



State of Washington
POLLUTION LIABILITY INSURANCE AGENCY
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April 20, 2020

Mr. John Meyer
Puget Environmental
4616 25th Ave. NE #143
Seattle, WA 98105

Re: Remedial Investigation (RI) and Feasibility Study (FS) Report pursuant to Independent Remedial Action at the following Hazardous Waste Site:

- **Facility/Site Name:** Stokes BP
- **Facility/Site Address:** 7833 SE 28th St., Mercer Island, WA 98040
- **Facility Site ID:** 85772269
- **PTAP Project No.:** PNW099

Dear Mr. Meyer:

I have completed my review of the RI/FS Report, the Stokes BP Site by Puget Environmental.

This letter constitutes an advisory opinion regarding a review of submitted documents/reports listed below pursuant to the substantive requirements of the Model Toxics Control Act (MTCA) and its implementing regulations, Chapter 70.105D RCW and WAC 173-340-515 (Independent Remedial Actions), for characterizing and addressing releases discussed below at the Site.

Issue Presented and Opinion

Does the RI/FS Report completed for this Site contain sufficient information to delineate the extent of Site contamination and evaluate remedial alternatives to select a Preferred Remedy to implement a cleanup action plan that meets the substantive requirements of the MTCA at this Site?

Yes, the Pollution Liability Insurance Agency (PLIA) concurs that the submitted RI/FS Report completed for this Site contains sufficient information to define the extent of contamination and evaluate remedial alternatives to select a preferred remedy to

implement a cleanup action plan that meets the substantive requirements of the MTCA at the Site.

MTCA defines a Site as where contamination has come to be located and for the Stokes BP Site, it includes the King County tax parcel number 5452300380 and portions of the public right-of-way (ROW) of 80th Ave. SE to the east and to the north, portions of SE 28th Street and is defined by the nature and extent of contamination associated with petroleum hydrocarbon releases in the soil, groundwater and vapor (Figs. 2, 3, 4 & 5).

The preferred remedial alternative proposed in the FS (Figs. 2 through 5) for this Site is Alternative 1, Soil Excavation and groundwater dewatering and removal with Tank and Dispenser Replacement that includes the following:

- **Tank removal: Excavation of impacted soil beneath and near the former underground storage tanks (USTs), dispenser islands and piping, reinstallation of new tanks and lines, and reinstallation of monitoring wells with performance groundwater monitoring (Figs. 2 through 6).**
- **Soil Excavation: Based on review of historic and recent investigation results, about 1,500 yd³ or 2,000 tons of petroleum contaminated soil (PCS) present 3'-16' below ground surface (bgs) near and between the USTs and pump Island will be removed (Figs. 2 & 4).**
- **Based on the depth to groundwater and the soil type and depth to impact, dewatering and removal of impacted groundwater will likely be needed during excavation and removal of impacted soil to be conducted in conjunction with UST replacement (Figs. 2 through 6).**
- **Performance compliance monitoring for groundwater is projected for two years post cleanup action implementation (Figs 3, 4 & 6).**
- **Vapor exposure pathway shall be evaluated post remedial action implementation. If remedial action objectives for the soil and groundwater are met for the Method A cleanup levels, then, the vapor pathway is closed.**

The projected restoration timeframe is 2 to 3 years and the estimated cost for this alternative is \$766,384.08.

Description of the Site

This opinion applies only to the Site located at 7833 SE 28th St., Mercer Island, WA 98040 and comprises one King County tax parcel described below (Fig. 1). This opinion does not apply to any other release(s) that may affect the Property (parcel). Any such releases, if known, are identified separately below.

1. Description of the Properties and Tax Parcels within the Site:

The Property includes the following tax parcel in King County, affected by the Site and addressed by your cleanup (Fig. 1):

- Tax Parcel No. 5452300380

2. Description of the Site:

The parcel makes up the Site and include portions of the public right of way (ROW) 80th Ave SE to the east and to the north, portions of SE 28th Street and is defined by the nature and extent of contamination associated with the following release (Figs. 2 through 6):

- Total petroleum hydrocarbons in the gasoline, oil and diesel ranges (TPH-g, TPH-o & TPH-d) BTEX and potentially naphthalene and other organics impact into the soil/groundwater/air-vapor.

3. Identification of Other Sites that may affect the Property.

Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that this Property was affected by other sites.

Enclosure A includes a detailed description and diagram of the Site, as currently known to PLIA.

Basis of the Opinion

1. Remedial Investigation and Feasibility Study Report, Mercer Island Shell (Former BP), 7833 SE 28th Street Mercer Island, WA 98040 by PUGET Environmental PLLC of January 22, 2020.
2. Remedial Investigation and Feasibility Study Report Addendum, Mercer Island Shell (Former BP), 7833 SE 28th Street Mercer Island, WA 98040 by PUGET Environmental PLLC of February 13, 2020.

Documents submitted to PLIA are subject to the Public Records Act (Chapter 42.56 RCW). To request public records, please email pliamail@plia.wa.gov.

This opinion is void if any of the information contained in the document(s) is materially false or misleading.

Please Note:

Remedial Investigation/Feasibility Studies (RI/FS): To ensure completeness of the substantive requirements of the MTCA as you develop the RI/FS per WAC 173-340-350, please see the Department of Ecology (Ecology) Checklist publication numbers 16-09-006

and 16-08-007 May 2016 for the RI/FS respectively.

Cleanup Action Plan (CAP): Also for the CAP per WAC 173-340-360 through 450; additionally, to ensure that cleanup standards have been appropriately set and applied, incorporating all potential exposure pathways and receptors, in accordance with WAC 173-340-700 through 760; please see the Ecology CAP Checklist publication no. 16-09-008 May 2016.

Report Template: Your Reporting must meet the substantive requirements of the MTCA described in WAC 173-340-350(7) and WAC 173-340-840 and for a suggested reporting template including the rest of the publications mentioned above, please follow this link: <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Cleanup-report-checklists-and-templates>

Closure of Low Risks Petroleum Sites in the State: To expedite and streamline the closure of low risks petroleum sites in the state of Washington, please see Ecology's published Model Remedies for soil, groundwater, vapor and empirical demonstration (to demonstrate that soil concentrations measured at a contaminated site have not caused, and will not cause, an exceedance of the applicable groundwater cleanup levels) guidelines at the following link: <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/MTCA-model-remedies>

Natural Attenuation Guidance: This link also provides guidance and calculation tools for demonstrating natural attenuation of groundwater is occurring and enable prediction of when groundwater cleanup levels will be met as part of your multiple lines of evidence to support, streamline and expedite site closures. <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Clean-up-petroleum-contamination>

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Under the MTCA, liable persons are strictly liable, jointly and severally, for all remedial action costs and for all-natural resource damages resulting from the release(s) of hazardous substances at the Site. This opinion **does not:**

- Change the boundaries of the Site.
- 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 the Office of the Attorney General and 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 the MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you performed is equivalent. Courts make that determination (RCW 70.105D.080 and WAC 173-340-545).


3. State is immune from liability.

The state, PLIA, 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.

Contact Information

Thank you for choosing to clean up your property under the PLIA Petroleum Technical Assistance Cleanup Program (PTAP). If you have any questions about this opinion, please contact me by phone at 1-800-822-3905, or by email at nnamdi.madakor@plia.wa.gov.

Sincerely,



NNAMDI I. MADAKOR

Nnamdi Madakor, P. HG, P.G.
Technical Program Manager

Nm: nm

Enclosure A: Fig. 1: Site Vicinity Map

Fig. 2: Extent of Impacted Soil & Proposed Excavation Extent Map

Fig. 3: Extent of Gasoline Impacted Groundwater Plume Map

Fig. 4: Extent of Benzene Impacted Groundwater Plume Map

Fig. 5: Vertical Extent of Soil & Proposed Excavation Map

Fig. 6: Groundwater Flow Direction & Monitoring Wells Locations Map

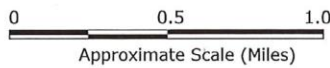
cc: Mr. George Stokes, Property Owner (email only)
Ms. Annica Brown, Vertex (email only)
Ms. Carrie Pederson, PLIA (email only)
Ms. Kristin Evered, PLIA (email only)

Enclosure A:
Stokes BP Site
PTAP Project No. PNW099

Fig. 1: Site Vicinity Map



From the United States Geological Survey - Mercer Island Quadrangle, Washington-King Co., 7.5 Minute, Quadrangle, 2011



Dimensions and locations are approximate.

<p>PUGET ENVIRONMENTAL P.L.L.C. 27111 167th Place SE Suite 105-115 Covington, Washington 98042 Project Number 15038: 09/4/15 JPM</p>	<p>Mercer Island 7833 SE 28th Street Mercer Island, Washington</p>	<p>FIGURE 1 SITE LOCATION</p>
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Fig. 2: Extent of Impacted Soil & Proposed Excavation Extent Map

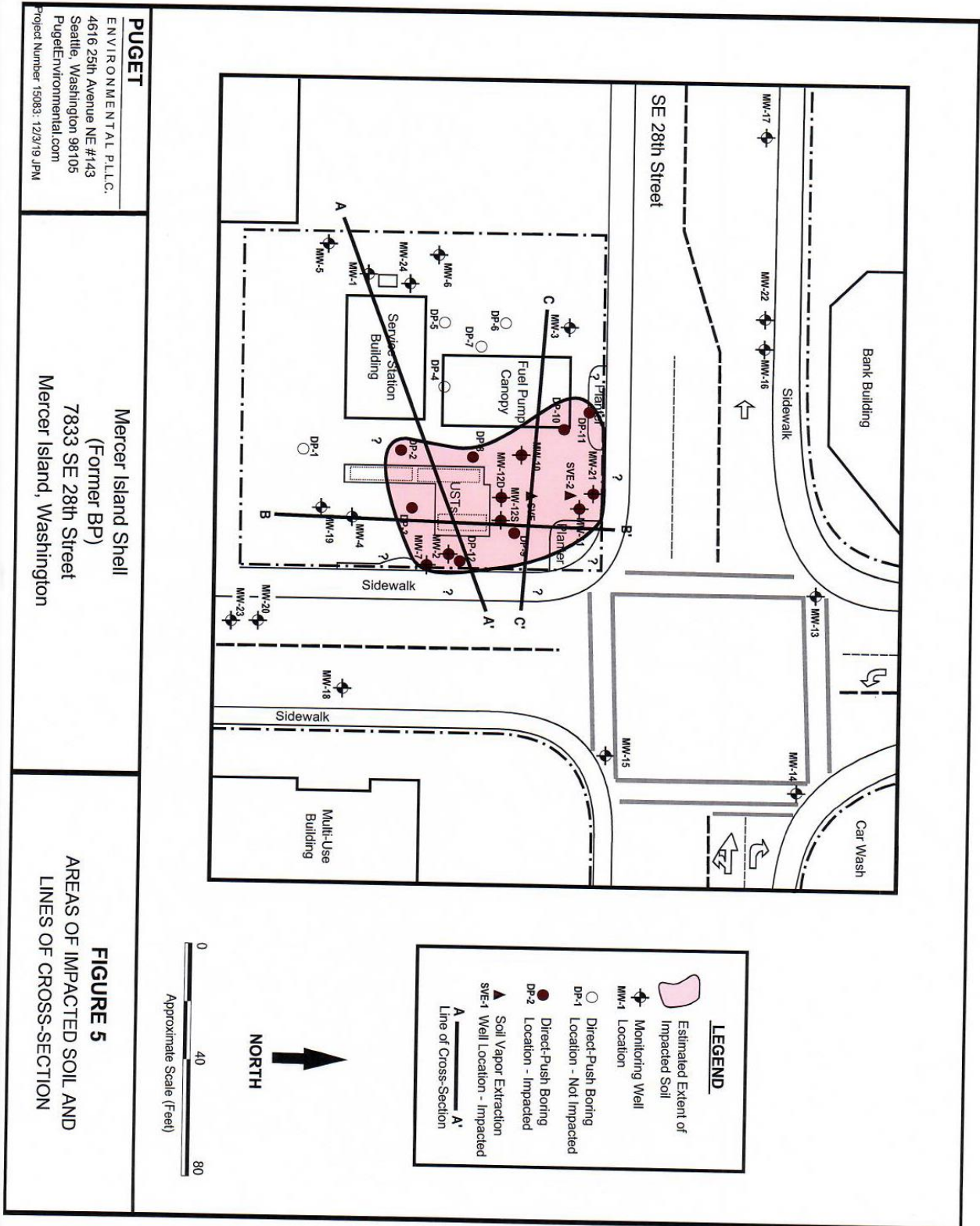


Fig. 3: Extent of Gasoline Impacted Groundwater Plume Map

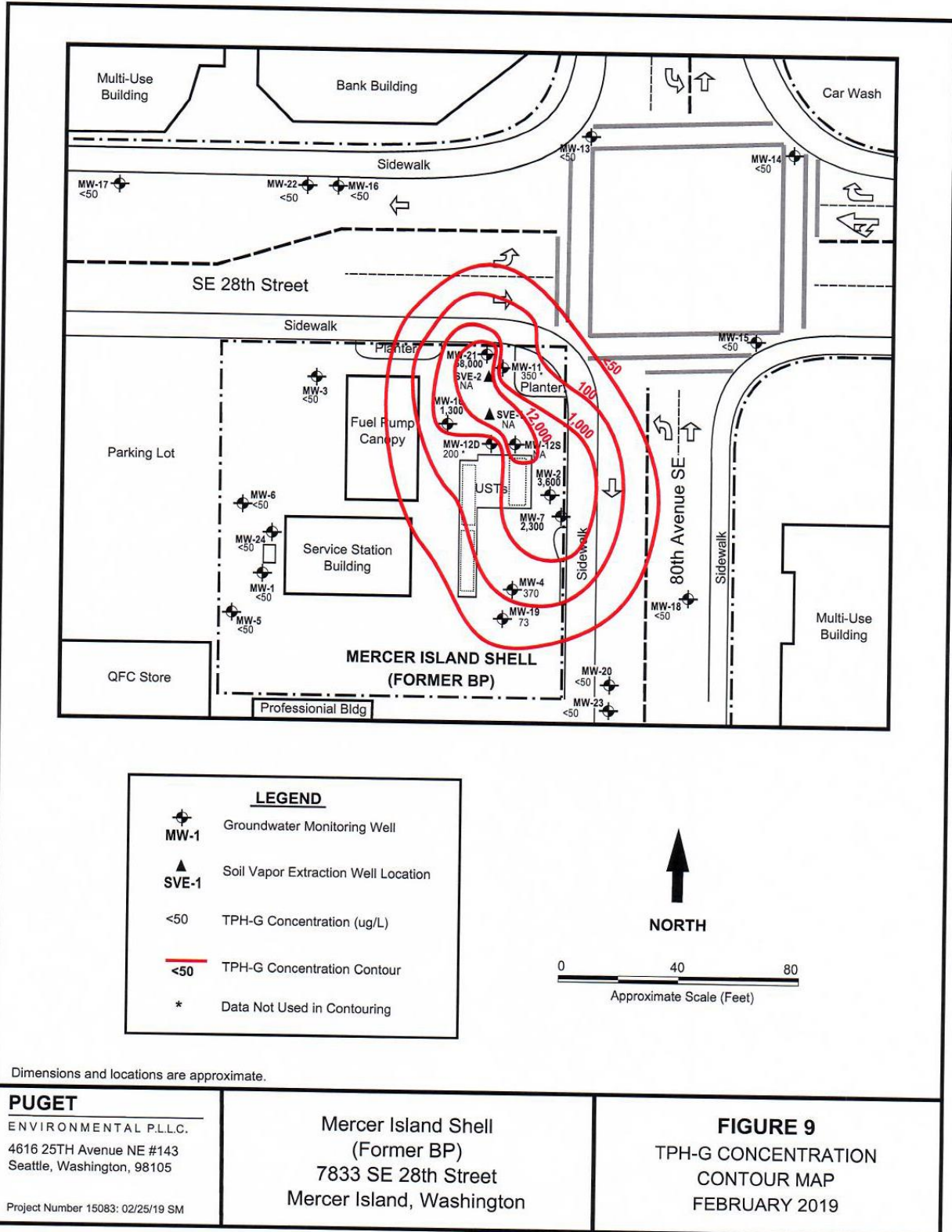


Fig. 4: Extent of Benzene Impacted Groundwater Plume Map

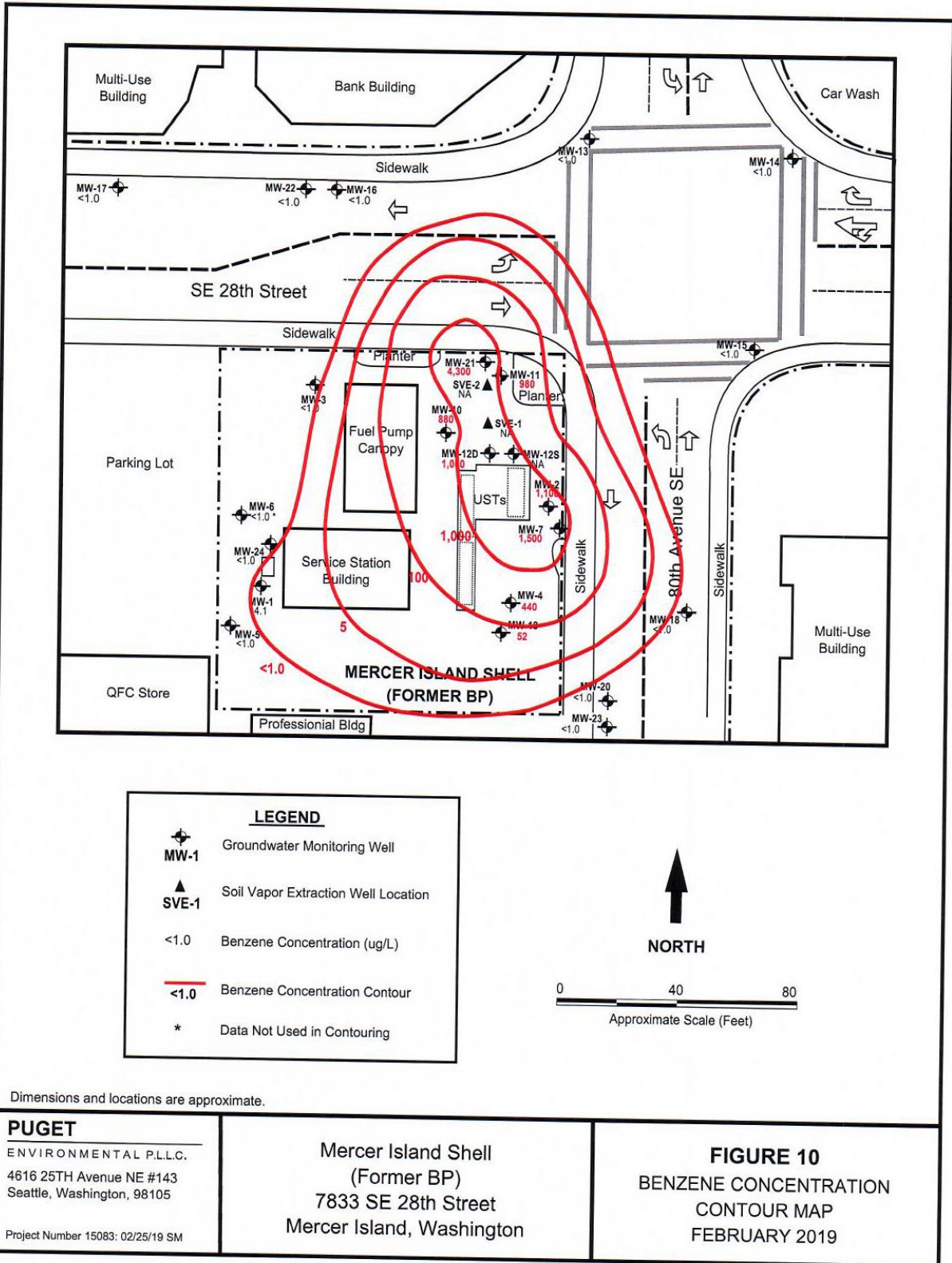


Fig. 5: Vertical Extent of Soil & Proposed Excavation Map

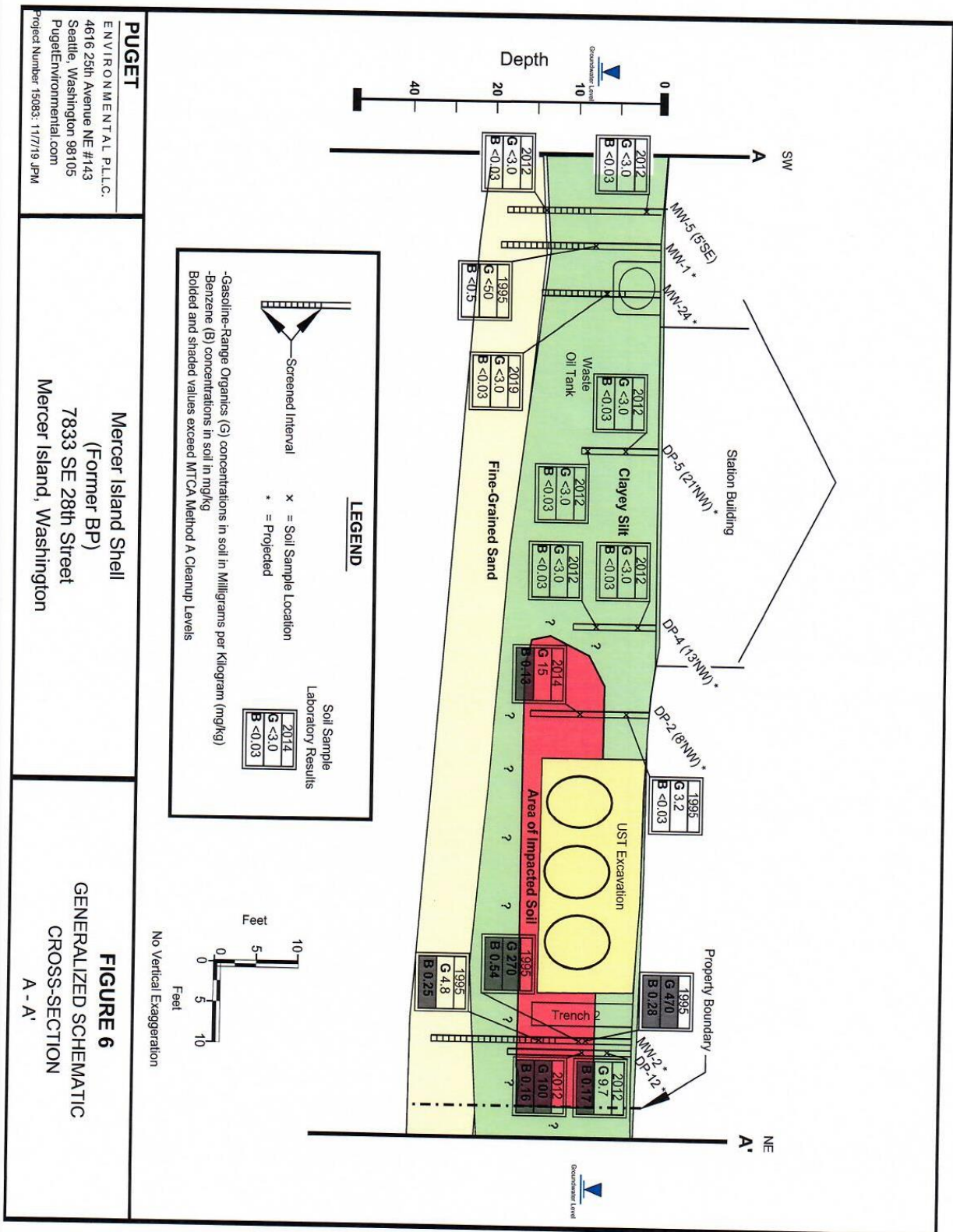


Fig. 6: Groundwater Flow Direction & Monitoring Wells Locations Map

