



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

October 2, 2006

Ms. Shannon Dunn
Blasland, Bouck & Lee, Inc.
2300 Eastlake Avenue East, Suite 100
Seattle, WA 98102

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

- Name: Former Proliance Facility
- Address: 115 South Dawson Street, Seattle, WA
- Facility/Site No.: 91919568
- VCP No.: NW 1549

Dear Ms. Dunn:

Thank you for submitting your independent remedial action report for the Former Proliance 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. Groundwater Investigation Report, Former Proliance Facility, 115 South Dawson Street, Seattle, Washington, prepared by Blasland, Bouck & Lee and dated September 14, 2006.

The document listed above will be kept in the Central Files of the Northwest Regional Office of

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Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7190.

Ecology issued a partial sufficiency and further action letter dated May 23, 2006 for the Site. Ecology determined at that time that the independent remedial actions performed at the Site were sufficient for addressing soil contamination. However, groundwater sampling was necessary to evaluate whether there was any potential impact on groundwater. Two monitoring wells were installed in July 2006 and groundwater sampling was conducted in August 2006. Sampling results indicated that lead was not detected in groundwater, and the concentrations of copper and zinc were below cleanup levels. Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial actions 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 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.

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 at (425) 649-4310.

Sincerely,



Jing Liu
NWRO, Toxics Cleanup Program