



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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April 30, 2015

MR. ROBERT STOWE  
CITY OF BOTHELL  
18305 101<sup>ST</sup> AVENUE NE  
BOTHELL, WA 98011

**Re: Opinion pursuant to WAC 173-340-515(5) on Proposed Remedial Action for the following Hazardous Waste Site:**

- **Name:** NSD Property Former
- **Property Address:** 9800 NE 185<sup>th</sup> Street, Bothell, Washington
- **Facility/Site No.:** 95211555
- **VCP Project No.:** NW2943
- **Cleanup Site ID No.:** 4385

Dear Mr. Stowe:

Thank you for submitting documents regarding your proposed remedial action for the **NSD Property Former** facility (Site) for review by the Washington State 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 a review of submitted documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following releases at the Site:

- Petroleum hydrocarbons in the gasoline (TPH-G), diesel (TPH-D) and heavy oil (TPH-O) ranges, benzene, toluene, ethylbenzene and xylenes (BTEX) into the Soil and the Ground Water

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 your proposed remedial actions:

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

1. HWA Geosciences Inc., 2014. *Block O South Parcel Soil Cleanup, Bothell, Washington*. November 25.
2. HWA Geosciences Inc., 2013. *Soil and Ground Water Sampling, Parcel O Downtown Bothell Development Site, Bothell, Washington*. April 19.
3. HWA Geosciences Inc., 2013. *Soil and Ground Water Sampling, Parcel O Downtown Bothell Development Site, Bothell, Washington*. February 27.
4. SCS Engineers, 2012, *Results of Phase II Environmental Assessment (ESA) of Parcel O, Northshore Downtown Bothell Development, Bothell, Washington*. May 3.
5. HWA Geosciences Inc., 2011. *Documentation of Soil Cleanup at Former Northshore School District Transportation Facility, Bothell, Washington*. February 24.
6. Parametrix, 2010. *Northshore School District Bus Barn Site, Feasibility Study, Revision No. 2*. May.
7. GeoEngineers, Inc., 2008, *Underground Storage Tank Removal Monitoring Report, Ricketts Administration Building, Ecology TCP I.D. No. 1742, Bothell, Washington*. September 23.
8. GeoEngineers, Inc., 2008, *June-August 2008 Supplemental Investigation Report, Northshore Downtown Bothell Properties, Bothell, Washington*. September 23.
9. GeoEngineers, Inc., 2008, *Groundwater Assessment Report, November 2007 and February 2008, Northshore Downtown Bothell Properties, Bothell, Washington*. April 15.
10. GeoEngineers, Inc., 2007, *Remedial Investigation, Northshore Downtown Bothell Properties, Bothell, Washington*. December 14.
11. GeoEngineers, Inc., 2007, *Remedial Investigation Work Plan, Northshore Downtown Bothell Properties, Bothell, Washington*. March 22.
12. GeoEngineers, Inc., 2006, *Phase II Environmental Site Assessment, Northshore Downtown Bothell Properties, Bothell, Washington*. July 28.

13. GeoEngineers, Inc., 2006, *Draft Phase 2 Environmental Site Assessment, Northshore Downtown Bothell Properties, Bothell, Washington*. January 24.
14. Shockey Brent, Inc., 2006, *Environmental Site Assessment, Northshore Downtown Properties, Bothell, Washington*.

The reports 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 at (425) 649-7235 or sending an email to: [nwro\\_public\\_request@ecy.wa.gov](mailto:nwro_public_request@ecy.wa.gov).

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

The Site is defined by the extent of contamination caused by the following releases:

- TPH-G, TPH-D, TPH-O and BTEX into the Soil and Ground Water

Based on a review of supporting documentation listed above, pursuant to **requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the releases at the Site, Ecology has determined:**

- Approximately 3,164 tons of petroleum-contaminated soil were removed from four areas of the south portion of Parcel O (Property) in 2014. All soil confirmation samples contained TPH-G, TPH-D, TPH-O and BTEX at concentrations below MTCA Method A cleanup levels. To promote insitu ground water cleanup, approximately 1,800 pounds of an oxygen release compound (ORC) were placed in four areas including:
  - Between monitoring wells MW-04 and CMW-1
  - PrcIO-MW3 area
  - Northwest of MW-04 excavation
  - Sidewalls and bottom of the south Property boundary excavation.
- The 2014 soil cleanup report concludes that the remaining issue on the Property is ground water monitoring to evaluate and confirm post-cleanup compliance. Ecology concurs with this conclusion but notes that three monitoring wells (PrcIO-MW3, MW-04 and PrcIO-MW1) on the Property were decommissioned during the cleanup. The report does not indicate if these wells will be replaced or provide a description of the post-remediation ground water monitoring network. A ground water monitoring plan is needed describing which wells will be sampled and the intended analyses.

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- A minimum of four quarters of ground water monitoring data below MTCA cleanup levels are needed for the Site or the Property to be considered for a No Further Action determination.

**This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action.** To obtain either of these opinions, you must submit appropriate documentation to Ecology and request such an opinion under the VCP. **This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.**

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.

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 conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me by phone at (425) 649-7064 or by e-mail at [hvic461@ecy.wa.gov](mailto:hvic461@ecy.wa.gov).

Sincerely,



Heather Vick, LHg  
NWRO Toxics Cleanup Program

cc: Arnie Sugar, HWA GeoSciences, Inc.  
Sonia Fernandez, VCP Coordinator, Ecology