

**George R. Webster, P.E.
Consulting Professional Engineer
16355 Densmore Ave. North
Shoreline, Washington 98133
(206) 542-2218**

June 13, 2016

*Ms. Carol A. Johnson
Toxics Cleanup Program
Washington State Department of Ecology
Lacey, Washington*

Dear Ms. Johnson

Thank you for the letter of January 20, 2016.

This document has been developed to provide the additional information requested by the Washington State Department of Ecology (ECY) January 20, 2016 letter. That letter was received by Mr. Amajeet Singh in response to his June 22, 2015, "No Further Action" request letter, related to the "MAIN STREET GROCERY" site located at 901 Martin Luther King Jr. Way in Tacoma, Washington. That site presently contains an unbranded Gasoline Station, having one building containing a large Convenience Store, a Self-Service Laundry facility, and a "soon to be opened" Mexican Restaurant.

First, let me state that I am very confused about many statements within your letter, especially about you not able to find so many of the documents that were made reference to within my reports to the ECY. I have received emails containing electronic copies of all the documents presently within the "Main Street Grocery" files from Ms. Susie Baxter, of the ECY Southwest Regional Office, Public Disclosure Section, which show that the ECY files do contain many of those "lost" items.

Following are selected "cuts" from your ECY letter. After each of these selected ECY "cuts", shall be provided necessary response documentation, explanatory data, additional information, and discussions to provide answers to ECY requirements of "necessary further remedial actions", set forth in the ECY letter. The use of an Italic font will denote the response data, so as to be not confused with the ECY statements. These detailed responses and discussions to your statements and questions have been carefully defined to best answer the matters that you feel are required to meet the objective of having met the state-of-the-art of a remedial action investigation and clean up action.

If you have any questions for which I may provide verbal explanation about, please contact me directly by phone at my land-line telephone at the number above. I look forward to your comments after your comprehensive review of this reply.

I start with the first page of your letter.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

January 20, 2016

Mr. Amarjeet Singh
GSM Investments LLC
15235 SE 273rd Pl
Kent WA 98042

Re: Further Action at the following Site:

- **Site Name:** Main Street Grocery
- **Site Address:** 901 Martin Luther King Jr. Way, Tacoma, WA
- **Facility/Site No.:** 53355321
- **Cleanup No.:** 12291
- **VCP Project No.:** SW1481

Page 1 and 2

Issue Presented and Opinion

Is further remedial action necessary to clean up contamination at the Site?

YES. Ecology has determined that further remedial action is necessary to clean up contamination at the Site.

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

Description of the Site

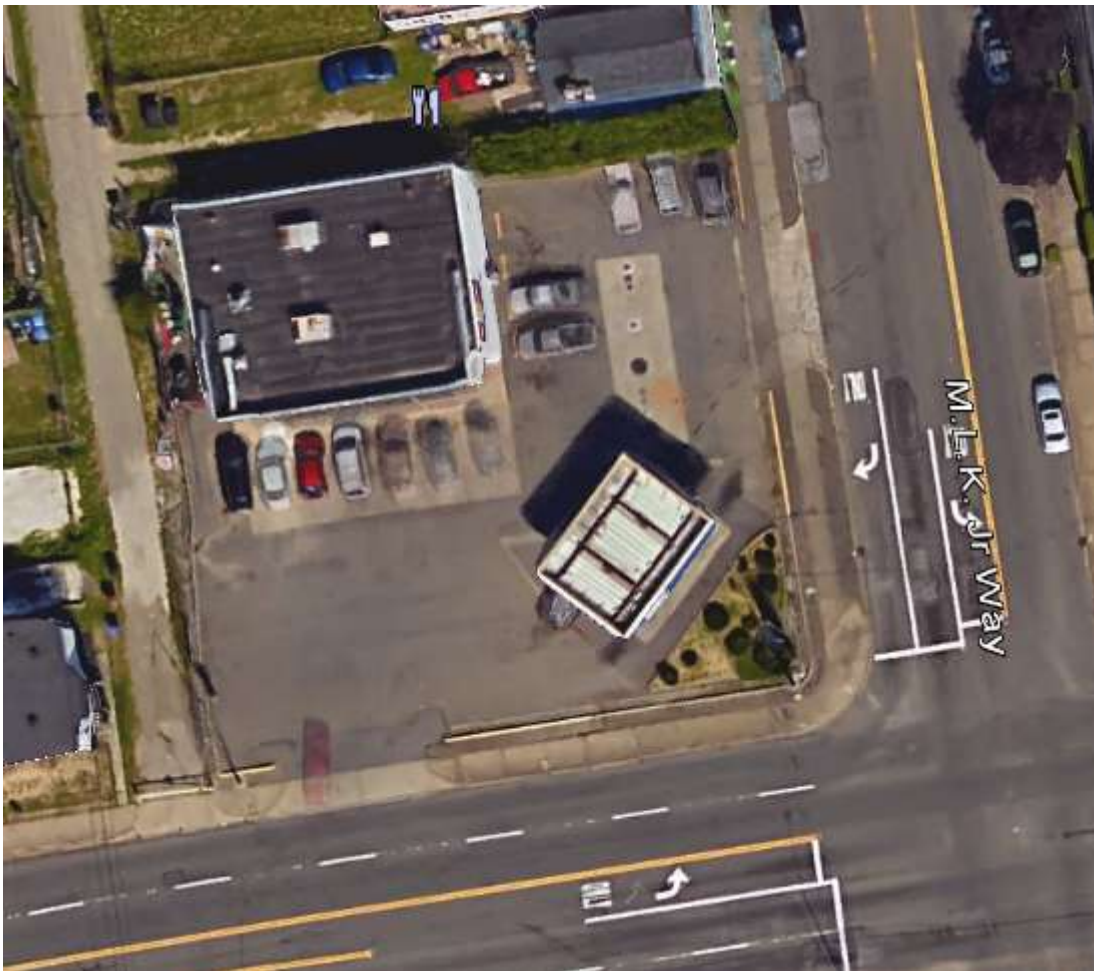
This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release:

- Petroleum and constituents to the Soil.

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

Am I understand that this statement relates to the possibility of the subject Site being affected by "Petroleum and constituents" from adjacent sites ? Whereas a formal "Phase I Environmental Site Assessment" (Phase I ESA) data search has not been completed, an investigation of ECY data bases, together with searching the locations of other Gasoline Stations and Petroleum using, or storing, sites has been conducted. Present locations of the nearest Gasoline Stations to the 901 MLK Jr. Way site are:

Two Gasoline Stations are located at the intersection of So. 19th and MLK Jr. Way, ten blocks to the South. A "smaller" station is located on the NW corner of the intersection. A photo of this station is shown below.



This "larger" Gasoline Station is located on the Southeast corner of the So. 19th and MLK Jr. Way (diagonally across the intersection for the above Station). A photo of this Station is shown below.



The elevation of both of these two Stations is at 366 feet, and the distance of separation to the subject site is estimated to be about one mile.

A third Gasoline Station is located to the West of the "Main Street Grocery" site at So. 11th Street and So. Sprague Ave. The elevation at that Station is 371 feet. A photo of this Station is shown below. This Station is also approximately one mile from the subject site.



Based on the distance of separation and relatively small elevation differences between these Stations and the "Main Street Grocery" site, it is "safe to say" that any contamination releases from these three Gasoline Stations have not had an impact upon the subject site.

January 20, 2016

Page 2

Basis for the Opinion

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

1. *Limited Phase II Site Assessment*, Northwest Environmental Solutions, Inc., January 9, 2014.
2. *Environmental Actions Report*, George R. Webster, June 18, 2014.

These documents are kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. You may make an appointment by calling the SWRO resource contact at (360) 407-6365.

This opinion is void if any of the information contained in those documents is materially false or misleading.

Analysis of the Cleanup

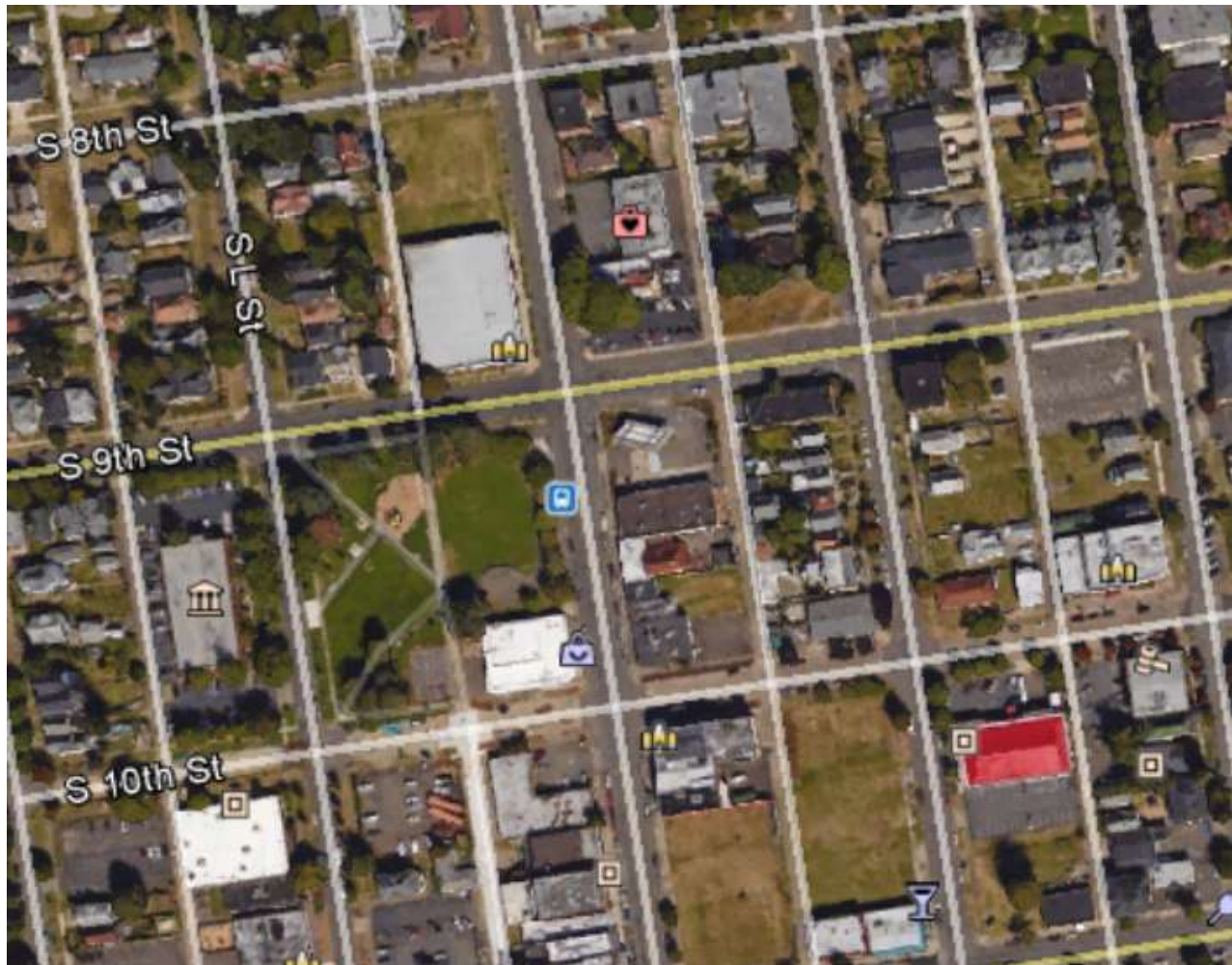
Ecology has concluded that **further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is not sufficient to establish cleanup standards and select a cleanup action.

The Site is located on the southeast corner of the intersection of Martin Luther King Jr. Way and South 9th Street in Tacoma, Pierce County, Washington (Figure 1). It is comprised of two tax parcels with a combined area of 0.3 acres. The business building, with the address of 911 Martin Luther King Jr. Way, is located on a third parcel to the south and is 0.15 acres. The building at the Site contains the Main Street Grocery and several other small businesses.

The ECY "Figure 1", shown at the end of your ECY letter Report is a large scale drawing showing much of the City of Tacoma. Below is shown a smaller scale aerial photo of the subject Site, and the nearby surrounding area. The "Main Street Grocery" is shown in the center of the photo, in the southeast corner of the intersection, of So. 9th St. and MLK Jr. Way, just east of the People's Park. It may be seen that this neighborhood area, known as "Hilltop", is a mixed residential and commercial area. Also, photos in a number of additional Reports in the ECY Files show the location of this Site in relationship to the nearby surrounding area.



The available information suggests that the underground storage tank system (UST) was installed in 1984. It consists of three 11,000-gallon USTs. One of the USTs was decommissioned in place at an unknown time in the past. No information regarding the closure in place of this tank was found.

In January of 2014, George Webster visited the ECY Lacey office and reviewed the ECY file of subject site, "Main Street Grocery". Copies of relevant ECY historical file information were obtained from Ms. Susie Baxter, of the ECY Southwest Regional Office, Public Disclosure Section. Included within that copied ECY data were two documents relating to the subject Decommissioning action. These documents were also contained in the spiral-bound hard-copy of Webster's, Environmental Actions Report, of June 18, 2014, which was submitted to ECY. Following are copies of those two "missing" Closure-in-Place documents, which are contained in the ECY "Main Street Grocery" Records and Public Disclosure file.

The first document is a copy of the UST 30 Day Notice "Intent to Close" form, #ECY 020-95 (Rev. 6/95) dated Feb. 8, 1999, from Roger A. Davis Jr. of Cetus Engineering in Bellevue, WA, related to the "Main Street Grocery", then owned by Mr. Sun Ok Chung. Data on that form says that a 10,000 gallon UST had held Unleaded Gasoline, was last used in May of 1998, and contained no "product". This document has an ECY "Received" date stamp of April 7, 1999. Please see a copy of the first document below. The "quality" of my copy is not as good as the ECY file original.



UNDERGROUND STORAGE TANK 30 DAY NOTICE

See back of form for instructions

Please ✓ the appropriate box: ☐ Intent to Install ☒ Intent to Close ☐ Both

FOR OFFICE USE ONLY	
Site ID #:	8614
Owner ID #:	U11196
Once validated by Ecology, this form serves as your temporary permit for the tanks listed below.	

Site Information

Site ID Number 8614
(Available from Ecology if the tanks are registered)
Site/Business Name Main Street Grocery
Site Address 901 Martin Luther King Jr. Way
City/State Tacoma WA
Zip Code 98405 Telephone (253) 627-1136

Owner Information

(This form will be returned to this address)
UST Owner/Operator SUN OK CHUNG
Mailing Address 501 Martin Luther King Jr. Way
City/State Tacoma WA
Zip Code 98405 Telephone (253) 627-1136

Tank Installation Company (if known). Fill out this section ONLY if tanks are being installed.

Service Company _____ Contact Name _____
Address _____
City _____ State _____ P.O. Box _____
Zip Code _____



Tank Permanent Closure Company (if known). Fill out this section ONLY if tanks are being closed.

Service Company Cetus Engineering Contact Name Roger A. Davis Jr.
Address 12819 SE 38th St #144 P.O. Box _____
City Bellevue State WA Zip Code 98006 Telephone (206) 835-8473

Tank Closure Information

Fill out this section ONLY if tanks are being closed.

Tank ID	Projected Closure Date	Tank Capacity	Substance Stored	Date Tank Last Used	Is There Product in the Tank (Yes/No)	If No, Date Tank Was Pumped
<u>SNL</u>	<u>8 FEB 99</u>	<u>10,000</u>	<u>UL GAS</u>	<u>MAY 98</u>	<u>NO</u>	<u>8 FEB 99</u>

Tank Installation Information

Fill out this section ONLY if tanks are being installed.

Tank ID	Approx. Install Date

To receive this document in an alternative format, contact the TOXICS CLEANUP PROGRAM at 1-800-825-7716 (VOICE) OR (800) 407-6006 (TDD).
ECY 020-95 (Rev. 6/95)

The second document is an ECY UST "Closure and Site Assessment Notice" form #ECY 020-94 (Rev. 6/95). This form was prepared by both Mr. Roger A. Davis Jr. of Cetus Engineering, of Bellevue WA, and an unidentified "Certified Site Assessor" from the company, "Phase One, Inc." of Aliso Viejo, California. Information on that form states that one UST, (identified as UST "S N L"), was a 10,000 gallon, double-wall fiberglass UST, holding Unleaded Gasoline, and had been "Abandoned-in-Place", and "Closed" on February 8, 1999. This ECY form was signed by both Mr. Davis Jr., and the Station owner, Mr. Sun Ok Chung. This form also attests (by the "X" in the "No" box in the bottom right corner) that "No Contamination was Present at the Time of Closure". This form shows an ECY "RECEIVED" date-stamp of April 7, 1999, and is shown below.



UNDERGROUND STORAGE TANK Closure and Site Assessment Notice

See back of form for instructions

SW

FOR OFFICE USE ONLY	
Site ID #:	8614
Owner ID #:	U11196

Please ☒ the appropriate box(es)

☐ Temporary Tank Closure ☐ Change-In-Service ☒ Permanent Tank Closure ☒ Site Check/Site Assessment

Site Information

Site ID Number 8614
(Available from Ecology if the tanks are registered)
 Site/Business Name Main Street Grocery
 Site Address 901 Martin Luther King Jr. Way
Street
 City/State Tacoma / WA
 Zip Code 98405 Telephone (253) 627-1136

Owner Information

(This form will be returned to this address)

UST Owner/Operator SUN OK CHUNG
 Mailing Address 901 Martin Luther King Jr. Way
Street
 City/State Tacoma WA P.O. Box WA
 Zip Code 98405 Telephone (253) 627-1136

Owner's Signature Sun ok Chung

Tank Closure/Change-In-Service Company

Service Company Cetus Engineering
 Certified Supervisor Roger A. Davis Jr. Decommissioning Certification No. 1039412-26
 Supervisor's Signature [Signature]

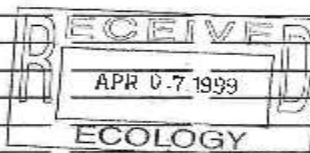
Address 12819 SE 38th St. #144
Street
 City Bellevue State WA P.O. Box 98006 Telephone (425) 865-8473
City State Zip Code

Site Check/Site Assessor

Certified Site Assessor Phase One, Inc
 Address 85 Argonaut #190 P.O. Box
Street
 City Aliso Viejo State CA Zip Code 92656 Telephone (714) 457-0097
City State Zip Code

Tank Information

Tank ID	Closure Date	Closure Method	Tank Capacity	Substance Stored
S N L	8 FEB 99	ABANDONED IN PLACE	10,000	U.L. GAS
		(DOUBLE-WALL FIBER GLASS)		



Contamination Present at the Time of Closure

☐ Yes ☒ No ☐ Unknown
 Check unknown if no obvious contamination was observed and sample results have not yet been received from analytical lab.

If contamination is present, has the release been reported to the appropriate regional office?

To receive this document in an alternative format, contact the TOXICS CLEANUP PROGRAM at 1-800-926-7718 (voice) OR (800) 407-8006 (TDD).
 ECY 020-94 (Rev. 6/95)

January 20, 2016

Page 3

Topography at the Site is flat. The majority of the area is paved with planters on the northern corners. The surrounding area is commercial/residential. A community park that has fun playground equipment is located to the west of the Site.

The topography of the Site is "NOT FLAT". The Site slopes downward toward the northeast with a drop of more than seven-feet across the Site. The Building structure is the only item not having a slope, as the west end of foundation of the structure was set down below the level of the sidewalk and the MLK Jr. Way Street. The People's Park is located to the west, across MLK Jr. Way, and is slightly higher and relatively flat, with swales used for special activities, sports and a playground. All the components of the Gasoline Station are sloped. Therefore all Station drainage drains toward the northeast, which is an important fact that was utilized in the investigations of trying to understanding the source and cause of contamination at the Site.

A Phase II report was conducted at the Site in 1998, however, a complete copy of the report was not been found in Ecology's file nor provided by the consultant for review.

Webster believes the Reviewer is referring to portions of the December 1998 Phase II Report performed by PHASE ONE INC._{sm} and submitted to "The Money Store" of Bellevue, WA. The wording of the above ECY statement may be interpreted that ECY thinks that Webster should be responsible for providing the complete 1998 document to ECY. The "consultant" that prepared the document in 1998, is from California, and if the ECY wishes to obtain a copy of that document, ECY should directly contact that "consultant".

Copies of the two first pages of the "missing" December 1998 Phase II Report performed by PHASE ONE INC._{sm} are contained in the ECY "Main Street Grocery" Records and Public Disclosure file. When Webster inspected that ECY file in late January, 2014, only the "Cover Page" and first page, of the December 10, 1998, Phase II Environmental Site Assessment report with a ECY "Received" date stamp of April 7, 1999, were found in the ECY file. Copies of both these two pages were also included in Webster's "Environmental Actions Report" of June 2014. However, as the "ECY Electronic copy" of Webster's "Environmental Actions Report" report contains only 50% of materials contained within the Webster's hardcopy of the "June 2014 Report" which was submitted to the ECY, the "ECY Electronic copy" of the Webster Report does not contain, the two pages of the December 1998 Phase II Report performed by PHASE ONE INC._{sm}. (It appears that you as the ECY review person have not checked the ECY "Main Street Grocery" file, and only used that ECY "Electronic Copy" of Webster's 2014 Report, for this "NRA request" review, thereby not seeing those documents.)

An UST closure report was done in 1999. Ecology did not find a copy of this report in the file. The Ecology Closure and Site Assessment Notice form did state that no contamination was found. The Site Assessment Checklist did not include any relevant information other than the statement "see enclosed report."

I believe that the ECY Reviewer may be confused, as these two documents were found by Webster in the ECY files, and it is believed that these are what are being spoken about above.

The first report was not a "UST Closure Report, but "a two-page ECY "UST Retrofit/Repair Checklist" Report dated February 18, 1999, signed by both Mr. Davis Jr. and the Station owner Mr. Sun Ok Chung, which documented that on 2/18/99, the metal piping at both remaining two USTs had been replaced with "double wall flexible pipe". The second report was a two-page "UST Site Check / Site Assessment Checklist" report prepared by Diane Scioli of PHASE ONE, INC. in Aliso Viejo, California, which was not dated, and unsigned, but did reference the "Retrofit Action" as the "Reason for Conducting" the report. All but the first of the 12 items of the "checklist" were annotated "unanswered" and labeled with the instruction to "See Enclosed Report", BUT no REPORT was found in the ECY file ! Also, the first CHECKLIST item related to the location of the UST Site being shown on a vicinity map was given a "CHECK" mark in the "YES" column, but no additional check marks were shown. The signature line of that ECY Form contained the following statement "Signature & Registered Stamp On the Report". BOTH of these two documents were contained in Webster's hardcopy "June 2014 Report", and are presently found in the ECY "Main Street Grocery" Records and Public Disclosure file.

January 20, 2016

Page 3

In January 2014, a phase II investigation consisting of aerial photographs review, interviews of people associated with the Site, database reviews, visual inspection, and advancement of three direct push borings was conducted at the Site.

Soils encountered during drilling were described as brown sand to brown sand with gravel. Groundwater was not encountered at the total depth of 17 feet below ground surface (bgs).

The January 2014 NES Phase II ESA Report shows that only TWO Geoprobe direct-push borings and one backhoe excavation were made. The depth of the two deepest investigations was 14 feet, where two Geoprobe samples were taken. The report does state that "Groundwater was not encountered", but nowhere within the Report is the depth of "17 feet" stated. It is believed that the ECY Reviewer has confused data shown in a later NES Report, which does have a Geoprobe sample taken at the 17 foot depth.

Results of this investigation found a detection of benzene at 14 feet bgs in sample 2AE (figure 2). The concentration was 0.038 milligrams per kilogram (mg/kg). The Method A cleanup level for benzene is 0.03 mg/kg. Total Petroleum Hydrocarbons-Gasoline (TPH-G), toluene, ethylbenzene, and xylenes were found in the sample but were below their Method A cleanup levels.

Sample 3N, collected at 5 feet bgs on the east side of the dispenser island, was analyzed using only the Hydrocarbon Identification (HCID) method. This is a qualitative analytical method and does not determine quantity. Although the results were non-detect for TPH-G and Total Petroleum Hydrocarbons-Diesel extended (TPH-Dx), no analyses were done for benzene, toluene, ethylbenzene, or xylenes (BTEX).

This above January 2014 Phase II ESA investigation was performed by Mr. Kevin Wilkerson of Northwest Environmental Solutions, Inc. (NES) of Sumner, WA, prior to my involvement within the "program". A copy of that NES Report was reviewed by me, when I was ask by the Station owner Mr. Amarjeet Singh, to work with Mr. Wilkerson of NES, on the ECY required "Cleanup Action". Webster can't provide answers to the above ECY "Questions" of why "those" above analytical testing methods were done or, not done. BUT, these test results provided in the NES report were the BASIS of the additional exploration and testing that were to be done by NES and Webster.

One item that I can respond about is the last statement of your above item number four. It is commonly understood that all new on-site environmental field work investigations, utilize standard environmental "screening" tests that are first performed to define the existence of contaminates, prior to running definitive quantification testing. Those screening tests define the need, or not, of additional testing procedures.

In March, 2014, the text in the *Environmental Actions Report* states that a "Phase III" was done at the Site that consisted of excavation at specific areas, one of them being the location of sample 3N. The area of the drain to the oil water separator was also excavated. The area around sample location 2AE was excavated to approximately 3 feet. Samples were collected at depths of 1 foot, 2 feet, and 3 feet. Samples were collected for laboratory analysis during this work. No discussion of the results are presented in the text.

Webster's June 2014 Environmental Actions Report defined the work efforts of NES and Webster in performing a Phase III Cleanup Action. Webster apologizes for the failure to adequately document the work location and discuss the exploration of the area where the NES "Sample 3N" had previously been taken. That "poor" attempt to depict the location (as shown by the two drawings contained in the "ECY Electronic Copy" of my Report worthless, and together with the discussion of that work effort, was indeed, not very well done. It should be said that your statement of "the area of the drain to the oil/water separator was also excavated" at the Island pad, is true, but that exploration was only done to inspect that connection and check the surrounding soil for contamination with the PID.

The statement about sampling in the pea-gravel around Sample location "2AE", above the UST, was done at depths of 1, 2 and 3 feet and tested on-site with the PID. No hydrocarbon hits were found in the pea-gravel samples. It can be understood how the error was made because of the poor explanations and drawings contained in my June 2014 Report.

The following pages present different aerial photos and "cuts" of photos that define the exact locations of where both the NES Report samples, and the Webster's Report samples, were taken. Please utilize a step-by-step procedure of reviewing all pages to determine of the exact locations of all sample locations of the two work-areas at the "Main Street Grocery" Gasoline Station Site.

The first photo is of an unknown date, BUT it is a view of the Gasoline Station taken sometime before ANY of the "NES and Webster" work efforts at the 901 MLK Jr. Way Gasoline Station. Please note the "NORTH" symbol N, atop the photo.

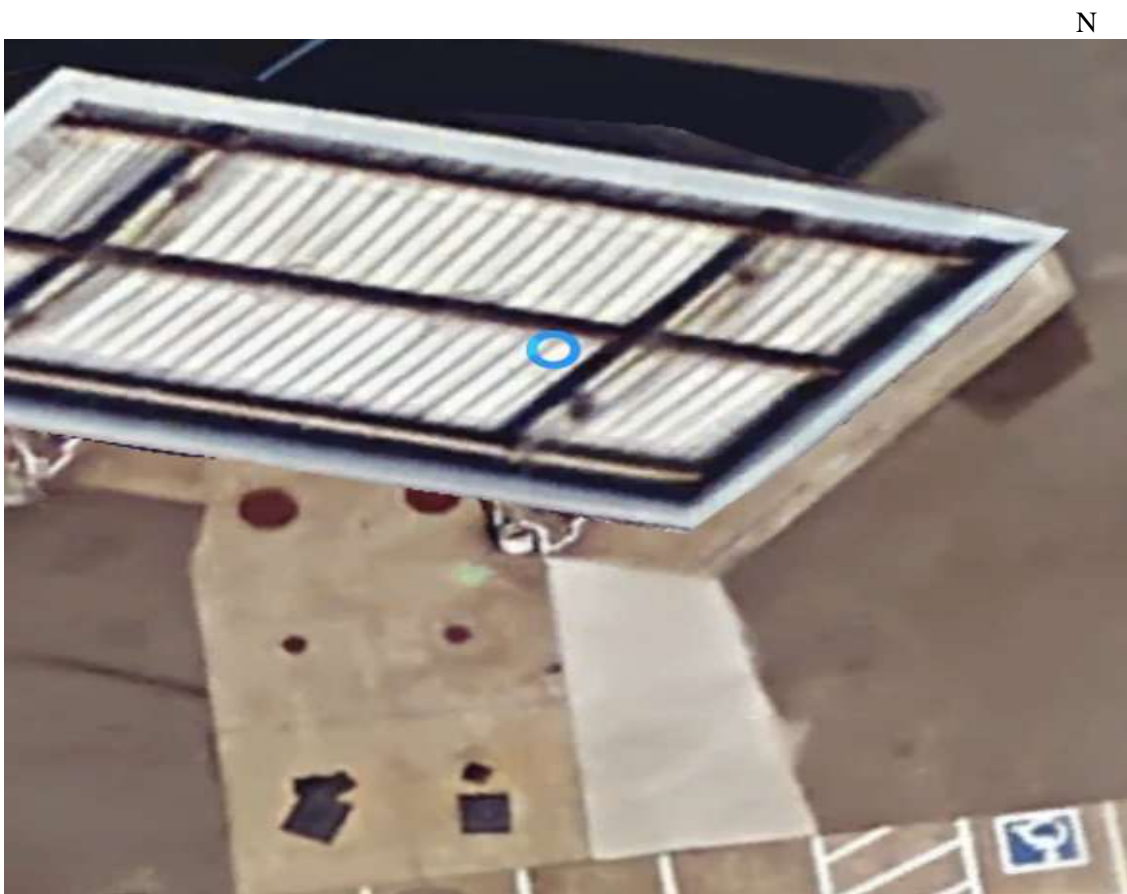
Old view showing the 901 Martin Luther King Jr. Way "Main Street Grocery" Gasoline Station.



This first undated photo shows a view of the Main Street Grocery Gasoline Station at some time AFTER the Decommissioning of the third UST, which was done in 1999. Please note the concrete slab, between the car parking spaces (in front of the Building), and the Pump Island (with a white-top Canopy). That concrete slab is atop the two side-by-side remaining USTs at the Site (see the round-shaped, dark colored metal covers of the UST openings on the slab). Observe the difference between the concrete areas and the "gray" asphalt surfacing of

the remaining surface of the Site and the street pavements. Also, please observe a "dark line", on the right-hand side of the pump island slab. That "dark line" is a covered drainage trench along the eastern edge, and northern side, (top edge), of the Island slab. As the Island slab is sloped downward in the northeast direction, the Island drainage flows into that drainage ditch to the underground outlet in the Northeast corner of the Island. The Island drainage then flows underground to the Oil/Water separator, which may be seen further down-slope to the northeast, identified by the whitish-colored square-shaped cover, atop the Oil/Water separator within the asphalted area. (Please disregard the pop-up advertising for "Automated Financial".)

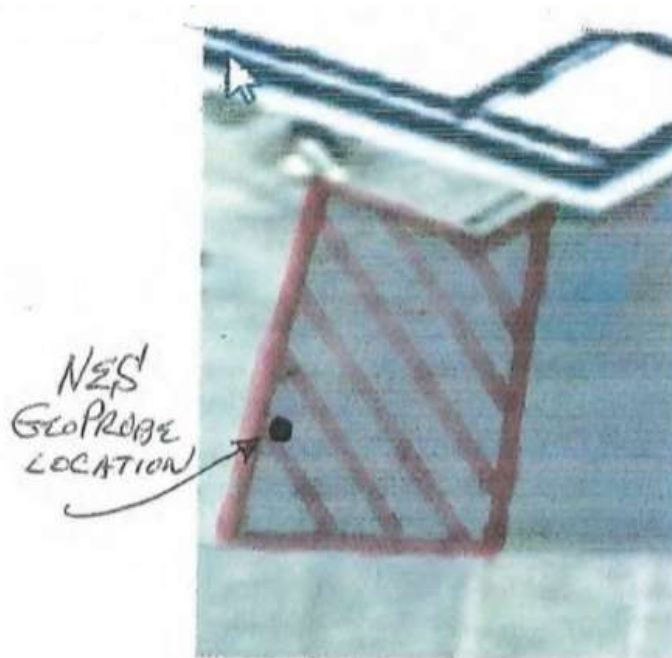
This second aerial photo shows a "present-day" close-up photo segment of the Gasoline Station, AFTER the exploration and cleanup action work-efforts were performed by both the NES and Webster. Please compare these two photos.



The white top cover of the Canopy is covering the concrete pump island pad, and the four fuel dispensers. The changes from the first Station photo and this present-day photo are shown as two "modified surface areas" are now found within the former asphalt paved area that surrounds the pump island. (The asphalt area was shown as gray colored in the first photo, but now is shown as brownish colored on this photo). Remaining is the now lighter brownish colored slab, south of the pump island that covers the two remaining 10,000 gallon double-walled fiberglass fuel USTs, and can be identified by the round-shaped, dark colored, metal covers of the openings of the two UST's.

The "first" new surfacing area addition is just to the right of that USTs covering slab, and is seen as a whitish colored concrete slab with no openings. That concrete slab was poured by NES in late 2015, (instead of replacing the asphalt surfacing that had been removed) to "properly" cover the "Decommissioned-in-Place" UST. That new slab was poured after Webster's June 2014, *Environmental Actions Report* detailing the completion of the NES & Webster "clean-up actions". As explained within that Webster Report, the asphalt covering of the "Decommissioned third UST", was directly involved in actions directly impacting, and causing the Benzene "release".

This marked up photo was included in the Webster June 2014 Report and was intended to show the location of the NES Geoprobe effort adjacent to the Decommissioned third UST. The sample location drawing contained in the NES January 2014 report (which was contained as the last page of your ECY January 2016 letter Report) did not adequately designate the exact sampling locations at the Site. The red colored cross-hatched marked area in the following small photo was attempting to identifying the gray-colored asphalt surfaced area covering the location of the Decommissioned-in-Place third UST, as shown in the first Station area photo,. This "drawing" was used to define the exact location of the second NES Geoprobe sampling effort performed on January 3, 2014, adjacent to the Decommissioned UST, where Sample "2AE" was taken.



Now look at the aerial photos on above two pages (pages 13 and 14), and you can clearly see the exact NES Geoprobe sampling location where Sample "2AE" was taken in relationship to the remaining two USTs, and the Gasoline Station as a whole.

A "second" new surfacing area is shown near the top-right corner of the Pump Island Slab on the page 14 Station photo, that is not found in the page 13 Station photo. That "new" area shows a new darker brownish colored asphalt surfacing addition, adjacent to the concrete pad at the northeast corner of the pump island (see below).



That area is the location of the NES Backhoe excavation and "Sample 3E" location, and also where the follow-up additional NES-Webster April 2014, work-effort was done to define the Oil contamination level of the drainage which had been released from the damaged pump island concrete pad drainage ditch.

Additional discussion related to the RESULTS of sample testing will be presented in following segments.

January 20, 2016

Page 4

In April, 2014, additional investigations were done. A direct push sample was collected from what the text in the *Environmental Actions Report* described as beneath the closed in place UST. Again, no documentation of this work or the sampling location has been provided to Ecology for review.

NES and Webster performed Site inspections and developed a re-sampling plan for the second investigation effort. In March and April 2014, work efforts were done to determine if the Benzene contamination still remained at within the Decommissioned-in-Place tank pit. The asphalt surfacing covering the Decommissioned-in-Place third UST was removed and it was found that pea-gravel had been used to completely cover both the third UST location and the adjacent existing two USTs. In April 2014, a second Geoprobe sampling effort was performed, at the exact location of the January 2014 Geoprobe Sample "2AE" effort (see photos on pages 13, 14 and 15 for that location).

This Geoprobe test was made at the same location, within the pit, beside the "Closed-in-place" UST, but a sample was taken at a depth greater than the depth of the bottom of the UST, (and incorrectly referred to as "beneath"). The pea-gravel atop and covering the UST was explored by hand-shoveling within the area, together with the use of a PID to check if hydrocarbons were present within the pea-gravel area above the UST. The pea-gravel work-area was left open, and allowed to "air" for a two-week time period after the Geoprobe testing. This work-effort documentation was contained in the Webster June 2014 Report.

In June, 2014, tightness testing was conducted on the UST system. The form provided to Ecology lists the tanks as passing the test. The form indicates that tightness testing was not performed on the lines.

NES performed those tests, and I have no knowledge of what was done and why, BUT it should also be said that a comment contained within the NES January 9, 2014 Phase II ESA Report, it states on Page 6,

11.0 Discussion of Findings

Performed Pressure Decay on tank system while sampling – no pressure loss.

Perhaps that testing effort has some impact on the June 2014 tightness testing effort.

Based on a review of the above-mentioned documents, Ecology has the following comments:

General comments:

1. Overall, the reports did not contain enough information to make an informed decision as to the adequacy of the work done at the Site: The following comments will have to be addressed before a determination of no further action can be made.
2. A section on the hydrogeology of the area needs to be included. Impacts to groundwater have not been demonstrated to be absent and as such will need to be investigated.

An investigation of the on-line ECY well log files within the nearby area shown within the photo below was performed. 190 Well Logs were investigated.

N



The subject site is located on the SE corner of the intersection of So. 9th Street and MLK Jr. Way, across the street from the People's Park (which is shown in green in the center of the map). There were 190 ECY well-logs contained within the shown map area which surrounds the subject Site. All 190 well-logs were viewed. Most all of these well-logs were of borings related to construction foundation explorations, and were between six and 15 feet in depth. A number of borings were performed at a nearby site located at 1023 MLK Jr. Way by Parametrix in 2006, and Krazan and Associates in 2007, and are shown on the following pages. Of the 190 well-logs in the area, these two Company's well-logs were the closest borings to the site. The deepest borings in these two efforts were to the depths of 20 feet (Parametrix), and 40 feet (Krazan). No evidence of a water table was found to the 40 foot depth.

PARAMETRIX

RESOURCE PROTECTION WELL REPORT (SUBMIT ONE WELL REPORT PER WELL INSTALLED)		CURRENT Notice of Intent No. <u>A 084430</u>	
Construction/Decommission <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Decommission <i>ORIGINAL INSTALLATION</i> Notice of Intent Number <u>5 30734</u>		Type of Well <input checked="" type="checkbox"/> Resource Protection <input type="checkbox"/> Geotechnical Soil Boring	
Consulting Firm <u>PARAMETRIX</u>		Property Owner <u>MLKDA</u> Site Address <u>1023 Martin Luther King Jr Way</u> City <u>Tacoma</u> County <u>Pierce</u>	
Unique Ecology Well ID Tag No. _____		Location <u>1/4 SW 1/4 NE Sec 5 Twn 20N R 3E</u> or <u>WWM</u>	
WELL CONSTRUCTION CERTIFICATION: I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.		Lat/Long (s,t,r) Lat Deg _____ Lat Min/Sec _____ still Required) Long Deg _____ Long Min/Sec _____	
<input checked="" type="checkbox"/> Driller: <input type="checkbox"/> Trainee Name (Print) <u>Frank Scott</u> Driller/Trainee Signature <u>[Signature]</u> Driller/Trainee License No. <u>2549</u>		Tax Parcel No. <u>N/A</u> Cased or Uncased Diameter <u>8"</u> Static Level <u>N/A</u>	
If trainee, licensed drillers' Signature and License No. _____		Work/Decommission Start Date <u>8-31-06</u> Work/Decommission Completed Date <u>8-31-06</u>	
Construction/Design	Well Data <u>W06-862</u>	Formation Description	
	CONCRETE SURFACE SEAL <u>1</u> FT	<u>0 - 1</u> FT <u>Fill</u>	
	BACKFILL <u>19</u> FT <u>Bank chips</u>	<u>0 1 - 15</u> FT <u>Brown Silty Sand</u>	
	DEPTH OF BORING <u>20</u> FT	<u>0 15 - 20</u> FT <u>Brown Silty Sand & gravels</u>	
	<div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED OCT 23 2008 Washington State Department of Ecology </div>		
Scale 1" = _____ Page _____ of _____ ECY 020-12 (Rev 2/01)			

Please print, sign and return to the Department of Ecology

RESOURCE PROTECTION WELL REPORT

(SUBMIT ONE WELL REPORT PER WELL INSTALLED)

CURRENT Notice of Intent No. SE01846

Construction/Decommission ("x" in box)
☒ Construction
☒ Decommission **272712**

ORIGINAL INSTALLATION Notice of Intent Number: _____

Consulting Firm _____
 Unique Ecology Well ID Tag No. _____

WELL CONSTRUCTION CERTIFICATION. I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.

☒ Trainer ☐ Engineer ☐ Trainee
 Name (Print Last, First Name) Arturo Madrigal
 Driller/Engineer/Trainee Signature Arturo Madrigal
 Driller or Trainee License No. 251d

If trainee, licensed driller's Signature and License Number: _____

Type of Well ("x" in box)
☐ Resource Protection
☒ Geotech Soil Boring

Property Owner Krazan and Assoc owner's rep
 Site Address 1023 Martin Luther King Jr Way
 City Tacoma County Pierce
 Location SW 1/4-1/4 NE 1/4 Sec 5 Twn 20 R 3
 EWM ☒ or WWM ☐

Lat/Long (s, e, r) Lat Deg _____ Min _____ Sec _____
 still REQUIRED Long Deg _____ Min _____ Sec _____
 Tax Parcel No. 2010210003
 Cased or Uncased Diameter 8" Static Level N/A
 Work/Decommission Start Date 9-17-07
 Work/Decommission Completed Date 9-17-07

Construction Design	Well Data	Formation Description
<p><u>Drilling 1 Boring to 40' HSA ID 8"</u></p>	<p><u>Back Rilled Bore Hole with Bentonite chips from 40' to 1' Asphalt patching 1' to 10 26.</u></p>	<p><u>0' to 4' Asphalt</u> <u>4' to 40' Gravelly Sand</u> <u>Silty Sand</u></p>

SCALE: 1" = _____ PAGE 1 OF 1

ECY 050-12 (Rev. 7/06) Ecology is an Equal Opportunity Employer

It may be seen from these above two well-logs that the soils present are:

Brown Silty Sand and Gravels, down to 40 feet, with no indications of even a perched water table found. The depth to Groundwater at the subject site is unknown, but is estimated to be far greater than 40 feet. After-all, this neighborhood is named "Hilltop".

3. The dates of work at the Site need to be given.

Known Documented Work dates are:

Northwest Environmental Solutions, Inc.

"AT-THE-SITE" dates of work efforts were:

-
UST Site Check/Site Assessment Checklist January 9, 2014. Item 12 of the Form, Signed by Mr. Wilkerson said the following statement. "12. The results of this site check/site assessment indicate that a confirmed release of a regulated substance has occurred."
-

Limited Phase II Site Assessment, January 09, 2014 For: Karandeep Singh Pawar, Main Street Grocery
-

March and April 2014 – NES and Webster perform Phase III ESA
-

NES Retrofit/Repair Checklist, Performed in July 2014 – Cert was valid – but editing error.

RETROFIT/REPAIR CHECKLIST FOR UNDERGROUND STORAGE TANKS			
This checklist certifies that retrofit/repair activities were performed and conducted in accordance with Chapter 173-250 WAC. Instructions are found on the back page.			
I. UST FACILITY		II. ICC SERVICE PROVIDER	
Facility Compliance Tag #: _____		Service Provider Name: Kevin Wilkerson	
UST ID: A-5 UMI No. 409303758		Company Name: NES, Inc.	
Site Name: Main Gas and Grocery		Address: PO Box 1583	
Site Address: 981 Martin Luther King Jr. W		City: Sumner	State: WA Zip: 98148
City: Tacoma, WA		Phone: 2522546213	Email: as@necenvironmental.com
County: Pierce		Certification Type: ICC	
Phone: 206-720-7994		Certification Number: 874613	Exp. Date: 02-02-2018
III. UST Owner/Operator			
Name: Anarjeet Singh		Phone: 206-720-7994	Email: _____
Address: 720 50th Street W		City: University Place	State: W Zip: 98467
IV. UST System Information (For Subpart 173.250, where applicable)			

-
Semi Annual Compliance Test – PSCAA, January 15, 2015, Test Performed: Pressure Decay Certification, Prepared For: Main Street Grocery
-

Annual Compliance Test – PSCAA & DOE, May 26, 2015, Test Performed: Air Liquid, Pressure Decay, Vapor Blockage, Static Torque, ATG, Line and Leak Detector Certification, Prepared For: Main Street Grocery
-

Semi Annual Compliance Test – PSCAA, February 24, 2016, Test Performed: Pressure Decay Certification, Prepared For: Main Street Grocer.

George R. Webster, P.E.

AT-THE-SITE dates of work efforts were:

-

First Site observation -- Late January 2014

-

February 2014 – Site visit and observation w/ ECY documents

-

March 2014 – Webster and NES investigate Site

-

April 2014 – Webster and NES perform Phase III ESA

-

No further Site WORK EFFORTS by Webster, as Report preparation was required.

4. A figure showing sampling locations in relation to all Site features and streets needs to be provided.

Please see all those items as presented on Pages 13, 14, 15 and 16.

5. No logs of the borings completed at the Site are given in either report.
These need to be included in the reports.

Geoprobe sampling methodology was described in the NES January, 2014 Report, in Section 2.2.2 Subsurface Soil Sampling, (editing as been added for clarification).

Geoprobe samples may be taken starting from just below the surface. If asphalt is atop the area, it is removed to the soil level. The soil samples at the 901 MLK site were collected from the outer perimeter of the UST & product line field, using a trailer mounted hydraulic pushrod/hammer sampling push-probe Geoprobe system.

The hole was advanced to the desired depth with 3'-5' sections of threaded 1 ½" diameter drive rods to the sample location. At that depth, the drive rods are pulled from the sample hole, and a 2' long stainless steel split-spoon tube sampler, equipped with a 2' long x 1 ½" diameter polycarbonate insert, and a bottom-end "core-catcher" (that "opens" for receipt of the sample) was fitted to the end of the drive rod, and the rods lowered to the bottom of the hole. The sample collection split-spoon tube is then driven two feet deeper into the soil for the collection of the soil sample. The drive rods are removed from the hole, and the split-spoon sample tube was removed from the bottom of the drive rods. The sample tube is laid on a clean table, and the top-half of split-spoon sample tube is removed to display the plastic tube inside. The soil sample is resting in the plastic tube within the lower-half of the split-spoon tube. The plastic tube is removed, laid on the table, the length of the tube "cut-open" with a knife, so that the sample can be inspected and "swept" with a PID to determine if petroleum hydrocarbons exist within the sample, and to be able to recover a soil sample. Soil samples are collected and placed in laboratory-certified four-ounce glass jars, leaving no headspace, labeled and placed into a zip-lock bag, and then placed into a cooler with ice-substitute to maintain required temperature. The sample cooler was delivered to Spectra Laboratories in Tacoma, WA for analysis using the proper "chain-of-custody" protocols. After

the sample collection, the split-spoon was cleaned; triple rinsed with deionized water and alconox soap solution, and is then ready for reuse.

A more detailed sampling procedure description is defined at the Geoprobe website, <http://geoprobe.com> See the photo below, of a larger diameter core-catcher and plastic tube soil sample. This photo was taken from the Geoprobe Systems company website.



Geoprobe sampling is sometimes difficult, as often the desired samples come-up "empty" because of unforeseen and/or unknown reasons. (Rocks, debris, and bad luck!) The generation of "Boring Logs" documentation, as done in Well Drilling, is commonly not done in "Geoprobe" sampling and testing, mainly because of the limitations of the method. Pea-gravel was found in the Decommissioned UST pit beneath the asphalt covering at the "Main Street Grocery" site. Geoprobe sampling through pea-gravel may not provide good, "full-length" samples of the soil at the desired test depth.

At the 901 MLK Jr. Way site, the depth to the bottom of the USTs, was estimated at approximately 11 feet below grade. The soil encountered in the first Geoprobe sampling effort (to the West of and outside of the USTs pit) was brown sand, to brown sand with gravel. Sample # (1AW) was taken at the depth of 14 feet. The soil was consistent with SM (Silty Sands, Sand Silt Mixtures) GC (Clayey gravels, gravel-sand-silt mixtures) as described in the Unified Soil Classification System. No water was encounter during the investigation.

6. A copy of the report describing the in-place closure of the third tank was not available for review. It should be provided to Ecology.

I fail to see how NES, Webster, or the owner, Mr. Singh, can provide any information to ECY about the 1999 in-place "Closure Report" of the third UST ! The ECY "Main Street Grocery" File found in the Southwest Regional Office, Public Disclosure Section, has the only information known to exist related to that UST In-Place-Closure effort performed in 1999 by Mr. Roger Davis Jr. of Cetus Engineering in Bellevue. No documentation of historical environmental activities, were provided to Mr. Singh when the property was purchased in 2013.

Comments on the "NES Phase II ESA" January 2014 report:

1. Most of the required sections in the report had "NA" as the sole content. The information not given is required, and "NA" is not acceptable.

Background – (taken from the Webster July 2014 Report)

In December of 2013, based on the past history at the site, Ecology required of the new owners, that a Phase II – Environmental Site Assessment be performed by January 15th 2014, to determine if there were any existing hazardous conditions at the site.

In early January, Northwest Environmental Solutions, Inc. (NES) conducted a Phase II -- Environmental Site Assessment (ESA) at the property located at 901 Martin Luther King Jr. Way in Tacoma, Washington 98405. Mr. Kevin Wilkerson, Washington State Registered Site Assessor, performed the visual, physical and photographic field inspection, soil collection, analytical laboratory testing and lab test results review.

NES prepared the January 2014 Report in response to the ECY mandate for a Phase II ESA. I believe that it is obvious that Mr. Wilkerson used a previously prepared NES Report as the template for this January 2014 "901 MLK Jr. Report", and many sections of that previous Report were not pertinent to the ECY requirements of the Tacoma project. The inclusion of the statement of "Vancouver" having Fire Responsibility is an indication of incomplete editing from a previous report, and that report had many components of a Phase I ESA that were also not pertinent to the required Phase II ESA. Perhaps the use of "NA" was proper, in many cases as the item stated as "NA", was a Phase I ESA item, and not related to the ECY required Phase II ESA.

Mr. Amajjeet Singh
January 20, 2016
Page 5

2. No sampling or sample preservation protocols were detailed in the report. Without this information, the sample results are not useable.

ALL Washington State ECY soil sampling and sample preservation protocols were used in this Phase II ESA study, and so stated within the NES Report.

3. A figure showing the relationship of features at the Site to surrounding facilities is needed. The one figure in the report has no north arrow or streets shown. A general location figure was also not included.

Yes, the NES site sample location drawing (attached to your ECY January 20 2015 opinion letter, as the last page) was not well "prepared". The top of the NES drawing, which commonly is the NORTH direction, (as done on all on-line maps), was actually the South direction, and the "location upon the area of the site" was not presented.

4. The report states that HCID found TPH-0 present at sampling location 3N-5 yet no quantitative analysis was done. BTEX should also have been analyzed. These analytical results are needed for characterization of this area.

Yes, the screening tests did show that the result for TPH-O (Total Petroleum Hydrocarbon – Oil), was "Present". When the "Present" lab test result was observed by Webster, he requested that Mr. Wilkerson request of the Laboratory, that the Quantitation of the OIL be performed on that soil sample. (Note: The Laboratory will not accept instructions from others than the person that signed the CoC.) The Lab advised Mr. Wilkerson that the sample had not been "retained" and they could not run the quantification test. Testing of soil Sample "3N-5" for NWTPH-HCID-G and NWTPH-HCID-D, yielded result levels of: less than 20ppm Gasoline and less than 50ppm Diesel.

5. The report states that air photos, interviews, and database reviews were conducted but no where in the report are the results of this work provided. It should be included in the report.

This is one of the problems when using a previous NES Report as a TEMPLATE, as the basis of a new Report. It is felt that Mr. Wilkerson considered some items as "not necessary" for the ECY Phase II ESA, and therefore were not included within the January 2014 NES Report.

6. The Site figure does not show the location of the closed-in-place UST. Since no information was found on the decommissioning of this tank, samples need to be collected to verify that it did not leak.

YES, the NES site figure does not show the location of the "Decommissioned-in-Place" UST. The Decommissioned UST Report within the ECY "Main Street Grocery" Records and Public Disclosure file, detail that requested information. The ECY File data, ALSO state that the Decommissioned UST was "empty" of product, and, that the "Closed" UST "did not leak". Why has the ECY Reviewer not found that "information"? Yes, NES and Webster understood that when the January 2014 Geoprobe Sample "2AE" "Gasoline" test result was shown as positive and the Benzene at a level above the Standard, additional soil sampling and tightness testing of the remaining two USTs was required, to determine if the remaining USTs were leaking.

7. The detection of benzene above the Method A cleanup level was collected in boring 2AE at 14 feet bgs. Samples were not collected either above or below the 14 foot sample so vertical extent is not known.

YES, a second Geoprobe sampling effort was necessary to determine that information ! Those investigation efforts were done in March and April 2014 by NES and Webster. The second Geoprobe testing effort collected vertical extent samples down through the pea-gravel layer to the 17 foot depth. The vertical samples which were swept with a PID. No PID "hits" were found.

- Yes ! Another NES error in editing of the Template Report used ! The City of Tacoma is of course, the jurisdiction for Fire Protection.*

For reference, this is also termed as the NES-Webster Report, which set forth the efforts and results of the NES and Webster's second sampling study and cleanup actions.

- The "Chain-of-Custody (CoC) specifically shows the types of analytical tests requested for each sample. A cut from the Test Results Report CoC is shown below. Is this what you are asking for ?

2. The poor quality of the photos used for locations of investigations at the Site make it very difficult to determine the adequacy of the sampling locations. Please provide one figure that shows all locations of investigation/work sampling.

25

3. From the figure that shows the location of the excavation done at the drainage ditch, it appears that the location of the January 2014 sample 3N was at the very edge. It doesn't appear likely that the contaminated area was even reached during the excavation. The sample collected was analyzed only for NWTPH-HCID. The later analysis for oil had a result well below the Method A cleanup level. The area should also have been sampled for TPH-G and BTEX.

Yes, the figure in the Webster Report of the area adjacent to the drainage ditch, where the excavation was done, did not adequately depict the excavation location. The new attempt at showing the excavation location is on Page 16, which shows the area of new asphalt surfacing placed over the excavated area adjacent to the concrete pump island slab, where the drainage ditch on the edge of the slab had been damaged (cracked) and allowed drainage from the island to flow into the adjacent soil. Yes, the original excavation where Sample 3N had been taken was along the edge of the Island slab and was done with use of a Backhoe. I do not understand the statement that "it doesn't appear likely that the contaminated area was even reached during the excavation". The soil area adjacent to the cracked drainage trench was "over-excavated" until both visible and PID inspection of the soil showed that all petroleum contamination had been removed and stockpiled on a sheet of visqueen. The quantity of soil (silt and gravel) was less than one-cubic yard. The first NES work effort sample test result for NWTPH-HCID showed the result of "Present" for Oil. The second excavation by NES and Webster, was done to determine the exact level of Oil in the soil, which had been shown to exist by the NWTPH-HCID test result of "Present". That excavation was done at the same location, with both a backhoe and by hand-shoveling, to a level below six feet, and provided the second sample which was tested for TPH-O. This second sample lab test result showed the level of Oil to be 242 ppm., far below the "Method A" cleanup level, and the saved excavated soil was returned to the hole. No contaminated soil was removed from the Site in any NES or Webster site investigation, other than in samples.

Mr. Amateet Singh
January 20, 2016
Page 6

4. The June 2014 report states that the location of the benzene detection was backfilled with pea gravel. Why wasn't this noted in the January 2014 report? If it wasn't there, then the excavation did not address the area of contamination.

I believe that the Reviewer is confused. Neither NES or Webster "backfilled" the UST pit or any other site location with pea-gravel ! The USTs pit had been backfilled with pea-gravel by the company that had decommissioned the third UST. The June 2014 Webster Report states that, when the asphalt atop the area where the third UST was located, was removed, it was found that the whole excavation around the "closed" UST and the two adjacent USTs had been "BACKFILLED" with pea-gravel. From copies of the ECY letters sent to the Station owner, it was seen that the original ECY instructions were that, "All of the existing three USTs were to be removed". Somehow, the actions taken by the owner were different, as none of the USTs were REMOVED, and only one of the three USTs was "Decommissioned-in-Place". It appears that nothing was done to the other two USTs at the time of Decommissioning-in-

Place the third UST. It is unknown what transpired in this ECY "UST Removal Action" effort by the Owner's contractor. Perhaps all three USTs had been "uncovered" in preparation for removal, before it was determined to leave two of the USTs as "operable", and only perform the decommissioning of only the one UST. No information has been found as to what, if anything, was placed into the one UST to "Decommission" it. Perhaps it too was filled with pea-gravel. It is concluded by Webster, that the UST pit, containing three USTs, was backfilled with pea-gravel and the two "saved" USTs covered with a concrete slab, while the area above the Decommissioned UST, adjacent to the concrete slab was covered with an asphalt pavement surface. Anyway, when NES performed the first Geoprobe of the area adjacent to the abandoned UST, I had understood that NES found pea-gravel down to the sample taken at 14 foot depth.

5. The text states that "It could not be remembered or determined if the sample was of "soil" or "pea-gravel." Since no boring logs or soil descriptions, this statement further shows that the information collected is not useable. Additional characterization work will need to be done. When it is, adequate information will need to be collected so a determination of the adequacy may be determined.

Webster ask Mr. Wilkerson if the January 2014 sample taken from the Geoprobe split-spoon sample tube contained soil or pea-gravel. Mr. Wilkerson replied that he could not remember. That is one of the REASONS that the asphalt surfacing covering was removed from the area above the Decommissioned UST, and a greater exploration effort was taken on the second Geoprobe sampling effort, within the same location of the first Geoprobe effort. The second Decommissioned UST pit Geoprobe sample was taken below pea-gravel at a depth of 17 feet, and was confirmed to be in soil. Extensive investigation within the layer of pea-gravel above the Decommissioned UST was preformed, while using plywood sheets to block the pea-gravel from under the slab atop the two adjacent USTs, from "sliding" into the opened pit work-area atop the Decommissioned UST.

6. State the rationale for collecting samples in the UST work area at depths of "a couple of inches" and the other depths cited. A figure showing the locations and sample numbers of these samples is needed.

Without a better description of where in the Report it is stated, and to what this is in reference, I can't answer this Statement.

7. The text states that a soil sample was collected from beneath the closed in place UST. How was this done? Was the push probe advanced through the tank?

The Geoprobe was made adjacent to the Decommissioned UST and extended to a level beneath the bottom of the Decommissioned UST.

8. The text states that the benzene contamination had to have occurred after the third UST was closed in place since the site assessment done at that time did not find anything. Since the author appears to have seen this report from which this conclusion was drawn, a copy needs to be sent to Ecology for verification of the conclusion.

Webster concluded that the Benzene contamination found by NES in January 2014, had to have occurred after the third UST had been Closed-in-Place, because the February 8, 1999 ECY UST "Closure and Site Assessment Notice" form #ECY 020-94 (Rev. 6/95) said that "No Contamination was Present at the Time of Closure. Those ECY forms were prepared by both Mr. Roger A. Davis Jr. of Cetus Engineering, of Bellevue WA, and an unidentified "Certified Site Assessor" from the company, "Phase One, Inc." of Aliso Viejo, California. Information on that form states that one UST, (identified as UST "S N L"), was a 10,000 gallon, double- wall fiberglass UST, holding Unleaded Gasoline, and had been "Abandoned-in-Place", and "Closed" on February 8, 1999. This ECY form was signed by both Mr. Davis Jr., and the Station owner, Mr. Sun Ok Chung. This form also attests (by the "X" in the "No" box in the bottom right corner) that "No Contamination was Present at the Time of Closure". As Benzene contamination was "found to be" present in a January 3, 2014 sample Lab test report, the Gasoline contamination must have arrived into the Decommissioned UST pit, at a point in time AFTER the above 1999 studies.

9. The "Release Cause Concepts" do not appear to be based on sound scientific logic. Although recent tightness testing of the UST system results indicated the tanks were tight, it does not mean that a leak is not occurring. Current technology is not sensitive enough to preclude any and all leaks since it can only detect leaks above a threshold such as approximately 0.02 gallons per hour. This concept needs to be rewritten to better reflect reality.

After removal of the asphalt from atop the decommissioned UST pit, the edge of the concrete slab down-slope from the adjacent USTs fill-tubes, and near the location of the NES Geoprobe sampling effort was carefully inspected. Visual staining was seen along the side of the concrete slab that indicated Gasoline seepage had occurred into the crack between the concrete slab and the asphalt surfacing. In the NES 2014 "second" Geoprobe testing effort at the same location, no petroleum contamination was detected in, or at the bottom of the Decommissioned UST pit on that second sampling study, therefore the contamination was not of a reoccurring nature from a leaking UST !

10. The text cites an "error release." It is unclear what this phrase means and thus needs a definition.

An "error release" may be defined as a release that has caused by an error, or, an accidental release caused by making an error. Perhaps a "de-minimis" spill occurring while removing the nozzle of the Gasoline delivery "filling hose" from the UST opening, and spilling onto the concrete slab would be an example.

11. The cited Appendices B and C are not included in the report. These need to be provided so a complete review of all information can be done.

Let me try and explain this. This is in-part, because the ECY only used portions of the spiral-bound Webster June 2014 Report in producing the "ECY Electronic Copy" of that Report. The thickness of the "ECY Electronic Copy" of the Webster Report was approximately 50% as thick as the "spiral-bound" hard-copy of the Webster Report. It seems that ECY had removed documents from the Webster Report that were felt to not be of "value". It is unknown if the complete "spiral-bound" hard-copy of the Webster Report still exists in the ECY office file. At this date (2016), Webster has retained most of the original Report material and is sending an Electronic PDF copy of that material to the ECY Lacey office.

However, that "ECY Electronic Copy" of the Webster Report DOES contain all Appendices, especially "Appendices B and C". Important historical data contained within the Webster Report, that would have explained many of the Reviewer's questions, were removed, or deleted from the material which made-up the "ECY Electronic Copy".

Mr. Amatjeet Singh
January 20, 2016
Page 7

12. Appendix D is lab results dated March 24, 2014. No figure showing the locations of these solid samples is included in the report. Results for a matrix spike/matrix spike duplicate for a water sample, dated March 21, 2014, is also included. The relevance of this sample to the Site is not known.
13. Appendix E – soil result for oil, 242 mg/kg. No chain of custody form for this sample was provided.
14. Appendix F contains a chain of custody form listing one soil sample, 3-A to be analyzed for BTEX/N WTPI-I-G, dated April 4, 2014. The results, dated April 10, 2014, in the appendix are for a matrix spike/matrix spike duplicate for a water sample. State how this is relevant to the Site. The results for the one soil sample are not included.

Copies of all SPECTRA Laboratories CoC's and test results are contained in the "ECY Electronic Copy" of the Webster June 2014 Report. Related to the questions about "a matrix spike duplicate for a water sample", I have no clue of what you are speaking about. Please contact the Lab directly at (253) 272-4850 to get an "explanation" of these questions.

- 15 In accordance with WAC 173-340-7490, a Terrestrial Ecological Evaluation (TEE) needs to be completed for the Site. Please fill out the TEE form and any supporting information (as appropriate) and submit it to Ecology. The form can be found on our website at <http://www.ecy.wa.gov/biblio/ecy090300.html>.

The completed Terrestrial Ecological Evaluation (TEE) FORM related to this Site has been send via email to the SE ECY office.

- 16 In accordance with WAC 173-340-840(5) and Ecology Toxics Cleanup Program Policy 840 (Data Submittal Requirements), data generated for Independent Remedial Actions shall be submitted simultaneously in both a written and electronic format. For additional information regarding electronic format requirements, see the website <http://www.ecy.wa.gov/eim>. Be advised that according to the policy, any reports containing sampling data that are submitted for Ecology review are considered incomplete until the electronic data has been entered. Please ensure that data generated during on-site activities is submitted pursuant to this policy. Data must be submitted to Ecology in this format for Ecology to issue a No Further Action determination. Please be sure to submit the previous data not submitted yet, as well as any future data, in this format. Be advised that Ecology requires up to two weeks to process the data once it is received.

All documentation have NOW been sent in PDF format to the ECY in accordance with the above website instructions.

2 Establishment of cleanup standards.

Ecology has determined that the full extent of the contamination attributable to the petroleum hydrocarbon contamination at the Site has not been determined. Once the Site has been fully delineated, Ecology has determined the following points of compliance would be appropriate for use at the Site:

Soil -Protection of groundwater: "For soil cleanup levels based on the protection of groundwater, the point of compliance shall be established in the soils throughout the site."¹

¹ WAC 173-340-740(6)(b)

Mr. Amatjeet Singh

January 20, 2016

Page 8

Soil -Direct Contact: "For soil cleanup levels based on human exposure via direct contact or other exposure pathways where contact with the soil is required to complete the pathway, the point of compliance shall be established in the soils throughout the site from the ground surface to fifteen feet below the ground surface."²

Groundwater -The highest beneficial use for the Site groundwater is potable use since the Site is within an identified aquifer recharge area. "The point of compliance for the groundwater shall be established throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth that could potentially be affected by the Site."³

Once the Site soil is fully delineated, the applicable MTCA Method A Soil cleanup levels will be:

TPH-G	30 mg/kg
TPH-D	2,000 mg/kg
TPH-O	2,000 mg/kg
Benzene	0.03 mg/kg
Toluene	7 mg/kg
Ethylbenzene	6 mg/kg
Xylenes	9 mg/kg
EDB	0.005 mg.kg

The proposed groundwater MTCA Method A CULs will be:

TPH-G	800 µg/L
TPH-D	500 µg/L
TPH-O	500 tg/L
Benzene	5 µg/L
Toluene	1,000 ftg/L
Ethylbenzene	700 µg/L
Xylenes	1,000 µg/L
EDB	0.01 µg/L

² WAC 173-340-740(6)(d)

³ WAC 173-340-720(8)(b)

If analytical results indicate total petroleum hydrocarbon impacts are above applicable MTCA cleanup levels then additional cleanup and characterization work may be required.

3 Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site does not meet the substantive requirements of MTCA.

Actions taken to date include excavation of contaminated soil. Disposition of the soil was not identified in the reports.

Additional characterization will need to be done before a cleanup action can be selected.

4 Cleanup.

Ecology has determined the cleanup you performed does not meet any cleanup standards at the Site.

Limited investigation and excavation have been done at the Site. Disposition and documentation of soil removed was not provided.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

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

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

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

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

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you

Mr. Ammjeet Singh

January 20, 2016

Page 10

performed is substantially equivalent. Comis make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

3. State is immune from liability.

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

Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion, please contact me by phone at (360) 407-6263 or e-mail at cjoh461@ecy.wa.gov.

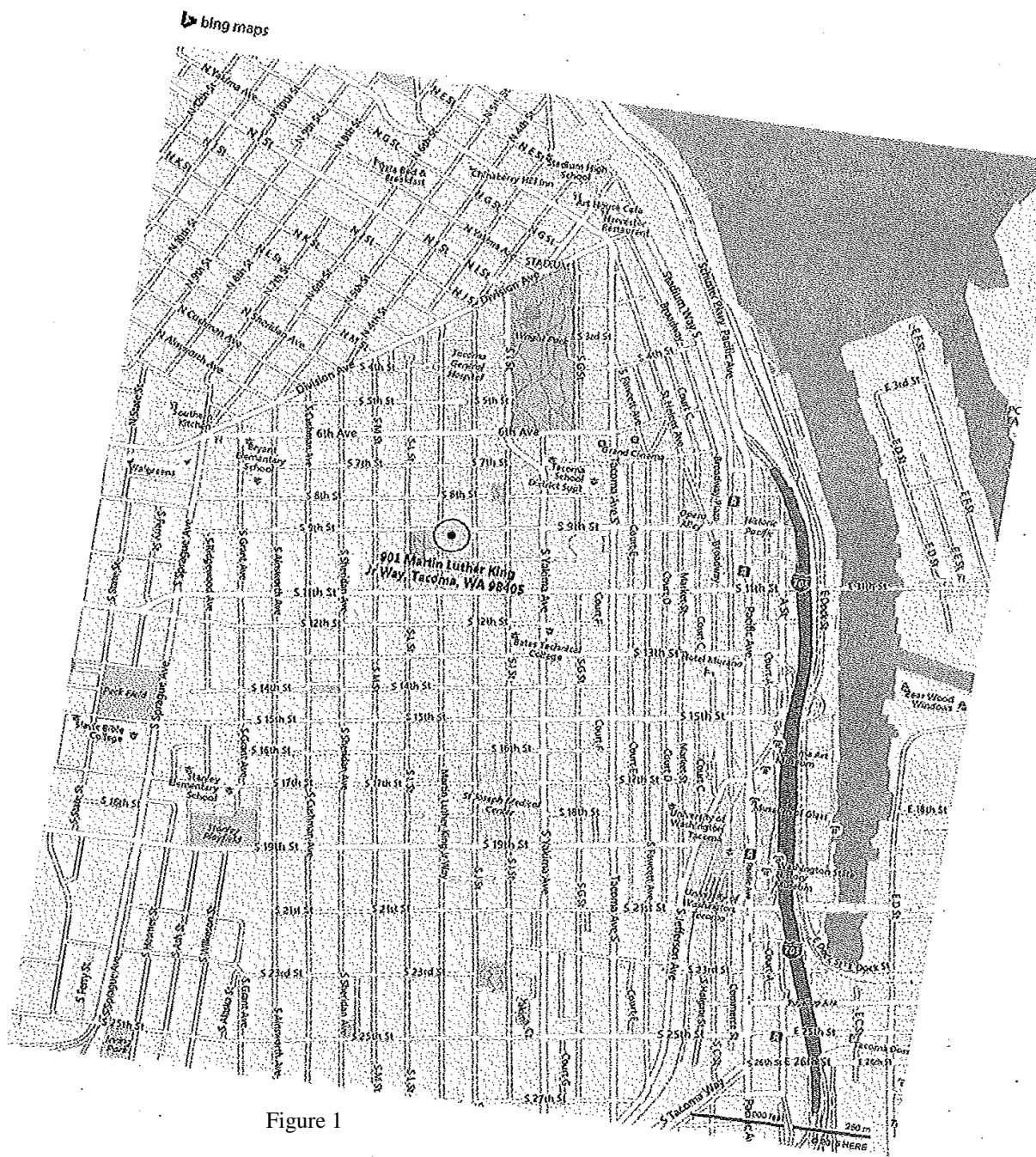
Sincerely,

Carol A. Johnston

Toxics Cleanup Program

Enclosures (2 figures)

cc: George R. Webster
Rob Olsen, TPCHD
Richelle Perez, Ecology
Dolores Mitchell, Ecology

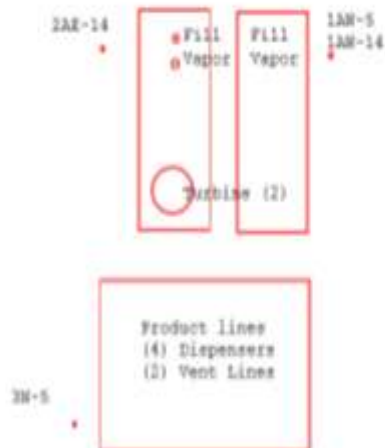


Below is an edited copy of the NES sample location drawing which was the last page of your ECY Review letter Report. Please also see the WEBSTER drawing on Page 15, of this Report.

NES – Sample location drawing - Main Street Grocery 901 MLKJrWy

SOUTH is UP !

Main Street Grocery
901 Martin Luther King Jr. Way
Tacoma, WA, 98405



Office: 406 A 112th Street E. Tacoma, WA, 98445
Mailing Address: P.O. Box 1583 Sumner, WA, 98390
253-241-4211 (P) 253-537-4378 (F) winco@winco.com (E)