
The Site is located at 703 South Monroe Street Seattle, Washington 98108. The Site is comprised of three King County Parcels, (nos. 732790-1445, -1465, & -1475), totaling 0.45-acre.

The Site is located within a mixed-use industrial, commercial, & residential area in South Seattle. The Site is zoned *IB-U/45 - Industrial Buffer*, which provides a transitional area/zone between residential and industrial properties.

Property Historical and Current Use:
Currently, the Site is unimproved and gravel-covered. The Site is currently used as a storage and staging area for gravel & soil material (GO Spectrum, September 2018).

The Site has been used as a scrap-metal recycling facility since 1991 until 2014. Site usage prior to 1991 was not disclosed in the information provided to Ecology.

Surface/Storm Water System:
No surface water features are located on the Site. The Duwamish Waterway is located approximately 0.15-mile to the east of the Site.

Stormwater is conveyed to the municipal separate storm sewer system operated and maintained under the NPDES Phase One Municipal Stormwater Permit for the City of Seattle.

Soils and Geology:
The Site and much of the Puget Sound Region is underlain by alluvial Quaternary sediments deposited during multiple glacial episodes. The sediments consist of interlayered alluvial clays, silts, sands, & gravels. These alluvial sediments are typically situated over glacial till, primarily comprised of consolidated silts, sands & gravels.

Soils encountered at the Site generally consist of soft, grey Silt to Silty-Sand extending to approximately 6-feet below ground surface (bgs). Below this layer is a high plasticity, organic-rich clay to the maximum depth explored of approximately 20-fet bgs (GO Spectrum, September 2018).

Groundwater:
Groundwater at the Site is encountered at approximately 6.5-feet bgs (GO Spectrum, September 2018), and is under unconfined perched conditions. The groundwater flow direction is relatively flat, with a slight topographic gradient towards the west (GO Spectrum, September 2018).

Source of Contamination & Contamination Extent:
The primary source of contamination is reportedly from a release(s) originating from improper storage of scrap metals, specifically exposure to stormwater runoff and consequent impact to the MS4 along 7th Avenue, sediment in the adjacent, down-gradient catch basin, and to underlying

soil & groundwater (Pacific Crest, November 2017).

In January 2012, Seattle Public Utilities (SPU) as part of their mandated source control program, sampled stormwater runoff from the Site as well as catch basin sediment along the down-gradient MS4, owned and maintained by SPU. Stormwater reportedly exhibited a concentration of PCBs at a concentration of 7.2 µg/L and 0.067 milligrams per kilogram (mg/Kg) in sediment (dry weight). In addition, a petroleum sheen was visible discharging from the Site via sheet flow runoff, into the MS4.

The source of the PCBs and visible sheen was reportedly from an open container receiving precipitation, consequently conveying dissolved CoCs into the MS4. Upon receipt of the stormwater violation, Independent Metals implemented an operational BMPs by removing the metal container and agreement to not openly store metal containers (Pacific Crest, November 2017). Subsequent stormwater sampling conducted by SPU in 2013 exhibited PCB detections at 1.15 µg/L. Stormwater has allegedly not been sampled since 2013.

In 2013, Independent Metals constructed a structural BMP comprising of a soil berm along the north, west, & south parcel boundaries. In addition, a fabric-lined trench filled with quarry-spalls was constructed along the 7th Avenue ROW.

No additional stormwater BMPs have allegedly been implemented on the Site (Plant One Storage Lot).

In June 2015, Pacific Crest advanced three soil borings on the Site (Plant Once Storage Lot). Temporary well points were established in two of the three soil borings. Pacific Crest reportedly did not detect CoCs above the respective MTCA CULs in any of the soil and groundwater samples (Pacific Crest, November 2017). Locations of these soil borings are depicted in Figure 2.

In September 2018, GO Spectrum advanced three soil borings to approximately 20-feet bgs. The location of the borings is depicted in Figure 3. GO Spectrum encountered groundwater at approximately 6.5-feet bgs in all three borings. Groundwater is under unconfined, perched conditions. GO Spectrum asserts the groundwater flow direction and gradient are relatively flat, with a slight topographic slope to the west. The only CoC exhibiting detections above the respective CUL is Arsenic in groundwater. Arsenic concentrations ranged from 11 to 56 µg/L, above the applicable CUL of 5 µg/L (GO Spectrum, September 2018). GO Spectrum postulated the source of arsenic originated from leached metals exposed to stormwater runoff, which consequently infiltrated into the subsurface. Independent Metals reportedly implemented structural and operational BMPs in an effort to decrease or eliminate metals contamination sources. Stormwater has not been sampled since 2013 (GO Spectrum, September 2018).

GO Spectrum has indicated an additional three MWs are necessary to definitively characterize the Site. In addition, Ecology is requesting an additional stormwater sample, to verify the effectiveness of the aforementioned BMPs.

Site Diagrams

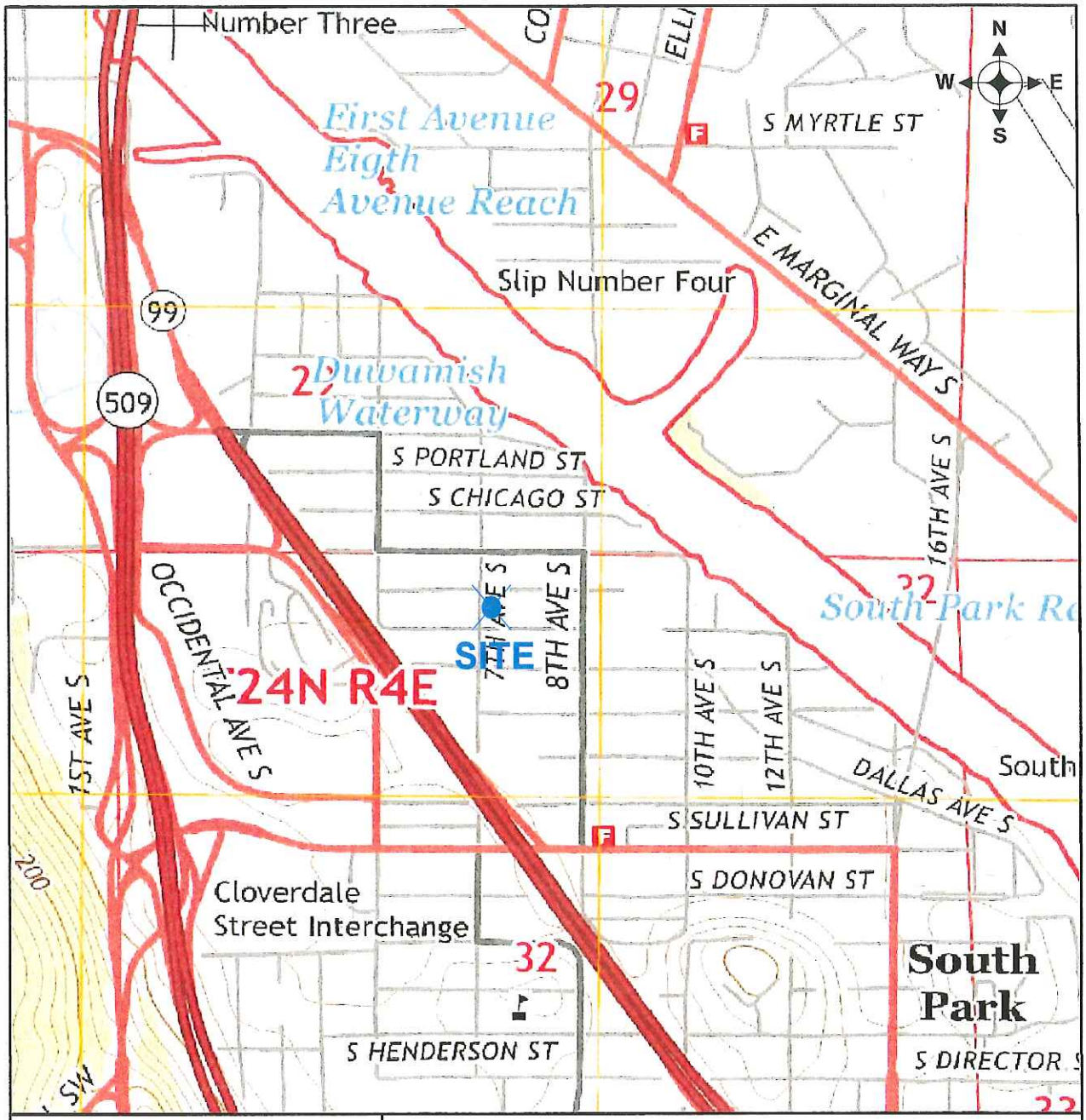


FIGURE 1

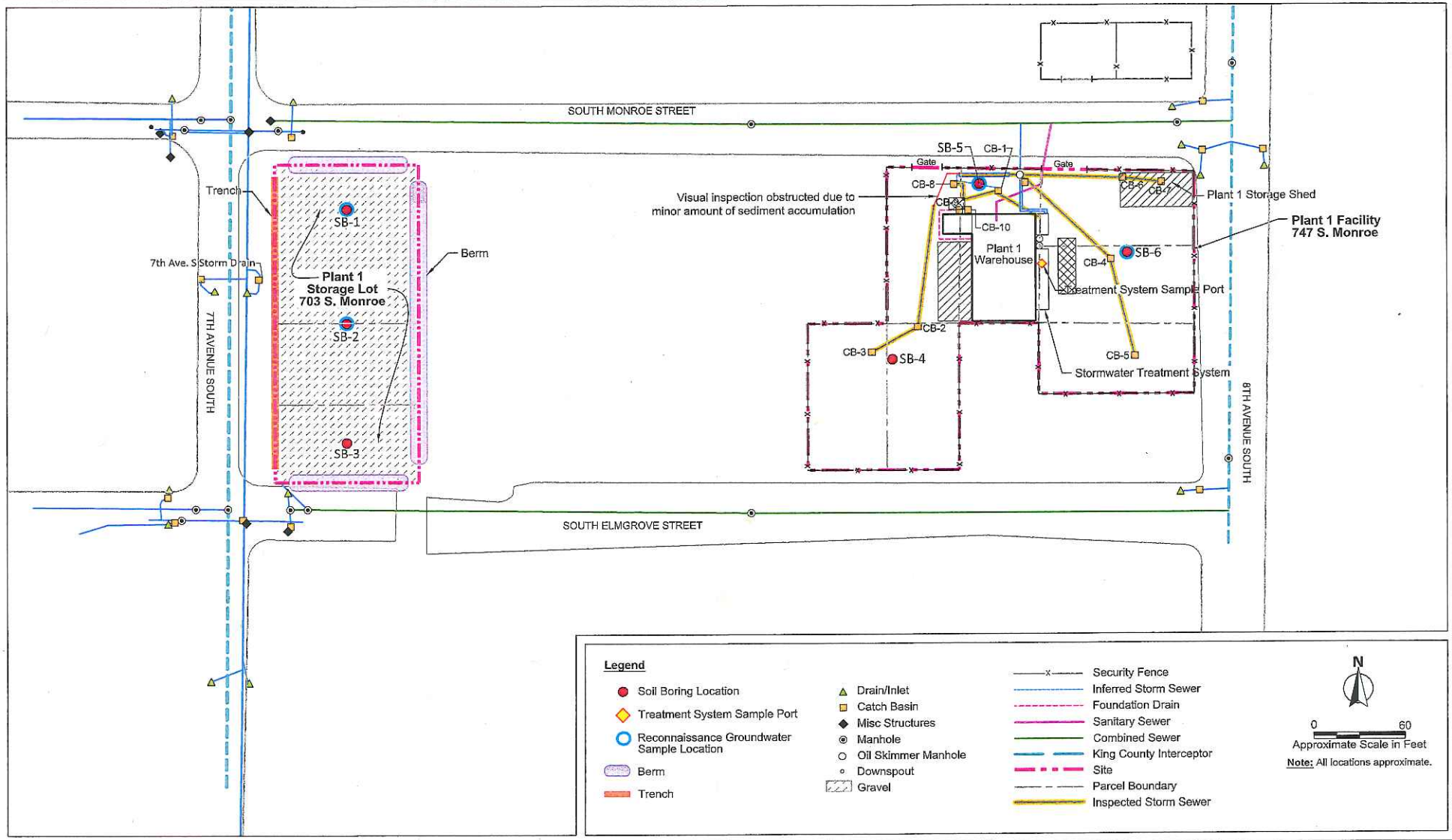
639 WEALTH TRUST
PHASE II ENVIRONMENTAL SITE ASSESSMENT
COMMERCIAL PROPERTY
703 SOUTH MONROE STREET
SEATTLE, WASHINGTON 98109
FINAL REPORT

SITE LOCATION MAP

Seattle South, Washington
USGS 7.5 Minute Quadrangle
2014

GO Spectrum NW, LLC

September 2018



11/9/2017 105-017-021.dwg Fig 2

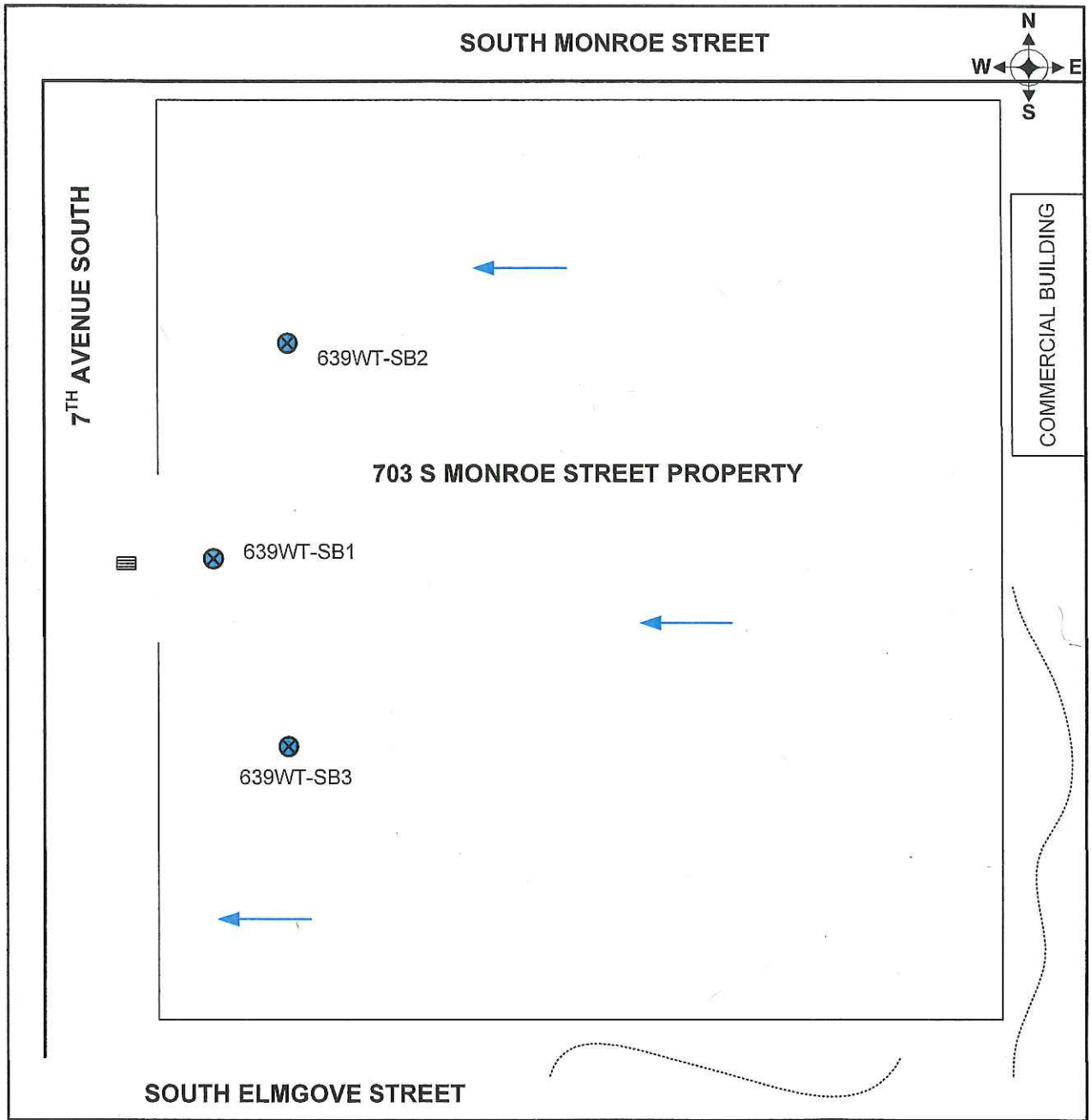
PACIFIC CREST ENVIRONMENTAL
WWW.PCENV.COM 425-888-4990

Independent Metals Company
Seattle, Washington

PN: 105-017

Figure 2

Site Plan with Boring and Sampling Locations



EXPLANATION

- BORING LOCATION
  639WT-SB3
- CATCH BASIN
- SHRUBBERY
- INTERPRETED GROUND WATER FLOW DIRECTION

NOT TO SCALE

FIGURE 3

639 WEALTH TRUST
PHASE II ENVIRONMENTAL SITE ASSESSMENT
703 SOUTH MONROE STREET
SEATTLE, WASHINGTON 98109
FINAL REPORT

SITE PLOT PLAN

GO Spectrum NW, LLC	September 2018