



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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September 27, 2013

MR. STEVE EMERY
TMT BEAR CREEK SHOPPING CENTER, INC
1002 15th Street SW, SUITE 205
Auburn, WA 98001

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

- **Name:** Bear Creek Shopping Center
- **Address:** 17100-17262 Redmond Way, Redmond, WA
- **Facility/Site No.:** 61235962
- **CS ID:** 12191
- **VCP No.:** NW2776

Dear Mr. Emery:

Thank you for submitting the groundwater monitoring report regarding your remedial actions for the Bear Creek Shopping Center (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 the submitted report 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:

- Perchloroethylene (PCE), Trichloroethene (TCE), Cis-1,2-dichloroethene (cis1,2-DCE), and Vinyl Chloride (VC) into soil and groundwater.

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 remedial actions:

1. Golder Associates, May 2013, Groundwater Monitoring March 2013, Bear Creek Village Shopping Center.

The groundwater monitoring report 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.

Remedial investigations conducted at this Site in 1996 and 1997 concluded the presence of semi-volatile organic contaminants, such as PCE, TCE, cis1,2-DCE and VC, in soil and groundwater. The investigations also determined that the occurrence of the contamination was due to operations of a former dry cleaner that was located on the Site. In accordance with the report listed above, Ecology is aware of achievements made in cleaning up the Site since 1998, which included removal of the contaminated soil and monitoring the groundwater for evidence of remediation by natural attenuation.

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 following release(s) at the Site, Ecology has determined the following requirements must be satisfied prior to releasing a No Further Action (NFA) letter for this Site:**

- A soil confirmation report must be submitted to Ecology for verifying completion of removal and disposal of the contaminated soil exceeding MTCA Method A Cleanup levels. The report should include information on the location and depth of confirmation soil samples and the analytical results.
- The groundwater analytical results for the chemicals of concern obtained from the Site monitoring wells must demonstrate concentrations below MTCA Method A Cleanup levels for a minimum of four consecutive quarterly monitoring events.

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**

Steve Emery
September 27, 2013
Page 3

letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.

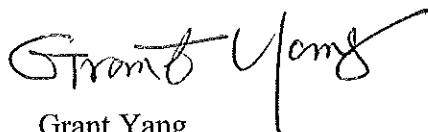
Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

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 a NFA under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (425) 649-7126, or gyan461@ecy.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Yang", with a stylized flourish at the end.

Grant Yang
Site Manager
NWRO Toxics Cleanup Program

cc: Sonia Fernandez, VCP Coordinator, TCP/NWRO, Ecology