



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

August 27, 2007

Mr. James Bullard
6832 34th Avenue NE
Seattle, WA 98115

**Re: No Further Action Determination under WAC 173-340-515(5) for the following
Hazardous Waste Site:**

- Name: Bullard Property
- Address: 6832 34th Avenue NE, Seattle, WA 98115
- Facility/Site No.: 95777
- VCP No.: NW1482

Dear Mr. Bullard:

Thank you for submitting your independent remedial action report for the Bullard Property facility (Site) for review by the State of Washington Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

1. July 20, 2007, *Environmental Covenant*, recorded at King County Records Office



Mr. James Bullard
August 27, 2007
Page 2 of 3

2. November 22, 2006, *Independent Remedial Action Letter Report, Underground Heating Oil Storage Tank Release, 6832 34th Avenue NE, Seattle, Washington*, The Riley Group Inc.
3. November 14, 2005, *Further Action Determination for the Bullard Property*, Washington State Department of Ecology, Toxics Cleanup Program
4. November 7, 2005, *Bullard Residence Remediation*, letter to Ecology from Hanson Baker Ludlow Drumheller P.S.
5. November 7, 2005, *Bullard Residence Remediation*, letter to The Riley Group, Inc. from Hanson Baker Ludlow Drumheller P.S.
6. November 4, 2005, *Bullard Residence*, letter to Ecology from Johannessen & Associates, P.S.
7. November 4, 2005, *Review of Data and Status of Remedial Action, 6832 34th Avenue N.E., Seattle, Washington*, Environmental Partners Inc
8. June 17, 2005, *Revised Proposal for Site Remediation*, The Riley Group Inc.
9. March 4, 2004, *Remediation of Soil/Groundwater Workplan*, Sound Environmental Strategies
10. January 24, 2004, *Phase Two Environmental Site Investigation, Bullard Residence*, Sound Environmental Strategies

The documents listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact, Sally Perkins, at 425-649-7190.

The Site is defined by the extent of contamination caused by the following release(s):

- Heating Oil in Soil

The Site is more particularly described in Enclosure A to this letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) conducted at the Site are sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for**

Mr. James Bullard
August 27, 2007
Page 3 of 3

characterizing and addressing the contamination at the Site. Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **no further remedial action is necessary** at the Site under MTCA.

This opinion is based on the continued effectiveness of the institutional control(s) required as part of the cleanup action for the Site under WAC 173-340-440. A copy of the Environmental Covenant(s) filed for any property as part of the cleanup action for the Site is enclosed with this letter as Enclosure B. If any portion of any Environmental Covenant is violated, then this opinion will automatically be rendered null and void and further remedial action may be required at the Site.

Based on this no further action determination, Ecology will update the status of the Site on its site database and remove the Site from the Confirmed and Suspected Contaminated Sites List.

This no further action determination does not apply to any other release(s) or potential release(s) of contaminant(s) that may impact any other portion of any property impacted by this Site, or any other property owned or operated by James Bullard and Molly Bullard.

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void and further remedial action may be required at the Site.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in successfully completing cleanup under the VCP. If you have any questions regarding this opinion, please contact me at 425-649-7107.

Sincerely,



Mark Adams
Toxics Cleanup Program

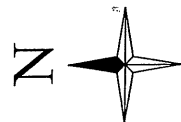
ma/nr

Enclosures: A – Site Map
B – Environmental Covenant

cc: Kim Johannessen, Johannessen & Associates, PS

A

APPROXIMATE BOUNDARY
OF MTCA SITE



Scale: $1'' = 5'$

9

Confirmation soil sample locations September and December 2005;

Soil boring locations advanced by
Riley on October 10, 2005.

Basement excavation limits December 2005.

cal results given in ug/g (ppm).



The Riley Group, Inc.

**17522 BOTHELL WAY NE
BOTHELL, WASHINGTON 98011**

Project #2005-126

Date Drawn: 02/24/06

Site Address: 6832 - 34th Avenue Northeast, Seattle, Washington