



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 9, 2020

Ross Stainsby
Sr. Environmental Planner
Sound Transit
401 S. Jackson Street
Seattle, WA 98104-2826

**Re: Contained-In Determination for F002 Contaminated Soils at the
Parcel FL-358 Sound Transit Federal Way Link Extension Project
2200 South 320th Street, Federal Way, Washington**

Reference:

1. Contained-In Determination Request, Supplemental Investigation
Parcel FL-358 Sound Transit Federal Way Link Extension Project 2200 (O'Neill Service
Group) to D. Yasuda (Ecology), dated June 23, 2020

Dear Ross Stainsby:

The Washington State Department of Ecology (Ecology) received a contained-in determination request from your environmental consultant, O'Neill Service Group for specific F002 listed waste perchloroethylene contaminated soils to be excavated during cleanup actions at the Parcel FL-358 Sound Transit Federal Way Link Extension Project, 2200 South 320th Street Federal Way, 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's determination is two-fold:

- (1) Ecology has determined that 70 tons of perchloroethylene (PCE) contaminated soils at and near 358-PH8 and 358-PH7 must be managed as F002 listed dangerous wastes and delivered

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

to a RCRA treatment, storage and disposal facility (TSDF), per Chapter 173-303 WAC. F002 listed waste soils are located in a 10 foot by 10 footprint around 358-PH8² between ground surface and 6.0 feet bgs, and in a 10 foot by 10 footprint around 358-PH7 between 7.0 feet and 10.0 feet bgs. Refer to attached **figure – summary interim actions**.

Furthermore, all drums containing decontamination water with detected F002 listed dangerous waste constituents (PCE, TCE, cis/trans 1,2-DCE, and VC) and spent granular activated carbon (GAC), used to treat the PCE groundwater, are NOT environmental media subject to a contained in determination. Therefore, these drums containing decontamination water and spent GAC shall be managed as F002 listed dangerous wastes and delivered to a RCRA TSDF, per Chapter 173-303 WAC.

Submit copies of the fully signed dangerous waste manifests for these F002 dangerous waste soils, decontamination water, and spent GAC to Ecology, attention Christa Colouzis, **by October 15, 2020**.

- (2) Ecology determined that **4,300 tons** of perchloroethylene (PCE) contaminated soils to be excavated (**attached figure-summary of interim action**) during cleanup activities are contaminated with F002 listed dangerous waste constituents (PCE) at concentrations that do not warrant management as dangerous wastes. These PCE contaminated soils **DO NOT** include the soils to excavated around soil boring 358-B4 or around the former grease trap. There were no detections of chlorinated solvent compounds in shallow soil samples from boring 358-B4 and there is no detected CVOC soil data to support a contained in determination for the grease trap soils.

Ecology will not require disposal of these **4,300 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.

You AND your environmental consultant, O'Neill Service Group 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;

² Assuming dry cleaner solvent was spilled to the ground at near 358-PH8, without shallow soil samples (1-4 feet bgs), Ecology will assume TCE and PCE soil concentrations greater than concentrations found at 358-PH8. TCE soil concentrations at 358-PH8 already exceed contained in threshold levels (MTCA Method B).

- This contained in determination letter does not pertain to any treated or untreated PCE groundwater³. The contained in determination threshold values for PCE, TCE, cis/trans-DCE, and VC⁴ are too low and difficult to achieve via treatment proposed. You may dispose of any treated PCE groundwater in the on-site sewer line after obtaining a King County discharge authorization-following the RCRA domestic sewage exclusion rule. Or you may manage the PCE contaminated groundwater as an F002 listed dangerous waste and deliver to a RCRA Subtitle C Permitted TSDF.
- 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 September 30, 2020. This contained-in determination letter is no longer valid after September 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 Christa Colouzis, by October 15, 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;

³ Ecology does not use a proposed treatment level for contained in determination approvals. Ecology requires the environmental chemical data PRIOR to granting any contained in determination approval.

⁴ Vinyl chloride groundwater contained in determination threshold concentration is 0.02 ppb VC.

- 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 contained in 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 contained in determination approval only applies to the **4,300 tons** of specified PCE contaminated soils to be generated during excavation activities in the Ecology approved areas (figure – summary of interim action). 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 **4,300 tons** of 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 dyas461@ecy.wa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ross Stainsby".

Ross Stainsby

July 9, 2020

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Dean Yasuda, PE

Hazardous Waste and Toxics Reduction Program

Sent by Certified Mail: 9171 9690 0935 0214 2531 90

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