November 5, 2020 Reference No. 11218575

Dale Meyers
LUST Formal Site Project Manager
Department of Ecology
NWRO Toxics Cleanup Program
3190 160th Avenue Southeast
Bellevue, WA 98008

Re: Response to Determination of Potentially Liable Person Status
Texaco Strickland
6808 196th Street Southwest
Lynnwood, WA 98036
Facility Site No: 27496218

Dear Mr. Meyers:

On behalf of Shell Oil Products US (SOPUS), GHD Services Inc. (GHD) is submitting this response to Washington State Department of Ecology's (Ecology) Notice of Potential Liability letter dated October 6, 2020 associated with the former Jiffy Lube International (JLI) facility located at 6808 196th Street Southwest, Lynnwood, Washington (Property). The letter states that Ecology is proposing to find that the JLI release of oil range organics is commingled with the former Texaco service station release of gasoline range organics in groundwater and therefore should be named as an additional potential liable party (PLP) for Agreed Order (AO) No. 14315. The current AO identifies Strickland Real Estate Holdings, LLC (Strickland) and Chevron Environmental Management Company (Chevron) as liable for the gasoline release cleanup. For the purpose of this letter, "Site" will refer to the affected areas and parcels associated with the gasoline release.

On December 9, 2014, Ecology issued an advisory opinion to SOPUS regarding the former JLI release indicating that vadose zone oil-range total petroleum hydrocarbon (TPHo) concentrations soil impacts do not extend to the groundwater table and that the lack of TPHo concentrations in groundwater samples collected from well MW-10, located down gradient of the JLI waste oil underground storage tank (UST), indicated that TPHo contamination reported in the vadose zone was not attributing to impacted groundwater at the Site.

Based on the results of the 2019 and 2020 remedial investigation activities associated with the AO for the former Texaco gasoline release, Ecology is rescinding the advisory opinion letter indicating that the groundwater analyses completed for well MW-10 up until 2014 are no longer valid because the NWTPH-Dx analyses were performed with a silica gel cleanup process. The basis of the dismissal is that the previously reported results for TPHo did not reflect the complete petroleum and intermediary by-products mixture when silica gel is used. Therefore, Ecology concluded oil-range hydrocarbons originating from the Jiffy Lube facility are comingled with the release originating from the former Texaco gasoline release.

Environmental activities completed at the Site have identified a large separate phase hydrocarbon (SPH) plume in the vicinity of wells MW-3, MW-4, MW-5, MW-8, and MW-15 in addition to a dissolved phase gasoline plume in groundwater that is present from north of the northern property boundary and extends down gradient to the south and impacts parcels to the west and south of the Property. Within the footprint of this SPH and groundwater gasoline plume, TPHo concentrations were reportedly associated with decommissioning of a former JLI waste oil UST in 1995 beneath the existing building on Property. These oil-range impacts however, were defined at a depth of 2 feet below ground surface (bgs) and did not extend to groundwater at a depth ranging from approximately 7 to 13 feet bgs or laterally beyond the footprint of the building. Additionally, TPHo concentrations were detected in soil in the vicinity of the new oil tank west of the building during UST removal and overexcavation activities in 1995. All confirmation soil samples associated with the new oil UST excavation were below MTCA Method A cleanup levels, and it should be noted that no silica gel cleanup was used. No other soil samples that have been collected at the Site as part of the AO have had TPHo concentrations exceeding 2,000 milligrams per kilogram (mg/kg).

Upon review of the October 6, 2020 Ecology letter and the results of the remedial investigation activities associated with the AO we have the following concerns about Ecology's decision to add JLI to the AO for the Site.

Figure 2 – Enclosure A of Ecology's October 2020 Letter

Kennedy Jenks' Figure 2 in Enclosure A of Ecology's October 2020 letter has depicted the TPHo plume in groundwater as encompassing approximately 40-percent of the total area of the Property and extending off-property to the north in the upgradient direction. The basis for the extrapolation of the TPHo groundwater plume is reliant on one data point, well MW-1 in the west central portion of the property. Well MW-1 in November 2019 has a TPHo concentration of 570 micrograms per liter (µg/L), however, the figure included 1,000 µg/L and 1,500 µg/L isoconcentrations lines without any supporting data points. Based on the data used in generating the figure (the November 2019 Aspect data), there does not appear to be justification for extending a 500 µg/L isoconcentration contour beyond the immediate vicinity of well MW-1 since there are no other wells exceeding 500 µg/L in this data set, and well MW-18, located approximately 20 feet downgradient of well MW-1, has not had a detectable TPHo concentration in any groundwater samples collected.

Wells MW-3 thru MW-5, MW-8 and MW-15 are all within Kennedy Jenks TPHo plume footprint, however data from the November 2019 Aspect Consulting sampling event was not available for these five wells since there was SPH (gasoline) floating on groundwater in all of the wells. Additionally, the majority of this TPHo plume, as depicted by Kennedy Jenks, would be either upgradient or cross gradient of the former Jiffy Lube operation. And lastly, well MW-10 that was used as the basis of the rescinding of the 2014 Ecology advisory opinion, continues to remain below 500 µg/L TPHo without silica gel cleanup on all samples collected through August 2020.

Based on the most recent groundwater sampling event in August 2020, three groundwater samples had TPHo results above a concentration of 500 µg/L. Two of the three samples are located within the footprint

of the SPH plume and are upgradient of the former Jiffy Lube operation, with the third sample located cross gradient in well MW-1.

Laboratory Results – Chromatograms

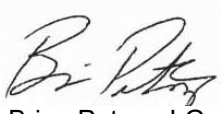
After review of the laboratory reports and chromatograms for both soil and groundwater samples collected as part of the AO, the laboratory has reported that the chromatograms do not match a motor oil pattern. Based on review of the soil chromatograms, the gas chromatography (GC) pattern more closely reflects what would be expected from plant-based material including food-grade oils (such as a restaurant), or naturally occurring biogenic range organics. The chromatography lacks the classic "hump" shape characteristic of a motor oil. With regard to groundwater, there is no GC pattern in the results characteristic of a motor oil. The analytical response may possibly reflect presence of natural background organics, such as in wells MW-17, MW-2 or MW-6, based on the GC pattern. The oil-range response for the MW-1 sample may be from the diesel-range "hump" tailing out into the motor oil range, possibly attributable to a biogenic impact source. In any case, however, with the available information there is no pattern basis to infer motor oil is the source of the laboratory flagged TPH as 'motor oil range results' in the Aspect report.

Data collected as part of the AO are consistent with the data that was collected prior to the original Ecology advisory opinion that the oil release associated with the former Jiffy Lube operation waste oil UST is limited and confined to the shallow vadose zone and is not commingled with the larger gasoline plume across the Property. Additionally, it is our technical opinion that Ecology has not presented sufficient lines of evidence to demonstrate plume comingling, and therefore it is inappropriate to rescind the December 9, 2014 advisory opinion letter to SOPUS. Consequently, JLI is challenging its status as a potentially liable party for the AO.

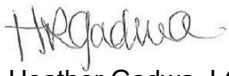
If you have any questions regarding the contents of this document, please contact John Robbins with SOPUS at (281) 544-6401 or Brian Peters with GHD at (425) 563-6506.

Respectfully,

GHD



Brian Peters, LG



Heather Gadwa, LG

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cc: John Robbins, SOPUS (electronic copy)
Jeff Bullen, SOPUS (electronic copy)