

# Voluntary Cleanup Program Agreement

Washington State Department of Ecology

**Toxics Cleanup Program** 

For	Facility/Site Name:	Glitsa American Inc
completion by Ecology	Facility/Site No.:	63168342
only	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 <u>Jenor Company</u>, <u>LLC</u> (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: 327 S Kenyon St. Seattle, WA 98108

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 70.105D 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 70.105D.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.

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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 70.105D.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

Signature

Date

**Printed Name** 

Section Manager. Toxics Cleanup Program for Barry Rogowski

Customer M Jailes Signature

Printed Name of Signatory

Managing Partner

Title of Signatory

12/4/2020

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.

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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 <u>Voluntary Cleanup Program</u> (VCP).<sup>1</sup> 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
- <u>VCP agreement</u> form,<sup>2</sup> signed by applicant
- Agency determination checklist,<sup>3</sup> 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 <u>Working with the Voluntary Cleanup Program webpage</u>.<sup>4</sup>

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



1 https://www.ecy.wa.gov/VCP

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

<sup>3</sup> http://ecyapfass/Biblio2/SummaryPages/ECY070620.html

<sup>4</sup> 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 <u>Expedited VCP process webpage</u><sup>5</sup> 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,<sup>6</sup> signed by applicant
- Agency determination checklist, completed

• Remedial investigation report or equivalent, meeting the elements of our <u>remedial investigation</u> checklist, and other reports you want us to review (one searchable pdf file and one hard copy each)

Electronic environmental data submitted to the <u>Environmental Information Management</u> (EIM) system,<sup>7</sup>
 which provides automatically generated email as confirmation

Project schedule.

See the Voluntary Cleanup Program (VCP): Guidance for the Expedited VCP Process<sup>®</sup> for additional information.

To submit your Expedited VCP application to Ecology, upload electronic files to <u>Box.com</u>,<sup>9</sup> 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 <u>Sarah Wollwage@ecy.wa.gov</u> 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: Tenor Co.

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.

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

<sup>&</sup>lt;sup>6</sup> http://ecyapfass/Biblio2/SummaryPages/ECY070633.html

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

<sup>&</sup>lt;sup>8</sup> https://fortress.wa.gov/ecy/publications/summarypages/2009053.html

<sup>&</sup>lt;sup>9</sup> https://account.box.com/login

## Part 1 – Administration

What is the applicant's involve	vement at the site? Check all that apply.			
<ul> <li>property owner</li> <li>business owner (operator)</li> <li>agent of property owner</li> <li>private person / organization</li> <li>property owner</li> <li>consultant</li> <li>public agency / organization</li> <li>attorney</li> </ul> Expedited VCP note: The Expedited VCP applicant must have an ownership interest in or operate the				
facility or have a contractual	Expedited VCP applicant must have an ownership right to purchase, redevelop, or reuse the facility. A , may not apply for the Expedited VCP process.	interest in or operate the Agents for the property		
If not the current property ov	vner, is the applicant authorized to grant property ac	ccess? 🗌 yes 🗌 no		
<b>1.B Project manager.</b> We will send the project manager all official correspondence. The project manager <b>must</b> 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:Duane Bartel	Title: Managing Pa	artner		
Mailing address:526 Suns	set Ave			
City: Ocean Shores	State:WA	Zip:98569		
Phone:(206)-321-5565	Email:duanesadventures2296@comcast.net	Fax:		
<b>1.C Project billing contact.</b> We will send the project billing contact monthly invoices. The project billing contact <b>must</b> 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: Duane Bartel	Title: Managing P	artner		
Mailing address:526 Suns	set Ave			
City:Ocean Shores	State:WA	Zip:98569		
Phone:(206)-321-5565	Email:duanesadventures2296@comcast.net	Fax:		
1.D Project consultant	-			
Is the applicant a consultant	? □ yes ★ no			
If " <b>yes</b> ", skip to <b>Part 1.E</b> .				
If <b>"no"</b> , <b>and</b> the applicant hi required information.	red a consultant to conduct the independent remed	ial action, enter the		
Name:Robert Roe	Title:Senior Hydr	ogeologist		
Organization: Environme	ntal Associates, Inc.			
Mailing address: 1380 112	2 Ave NE, Suite 300			
City:Bellevue	. State:WA	Zip:98004		
Phone:(425)-455-9025	Email:rroe@environmentalassociatesinc.com	Fax:(425)-455-2316		
Do you want us to contact the project consultant? □ yes ★ no				

## Part 1 – Administration

1.E	Property owner.				
Is the a	pplicant the owner of	the property where inc	lependent reme	dial action is l	peing conducted?
■ yes □ no		the type of entity and s elow all of the required			
Name:	Duane Bartel		Title:M	anaging Pa	artner
Organiz	zation: Tenor Com	bany			
Mailing	address:526 Suns	et Ave			
City:Oc	cean Shores	;	State:WA		Zip:98569
Phone:	Phone:(206)-321-5565 Email:dua		tures2296@cc	mcast.net	Fax:
What ty	vpe of entity is the pro	perty owner? Check o	ne.		
★ private       ☐ tribal       ☐ federal       ☐ state         ☐ county       ☐ municipal       ☐ public school       ☐ mixed         ☐ other – specify:					
1.F	Request for written	opinion.			
Are you	requesting a written	opinion at this time?	★ yes	s 🗌 no	
		plan(s) below you are i on our <u>Working with t</u>			or. Note: Your reports
FSID	63168342 - 2020	1119ICA Status R	Report - UST		
FSID	63168342 - 2020	0730ICA Status R	leport - Lead	l Paint	
					*
1		additional remedial acti rmation in the site file,		•	
1.G		nents. Comply with the blanned or completed r	•		rements when requesting
1.G.1					rogeologic, or essional, as required by

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

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### 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 <u>EIM</u> system. Refer to our <u>EIM webpage</u> 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. <b>Do not</b> use spaces or hyphens in either the study ID or CSV file name.						
Have you submitted all the s	ite's environmental data to EIM?	es 🗌 no				
★ yes If " <b>yes</b> ", enter the study ID and CSV file name below.						
no If " <b>no</b> ", and data need to be submitted, submit your data to EIM first, and then complete the required information below.						
We will not accept your Ex	pedited VCP application unless you have satisfied	hese requirements.				
We will not issue a no furth	er action (NFA) opinion, unless you have satisfied t	hese requirements.				
Study ID	CSV File name	Submitted to EIM? (y/n)				
Ex: XVCNW9999	Ex: XVCnw9999_June20_results.csv	yes				
Study ID:FS63168342	CSV File name: FSID63168342-Locations.csv	yes				
Study ID:FS63168342	CSV File name: FS63168342-Air Results.csv	1/00				
		yes				
Study ID:FS63168342	CSV File name: FS63168342-Groundwater Results.csv	yes				
Study ID:FS63168342 Study ID:FS63168342	CSV File name: <sup>FS63168342-Groundwater Results.csv</sup> CSV File name:FS63168342-Soil Results.csv	1				
		yes				
Study ID:FS63168342	CSV File name:FS63168342-Soil Results.csv	yes				
Study ID:FS63168342 Study ID:	CSV File name:FS63168342-Soil Results.csv CSV File name:	yes				

#### 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: Glitsa American Inc.

Alternative name: Tenor Co.

# Part 2 – Site description

2.8	release	<b>Source property.</b> 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 o	n which property the	e releases occurred	l? ★ yes 🗌 no			
lf " bel	<b>yes"</b> , refer t ow.	to the source proper	ty when identifying	the physical address a	nd geographic position		
1		o the property addre sition below.	ssed by your clean	up when identifying the	physical address and		
2.6	3.1 Physic	cal address. Enter t	he property's physi	cal address.			
Stre	et address:	327 S Kenyon S	t.				
City	City:Seattle State:WA Zip:98108						
2.E	B.2 Geogr	aphic position. Ent	er the property's ge	eographic position.			
Ca		Latitude:47	Degrees:31	Minutes:53.904	Seconds:		
Coc	ordinates	Longitude:-122	Degrees:19	Minutes:43.572	Seconds:		
Location on property (e.g., point of release or center of parcel] Collection method							
Coll (i.e	ection source , map scale)	e					
(i.e Acc	izontal datun ., base referenc uracy level ., +/- feet or met	e for coordinate system)					
Leg	al description	1S 1			1		
TR	S data	Township:24N	Range:4E	Section:32	Quarter-quarter:		
Тах	parcels	7328400740					
2.0	release (source	ed on the source pro	perty. For example	a property affected by t , a leaking UST releas il or groundwater to an			
Do	any of the r	eleases affect any p	properties adjacent	to the source property?	2		
	yes		you need to add mo	ore information, go to 2	ected by the releases on the <u>.C</u> in the additional		
*	no	If "no", skip to Par	t 2.D.				
	unknown	lf " <b>unknown</b> ", skip	to Part 2.D.				
	Address:				-		
1	Tax parce	ls:					
	Address:						
2	Tax parce	ls:		······			
	Address:						
3	Tax parce	ls:					

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## Part 2 – Site description

	Address:
4	Tax parcels:
2.D	Public rights-of-way affected by the releases.
lf " <b>y</b> add	any of the releases affect a public right-of-way (e.g., roadways)? $\star$ yes $\Box$ no $\Box$ unknown <b>res</b> ", specify below. Otherwise, skip to <b>Part 2.E</b> . If you need to add more information, go to <u>2.D</u> in the itional information pages at the end of this form.
Site	e extends partially under S Kenyon St. to the north of the property.
2.E	Extent of the site.
	at is the approximate areal extent of the site? Check only one.
	< 5,000 square feet > 1 acre, < 10 acres > 10 acres > 10 acres unknown
2.F	Description of site release(s).
2.F	.1 Release source(s).
*	at are the source(s) of the release(s) at the site? Check <b>all that apply</b> . 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:
	scribe below the release source(s). If you need to add more information, go to $2.F.1$ in the additional prmation pages at the end of this form.
	A former UST and underground piping.
	Burried, partially filled drums and loose waste.
2.F	F.2 Release circumstances. Describe the release circumstances. If you need to add more information, go to <u>2.F.2</u> in the additional information pages at the end of this form.
	Leakage of stoddard solvents from underground piping from a former UST to a nearby warehouse.
	Improper disposal of lead paint/waste by a prior property owner/operator.

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2.F.3 Release discover circumstances	. Describe the	release disco	very circums	stances. If yo	u need
to add more information, go to 2.F.					
A site assessment conducted in I					
the site first identified a release of			bove the l	MTCA Met	hod A
	cleanup lev				
In the course of a yard grading p					gallor
drums containing drie	ed paint wer	e discover	red at the	site.	
2.F.4 Area-wide soil contamination. Vis Plan for the <u>Tacoma Smelter Plume</u> contamination projects.	end to be a second and the second and	construction of constructing the contract of the construction of the contract of the construction of the contract of the construction of the contract of the c	Concernence of Second		jement
s the site in an area affected by smelter em	issions, such a	as from the Ta	acoma Smel	ter Plume are	ea?
🔳 yes 🗌 no 🔲 unknown					
See if the site is within the mapped Tacoma	Smelter Plum	e area.			
s the site located in a former fruit orchard ir	n operation bef	ore 1947?	🗌 yes [	🔳 no 🗌 ur	nknown
s the site affected by area-wide arsenic or I	ead soil contai	mination?	🔳 yes [	🗌 no 🔲 ur	nknown
2.G Nature and extent of contamination before cleanup.	on. The followi	ng refers to c	conditions af	ter the releas	e but
lazardous substances and affected med e.g., soil) affected by those substances to t					
	Check af	fected media			
lazardous substance	Soil	Ground- water	Surface water	Sediment	Air
x: benzene	С	S	N/A	N/A	В
Arsenic	B	В	N/A	N/A	N//
Lead	C	В	N/A	N/A	N//
Stoddard Solvent	С	С	N/A	N/A	В
Metals - Other	С	В	N/A	N/A	N//
			and a supervision of the supervi		

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

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

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## Part 2 – Site description

C = confirmed, greater than cleanup level	O = confirmed, not present	N/A = not s	uspected	
B = confirmed, less than cleanup level	S = suspected	U = unknow		
2.G.1 Drinking water.				
Does site contamination pose a threa (groundwater or surface water)?	at or potential threat to a ☐ yes ★ no		ing water source	
If "yes", what type of drinking water s	system is threatened by	the contaminat	ion? Check all th	nat apply.
Single family Dublic				
If " <b>public drinking water supply</b> " is 10-year wellhead protection area?	selected, is the contam		within or upstrea	m of a
If " <b>yes</b> ", or help is needed, see the <u>S</u> call the Department of Health at $(800)$			VAP) Mapping To	00 <sup>13</sup> or
2.G.2 Indoor air.				
Are contaminant odors noted in any b	ouildings, underground	utilities conduits	, or other confine	d spaces?
🗌 yes 🖈 no 🔲 unknown				
If " <b>yes"</b> , specify below. If you need to pages at the end of this form.	o add more information,	go to <u>2.G.2</u> in t	he additional info	rmation
2.H Site maps.				
Attach to this application maps that id	dentify:			
site location				
<ul> <li>affected properties and public right</li> </ul>	nts-of-way			
<ul> <li>source(s) of release(s)</li> <li>nature and extent of contaminatio</li> </ul>	าท			
<ul> <li>impacted human or ecological rec</li> </ul>	ceptors (e.g., through dr			
<ul> <li>site physical characteristics (e.g., water supply wells, groundwater fill</li> <li>adjacent properties and their uses</li> </ul>	flow direction, and utility	rights-of-way)		ater bodies,
<ul> <li>adjacent properties and their uses</li> </ul>	s (e.g., gas station, dry	cleaner, residen	itial).	

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

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	source property. The follow ted by the site contamination.		
3.A.1 Current proper	ty owners. Identify the current	nt owner of the source	property.
Name:Duane Bartel		Title:Mana	iging Partner
Organization: Tenor C	0.		
Mailing address: 526 S	unset Ave		
City:Ocean Shores		State:WA	Zip:98569
Phone:(206)-321-55	65		
3.A.2 Current busine source property	ss owner (operator). Identify	y the current business of	owner operating on the
Name:N/A Title:N/A			
Organization:N/A			
Mailing address:N/A			
City:N/A		State:N/A	Zip:N/A
Phone:N/A			
3.A.3 Current busine	ess operations. Identify the c	urrent business operati	ons on the source property.
Does a commercial or ir ☐ yes ★ no If " <b>yes</b> ", identify in the f	ark other – spec idustrial business currently op unknown ollowing table the current bus IAICS) codes and specifying	perate on the source pro	
NAICS Code	Operations Descriptio	n	
Ex: 447110	Gasoline stations with	convenience stores	
	-		
☐ yes ★ no	g facility located on the source unknown If you need to add more info	6	the additional information at

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	AST or UST UST UST	Size (gal.) 10,000 7,500	Tank ID 4 2324	Status an Date installed 02/87 1959	d Closu In use (y/n) N N		Closure method (*) removed removed	Relea Past (y/n) Y Y	
been used tanks are si Identification Hazardous substance Ex: diesel	AST or UST UST	Size (gal.) 10,000	ID 4	Date installed 02/87	In use (y/n) N	Date closed 5/98	method (*) removed	Past (y/n) Y	Curren (y/n)
been used tanks are st Identification Hazardous substance Ex: diesel	AST or UST UST	Size (gal.) 10,000	ID 4	Date installed 02/87	In use (y/n) N	Date closed 5/98	method (*) removed	Past (y/n) Y	Curren (y/n)
been used tanks are st Identification Hazardous substance	AST or UST	Size (gal.)	ID	Date installed	In use (y/n)	Date closed	method (*)	Past (y/n)	uses Curren (y/n)
been used tanks are st Identification		1	Tank			re	Closure		ises
been used tanks are st	uii in serv			Status an	d Closu			Relea	
been used	uii in serv		placer El						line
2 A E Ctorogo to	to store h	nazardou	s substan	ices on the	source	property, I	(ASTs) and US regardless of w		
	•								
Release				Date of re	elease		Status of re	lease	
the release of hazar If " <b>yes</b> ", specify not Have business oper property?	tice and y	year issu	ed:	r spills or o					
Has a state or feder					notice o				
Ex: wastewater disc	harge		NPDES	permit			02/02/0	2	
Regulated operation			Permit					Date issued	
Does the business of of hazardous substa If " <b>yes</b> ", specify bel	ances inte	o the env	rironment	?	🗋 ye	es 🔲 no	unknow	n	
3.A.4 Regulation						vita (a.g. N		l to the	
If you need to add n form.					ditional	information	n pages at the	end of t	his
		•							
If "yes", identify he									
	no	unknow							

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3.B	Past use of source properties affected by the		fers to c	only the sou	urce property, not other
3.B.1	Past property owners. Id	entify the owner of th	e sourc	e property	when the release occurred.
Name:				Title:	
Organi	zation:Ownership of this p	property at time of re	elease	is currently	y uncertain/under dispute.
Mailing	address:				
City:			State:		Zip:
Phone:		Fax:	- <b>J</b>	Email:	
3.B.2	Past business owners (c release occurred.	perators). Identify th	e site b	usiness ow	mer (operator) when the
Name:	Brian Huber			Title:Pre:	sident, CEO
Organi	zation:Farwest Paint M	anufacturing Cor	npany	/	
	address:4522 S 133rd				
City:Tt	ukwilla		State:	WA	Zip:96168
Phone:	(206)-244-8844 Ext.122	Fax:(206)-248-	7691	Email:br	ian@farwestpaint.com
3.B.3 NAICS	source property using the		specifyi		erations of businesses on the rations.
Ex: 447	7110	Gasoline stations with		enience sto	res
	325510		Pa	aint manufac	turing
			Floor fini	sh sales and	d distribution
3.C	Future use of source and properties.	d affected properties	s. The f	ollowing ref	fers to both source and affected
cleanu	y ownership interest in the s p completion?	🗌 yes 🔲 no	★ unk	nown	
	", specify below. If you nee end of this form.	d to add more informa	ation, go	o to <u>3.C</u> in t	he additional information pages
				,	
					~
					×

.

3.D Redevelopment	plans as par	t of cleanup.
Will any of the source or the cleanup?		erties, or portions of those properties, be redeveloped as part of ★ no □ unknown
If " <b>yes</b> ", specify below th	e proposed la	and use. Check all that apply.
residential	school	commercial     industrial     childcare facility
agricultural	🗌 park	other – specify:
		esed for that land use. If you need to add more information, go les at the end of this form.
	and the structure of th	

## Part 4 – Administrative history

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

# Part 5 – Independent remedial actions

5.A	Scope of remedial actions.
	u plan to characterize and investigate all site contamination, including contamination on affected ant properties, as part of your cleanup project?
of a pr investi	", describe below the scope of the cleanup project, including the contamination (properties, portions operty, media and/or hazardous substances) that you <b>do not</b> plan on characterizing or gation as part of the <b>Standard VCP</b> or <b>Expedited VCP</b> project. If you need to add more ation, go to <u>5.A</u> 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.

Planned	Ongoing	Completed	Not applicable
		Х	
		X	
		Х	
		X	
		Х	
	Planned	Planned Ongoing	PlannedOngoingCompletedImage: CompletedXImage: CompletedX

#### 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	Underground Storage Tank Removal and Limited	Environmental Associates, Inc	04/01/09	yes	n/a
2	Cleamup Action, Former Glitsa, Inc. Property				
3	Independent Cleaunup Action Status Report	Environmental Associates, Inc	06/23/10	yes	n/a
4	(LUST Release #3910), Former Glitsa, Inc. Property				
5	Site Hazard Assessment - Glitsa American, Inc.	Tenor Co, LLC.	08/15/14	yes	n/a
6	FSID63168342 – 20200730ICA Status Report	Tenor Co, LLC.	07/30/20	yes	n/a
7	- Lead Paint				
8	FSID63168342 – 20201119ICA Status Report	Tenor Co, LLC.	11/19/20	yes	n/a
9	- UST				
10					

### Part 6 – Statement and signature

6.A Statement and signature. application is true and accu applicant may sign this ap	urate to the best of the app		ion provided in this le. Someone other than the
Name:Skye Bartel		Title:Partner	
Signature: Skyr Burt			Date: 12/1/2020
Organization: Tenor Co.			
Mailing address: 18708 126th.	Ave NE Apt.2624		
City:Bothell	State	:WA	Zip:98011
Phone:(425)-213-9200	Email:wkoedhyzvyx@msn.com	Fax:	
6.B Affiliation.			
What is the signatory's involvemen	t at the site? Check all tha	t apply.	
🗌 applicant 🔳 p	roperty owner 🔲 consu	Itant 🗌 :	attorney
🗌 other - specify:			
Expedited VCP note: While anyor eligible to join Expedited VCP pro agreement, the applicant must hav right to purchase, redevelop, or reu authorized to bind the corporation i	cess and sign the Expedit ve an ownership interest in use the facility. If the applic	ed VCP agreem or operate the fa ant is a corporation	ent. To sign the cility or have a contractual

If you need this publication in an alternative format, please call the Toxics Cleanup Program at 360-407-7170 or visit our <u>Toxics Cleanup Program webpage</u>.<sup>14</sup> Persons with hearing impairment can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

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

# **Additional Information Pages**

Insert information here that does not fit into the application format above.

2.0	2 Affected properties (continued)
5	Address:
	Tax parcels:
6	Address:
0	Tax parcels:
7	Address:
1	Tax parcels:
8	Address:
0	Tax parcels:
9	Address:
9	Tax parcels:
10	Address:
	Tax parcels:

<u>2.D</u>	Public rights-of-way affected by the releases (continued)		

2.F.1 Release source(s) (continued)
-------------------------------------

### 2.F.2 Release circumstances (continued)


Release discovery circumstanc	ces (continued)	
2		
-		

2.G.2 Indoor air (continued)	
4	

3.A.3 Current business operations	Current business operations (continued)			
~	~			

<u>3.C</u>	Future use of source and affected properties (continued)	

<u>3.C</u>	Future use of source and affected properties (continued)

Redevelopment plans (continued)
-

<u>5.A</u>	Scope of remedial actions (continued)
14	

<u>5.C</u>	Documentation of remedial actions (continued)




# **Voluntary Cleanup Program**

### Washington State Department of Ecology Toxics Cleanup Program

# **REQUEST FOR OPINION FORM**

Use this form to request a written opinion on your planned or completed independent remedial action under the Voluntary Cleanup Program (VCP). Attach to this form the plans or reports documenting the remedial action. Please submit only one form for each request.

#### Step 1: IDENTIFY HAZARDOUS WASTE SITE

Please identify below the hazardous waste site for which you are requesting a written opinion under the VCP. This information may be found on the VCP Agreement.

#### Facility/Site Name: Glitsa American, Inc.

Facility/Site Address: 327 S Kenyon St.

Facility/Site No: 63168342

VCP Project No.: N/A

#### Step 2: REQUEST WRITTEN OPINION ON PLAN OR REPORT

What type of independent remedial action plan or report are you submitting to Ecology for review under the VCP? Please check all that apply.

7		12 12 12 12 12 12 12 12 12 12 12 12 12 1	
	Pomodial	invoctigation	nlan
	Nemeulai	investigation	plan

Remedial investigation report

Feasibility study report

Property cleanup\* plan (\* cleanup of one or more parcels located within the Site)

- Property cleanup\* report
- Site cleanup plan
- Site cleanup report
- Other please specify:

Do you want Ecology to provide you with a written opinion on the planned or completed independent remedial action?

🛛 Yes 🗌 No

Please note that Ecology's opinion will be limited to:

- Whether the planned or completed remedial action at the site meets the substantive requirements of the Model Toxics Control Act (MTCA), and/or
- Whether further remedial action is necessary at the site under MTCA.

#### Step 3: REPRESENTATIONS AND SIGNATURE

The undersigned representative of the Customer hereby certifies that he or she is fully authorized to request services from Ecology under the Agreement for this VCP Project.

Name:Skye Bartel		Title:Partner			
Signature: She both				Date: 12/1 /2020	
Organization: Tenor Co.					
Mailing address:18708 126th Ave NE Apt.2624					
City:Bothell			e:WA	Z	ip code:98011
Phone:(425) 213-9200 Fax:			E-mail:wkoedhyzvyx@msn.com		yzvyx@msn.com

#### Step 4: SUBMITTAL

Please mail your completed form and the independent remedial action plan or report that you are requesting Ecology review to the site manager Ecology assigned to your Site. If a site manager has not yet been assigned, please mail your completed form to the Ecology regional office for the County in which your Site is located.



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

ECY 070-219 (revised July 2015)



# **Voluntary Cleanup Program**

## Washington State Department of Ecology Toxics Cleanup Program

# TERRESTRIAL ECOLOGICAL EVALUATION FORM

Under the Model Toxics Control Act (MTCA), a terrestrial ecological evaluation is necessary if hazardous substances are released into the soils at a Site. In the event of such a release, you must take one of the following three actions as part of your investigation and cleanup of the Site:

- 1. Document an exclusion from further evaluation using the criteria in WAC 173-340-7491.
- 2. Conduct a simplified evaluation as set forth in WAC 173-340-7492.
- 3. Conduct a site-specific evaluation as set forth in WAC 173-340-7493.

When requesting a written opinion under the Voluntary Cleanup Program (VCP), you must complete this form and submit it to the Department of Ecology (Ecology). The form documents the type and results of your evaluation.

# Completion of this form is not sufficient to document your evaluation. You still need to document your analysis and the basis for your conclusion in your cleanup plan or report.

If you have questions about how to conduct a terrestrial ecological evaluation, please contact the Ecology site manager assigned to your Site. For additional guidance, please refer to <a href="https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Terrestrial-ecological-evaluation">https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Terrestrial-ecological-evaluation</a>.

#### Step 1: IDENTIFY HAZARDOUS WASTE SITE

Please identify below the hazardous waste site for which you are documenting an evaluation.				
Facility/Site Name: Glitse American I	- M(.			
Facility/Site Address: 327 S. Kenyon S	t. Seattle, WA 98108			
Facility/Site No: 63168342	VCP Project No.:			

#### Step 2: IDENTIFY EVALUATOR

Please identify below the person who conducted the evaluation and their contact information.

Name: Skye, Bartel	Title: Partner				
Organization: Teror Co.					
Mailing address: 18708 126th Ave NE Bot 2024					
City: Bothell	State: WA Zip code: 98011				
Phone: (425) - 213 - 9200 Fax:	E-mail: w Koedhyzvyx@msn.com				

Step 3: DOCUMENT EVALUATION TYPE AND RESULTS						
A. Exclusion from further evaluation.						
1. Does the Site qualify for an exclusion from further evaluation?						
Yes If you answered "YES," then answer Question 2.						
No or Unknown     If you answered "NO" or "UNKNOWN," then skip to Step 3B of this form.						
2. What is the basis for the exclusion? Check all that apply. Then skip to Step 4 of this form.						
Point of Compliance: WAC 173-340-7491(1)(a)						
All soil contamination is, or will be,* at least 15 feet below the surface.						
All soil contamination is, or will be,* at least 6 feet below the surface (or alternative depth if approved by Ecology), and institutional controls are used to manage remaining contamination.						
Barriers to Exposure: WAC 173-340-7491(1)(b)						
All contaminated soil, is or will be,* covered by physical barriers (such as buildings or paved roads) that prevent exposure to plants and wildlife, and institutional controls are used to manage remaining contamination.						
Undeveloped Land: WAC 173-340-7491(1)(c)						
There is less than 0.25 acres of contiguous <sup>#</sup> undeveloped <sup>±</sup> land on or within 500 feet of any area of the Site and any of the following chemicals is present: chlorinated dioxins or furans, PCB mixtures, DDT, DDE, DDD, aldrin, chlordane, dieldrin, endosulfan, endrin, heptachlor, heptachlor epoxide, benzene hexachloride, toxaphene, hexachlorobenzene, pentachlorophenol, or pentachlorobenzene.						
For sites not containing any of the chemicals mentioned above, there is less than 1.5 acres of contiguous <sup>#</sup> undeveloped <sup>±</sup> land on or within 500 feet of any area of the Site.						
Background Concentrations: WAC 173-340-7491(1)(d)						
Concentrations of hazardous substances in soil do not exceed natural background levels as described in WAC 173-340-200 and 173-340-709.						
<ul> <li>* An exclusion based on future land use must have a completion date for future development that is acceptable to Ecology.</li> <li>* "Undeveloped land" is land that is not covered by building, roads, paved areas, or other barriers that would prevent wildlife from feeding on plants, earthworms, insects, or other food in or on the soil.</li> <li># "Contiguous" undeveloped land is an area of undeveloped land that is not divided into smaller areas of</li> </ul>						
highways, extensive paving, or similar structures that are likely to reduce the potential use of the overall area by wildlife.						

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E	3. Simplified evaluation.					
1	1. Does the Site qualify for a simplified evaluation?					
	X	Yes	If you answered "YES," then answer Question 2 below.			
	Ur	] No or hknown	If you answered "NO" or "UNKNOWN," then skip to Step 3C of this form.			
2	. Did you	condu	ct a simplified evaluation?			
	$\ge$	Yes	If you answered "YES," then answer Question 3 below.			
		] No	If you answered "NO," then skip to Step 3C of this form.			
3	. Was fur	ther ev	aluation necessary?			
		] Yes	If you answered "YES," then answer Question 4 below.			
	X	] No	If you answered "NO," then answer Question 5 below.			
4	. If furthe	er evalu	ation was necessary, what did you do?			
			ed the concentrations listed in Table 749-2 as cleanup levels. <i>If so, then skip to</i> <b>ep 4</b> of this form.			
		] Co	nducted a site-specific evaluation. If so, then skip to Step 3C of this form.			
5	. If no fui to Step		aluation was necessary, what was the reason? Check all that apply. Then skip form.			
	Exposu	re Analy	/sis: WAC 173-340-7492(2)(a)			
		] Are	ea of soil contamination at the Site is not more than 350 square feet.			
	$\mathbf{X}$	] Cu	rrent or planned land use makes wildlife exposure unlikely. Used Table 749-1.			
	Pathwa	y Analys	sis: WAC 173-340-7492(2)(b)			
		] No	potential exposure pathways from soil contamination to ecological receptors.			
	Contam	inant A	nalysis: WAC 173-340-7492(2)(c)			
		1	contaminant listed in Table 749-2 is, or will be, present in the upper 15 feet at ncentrations that exceed the values listed in Table 749-2.			
		] alte liste	contaminant listed in Table 749-2 is, or will be, present in the upper 6 feet (or ernative depth if approved by Ecology) at concentrations that exceed the values ed in Table 749-2, and institutional controls are used to manage remaining ntamination.			
		] cor	contaminant listed in Table 749-2 is, or will be, present in the upper 15 feet at ncentrations likely to be toxic or have the potential to bioaccumulate as determined ng Ecology-approved bioassays.			
		] alte	contaminant listed in Table 749-2 is, or will be, present in the upper 6 feet (or ernative depth if approved by Ecology) at concentrations likely to be toxic or have a potential to bioaccumulate as determined using Ecology-approved bioassays, and titutional controls are used to manage remaining contamination.			

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C.	the probler	<b>fic evaluation.</b> A site-specific evaluation process consists of two parts: (1) formulating n, and (2) selecting the methods for addressing the identified problem. Both steps isultation with and approval by Ecology. See WAC 173-340-7493(1)(c).		
1.	Was there	a problem? See WAC 173-340-7493(2).		
	Y	es If you answered "YES," then answer Question 2 below.		
	□ N	<ul> <li>If you answered "NO," then identify the reason here and then skip to Question 5 below:</li> </ul>		
		No issues were identified during the problem formulation step.		
		While issues were identified, those issues were addressed by the cleanup actions for protecting human health.		
2.	2. What did you do to resolve the problem? See WAC 173-340-7493(3).			
		Used the concentrations listed in Table 749-3 as cleanup levels. If so, then skip to <b>Question 5</b> below.		
		Used one or more of the methods listed in WAC 173-340-7493(3) to evaluate and address the identified problem. <i>If so, then answer Questions 3 and 4 below.</i>		
3.	If you conducted further site-specific evaluations, what methods did you use? Check all that apply. See WAC 173-340-7493(3).			
		Literature surveys.		
		Soil bioassays.		
		Wildlife exposure model.		
		Biomarkers.		
		Site-specific field studies.		
		Weight of evidence.		
		Other methods approved by Ecology. If so, please specify:		
4.	What was the result of those evaluations?			
		Confirmed there was no problem.		
		Confirmed there was a problem and established site-specific cleanup levels.		
5.	5. Have you already obtained Ecology's approval of both your problem formulation and problem resolution steps?			
	🗌 Y	es If so, please identify the Ecology staff who approved those steps:		
	□ No			

#### Step 4: SUBMITTAL

Please mail your completed form to the Ecology site manager assigned to your Site. If a site manager has not yet been assigned, please mail your completed form to the Ecology regional office for the County in which your Site is located.



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



### **Table 749-1**

## Simplified Terrestrial Ecological Evaluation-Exposure Analysis Procedure

Estimate the area of contiguous (connected) <u>undeveloped land</u> on the site or within 500 area of the site to the nearest 1/2 acre (1/4 acre if the area is less than 0.5 acre).	teet of any
1) From the table below, find the number of points corresponding to the area and enter this number in the field to the right.	
Area (acres)         Points           0.25 or less         4           0.5         5           1.0         6           1.5         7           2.0         8           2.5         9           3.0         10           3.5         11           4.0 or more         12	в
2) Is this an <u>industrial</u> or <u>commercial</u> property? If yes, enter a score of 3. If no, enter a score of 1	3
3) <sup>a</sup> Enter a score in the box to the right for the habitat quality of the site, using the following rating system <sup>b</sup> . High=1, Intermediate=2, Low=3	3
4) Is the undeveloped land likely to attract wildlife? If yes, enter a score of 1 in the box to the right. If no, enter a score of $2.^{\circ}$	2
5) Are there any of the following soil contaminants present: Chlorinated dioxins/furans, PCB mixtures, DDT, DDE, DDD, aldrin, chlordane, dieldrin, endosulfan, endrin, heptachlor, benzene hexachloride, toxaphene, hexachlorobenzene, pentachlorophenol, pentachlorobenzene? If yes, enter a score of 1 in the box to the right. If no, enter a score of 4.	4
6) Add the numbers in the boxes on lines 2-5 and enter this number in the box to the right. If this number is larger than the number in the box on line 1, the simplified evaluation may be ended.	12

#### Notes for Table 749-1

<sup>a</sup> It is expected that this habitat evaluation will be undertaken by an experienced field biologist. If this is not the case, enter a conservative score of (1) for questions 3 and 4.

<sup>b</sup> **Habitat rating system.** Rate the quality of the habitat as high, intermediate or low based on your professional judgment as a field biologist. The following are suggested factors to consider in making this evaluation:

Low: Early <u>successional</u> vegetative stands; vegetation predominantly noxious, nonnative, exotic plant species or weeds. Areas severely disturbed by human activity, including intensively cultivated croplands. Areas isolated from other habitat used by wildlife.

**High:** Area is ecologically significant for one or more of the following reasons: Late-<u>successional</u> native plant communities present; relatively high species diversity; used by an uncommon or rare species; <u>priority habitat</u> (as defined by the Washington Department of fish and Wildlife); part of a larger area of habitat where size or fragmentation may be important for the retention of some species.

Intermediate: Area does not rate as either high or low.

<sup>c</sup> Indicate "yes" if the area attracts wildlife or is likely to do so. Examples: Birds frequently visit the area to feed; evidence of high use b mammals (tracks, scat, etc.); habitat "island" in an industrial area; unusual features of an area that make it important for feeding animals; heavy use during seasonal migrations.

[Area Calculation Aid] [Aerial Photo with Area Designations] [TEE Table 749-1] [Index of Tables]

[Exclusions Main] [TEE Definitions] [Simplified or Site-Specific?] [Simplified Ecological Evaluation] [Site-Specific Ecological Evaluation] [WAC 173-340-7493]

[TEE Home]