



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000
711 for Washington Relay Service • Persons with a speech disability can call (877) 833-6341*

April 30, 2020

Nick Lenington
Bellevue Investors, LLC
505 5th Avenue South, Suite 900
Seattle, WA 98104

**Re: Contained-In Determination for F002 Contaminated Soils at the Bellevue Plaza
Property in Bellevue, Washington (WAH000053277)**

Reference: 1. Electronic Mail and Attachment from Joe Rounds (Farallon Consulting) to B. Maeng (Ecology), dated February 24, 2020
2. Electronic Mail and Attachments from Riley Conkin (Farallon Consulting) to D. Yasuda (Ecology), dated March 26, 2020

Dear Nick Lenington:

The Washington State Department of Ecology (Ecology) received a contained-in determination request from your environmental consultant, Farallon Consulting for specific F002 listed waste perchloroethylene contaminated soils to be excavated during utility removal and upgrade activities on the western portion of the property at 117 106th Avenue Northeast in Bellevue, Washington.

Analytical data were submitted to Ecology to determine if these soils contaminated with F002 listed dangerous waste constituents may be exempt from management as dangerous wastes per the "Contained-In Policy"¹. Ecology understands that these contaminated soils do not designate under federal characteristics (WAC 173-303-090) or State-only criteria (WAC 173-303-100).

Based on the information received and reviewed, Ecology has determined that the **3,800 tons** of perchloroethylene (PCE) contaminated soils to be excavated (**attached figure C0-400**) during utility upgrade activities are contaminated with F002 listed dangerous waste constituents (PCE) at concentrations that do not warrant management as dangerous wastes. Ecology will not require disposal of these **3,800 tons** of PCE contaminated soils as F002 listed dangerous wastes at a RCRA permitted dangerous waste treatment, storage and disposal (TSD) facility, provided that all of the following conditions are implemented. This contained-in determination applies only to the contaminated soils, and does not pertain to contaminated water or any mixture of contaminated soils and drilling fluids.

¹ Washington State Department of Ecology Contained-in Policy, dated February 19, 1993

You or your environmental consultant, Farallon Consulting shall:

- Ensure that no standing water is present within the containers or trucks holding the contaminated soils. All water must be removed to the maximum extent possible from each container or truck and managed as F002 dangerous wastes or as otherwise allowed under Chapter 173-303 WAC. Adding bentonite or similar materials to absorb standing F002 listed waste contaminated water in the containers is not allowed. Mixtures of bentonite or similar materials and the listed waste contaminated water must be managed as F002 listed dangerous wastes;
- Directly deliver the soils to a solid waste landfill permitted under Chapter 173-351 WAC inside Washington State. If you plan to deliver the contaminated soils to a landfill outside Washington State, you must FIRST submit to Ecology written approval for the contaminated soil disposal from the State hazardous waste program and the out of state landfill, **before** the soils are delivered to the out of state landfill. No off-loading of the contaminated soils is allowed between the cleanup site and the permitted solid waste landfill;
- If you load the contaminated soils directly onto the truck bed or the contaminated soils are transported in roll-off bins, the truck or the roll-off bins must be lined with plastic and properly covered to prevent leaks, spills or dispersion due to wind.
- Dispose of the contaminated soils at the permitted solid waste landfill by July 30, 2020. This contained-in determination letter is no longer valid after July 30, 2020 and the contaminated soils shall be managed as dangerous wastes after this date;
- Provide copies of all signed solid waste landfill receipts or a certificate of disposal issued by the receiving landfill for these contaminated soils to Ecology, attention of Dean Yasuda, by August 17, 2020. This is an important verification step for you and your consultant to follow in order for this Ecology decision to be valid;
- Do not consolidate these contaminated soils with other soils that do not pertain to this contained-in determination;
- Notify Ecology before disposal of the contaminated soil if the amount exceeds the approved amount in this letter. Ecology needs to make sure that the additional soil qualifies for this contained-in determination;
- Ensure that the transporter is properly trained to handle hazardous waste so that the transporter manages the contained-in determination soils during transport in a manner that is protective of human health and the environment;
- Take measures to prevent unauthorized contact with these contaminated soils at all times;
- Provide instructions to the landfill operator that these soils are **not** to be used for daily, intermediate, or final cover;
- Provide copies of all soil analytical data to the landfill operator, upon request; and

- Do not send these contaminated soils to any incinerator, thermal desorption unit or recycling facility unless that facility is a RCRA Subtitle C permitted dangerous waste TSD facility.

Ecology issued this determination based on the information provided and reviewed to date. This Ecology determination will be rescinded if Ecology finds that the information submitted by the property owner or its environmental consultant is materially false, misleading, otherwise does not accurately represent the site conditions, or if the Ecology requirements listed above are not followed.

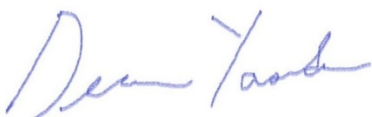
This written decision only applies to the **3,800 tons** of specified PCE contaminated soils to be generated during excavation activities from areas described in your request (reference 1). It does not apply to any other media. Any data used for this contained-in determination is intended for use in determining the proper disposal of the above stated PCE contaminated soil according to the Washington State Dangerous Waste Regulations (Chapter 173-30 WAC) and Ecology Contained-in Policy. This letter is not an Ecology approval for dangerous waste designation or disposal of contaminated soils that may be generated or already excavated from other areas in this property.

This letter is not a No Further Action (NFA) letter and not written approval for any cleanup action plan you may have submitted. Instead, this letter only addresses the procedures for disposal of the contaminated soils according to the Washington State Dangerous Waste Regulations (Chapter 173-303 WAC). Regulatory decisions regarding the cleanup action, applicable soil and groundwater cleanup levels and any other cleanup issues must comply with the requirements under Ecology Model Toxics Control Act (Chapter 173-340 WAC). Local agencies may have the authority to impose additional requirements on this waste stream.

If you fail to comply with the terms of this letter, Ecology may issue an administrative order and/or penalty as provided by the Revised Code of Washington, Sections 70.105.080 and/or .095 (Hazardous Waste Management Act).

If you have any questions concerning this letter, please contact me at (425) 649-7264 or dya461@ecy.wa.gov.

Sincerely,



Dean Yasuda, PE
Hazardous Waste and Toxics Reduction Program

Sent by Certified Mail: 9171 9690 0935 0232 6491 11

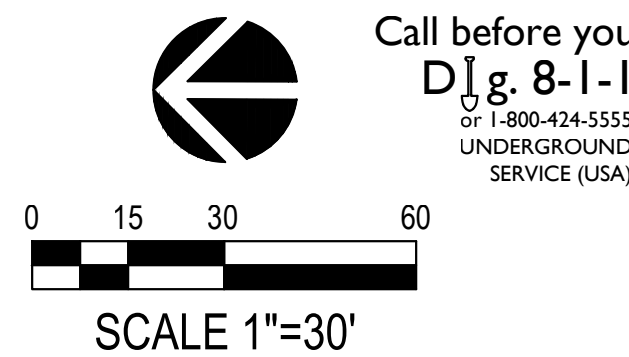
ecc: Eyasu Ayalew, Seattle-King County Public Health, eyalew@kingcounty.gov
Darshan Dhillon, Seattle-King County Public Health, darshan.dhillon@kingcounty.gov
Riley Conkin, Farallon Consulting, LLC
Greg Caron, Ecology

Nick Lenington

April 30, 2020

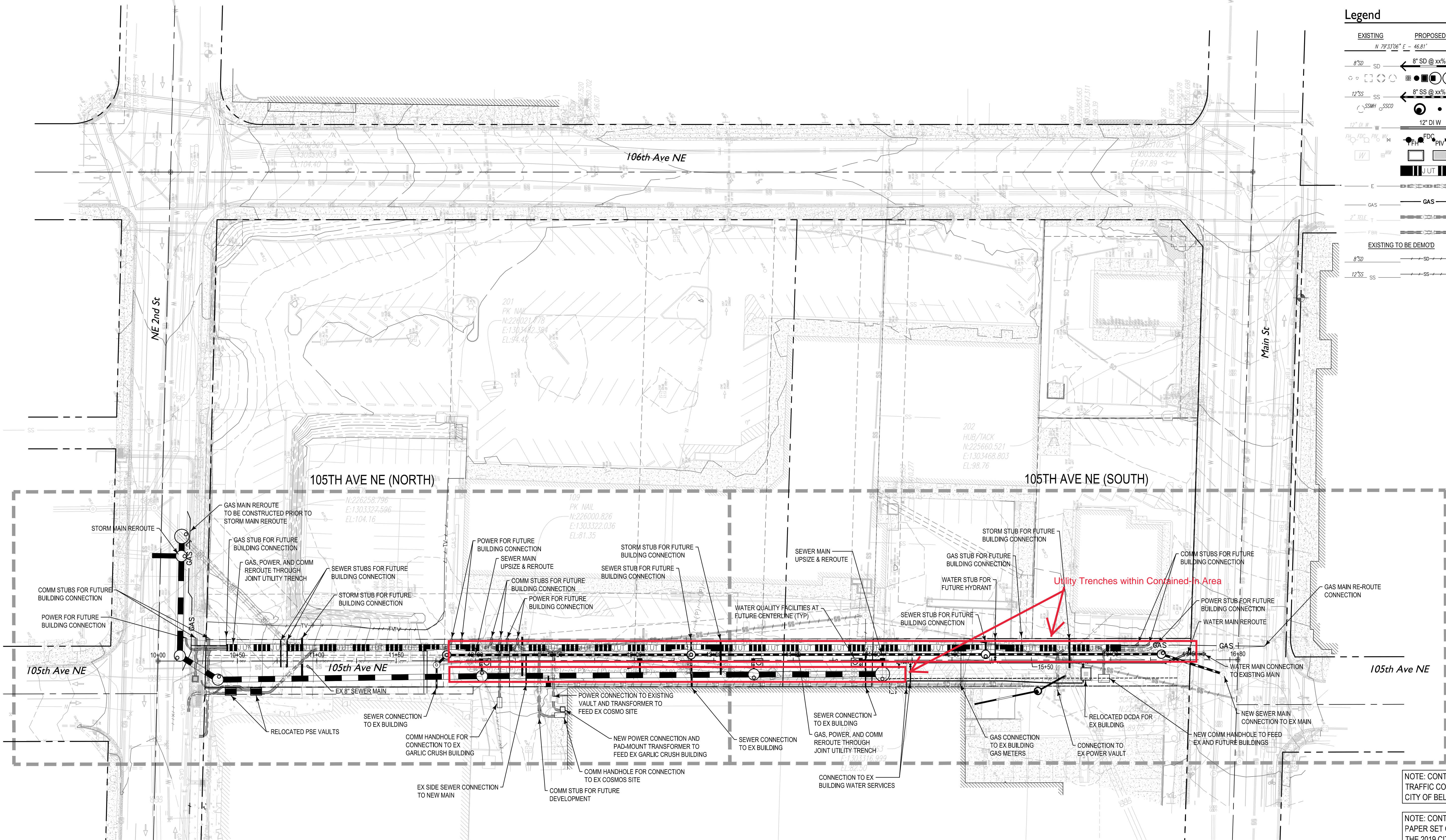
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Mindy Collins, Ecology
Christa Colouzis, Ecology
Chuck Hoffman, Ecology
Donna Musa, Ecology
Karen Wood, Ecology



Legend

EXISTING	PROPOSED	PROPERTY LINE
N 79°33'06" E - 46.81'		
8" SD	8" SD @ x%	STORM DRAINAGE PIPE
12" SS	8" SS @ x%	SANITARY SEWER
12" DI W	12" DI W	WATER MAIN
8" SD	8" SD @ x%	STORM DRAINAGE PIPE
12" SS	12" SS	SANITARY SEWER PIPE

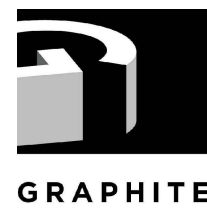


NOTE: CONTRACTOR TO COORDINATE TRAFFIC CONTROL PLAN WITH THE CITY OF BELLEVUE

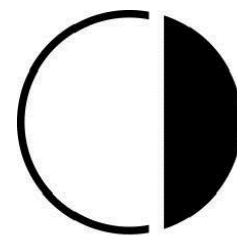
NOTE: CONTRACTOR SHALL KEEP A PAPER SET OR ELECTRONIC COPY OF THE 2019 CITY OF BELLEVUE UTILITY ENGINEERING STANDARDS ON SITE AT ALL TIMES DURING CONSTRUCTION

DRAFT

DESIGN ARCHITECT



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**COUGHLIN
PORTER
LUNDEEN**

Coughlin Porter Lundeen
801 Second Ave, Suite 900
Seattle, WA 98104
206-343-0460
cplinc.com

OWNER



Bellevue Investors 1, LLC
505 Fifth Avenue, Suite 900
Seattle, WA 98104
206-342-2000

SEAL



PROJECT NAME & ADDRESS

**BELLEVUE PLAZA -
EARLY UTILITY RELOCATION**

117 108th Ave NE, Bellevue, WA 98004

ISSUED / REVISED

DATE

ISSUED / REVISED

DATE

EARLY UTILITY RELOCATION SET (UDEA)	01.11.2019
EARLY UTILITY RELOCATION SET (GD)	01.31.2019
EARLY UTILITY RELOCATION SET A (UDEA)	04.01.2019
EARLY UTILITY RELOCATION SET A (GD)	04.22.2019
EARLY UTILITY RELOCATION SET B (UDEA)	05.22.2019
EARLY UTILITY RELOCATION SET B (GD)	07.02.2019
EARLY UTILITY RELOCATION SET B (UDEA)	07.16.2019

OVERALL UTILITY PLAN

C0-400