



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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June 18, 2020

Gary Watters  
South Monroe, LLC  
8210 NE 166<sup>th</sup> Street  
Bothell, WA 98028

**Re: No Further Action at the following Site:**

- **Site Name:** Independent Metals Storage Lot
- **Site Address:** 703 S. Monroe Street, Seattle 98108
- **Facility/Site No.:** 21489
- **Cleanup Site ID No.:** 12299
- **VCP Project No.:** NW3223

Dear Gary Watters:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Independent Metals Storage Lot facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

### **Issue Presented and Opinion**

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**Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.**

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively “substantive requirements of MTCA”). The analysis is provided below.

### **Description of the Site**

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This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following potential release(s):

- Arsenic in Groundwater.
- Polycyclic Biphenyls (PCBs) in Stormwater.

- Chromium & Lead in Groundwater.

**Enclosure A** includes a detailed description and diagrams of the Site, as currently known to Ecology.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this Site are affected by other sites.

### **Basis for the Opinion**

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

- Pacific Crest Environmental (Pacific Crest). *Plant One & Storage Yard Environmental Assessment*. November 2017.
- GO Spectrum Northwest (GO Spectrum). *Phase II Environmental Site Assessment (PHII) Commercial Property – 703 Monroe Street, Seattle, Washington 98109 Final Report*. September 2018.
- GO Spectrum. *Background Information*. February 2019.
- GO Spectrum. *Ground Water Assessment – Independent Metals Storage Lot – 703 Monroe Street, Seattle, Washington 98107 Final Report*. March 30, 2020.
- GO Spectrum. *Storm Water Assessment – Independent Metals Storage Lot – 703 Monroe Street, Seattle, Washington 98107 Final Report*. March 31, 2020.

These documents are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. You can make an appointment 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.

### **Analysis of the Cleanup**

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Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

#### **1. Characterization of the Site.**

Ecology has determined your characterization of the Site is sufficient to establish Cleanup Standards and select a cleanup action. The Site is described below and in detail in **Enclosure A**.

Figure 1 illustrates the location of the Site and vicinity. Figure 2 depicts Site features and sampling locations. Figure 3 illustrates the storm water sampling location.

### **Characterization Activities:**

The following characterization and cleanup activities have commenced on the Site to date. These activities are described in further detail in Enclosure A – Source of Contamination & Contamination Extent:

- In January 2012, Seattle Public Utilities (SPU) collected a sample of stormwater runoff originating from the Site (Plant One Storage Yard). SPU indicated that stormwater exhibited a visible sheen. The source of the sheen was reportedly an open container exposed to precipitation, leaching metals and PCB-laden storm water into the Seattle municipal separate storm sewer system (MS4), along 7<sup>th</sup> Avenue (Pacific Crest, November 2017).
- In 2013, Independent Metals implemented operational and structural Best Management Practices (BMPs), comprising of a soil berm along the north, west, & south parcel boundaries, as well as a fabric-lined trench along the 7<sup>th</sup> Avenue right-of-way (ROW).
- In June 2015, Pacific Crest conducted a PHII, including the advancement of three soil borings to a maximum depth of 28-feet below ground surface (bgs). Soil and groundwater samples collected during this PHII did not exhibit any contaminants of concern (CoCs) above the respective MTCA Cleanup Levels (CULs) or laboratory method detection limits (MDLs), (Pacific Crest, November 2017).
- In September 2018, GO Spectrum advanced an additional three soil borings to approximately 20-feet bgs. GO Spectrum reportedly encountered groundwater under unconfined, perched conditions at approximately 6.5-feet bgs. The only CoC detected above the respective CUL was Arsenic in groundwater, with concentrations ranging between 11 to 56 micrograms per liter ( $\mu\text{g/L}$ ).
- In March 2020, GO Spectrum installed and sampled three monitoring on-Site wells (MWs) to further characterize the Site. In addition, GO Spectrum sampled stormwater during a significant precipitation event in a down-gradient location as it entered the City of Seattle MS4 (Figure 3). Storm- and groundwater samples exhibited compliance with Cleanup Standards, with concentrations below the respective CUL or laboratory method detection limits (MDLs).

In summary, storm water and groundwater are determined to be in compliance with MTCA Cleanup Standards at this time.

Below is an evaluation of potential exposure pathways.

### **Conceptual Site Model / Exposure Pathways:**

#### **Soil-Direct Contact:**

This pathway appears *incomplete*. Soil sampling has exhibited compliance with Cleanup Standards.

Soil-Leaching:

This pathway is *potentially-complete*. Arsenic has not been detected in soil above the applicable MTCA CULs.

Soil-Vapor:

This pathway is *incomplete*. No structures or volatile constituents have been detected.

Groundwater:

This pathway is *incomplete*. CoC concentrations were determined to below the respective CULs or laboratory MDLs.

Surface Water:

This pathway is *incomplete*. PCBs have historically been detected in stormwater and in sediment extracted from a down-gradient catch basin, located in the 7<sup>th</sup> Avenue ROW. GO Spectrum sampled stormwater runoff in March 2020, exhibiting PCB concentrations below the respective laboratory MDLs (GO Spectrum, March 2020).

Ecological:

This pathway is *incomplete*. A Terrestrial Ecological Evaluation (TEE) was completed. This Site is adjacent to the Duwamish Waterway Superfund Site.

**2. Establishment of Cleanup Standards.**

Ecology has determined the CULs and points of compliance (POCs) you established for the Site meet the substantive requirements of MTCA.

**a. Cleanup Levels**

The following CULs were used to evaluate the Site.

GO Spectrum used MTCA Method A CULs<sup>1</sup> for groundwater. The storm water was compared with groundwater and surface water CULs.

**b. Points of Compliance**

The following applicable POC was used at this Site:

- **Groundwater:** Standard points of compliance are established under WAC 173-340-720(8) as: “...*throughout the site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the Site.*”

**3. Selection of Cleanup Action.**

Ecology has determined the cleanup action you conducted at the Site meets the substantive requirements of MTCA.

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<sup>1</sup> Model Toxics Control Act Regulation and Stature (WAC 173-340-900) Tables 720-1 & 740-1.

The cleanup action selected for the Site was installation of three on-Site MWs, subsequent groundwater sampling and sampling of storm water during a significant precipitation event.

#### **4. Cleanup.**

Ecology determined the cleanup you performed meet the Cleanup Standards established for the Site in accordance with MTCA.

Sufficient soil confirmation samples were obtained demonstrating that source removal and over-excavation of contaminated soils removed hazardous substances above CULs in soil.

Performance groundwater and storm water sampling demonstrate compliance with Cleanup Standards and a No Further Action determination is recommended at this time.

#### **Listing of the Site**

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Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.
- Leaking Underground Storage Tank List.

That process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdraw this opinion.

#### **Limitations of the Opinion**

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##### **1. Opinion does not settle liability with the state.**

Liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion **does not**:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70.105D.040(4).

##### **2. Opinion does not constitute a determination of substantial equivalence.**

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you performed is substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

**3. State is immune from liability.**

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

**Termination of Agreement**

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Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project.

For more information about the VCP and the cleanup process, please visit our web site: [www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm](http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm). If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (360) 407-6834 or e-mail at [jason.cook@ecy.wa.gov](mailto:jason.cook@ecy.wa.gov).

Sincerely,



J.G. Cook, LG  
HQ Toxics Cleanup Program

JC: AF

Enclosures (1): A – Description and Diagrams of the Site

cc: Miguel Ortega  
Sandra Caldwell, Ecology  
Sonia Fernandez, Ecology  
Tra Thai, Ecology

## **Enclosure A**

### **Description and Diagrams of the Site**

## **Site Diagrams**



# Site Description

## **Site:**

The Site is located at 703 South Monroe Street Seattle, Washington 98108. The Site is comprised of three King County Parcels, (nos. 732790-1445, -1465, & -1475), totaling 0.45-acre.

The Site is located within a mixed-use industrial, commercial, & residential area in South Seattle. The Site is zoned *IB-U/45 - Industrial Buffer*, which provides a transitional area/zone between residential and industrial properties.

## **Property Historical and Current Use:**

Currently, the Site is unimproved and gravel-covered. The Site is currently used as a storage and staging area for gravel & soil material (GO Spectrum, September 2018).

The Site has been used as a scrap-metal recycling facility since 1991 until 2014. Site usage prior to 1991 was not disclosed in the information provided to Ecology.

## **Surface/Storm Water System:**

No surface water features are located on the Site. The Duwamish Waterway is located approximately 0.15-mile to the east of the Site.

Stormwater is conveyed to the municipal separate storm sewer system operated and maintained under the NPDES Phase One Municipal Stormwater Permit for the City of Seattle.

## **Soils and Geology:**

The Site and much of the Puget Sound Region is underlain by alluvial Quaternary sediments deposited during multiple glacial episodes. The sediments consist of interlayered alluvial clays, silts, sands, & gravels. These alluvial sediments are typically situated over glacial till, primarily comprised of consolidated silts, sands & gravels.

Soils encountered at the Site generally consist of soft, grey Silt to Silty-Sand extending to approximately 6-feet below ground surface (bgs). Below this layer is a high plasticity, organic-rich clay to the maximum depth explored of approximately 20-ft bgs (GO Spectrum, September 2018).

## **Groundwater:**

Groundwater at the Site is encountered at approximately 6.5-feet bgs (GO Spectrum, September 2018), and is under unconfined perched conditions. The groundwater flow direction is relatively flat, with a slight topographic gradient towards the west (GO Spectrum, September 2018).

## **Source of Contamination & Contamination Extent:**

The primary source of contamination is reportedly from a release(s) originating from improper storage of scrap metals, specifically exposure to stormwater runoff and consequent impact to the MS4 along 7<sup>th</sup> Avenue, sediment in the adjacent, down-gradient catch basin, and to underlying soil & groundwater (Pacific Crest, November 2017).

In January 2012, Seattle Public Utilities (SPU) as part of their mandated source control program, sampled stormwater runoff from the Site as well as catch basin sediment along the down-gradient MS4, owned and maintained by SPU. Stormwater reportedly exhibited a concentration of PCBs at a concentration of 7.2 µg/L and 0.067 milligrams per kilogram (mg/Kg) in sediment (dry weight). In addition, a petroleum sheen was visible discharging from the Site via sheet flow runoff, into the MS4.

The source of the PCBs and visible sheen was reportedly from an open container receiving precipitation, consequently conveying dissolved CoCs into the MS4. Upon receipt of the stormwater violation, Independent Metals implemented an operational BMPs by removing the metal container and agreement to not openly store metal containers (Pacific Crest, November 2017). Subsequent stormwater sampling conducted by SPU in 2013 exhibited PCB detections at 1.15 µg/L. Stormwater has allegedly not been sampled since 2013.

In 2013, Independent Metals constructed a structural BMP comprising of a soil berm along the north, west, & south parcel boundaries. In addition, a fabric-lined trench filled with quarry-spalls was constructed along the 7<sup>th</sup> Avenue ROW.

No additional stormwater BMPs have allegedly been implemented on the Site (Plant One Storage Lot).

In June 2015, Pacific Crest advanced three soil borings on the Site (Plant Once Storage Lot). Temporary well points were established in two of the three soil borings. Pacific Crest reportedly did not detect CoCs above the respective MTCA CULs in any of the soil and groundwater samples (Pacific Crest, November 2017). Locations of these soil borings are depicted in Figure 2.

In September 2018, GO Spectrum advanced three soil borings to approximately 20-feet bgs. The location of the borings is depicted in Figure 3. GO Spectrum encountered groundwater at approximately 6.5-feet bgs in all three borings. Groundwater is under unconfined, perched conditions. GO Spectrum asserts the groundwater flow direction and gradient are relatively flat, with a slight topographic slope to the west. The only CoC exhibiting detections above the respective CUL is Arsenic in groundwater. Arsenic concentrations ranged from 11 to 56 µg/L, above the applicable CUL of 5 µg/L (GO Spectrum, September 2018). GO Spectrum postulated the source of arsenic originated from leached metals exposed to stormwater runoff, which consequently infiltrated into the subsurface. Independent Metals reportedly implemented structural and operational BMPs in an effort to decrease or eliminate metals contamination sources. Stormwater has not been sampled since 2013 (GO Spectrum, September 2018).

GO Spectrum has indicated an additional three MWs are necessary to definitively characterize the Site. In addition, Ecology is requesting an additional stormwater sample, to verify the effectiveness of the aforementioned BMPs. Ecology concurred with this proposal in a Further Action letter dated October 23, 2019.

In March 2020, GO Spectrum sampled stormwater runoff and installed three MWs to assess

potential metals impact to groundwater and potential PCB stormwater runoff from the Site. GO Spectrum sampled stormwater from a down-gradient catch basin (Figure 3). The stormwater sample did not exhibit PCB concentrations above the respective laboratory MDL. Groundwater collected from the three aforementioned MWs did not exhibit metals concentrations above the respective MTCA Method A CULs. As such, the Site has met Cleanup Standards and qualified for a No Further Action determination.