

CLEANUP ACTION PLAN (CAP)

Arsenic & Lead Mitigation Project

King County Parcel: 042104-9012
Federal Way, Washington

January 14, 2021

Prepared For:

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LIST OF ABBREVIATIONS AND ACRONYMS

ARAR	Applicable or Relevant Appropriate Requirements
BGS	Below ground surface
BTEX	Benzene, Toluene, Ethyl benzene and Xylenes
CAP	Cleanup Action Plan
COC	Constituent of concern
CSIA	Compound Specific Isotopic Analysis
CSM	Conceptual Site Model
CUL	Cleanup level
DCA	Disproportionate Cost Analysis
DO	Dissolved Oxygen
DRO	Diesel-range organics
Ecology	Washington State Department of Ecology
EPA	U.S. Environmental Protection Agency
FS	Feasibility Study
Ft	Feet
Gpm	Gallons per minute
GRO	Gasoline-range organics
ISCO	<i>in situ</i> chemical oxidation
LNAPL	Light Nonaqueous Phase Liquid
mg/kg	Milligrams per kilograms
mg/L	Milligrams per liter
MNA	Monitored Natural Attenuation
MTCA	Model Toxics Control Act
ORC	Oxygen release compound
ORO	Oil-range organics
Psi	Pounds per square inch
RAO	Remedial Action Objectives
RI	Remedial Investigation
SL	Screening level
SVE	Soil Vapor Extraction
TPH	Total Petroleum Hydrocarbons
UST	Underground storage tank
VI	Vapor Intrusion
WAC	Washington Administrative Code
yd³	Cubic yards
µg/L	Micrograms per liter
µg/m³	Micrograms per cubic meter

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- VCP Application
- VCP Agreement

List of Attachments

FSI-30231 S 304th St Federal Way-01062021r1
Tacoma Smelter Plume Model Remedies Guidance
VCP Application 01142021
VCP Agreement 01152021

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1.0 SITE DESCRIPTION / INTRODUCTION

EcoCon Inc. (ECI) has prepared this Cleanup Action Plan (CAP) in preparation for the cleanup of arsenic contamination on King County Parcel: 042104-9012 (Subject Site). ECI has completed three sampling events to characterize the subject site for arsenic and lead stipulated in Washington Department of Ecology (Ecology) Publication 19-09-101 for properties that lie within the Tacoma Smelter Plume.

ECI further delineated to extent of arsenic contaminated soil to delineate the vertical and horizontal extent to allow for the preparation of this Cleanup Action Plan.

According to the Ecology, the Site is located within the Tacoma Smelter Plume¹. The City of Federal Way has required that the sites within the Smelter Plume fallout area be assessed for Arsenic and Lead contamination related to the historic Asarco copper smelter activities in Ruston Washington. This CAP provides background information, Subject Site history, results of previous Subject Site investigations, and current Subject Site conditions.

1.1 Site Location / Description

The Subject Site a forested undeveloped area consisting of one King County Parcel, located at the intersection of Pacific Highway/WA-99 & South 304th Street in Federal Way, Washington (King County parcel numbers 042104-9012). The property encompasses 21.56 acres of forested land. The property is bounded by:

- SmartCare Daycare and Residential housing to the north;
- Pacific Highway/WA-99 to the west;
- South 304th St to the south; and
- Residential neighborhoods to the east.

The greater vicinity is primarily residential developments. According to research conducted by ECI, the Subject Property falls into the Moderate Zone (20-40 ppm arsenic / lead respectively) of contamination produced by the Asarco Tacoma Smelter.

The following is the legal description of the property as provided by Pierce County Assessor's website:

Parcel 042104-9012: W 135 FT OF E 465 FT OF S 117 FT OF NW 1/4 OF SW 1

According to the United States Geological Survey (USGS) the Subject Site is at an elevation of approximately 450 to 600 feet above mean sea level (msl).

¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites/Tacoma-smelter>

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1.2 Site Geology and Hydrogeology

1.2.1 Regional Geology

The Subject Site is located in the physiographic setting called the Puget Sound Lowlands. This area is filled in with deep deposits of glacial debris which can reach thicknesses of at least 2,000 feet in the Tacoma area (Alt and Hyndman 1984). The Puget Sound Lowlands lie between the Olympic Peninsula and northern Willapa Hills on the west, and the Cascade subcontinent on the east. Bedrock beneath the thick glacial deposits in the Puget Sound Lowlands consists of oceanic crustal rocks.

Multiple periods of continental glaciation occurred in the region during the Pleistocene Epoch (2.5 mya to 11,000 years ago) as Cordilleran glaciers advanced into the Puget Sound Lowland. The most recent of these, the Vashon, was about 5,000 feet thick near Seattle, and approximately 1,500-feet thick in the area of the Subject Site. The terminus of these glaciers was approximately 12 miles south of Olympia. After the last glacial retreat (approximately 10,000 years ago), incision of the valleys in the Puget Sound Lowlands and subsequent deposition of fluvial and alluvial deposits has occurred to the present.

According to the Pierce County Soil Survey generated by the USDA Soil Classification Service, the dominant soil composition found on the Subject Site is listed as “Spanaway”, a gravelly-loam common to the region.

1.2.2 Regional Groundwater Conditions

The regional hydrogeologic setting is defined as the Puget-Willamette Trough Regional Aquifer system (USGS, 1994). This regional aquifer system underlies an elongated basin that extends from near the Canadian border in Washington State to central Oregon. The regional aquifer system is delineated into three areas: 1) the Puget Sound Lowlands in northern Washington, 2) a central area that extends southward from the Puget Sound Lowlands to northern Oregon, and 3) the Willamette River Valley, which extends southward from the Columbia River to central Oregon (USGS, 1994). The Subject Site lies in the central area of the Puget Sound Lowlands.

The regional aquifers are hosted in unconsolidated sediments. In the Puget Sound Lowlands, the unconsolidated deposits are as much as 3,000-feet thick near Seattle. The aquifers are located within discontinuous lenses of sands and gravels that can yield large volumes of water. Some wells within the permeable aquifers can yield as much as 2,000 gallons per minute or more. The Southern King County Aquifer System consists primarily of unconsolidated sediments deposited by glaciers and associated melt water. The groundwater moves regionally toward the Puget Sound and river valleys that constitute the aquifer system boundaries (EPA Website, 2013).

According to the Washington State Department of Ecology Well Waterlog database, the depth to ground water at the Subject Site is estimated to be at a depth greater than 240 feet.

Perched and discontinuous zones of shallow groundwater may be seasonally or perennially present, depending on Subject Site-specific conditions. Shallow groundwater flow directions fluctuate and tend to

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follow topographic gradient but are also affected by seasonal high-water tables and variable soil characteristics. Land development and glacial till may allow any contaminants to migrate in different directions through utility corridors or other paths of least resistance.

1.3 Summary of Current Site Conditions

The Subject Property is currently forested, the intended use of the Property is development into multifamily residential. The intended use of the Property means that the number of sample locations will be based on “Residential, Parks, Commercial”.

1.4 Previous Site Investigations

ECI characterized of the Subject Site using the Washington State Ecology Tacoma Smelter Plume Model Remedies Guidance 19-09-101, Chapter 1, Table 1: Minimum Number of Sample locations per decision unit.

Minimum number of sample locations per decision unit

Sampling area	Residential, parks, commercial Samples needed		Forest and open land Samples needed	
Acres	Arsenic >100 ppm	Arsenic 20-100 ppm	Arsenic >100 ppm	Arsenic 20-100 ppm
0.25*	10	8	8	8
1	20	16	16	12
5	40	32	30	24
10	60	48	40	32
20	80	64	50	40
100	120	90	70	60
>100	120 + 1 per 5 acres	90 + 1 per 5 acres	70 + 1 per 10 acres	60 + 1 per 10 acres

*0.25 acres ~11,000 square feet

The soil sampling methodology, as described in the January 2021 investigation report, includes the collection of soil samples at two elevations, undisturbed forested surface materials (Duff) that incorporated six subsamples composited² to make one sample, and discrete³ near surface samples at zero to six inches below ground surface (bgs) and six to twelve inches bgs.

² Composite sampling is a technique whereby multiple temporally or spatially discrete samples are combined, thoroughly homogenized, and treated as a single sample.

³ Discrete soil sampling is the process of collecting a single soil sample from a specific location and depth interval.

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Each sample was collected by a property trained environmental technician using property decontaminated sampling equipment (stainless steel hand auger and spade shovel/trowel). Sample media was mixed as necessary into a stainless-steel bowl then placed into a new Laboratory provided sample container. Once collected the sample was assigned a unique sampling identification, stored in a climate-controlled container maintained at 4° Celsius, then delivered to the laboratory under industry standard chain of custody protocol.

1.4.1 Sampling Summary: Arsenic & Lead Sampling

On December 14, 2020 ECI environmental professionals collected a nineteen (19) soil samples from nine (9) distinct sampling locations at two depths, 0-6" bgs and 6-12" bgs. One sample location (grid F8-1) also had a sample collected from 6-18" bgs. The purpose of the sampling event was to delineate the extent of previously identified (July 2019) arsenic impacted soil reported containing 43 ppm arsenic exceeding the maximum 40 ppm maximum concentration.

Each of the nineteen (19) samples collection from grid F8 were reported below the maximum average concentration for both arsenic and lead and below the maximum individual concentration for both arsenic and lead.

On January 7, 2020 ECI environmental professionals five (5) forest Duff soil samples from 5 grids. Each sample was comprised of six (6) subsamples. These five samples were reported below the maximum individual concentration for both arsenic and lead.

The combined December 2020, and January 2021 with the April and June 2019 sampling events, revealed there is only one small approximate 10 foot by 15 foot (~150 square feet) located on the south half of grid F8-2 where arsenic contaminated soil remains (Sample F8-0-6", reported at 43 ppm Arsenic). Sample results are presented in Table 1, Appendix B.

2.0 CLEANUP STANDARDS

This section develops Site cleanup standards for chemical constituents that were detected in affected Site media. Cleanup standards consist of:

- 1) Cleanup levels (CULs) defined by regulatory criteria that are adequately protective of human health and the environment,
- 2) The point of compliance at which the CULs must be met.

2.1 Cleanup Standards

The process for developing CULs consists of identifying:

- The contaminated media,

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- The contaminants of concern (COC),
- The current and potential pathways of exposure,
- The current and potential receptors,
- The current and potential land use.

CULs will be developed for the Arsenic in surface soils.

2.3 Cleanup Levels & Points of Compliance

In the Asarco Tacoma Smelter Site Final Interim Action Plan (IAP) - for the Tacoma Smelter Plume, June 2012. Ecology has determined that the soil to groundwater pathway is not a major pathway of concern for the Tacoma Smelter Plume contamination. Cleanup levels are set to protect for human health direct contact and ecological risk, adjusted for background. The point of compliance is set for the direct contact pathway.

Contaminates of Concern and Points of Compliance: Soil

MTCA Cleanup Regulation 173-340-900: Table 740-1-Method A Soil Cleanup Levels for Unrestricted Land Uses			
Primary Contaminant of Concern	Analytical Method	Cleanup Levels (CUL)	Points of Compliance
Arsenic	EPA 200.8 / 6020	20	0-15 Feet
Lead	EPA 200.8 / 6020	250	0-15 Feet

3.0 PROPOSED CLEANUP ACTION PLAN

The following sections describe the proposed remedial actions for King County Parcel: 042104-9012, Federal Way, Washington.

3.1 Responsibility for Cleanup Action

The site owner and developer (Edgewood Terrace Estates, LLC) will be responsible for conducting remedial actions through the Washington State Voluntary Cleanup Program (VCP). The Subject Site is currently not covered by an Ecology Administrative Action; therefore, any state or local permits that are required will need to be obtained. Based on the area to be disturbed, permitting for this project is not anticipated.

Once the cleanup is complete and the final report is produced, the Washington State Department of Ecology will evaluate the overall success of the cleanup and may issue a "No Further Action" (NFA) determination for the Site at their discretion.

3.2 Goals and Objectives

The specific cleanup goals and objectives for the Site include the following:

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- Remediation of Arsenic contaminated soil as defined in the Tacoma Smelter Plume Model Remedies Guidance (19-09-101) identified during the previous subsurface investigations.
- Protection of human health and the environment, including protection against direct contact with contaminated soil and direct contact or consumption of contaminated groundwater while allowing for the most beneficial use of the Site by the property owners.

3.2 General Description of Proposed Cleanup Action

ECI has developed the proposed cleanup action using Ecology the Tacoma Smelter Plume Model Remedies Guidance Publication Number 19-09-001. As specific in the guidance documents, two permanent remediation remedies are provided. These remedy options are: 1) Excavation & Removal and 2) Soil Mixing.

The remedial option selected for this CAP is option two, Soil Mixing.

	Model Remedy	Action	Considerations
Permanent	Excavate & Remove (Ch. 3)	Excavate contaminated soils and properly dispose of them.	⇒ The top 6" of soil must have <20 ppm average arsenic and <250 ppm average lead after excavation. Take samples at depth to make sure you remove all contamination. ⇒ Performance monitoring required.
	Mix (Ch. 4)	Mix the top 6-12" of contaminated soils with imported soils or deeper, clean soil.	⇒ Not for soils >40 ppm average arsenic, average lead >500 ppm. ⇒ Performance monitoring required.

Tacoma Smelter Plume Model Remedies Guidance Publication Number 19-09-101: Page 23

In order to qualify for Soil Mixing, Arsenic & Lead must have an average concentration of less than 40 parts per million (PPM). The average calculations are derived from the Characterization Soil Sampling compliance soil sampling results.

Things to consider

Arsenic and lead levels: Mix <u>only</u> when ≤40 ppm arsenic and ≤500 ppm lead (average)	
Pros: • Permanent • Does not require excavation or off-site disposal • Does not require institutional controls	Cons: • Low remediation levels • Only practical for contamination not deeper than 12 inches • Higher sampling costs • Extra sampling may cause delays
Costs: Mixing can be labor-intensive. However, there are no long-term costs because the remedy is permanent. You also do not have the cost of soil disposal. Estimate costs using the worksheet at the end of the chapter.	

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3.2.1 Regulatory Remediation Guidance

As provided in the Ecology guidance document soil impacted with arsenic:

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“Mix contaminated soils or duff with clean imported soils or clean soils, which are typically found underneath the contaminated surface soils. Soil and duff can be mixed in place, or piled into rows or stockpiles, mixed, and spread back out. Mixing is only for areas with average arsenic in the soil at or below 40 ppm and average lead at or below 500 ppm. The effectiveness of mixing depends on how deep you mix, how deep the contamination extends and the efficiency of mixing equipment.”

Analytical results derived from previous site characterization activities have shown concentrations of arsenic in both the Duff and soil extending to six inches impacted at average concentrations exceeding 20 mg/kg (ppm).

Ecology’s guidance defines “elevated” levels of arsenic and lead as:

- Average arsenic >20 parts per million (ppm) or average lead >250 ppm; or
- Maximum (any one sample) arsenic >40 ppm or maximum lead >500 ppm.

One sample (F8-0-6”) was reported exceeding the 40 ppm elevated guidance threshold. The Subject Site’s average concentrations were below the average 40 ppm mixing threshold and the average 20 ppm threshold in Duff soils and soils from zero to six inches bgs.

3.2.2 Soil Mixing

An area measuring 10’ by 15’ feet that incorporates the area with average arsenic concentrations greater than 20 ppm but below 40 ppm extending to six inches bgs, will be selected and cordoned off. Mixing and excavation work will be completed using a small track mounted excavator.

Soil and the Duff extending to approximately 12 inches will be excavated and stockpiled adjacent to the work area. Soil extending from 12 to 24 inches will be excavated and stockpiled separately and adjacent to and on the opposite side of the work area. Mixing will consist of evenly distributing backfill in a one-to-one ratio from each stockpile in one-foot lifts. The soil will be mixed using the excavator bucket, taking care to adequately mix the separate materials together. This process will continue until the excavation soils have been backfill and mixed thoroughly.

Once an area is well mixed, performance soil samples will be collected and analyzed the samples for arsenic and lead with an X-Ray Fluorescence (XRF) device. Compliance soil samples will then be collected every six inches, from the soil surface, down to the deepest point mixed. Each discrete sample will be analyzed for total arsenic and total lead using EPA Method 200.8.

The area of proposed mixing is depicted in Figure 4, Appendix A.

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3.2.5 Compliance Sampling

Following soil mixing operations, compliance soil samples will be collected every six inches, from the soil surface, down to the deepest point mixed. Each discrete sample will be analyzed for total arsenic and total lead using EPA Method 200.8. Using Table 4, below, ECI anticipates 10 sample locations with samples collected at six-inch intervals extending to 24 inches.

Sampling area size (acres) (X)	Samples needed (Y) Mapped arsenic >100 ppm	Samples needed (Y) Mapped arsenic <100 ppm
0.25*	10*	8
1	20	16
5	40	32
10	60	48
20	80	64
100	120	90
>100	120 + 1 per 5 acres	90 + 1 per 10 acres

Tacoma Smelter Plume Model Remedies Guidance Publication Number 19-09-101: Page 44

4.0 APPLICABLE LAWS / PERMITTING REQUIREMENTS

4.1 Applicable Laws

MTCA requires that all cleanup actions conducted under MTCA shall comply with applicable state and federal laws under WAC 173-340-710(1). MTCA defines applicable state and federal laws to include legally applicable requirements and those requirements that are relevant and appropriate. Collectively, these requirements are referred to as applicable or relevant and appropriate requirements (ARARs). This section provides a brief overview of potential ARARs for the site cleanup.

The primary ARARs that may pertain to the cleanup action include the following:

- Federal Maximum Contaminant Levels (40 CFR Part 141), developed under the Safe Drinking Water Act;
- Washington Clean Air Act, Chapter 70.94 RCW;
- Solid and Hazardous Waste Management (Chapter 70.105 RCW; and the accompanying Dangerous Waste regulations (WAC 173-303);
- State of Washington Solid Waste Regulations (WAC 173-350 and WAC 173-351);
- The Federal Resource Conservation and Recovery Act (RCRA) including the Land Disposal Restrictions (40 CFR 260 – 282);
- Washington Industrial Safety and Health Act (RCW 49.17) and the Federal Occupational Safety and Health Act (29 CFR 1910, 1926);
- State Environmental Policy Act SEPA (Chapter 43.21C RCW and WAC 197-11);

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- Construction Stormwater General Permit (Chapter 90.48 RCW) (33 U.S.C. Section 1251 et seq.).

4.2 Permitting

Based on the area to be remediated (~150 square feet / 400 cubic feet – 15 Cubic Yards), permitting for this project is not anticipated.

5.0 IMPLEMENTATION SCHEDULE

This implementation schedule is a best estimate of the time to complete the activities outlined in this CAP and may change depending on site conditions found.

5.1 Cleanup Action Plan Submittal to Ecology

The CAP will be submitted to Ecology with a request for review and opinion. This process is expected to take several weeks. The goal of the CAP review by Ecology is to receive opinion regarding the remediation approach with the expectation that collaborative efforts will expedite regulatory closure.

5.2 Soil Mixing Project

The mixing project will take place following the CAP review and opinion by Ecology and the approval of permitting through the City of Federal Way. The primary project durations is expected to take two days.

6.0 REPORTING

Upon completion of the project, reports will be prepared for submittal to Ecology under Ecology's Voluntary Cleanup Program (VCP). If submitted to Ecology, a formal opinion may be requested. These reports will detail activities that have occurred and identify activities that are anticipated to occur depending on sample analytical results.

Upon completion of the cleanup action and follow-up confirmation sampling, a draft Remedial Action Completion Report will be prepared for submittal to Ecology, documenting the results and performance of the cleanup action, and detailing sample analytical results. If the confirmation sampling results adequately demonstrate that cleanup has successfully remediated soil to below the applicable CULs, the report will include or be accompanied by a request for an NFA determination from Ecology.

6.1 Use of Document

This CAP has been prepared for Sound Built Homes, Inc., Mr. Kurt Wilson, Project Manager and the Edgewood Terrace Estates Project for King County Parcel: 042104-9012 located in Federal Way, Washington. No other party is entitled to rely on the information, conclusions, and recommendations included in this document without the express written consent of Sound Built Homes, Inc., Mr. Kurt Wilson his agents or assigns.

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7.0 REFERENCES

Guidance documents were reviewed and obtained from the following sources:

- Washington Department of Ecology (Ecology)
- King County iMap Website (<https://gismaps.kingcounty.gov/iMap/>)
- Washington Department of Ecology, Publication Number 19-09-101

8.0 LIMITATIONS

Some clients, design professionals and contractors may not recognize that the geoscience practices (geotechnical engineering, geology, and environmental science) are far less exact than other engineering and natural science disciplines. This lack of understanding can create unrealistic expectations that could lead to disappointments, claims and disputes. EcoCon Inc. includes these explanatory “limitations” provisions in our reports to help reduce such risks. Please confer with EcoCon if you are unclear how these “Report Limitations and Guidelines for Use” apply to your project or Site.

8.1 Use of this Report by Others

Our report was prepared for the exclusive use of Mr. Kurt Wilson (Client) and / or their designated parties. This report may be provided to regulatory agencies for review if requested or required. No other party may rely on the product of our services unless we agree in advance to such reliance in writing. This is to provide our firm with reasonable protection against open-ended liability claims by third parties with whom there would otherwise be no contractual limits to their actions. Within the limitations of scope, schedule and budget, our services have been executed in accordance with our Agreement with the Client and generally accepted environmental practices in this area at the time this report was prepared.

This report has been prepared for remedial action activities at the Subject Property. ECI considered a number of unique, project-specific factors when establishing the scope of services for this project and report. No one except our Client should rely on this environmental report without first conferring with ECI. This report should not be applied for any purpose or project except the one originally contemplated.

Unless ECI specifically indicates otherwise, do not rely on this report if it was:

- Not prepared for you,
- Not prepared for your project,
- Not prepared for the specific site explored, or
- Completed before important site changes were made.

If important changes are made after the date of this report, ECI should be given the opportunity to review our interpretations and recommendations and provide written modifications or confirmation, as appropriate.

8.2 Uncertainty May Remain after Completion of Site Investigation and Remedial Activities

The investigation and remediation activities completed in a portion of a site cannot wholly eliminate uncertainty regarding the potential for contamination in connection with the entire property. Our

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interpretation of subsurface conditions in this report is based on field observations and chemical analytical data from the locations sampled. It is always possible that contamination exists in areas that were not explored, sampled, or analyzed.

8.3 Subsurface Conditions Can Change

This environmental report is based on conditions that existed at the time the study was performed. The findings and conclusions of this report may be affected by the passage of time, by manmade events such as construction on or adjacent to the Site, by new releases of hazardous substances, or by natural events such as floods, earthquakes, slope instability or groundwater fluctuations. Always contact EcoCon before applying this report to determine if it is still applicable.

8.4 Soil and Groundwater End Use

The cleanup levels referenced in this report are Site- and situation-specific and could change with time due to regulatory or Site changes. The cleanup levels may not be applicable for other sites or for other on-site uses of the affected media (soil and/or groundwater).

Note that hazardous substances may be present in some of the Site soil and/or groundwater at detectable concentrations that are less than the referenced cleanup levels. Because these cleanup levels can change, ECI should be contacted to evaluate the potential for associated environmental liabilities prior to the export of soil or groundwater from the Subject Site or reuse of the affected media on the Site. We cannot be responsible for potential environmental liability arising out of the transfer of soil and/or groundwater from the Subject Site to another location or its reuse on the Site in instances that we were not aware of or could not control.

8.5 Most Environmental Findings Are Professional Opinions

Our interpretations of subsurface conditions are based on field observations and chemical analytical data from the locations sampled at the Site. Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted, or samples are taken. EcoCon Inc. reviewed field and laboratory data and then applied our professional judgment to render an opinion about subsurface conditions throughout the Site. Actual subsurface conditions may differ – sometimes significantly – from those indicated in this report. Our report, conclusions and interpretations should not be construed as a warranty of the subsurface conditions.

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Appendix A: Project Figures

Figure 1: Site Location Map

Figure 2: Site Topographic Map

Figure 3: Soil Sample Location Map

Figure 4: Grid F8 Soil Sample Location Map

Appendix B: Department of Ecology Deliverables

VCP Application

VCP Agreement

Appendix A

Project Figures

Figure 1 – Site Location Map

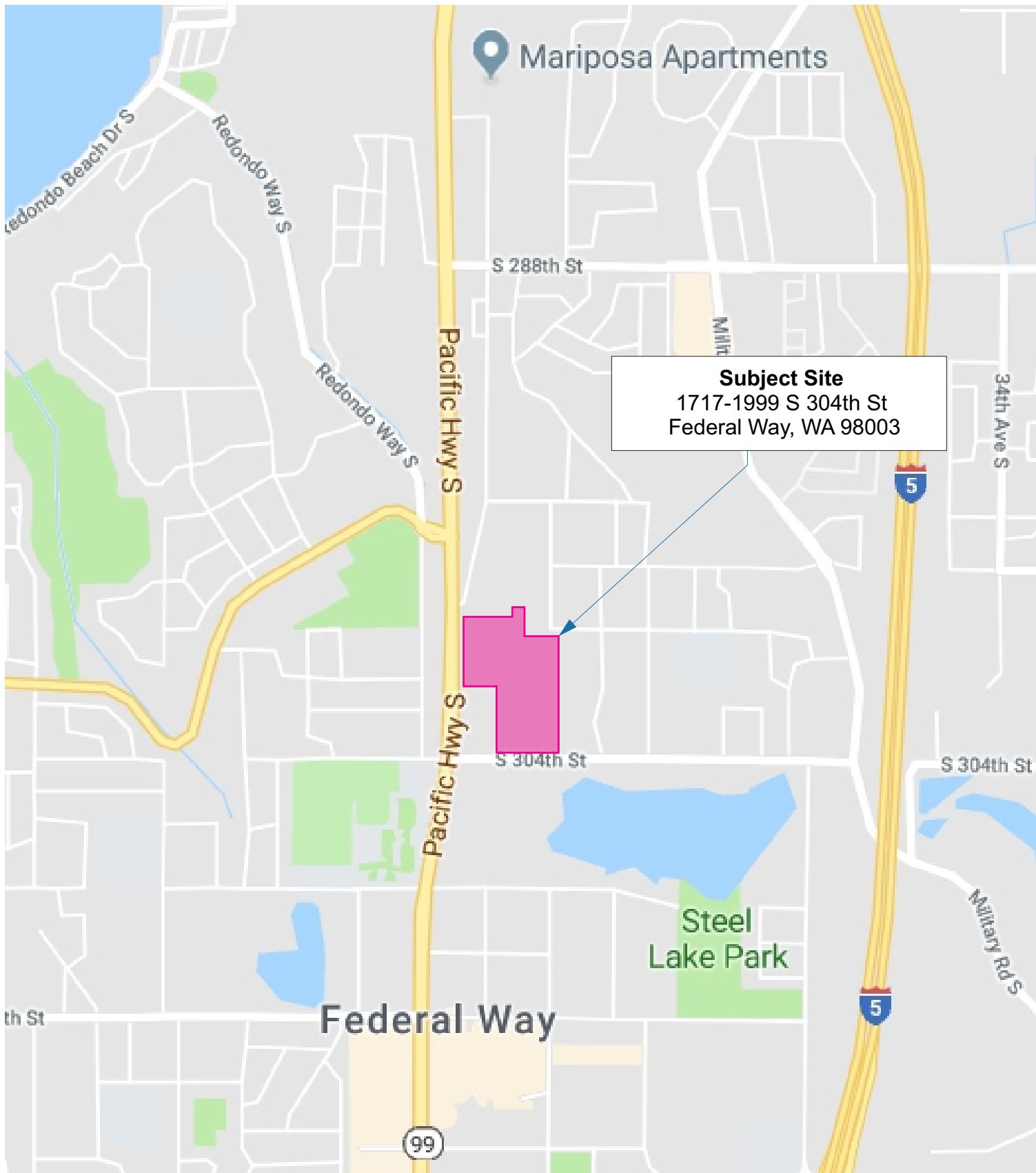
Figure 2 – Site Topographic Map

Figure 3: Soil Sample Location Map

Figure 4: Grid F8 Soil Sample Location Map

Appendix A

Project Figures



Site Location Map
Cleanup Action Plan
1717-1999 S 304th St
Federal Way, WA 98003

Date: July 10, 2019
Completed By: K. Spencer
Reviewed By: S. Spencer
Version: R1-051019
Project No.: 0717-01-01

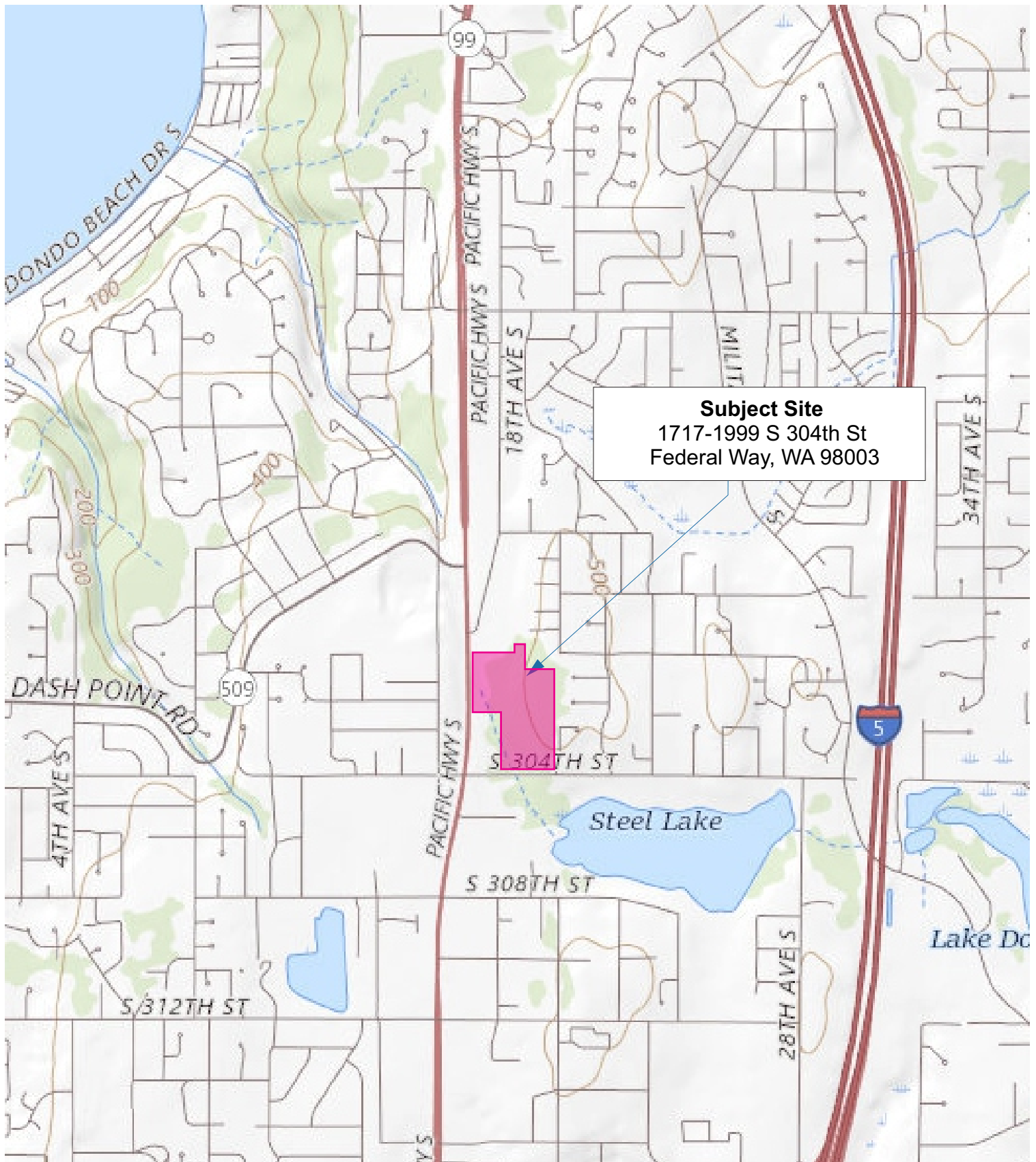
Figure No.:

01

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Providing Practical Environmental Compliance Solutions
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Not To Scale

Site Topographic Map
Cleanup Action Plan
1717-1999 S 304th St
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Version: R1-051019
Project No.: 0717-01-01

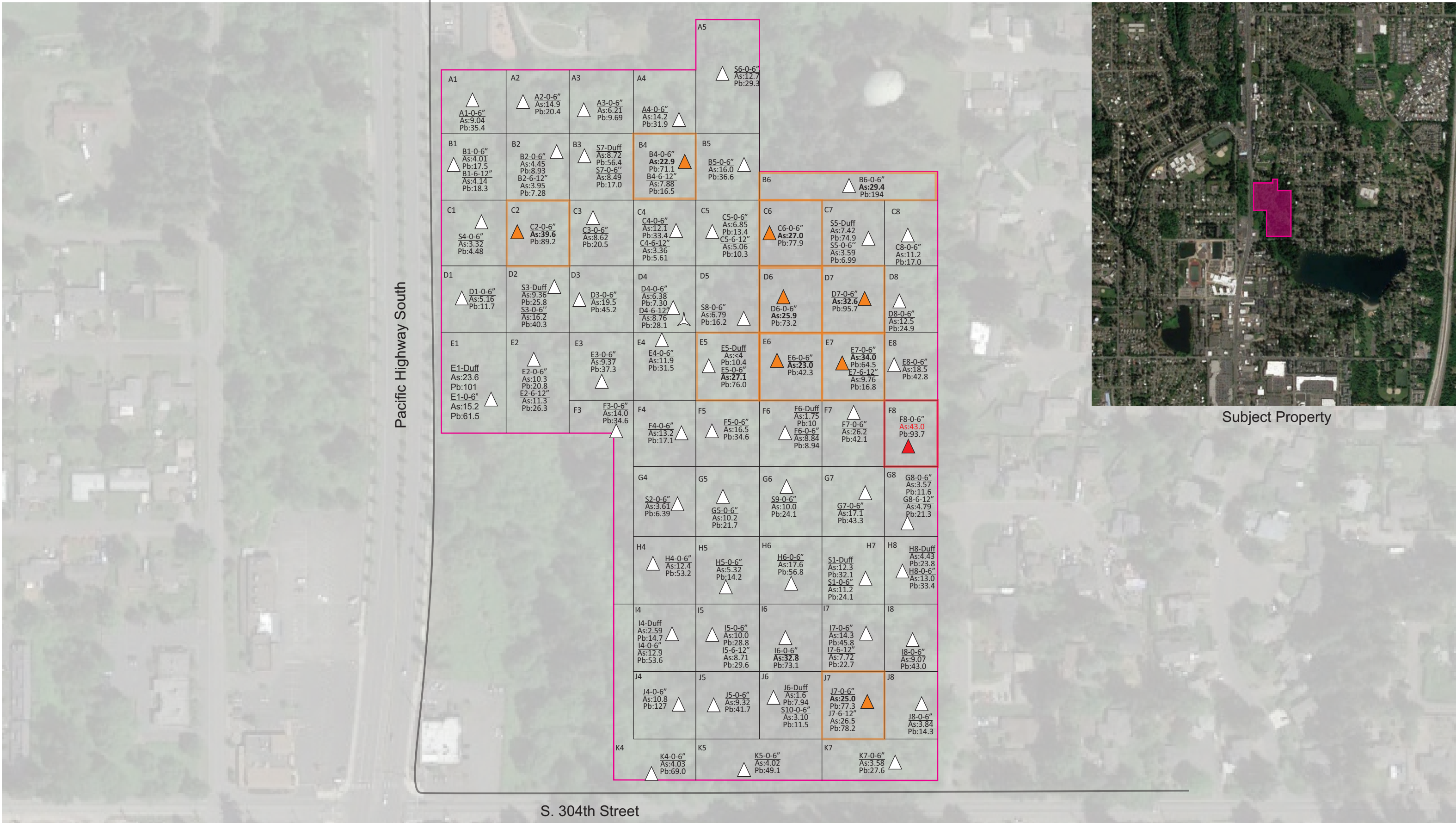
Figure No.:

02

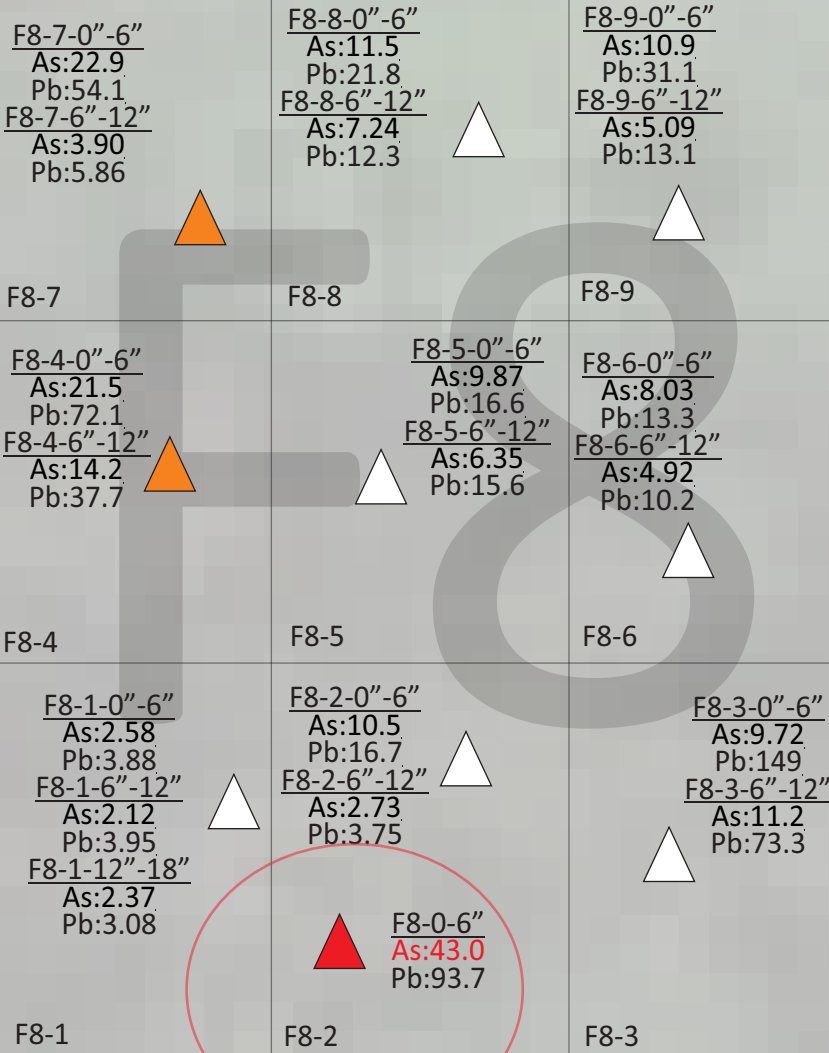
Sheet 02 of 03



Providing Practical Environmental Compliance Solutions
Offices in: Anchorage | Tacoma | Portland

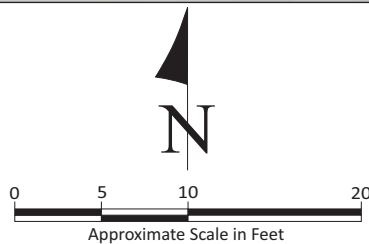
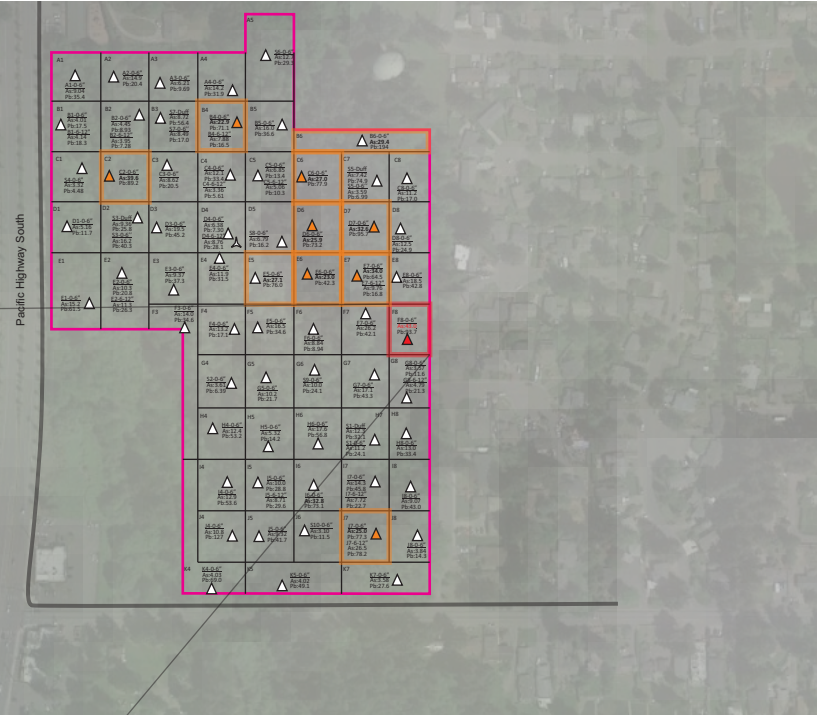


F7



G8

Approximate Area to be Mixed



- △ Soil Sample Report <20 mg/kg Arsenic / <250 mg/kg Lead
- △ Soil Sample Report <40 mg/kg Arsenic / <500 mg/kg Lead
- △ Soil Sample Report >40 mg/kg Arsenic
- As Arsenic
- Pb Lead
- mg/kg milligram / Killogram

Grid F8 - Soil Sample Location Map
Cleanup Action Plan
1717-1999 S 304th St
Federal Way, WA 98003

Date:	January 7, 2021	Figure No.:
Completed By:	K. Spencer	04
Reviewed By.:	S. Spencer	
Version:	R1-051019	
Project No.:	0766-01	
		Sheet 03 of 04



Voluntary Cleanup Program Agreement

Washington State Department of Ecology Toxics Cleanup Program

For completion by Ecology only	Facility/Site Name:
	Facility/Site No.:
	VCP Project No.:

Instructions

Submit this Agreement (original) to Ecology as part of your Application. Before submitting, enter the Customer's name and the Site's address on the first page, and sign the Agreement on the second page. If your Application is accepted, then Ecology will do the following: 1) identify the Site and VCP project in the box below; 2) sign the Agreement; and 3) send you a copy of the completed Agreement.

This document constitutes an Agreement between the State of Washington Department of Ecology (Ecology) and Edgewood Terrace Estates, LLC (Customer) to provide informal site-specific technical consultations under the Voluntary Cleanup Program (VCP) for the Site identified below and associated with the following address: 19XX S 304th Street, Federal Way, WA 98003.

The purpose of this Agreement is to facilitate independent remedial action at the Site. Ecology is entering into this Agreement under the authority of the Model Toxics Control Act (MTCA), chapter 70A.305 RCW, and its implementing regulations, chapter 173-340 WAC. If a term in this Agreement is defined in MTCA or chapter 173-340 WAC, then that definition shall govern.

Services Provided by Ecology

Upon request, Ecology agrees to provide the Customer informal site-specific technical consultations on the independent remedial actions proposed for or performed at the Site consistent with WAC 173-340-515(5). Those consultations may include assistance in identifying applicable regulatory requirements and opinions on whether the remedial actions proposed for or conducted at the Site meet those requirements.

Ecology may use any appropriate resource to provide the Customer with the requested consultative services. Those resources may include, but shall not be limited to, those of Ecology and the Office of the Attorney General. However, Ecology shall not use independent contractors unless the Customer provides Ecology with prior written authorization.

In accordance with RCW 70A.305.180, any opinions provided by Ecology under this Agreement are advisory only and not binding on Ecology. Ecology, the state, and officers and employees of the state are immune from all liability. Furthermore, no cause of action of any nature may arise from any act or omission in providing, or failing to provide, informal advice and assistance under the VCP.

Payment for Services by Customer

The Customer agrees to pay all costs incurred by Ecology in providing the informal site-specific technical consultations requested by the Customer consistent with WAC 173-340-515(6) and 173-340-550(6). Those costs may include the costs incurred by attorneys or independent contractors used by Ecology to provide the requested consultative services. Ecology's hourly costs shall be determined based on the method in WAC 173-340-550(2).

Ecology shall mail the Customer a monthly itemized statement of costs (invoice) by the tenth day of each month (invoice date) that there is a balance on the account. The invoice shall include a summary of the costs incurred, payments received, identity of staff involved, and amount of time staff spent on the project.

The Customer shall pay the required amount by the due date, which shall be thirty (30) calendar days after the invoice date. If payment has not been received by the due date, then Ecology shall withhold any requested opinions and notify the Customer by certified mail that the debt is past due.

If payment has not been received within sixty (60) calendar days of the invoice date, then Ecology shall stop all work under the Agreement and may, as appropriate, assign the debt to a collection agency under chapter 19.16 RCW. The Customer agrees to pay the collection agency fee incurred by Ecology in the course of debt collection.

Reservation of Rights / No Settlement

This Agreement does not constitute a settlement of liability to the state under MTCA. This Agreement also does not protect a liable person from contribution claims by third parties for matters addressed by the Agreement. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70A.305.040(4). Ecology's signature on this Agreement in no way constitutes a covenant not to sue or a compromise of any Ecology rights or authority.

Ecology reserves all rights under MTCA, including the right to require additional or different remedial actions at the Site should it deem such actions necessary to protect human health and the environment, and to issue orders requiring such remedial actions. Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the release or threatened release of hazardous substances at the Site.

Effective Date, Modifications, and Severability

The effective date of this Agreement shall be the date on which this Agreement is signed by the Toxics Cleanup Program's Section Manager or delegated representative. This Agreement may be amended by mutual agreement of Ecology and the Customer. Amendments shall be in writing and shall be effective when signed by the Toxics Cleanup Program's Section Manager or delegated representative. If any provision of this Agreement proves to be void, it shall in no way invalidate any other provision of this Agreement.

Termination of Agreement

Either party may terminate this Agreement without cause by sending written notice by U.S. mail to the other party. The effective date of termination shall be the date Ecology sends notice to the Customer or the date Ecology receives notice from the Customer, whichever occurs first. Unless otherwise directed, issuance of a No Further Action opinion, either for the Site as a whole or for a portion of the real property located within the Site, shall constitute notice of termination by Ecology.

Under this Agreement, the Customer is only responsible for costs incurred by Ecology before the effective date of termination. However, termination of this Agreement shall not affect any right Ecology may have to recover its costs under MTCA or any other provision of law.

Representations and Signatures

The undersigned representative of the Customer hereby certifies that he or she is fully authorized to enter into this Agreement and to execute and legally bind the Customer to comply with the Agreement.

Washington State Department of Ecology

Customer

Signature



Signature

Printed Name

Edgewood Terrace Estates, LLC

Printed Name of Signatory

Section Manager,
Toxics Cleanup Program

Benjamin Pentecost

Title of Signatory

Manager

Date

Date

If you need this publication in an alternative format, please call the Toxics Cleanup Program at 360-407-7170. Persons with hearing impairment can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

Appendix B

Appendix D: Department of Ecology Deliverables

VCP Application

VCP Agreement

Appendix B

Department Of Ecology Deliverables



Voluntary Cleanup Program Agreement

Washington State Department of Ecology Toxics Cleanup Program

For completion by Ecology only	Facility/Site Name:
	Facility/Site No.:
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Washington State Department of Ecology

Customer

Signature



Signature

Printed Name

Edgewood Terrace Estates, LLC

Printed Name of Signatory

Section Manager,
Toxics Cleanup Program

Benjamin Pentecost

Title of Signatory

Manager

Date

Date

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VCP Application Standard and Expedited Processes

Washington State Department of Ecology
Toxics Cleanup Program

Application Form

The Department of Ecology (Ecology) may provide informal, site-specific, technical consultations to persons conducting independent remedial actions at contaminated sites under the [Voluntary Cleanup Program](#) (VCP).¹ Ecology may provide the consultations under either the **Standard VCP** process or the **Expedited VCP** process.

Check the box
of the process
you are applying for:

- ☐ **Standard VCP**
☐ **Expedited VCP**

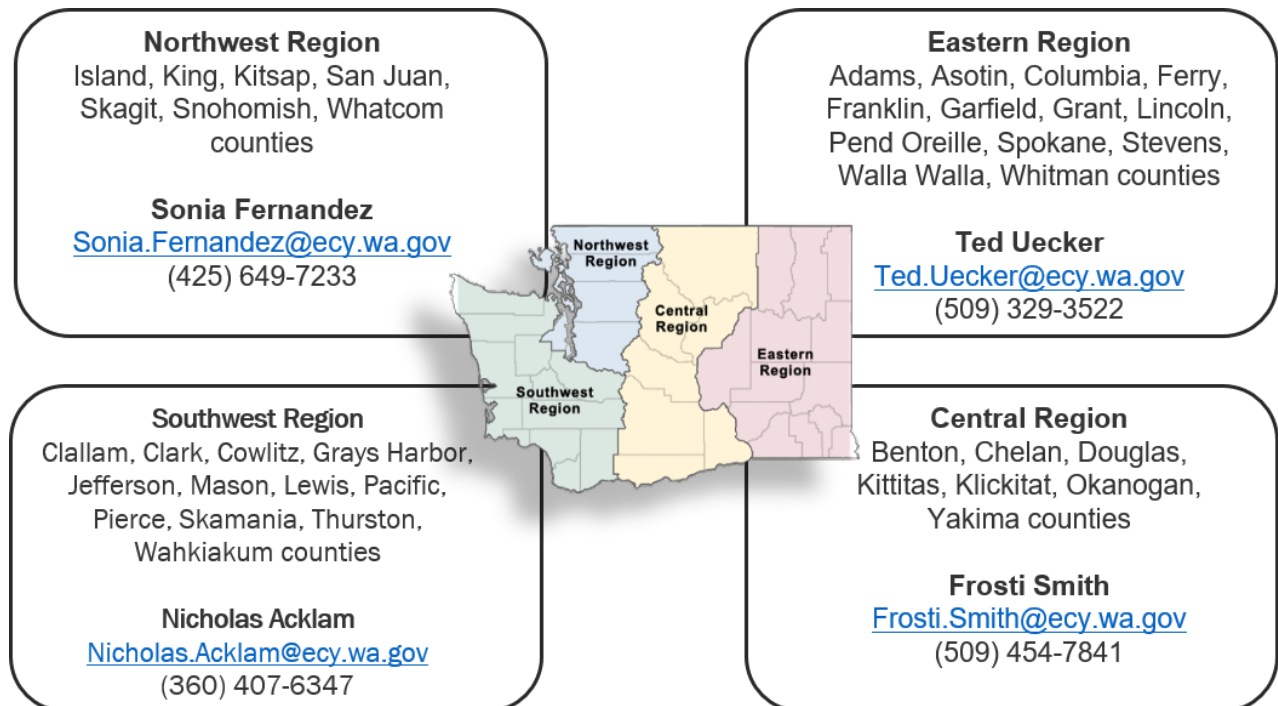
Apply to the **Standard VCP** process

To apply for the **Standard VCP** process, you **must** submit to Ecology all the following:

- VCP application form, completed and signed ← **this form**
- [VCP agreement](#) form,² signed by applicant
- [Agency determination checklist](#),³ completed.

To **request an opinion** on a planned or completed remedial action, you **must** complete **Part 1.F** in this form. Submit with this application one searchable pdf file and one hard copy of each report you want us to review. See our report requirements on our [Working with the Voluntary Cleanup Program webpage](#).⁴

Send your completed application to our regional contact listed, based on your site's county.



¹ <https://www.ecy.wa.gov/VCP>

² <https://fortress.wa.gov/ecy/publications/SummaryPages/ecy070324.html>

³ <http://ecyapfpass/Biblio2/SummaryPages/ECY070620.html>

⁴ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program/Working-with-VCP>

Apply to the Expedited VCP process

You may apply for the **Expedited VCP** process only during periods specified by Ecology. To see when Ecology is accepting **Expedited VCP** applications, see the [Expedited VCP process webpage](#)⁵ or subscribe to our **Expedited VCP email list**.

To apply for the **Expedited VCP** process, you **must** submit to Ecology all the following:

- VCP application form, completed and signed ← **this form**
- [Voluntary Cleanup Program Expedited Process agreement](#),⁶ signed by applicant
- [Agency determination checklist](#), completed
- Remedial investigation report or equivalent, meeting the elements of our [remedial investigation checklist](#), and other reports you want us to review (one searchable pdf file and one hard copy each)
 - Electronic environmental data submitted to the [Environmental Information Management](#) (EIM) system,⁷ which provides automatically generated email as confirmation
- Project schedule.

See the [Voluntary Cleanup Program \(VCP\): Guidance for the Expedited VCP Process](#)⁸ for additional information.

To submit your **Expedited VCP** application to Ecology, upload electronic files to [Box.com](#),⁹ after creating your online account:

Sarah Wollwage, Expedited VCP Planner
Toxics Cleanup Program
Department of Ecology
PO Box 47600 Lacey, WA 98504-7600

Do not send your **Expedited VCP** application materials to an Ecology regional office.

You **must pay** the **nonrefundable application fee** within seven calendar days of receiving our invoice, or we may reject your **Expedited VCP** application. After receiving the complete application, we will send the invoice to the email listed for the project billing contact in **Part 1.C** of this form. We will not process your application until we have received payment. Contact Sarah Wollwage at Sarah.Wollwage@ecy.wa.gov or (360) 407-7141 for additional information.

Part 1 – Administration

1.A Applicant. The applicant is the person or organization requesting services from Ecology, and is responsible for paying Ecology's incurred costs incurred. The agreement explains the applicant's authority and duty.	
Name of applicant:	
What type of entity is the applicant?	
☐ Person	A person applicant must serve as the project billing contact. Identify this person and their contact information in both Parts 1.B and 1.C .
☐ Organization	An organization applicant must identify the project manager in Part 1.B and the project billing contact in Part 1.C . The organization must employ both persons.

⁵ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program/VCP-Expedited>

⁶ <http://ecyapfaff/Biblio2/SummaryPages/ECY070633.html>

⁷ <https://ecology.wa.gov/Research-Data/Data-resources/Environmental-Information-Management-database/EIM-submit-data>

⁸ <https://fortress.wa.gov/ecy/publications/summarypages/2009053.html>

⁹ <https://account.box.com/login>

Part 1 – Administration

What is the applicant's involvement at the site? Check **all that apply**.

- | | | |
|---|--|--|
| ☐ property owner | ☐ business owner (operator) | ☐ agent of property owner |
| ☐ past property owner | ☐ mortgage holder | ☐ private person / organization |
| ☐ future property owner | ☐ consultant | ☐ public agency / organization |
| ☐ property lessee | ☐ attorney | |
| ☐ other – specify: _____ | | |

Expedited VCP note: The **Expedited VCP** applicant **must** have an ownership interest in or operate the facility or have a contractual right to purchase, redevelop, or reuse the facility. Agents for the property owner, such as a consultant, **may not apply** for the **Expedited VCP process**.

If not the current property owner, is the applicant authorized to grant property access? ☐ yes ☐ no

1.B Project manager. We will send the project manager all official correspondence. The project manager **must** be either the applicant or employed by the applicant. The project manager may not be an independent contractor hired by the applicant. Enter the required information.

Name:		Title:	
Mailing address:			
City:		State:	Zip:
Phone:	Email:		Fax:

1.C Project billing contact. We will send the project billing contact monthly invoices. The project billing contact **must** be either the applicant or employed by the applicant. The project billing contact may not be an independent contractor hired by the applicant. Enter the required information.

Name:		Title:	
Mailing address:			
City:		State:	Zip:
Phone:	Email:		Fax:

1.D Project consultant.

Is the applicant a consultant? ☐ yes ☐ no

If **"yes"**, skip to **Part 1.E**.

If **"no"**, **and** the applicant hired a consultant to conduct the independent remedial action, enter the required information.

Name:		Title:	
Organization:			
Mailing address:			
City:		State:	Zip:
Phone:	Email:		Fax:

Do you want us to contact the project consultant? ☐ yes ☐ no

Part 1 – Administration

1.E Property owner.		
Is the applicant the owner of the property where independent remedial action is being conducted?		
☐ yes If “yes” , enter the type of entity and skip to Part 1.F . ☐ no If “no” , enter below all of the required information.		
Name:		Title:
Organization:		
Mailing address:		
City:	State:	Zip:
Phone:	Email:	Fax:
What type of entity is the property owner? Check one .		
☐ private	☐ tribal	☐ federal
☐ county	☐ municipal	☐ public school
☐ other – specify: _____	☐ state	☐ mixed
1.F Request for written opinion.		
Are you requesting a written opinion at this time? ☐ yes ☐ no		
If “yes” , list the report(s) or plan(s) below you are requesting a written opinion for. Note: Your reports must meet the requirements on our Working with the Voluntary Cleanup Program webpage . ¹⁰		
Attach to this application additional remedial action reports or plans you want us to review. We will base our opinion on the information in the site file, including information attached to this application.		
1.G Reporting requirements. Comply with the following two reporting requirements when requesting written opinions on planned or completed remedial actions.		
1.G.1 Professional licensing. Documents submitted containing geologic, hydrogeologic, or engineering work must be stamped by of an appropriately licensed professional, as required by Chapters 18.220 and 18.43 RCW.		

¹⁰ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program/Working-with-VCP>

Part 1 – Administration

1.G.2 Data submittal to EIM. You **must** submit all site environmental sampling and analysis data in an electronic format that meets our requirements for transfer into our [EIM](#) system. Refer to our [EIM webpage](#) for instructions on how to apply for an account and submit your data. Failure to comply with these requirements may result in unnecessary delays.

For **Expedited VCP** applications **only**, the study ID and CSV file name **must** both begin with “XVC” in the title. **Do not** use spaces or hyphens in either the study ID or CSV file name.

Have you submitted all the site’s environmental data to EIM?

☐ yes ☐ no

☐ yes If “**yes**”, enter the study ID and CSV file name below.

☐ no If “**no**”, and data need to be submitted, submit your data to EIM first, and then complete the required information below.

We will not accept your **Expedited VCP** application unless you have satisfied these requirements.

We will not issue a no further action (NFA) opinion, unless you have satisfied these requirements.

Study ID	CSV File name	Submitted to EIM? (y/n)
Ex: XVCNW9999	Ex: XVCnw9999_June20_results.csv	yes
Study ID:	CSV File name:	
Study ID:	CSV File name:	
Study ID:	CSV File name:	
Study ID:	CSV File name:	
Study ID:	CSV File name:	
Study ID:	CSV File name:	
Study ID:	CSV File name:	
Study ID:	CSV File name:	
Study ID:	CSV File name:	

Part 2 – Site description

2.A Site name. If we have already identified the site, enter the site name we provided. Otherwise, enter a suggested name for the site. You may also include an alternative name.

Name:

Alternative name:

Part 2 – Site description

2.B Source property. The source property is the property where hazardous substances were released into the environment. For example, for an underground storage tank (UST) release, the source property is where the underground storage tank is located that caused the release.				
Do you know on which property the releases occurred? ☐ yes ☐ no If “yes” , refer to the source property when identifying the physical address and geographic position below. If “no” , refer to the property addressed by your cleanup when identifying the physical address and geographic position below.				
2.B.1 Physical address. Enter the property's physical address.				
Street address:				
City:		State:		Zip:
2.B.2 Geographic position. Enter the property's geographic position.				
Coordinates	Latitude:	Degrees:	Minutes:	Seconds:
	Longitude:	Degrees:	Minutes:	Seconds:
Location on property (e.g., point of release or center of parcel)				
Collection method (e.g., GPS or address matching)				
Collection source (i.e., map scale)				
Horizontal datum (i.e., base reference for coordinate system)				
Accuracy level (i.e., +/- feet or meters)				
Legal descriptions				
TRS data	Township:	Range:	Section:	Quarter-quarter:
Tax parcels				
2.C Affected properties. An affected property is a property affected by the hazardous substances released on the source property. For example, a leaking UST release on one property (source property) may migrate through the soil or groundwater to an adjacent property (affected property).				
Do any of the releases affect any properties adjacent to the source property? ☐ yes If “yes” , identify below each property you know has been affected by the releases on the source property. If you need to add more information, go to 2.C in the additional information pages at the end of this form. ☐ no If “no” , skip to Part 2.D . ☐ unknown If “unknown” , skip to Part 2.D .				
1	Address:			
	Tax parcels:			
2	Address:			
	Tax parcels:			
3	Address:			
	Tax parcels:			

Part 2 – Site description

4	Address:
	Tax parcels:
2.D Public rights-of-way affected by the releases.	
Do any of the releases affect a public right-of-way (e.g., roadways)? ☐ yes ☐ no ☐ unknown If “yes”, specify below. Otherwise, skip to Part 2.E . If you need to add more information, go to 2.D in the additional information pages at the end of this form.	
2.E Extent of the site.	
What is the approximate areal extent of the site? Check only one . ☐ < 5,000 square feet ☐ > 5,000 square feet, < 1 acre ☐ > 1 acre, < 10 acres ☐ > 10 acres ☐ unknown	
2.F Description of site release(s).	
2.F.1 Release source(s).	
What are the source(s) of the release(s) at the site? Check all that apply . ☐ area-wide lead and arsenic soil contamination (see “Area-wide soil contamination” below) ☐ non-point source (e.g., contaminated soil used as fill) ☐ point source (e.g., leaking tank) ☐ unknown ☐ other – specify: _____ Describe below the release source(s). If you need to add more information, go to 2.F.1 in the additional information pages at the end of this form.	
2.F.2 Release circumstances. Describe the release circumstances. If you need to add more information, go to 2.F.2 in the additional information pages at the end of this form.	

Part 2 – Site description

2.F.3 Release discover circumstances. Describe the release discovery circumstances. If you need to add more information, go to 2.F.3 in the additional information pages at the end of this form.																																																						
2.F.4 Area-wide soil contamination. Visit the Dirt Alert Program webpage ¹¹ or see the Management Plan for the Tacoma Smelter Plume project ¹² for information about the area-wide soil contamination projects.																																																						
Is the site in an area affected by smelter emissions, such as from the Tacoma Smelter Plume area? ☐ yes ☐ no ☐ unknown See if the site is within the mapped Tacoma Smelter Plume area .																																																						
Is the site located in a former fruit orchard in operation before 1947? ☐ yes ☐ no ☐ unknown																																																						
Is the site affected by area-wide arsenic or lead soil contamination? ☐ yes ☐ no ☐ unknown																																																						
2.G Nature and extent of contamination. The following refers to conditions after the release but before cleanup.																																																						
Hazardous substances and affected media. Identify hazardous substances released and media (e.g., soil) affected by those substances to the extent known. Use the codes at the end of the table.																																																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th rowspan="2" style="width: 40%;">Hazardous substance</th><th colspan="5">Check affected media</th></tr> <tr> <th style="width: 12%;">Soil</th><th style="width: 12%;">Ground-water</th><th style="width: 12%;">Surface water</th><th style="width: 12%;">Sediment</th><th style="width: 12%;">Air</th></tr> <tr> <td>Ex: benzene</td><td>C</td><td>S</td><td>N/A</td><td>N/A</td><td>B</td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>	Hazardous substance	Check affected media					Soil	Ground-water	Surface water	Sediment	Air	Ex: benzene	C	S	N/A	N/A	B																																					
Hazardous substance		Check affected media																																																				
	Soil	Ground-water	Surface water	Sediment	Air																																																	
Ex: benzene	C	S	N/A	N/A	B																																																	

¹¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Dirt-Alert-program>

¹² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites/Toxic-cleanup-sites/Tacoma-smelter>

Part 2 – Site description

C = confirmed, greater than cleanup level
B = confirmed, less than cleanup level

O = confirmed, not present
S = suspected

N/A = not suspected
U = unknown

2.G.1 Drinking water.

Does site contamination pose a threat or potential threat to an existing drinking water source (groundwater or surface water)? ☐ yes ☐ no ☐ unknown

If “yes”, what type of drinking water system is threatened by the contamination? Check **all that apply**.

☐ single family ☐ public

If “**public drinking water supply**” is selected, is the contamination located within or upstream of a 10-year wellhead protection area? ☐ yes ☐ no ☐ unknown

If “yes”, or help is needed, see the [Source Water Assessment Program \(SWAP\) Mapping Tool](#)¹³ or call the Department of Health at (800) 521-0323 for information.

2.G.2 Indoor air.

Are contaminant odors noted in any buildings, underground utilities conduits, or other confined spaces?

☐ yes ☐ no ☐ unknown

If “yes”, specify below. If you need to add more information, go to [2.G.2](#) in the additional information pages at the end of this form.

2.H Site maps.

Attach to this application maps that identify:

- site location
- affected properties and public rights-of-way
- source(s) of release(s)
- nature and extent of contamination
- impacted human or ecological receptors (e.g., through drinking water supplies)
- site physical characteristics (e.g., property lines, building and roadway outlines, surface water bodies, water supply wells, groundwater flow direction, and utility rights-of-way)
- adjacent properties and their uses (e.g., gas station, dry cleaner, residential).

¹³ <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/SourceWater/GISMappingTool>

Part 3 – Operational History

3.A Current use of source property. The following refers to only the source property and not other properties affected by the site contamination. Add information to the best of your ability.		
3.A.1 Current property owners. Identify the current owner of the source property.		
Name:	Title:	
Organization:		
Mailing address:		
City:	State:	Zip:
Phone:		
3.A.2 Current business owner (operator). Identify the current business owner operating on the source property.		
Name:	Title:	
Organization:		
Mailing address:		
City:	State:	Zip:
Phone:		
3.A.3 Current business operations. Identify the current business operations on the source property.		
What is the current land use of the source property? Check all that apply .		
☐ residential ☐ commercial ☐ industrial ☐ agricultural ☐ childcare facility ☐ school ☐ park ☐ other – specify:		
Does a commercial or industrial business currently operate on the source property? ☐ yes ☐ no ☐ unknown		
If “ yes ”, identify in the following table the current business operations using the North American Industry Classification System (NAICS) codes and specifying the operations.		
NAICS Code	Operations Description	
Ex: 447110	Gasoline stations with convenience stores	
Is a solid waste handling facility located on the source property? ☐ yes ☐ no ☐ unknown		
If “ yes ”, identify below. If you need to add more information, go to 3.A.3 in the additional information at the end of this form.		

Part 3 – Operational History

Is a dangerous waste treatment, storage, or disposal facility located on the source property?

☐ yes ☐ no ☐ unknown

If “yes”, identify here: _____.

If you need to add more information, go to [3.A.3](#) in the additional information pages at the end of this form.

3.A.4 Regulation of current business operations.

Does the business operate under any federal, state, or local permits (e.g., NPDES) related to the release of hazardous substances into the environment? ☐ yes ☐ no ☐ unknown

If “yes”, specify below the regulated operation, the name of the permit, and the date it was issued.

Regulated operation	Permit	Date issued
Ex: wastewater discharge	NPDES permit	02/02/02

Has a state or federal notice of enforcement action (e.g., notice of violation) ever been issued related to the release of hazardous substances at the business? ☐ yes ☐ no ☐ unknown

If “yes”, specify notice and year issued: _____

Have business operations resulted in any other spills or other unpermitted releases on the source property? ☐ yes ☐ no ☐ unknown If “yes”, list in the following table.

Release	Date of release	Status of release

3.A.5 Storage tank information. Identify all aboveground storage tanks (ASTs) and USTs that have been used to store hazardous substances on the source property, regardless of whether the tanks are still in service or in place. Enter “U” where unknown.

Identification				Status and Closure				Releases	
Hazardous substance	AST or UST	Size (gal.)	Tank ID	Date installed	In use (y/n)	Date closed	Closure method (*)	Past (y/n)	Current (y/n)
Ex: diesel	UST	10,000	4	02/87	N	5/98	removed	Y	N

(*) Options = removed or closed in place.

Part 3 – Operational History

3.B Past use of source property. The following refers to only the source property, not other properties affected by the site.			
3.B.1 Past property owners. Identify the owner of the source property when the release occurred.			
Name:		Title:	
Organization:			
Mailing address:			
City:		State:	Zip:
Phone:	Fax:	Email:	
3.B.2 Past business owners (operators). Identify the site business owner (operator) when the release occurred.			
Name:		Title:	
Organization:			
Mailing address:			
City:		State:	Zip:
Phone:	Fax:	Email:	
3.B.3 Identification of past business operations. Identify the past operations of businesses on the source property using the NAICS codes and/or specifying the operations.			
NAICS Code		Operations description	
Ex: 447110		Gasoline stations with convenience stores	
3.C Future use of source and affected properties. The following refers to both source and affected properties.			
Will any ownership interest in the source property or affected properties be conveyed before or upon cleanup completion? ☐ yes ☐ no ☐ unknown			
If “yes”, specify below. If you need to add more information, go to 3.C in the additional information pages at the end of this form.			

Part 3 – Operational History

3.D Redevelopment plans as part of cleanup.

Will any of the source or affected properties, or portions of those properties, be redeveloped as part of the cleanup? ☐ yes ☐ no ☐ unknown

If “**yes**”, specify below the proposed land use. Check **all that apply**.

- ☐ residential ☐ school ☐ commercial ☐ industrial ☐ childcare facility
☐ agricultural ☐ park ☐ other – specify:

Also, specify below the activities proposed for that land use. If you need to add more information, go to [3.D](#) in the additional information pages at the end of this form.

Part 4 – Administrative history

Have you previously reported the release(s) of hazardous substances?

☐ yes ☐ no ☐ unknown If “**yes**”, when? _____

Has cleanup of the site, or any portion of the site, ever been managed under the **Standard VCP** or **Expedited VCP**? ☐ yes ☐ no ☐ unknown

If “**yes**”, specify **Standard VCP** or **Expedited VCP** project number: _____

Has the site cleanup, or any portion, ever been managed under a federal or state order or decree?

☐ yes ☐ no ☐ unknown If “**yes**”, specify type and docket number: _____

Part 5 – Independent remedial actions

5.A Scope of remedial actions.

Do you plan to characterize and investigate all site contamination, including contamination on affected adjacent properties, as part of your cleanup project? ☐ yes ☐ no ☐ unknown

If “**no**”, describe below the scope of the cleanup project, including the contamination (properties, portions of a property, media and/or hazardous substances) that you **do not** plan on characterizing or investigation as part of the **Standard VCP** or **Expedited VCP** project. If you need to add more information, go to [5.A](#) in the additional information pages at the end of this form.

Part 5 – Independent remedial actions

5.B Status of remedial actions.

What is the current status of remedial actions at the site? Check **all that apply** in table.

Remedial action	Planned	Ongoing	Completed	Not applicable
Initial response (UST only)				
Interim action				
Remedial investigation				
Feasibility study				
Cleanup action				

5.C Documentation of remedial actions.

List all known remedial action plans or reports produced for the site, including:

- title
- preparer
- date produced
- whether submitted to us
- date submitted to us

If you need to add more information, go to [5.C](#) in the additional information pages at the end of this form.

	Title	Preparer	Date	Submitted to Ecology	
				yes/no	date
Ex:	Jane Doe site: Remedial Investigation Work Plan	Freedom Consulting	02/20/19	no	n/a
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

Part 6 – Statement and signature

6.A Statement and signature. The undersigned **affirms** that the information provided in this application is true and accurate to the best of the applicant's knowledge. Someone other than the **applicant** may sign this application form.

Name:		Title:	
Signature: 		Date:	
Organization:			
Mailing address:			
City:		State:	Zip:
Phone:	Email:	Fax:	

6.B Affiliation.

What is the signatory's involvement at the site? Check **all that apply**.

- ☐ applicant ☐ property owner ☐ consultant ☐ attorney
☐ other - specify:

Expedited VCP note: While anyone may sign the **application form**, only certain types of applicants are eligible to join **Expedited VCP process** and sign the **Expedited VCP agreement**. To sign the agreement, the applicant **must** have an ownership interest in or operate the facility or have a contractual right to purchase, redevelop, or reuse the facility. If the applicant is a corporation, a representative authorized to bind the corporation **must** sign the **Expedited VCP agreement**.

If you need this publication in an alternative format, please call the Toxics Cleanup Program at 360-407-7170 or visit our [Toxics Cleanup Program webpage](https://ecology.wa.gov/About-us/Get-to-know-us/Our-Programs/Toxics-Cleanup).¹⁴ Persons with hearing impairment can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

¹⁴ <https://ecology.wa.gov/About-us/Get-to-know-us/Our-Programs/Toxics-Cleanup>