



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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Seattle, WA 98101-3140

OFFICE OF
AIR AND WASTE

AUG 29 2017

Mr. Gary Dupuy
Amec Foster Wheeler
Environment & Infrastructure, Inc.
600 University Street, Suite 600
Seattle, Washington 98101

Re: Determination of Corrective Action Complete without Controls for East Parcel
Administrative Order on Consent for Corrective Action (Order) Under the Resource Conservation and
Recovery Act (RCRA), Docket No. 1091-11-20-3008(h)
Rhone-Poulenc Inc. Marginal Way Facility WAD 00928 2302

Dear Mr. Dupuy:

The U.S. Environmental Protection Agency, Region 10 received the *East Parcel Corrective Measures Implementation Operations and Maintenance Report, 2016* dated March 2017 (Report). The purpose of the Report is to evaluate the performance of corrective measures to remediate the toluene-impacted groundwater in the East Parcel Corrective Measures Implementation (CMI) project area. The Report summarizes the results of the final round of quarterly groundwater monitoring completed in June 2016, and serves as the final CMI report for the East Parcel. In Section 4.0 of the Report, the Respondents request formal acknowledgment of completion of the East Parcel CMI.

Pursuant to Paragraph 7.1 of the Order, the EPA approves the Report. The EPA also acknowledges that corrective measures for the East Parcel are complete, and this letter serves as the final determination of Corrective Action Complete without Controls for the East Parcel. This determination applies only to the East Parcel; separate work continues on the West Parcel under the Order.

In 2006, the Respondents extensively investigated and remediated contamination at the East Parcel and sold the property to the Museum of Flight. The EPA issued a partial determination of Corrective Action Complete without Controls for the East Parcel via a letter on December 20, 2006. The determination covered all portions of the East Parcel except a small area in the southwest corner where toluene was suspected to remain present in groundwater.

The EPA presented final decisions regarding corrective action for the East Parcel in the 2006 letter. Corrective actions included source area excavation and removal as the final remedy, and a contingency to address any residual toluene in groundwater if source removal did not prove to be an effective groundwater remedy. If within six months of remedy selection, the Respondents could demonstrate that the concentration of toluene in groundwater was below the final groundwater cleanup level (1.0 mg/L), corrective measures would be deemed complete. However, the Respondents could not meet the requirement and developed a work plan to implement additional corrective measures for groundwater in accordance with the contingent remedy.

The EPA approved the CMI work plan in 2007 for the East Parcel groundwater remediation. The initial groundwater remedy consisted of a biosparge and vent well system, which was installed in 2008. Soil vapor initially was treated using granular activated carbon through 2008, then by a soil vapor extraction-internal combustion engine system through 2009. In 2010, the EPA approved shutting down active operation of the biosparge/vent system and continuing to monitor the toluene groundwater concentrations for four post-shutdown sampling events. Because of rebound of toluene groundwater concentrations that exceeded the cleanup level, the Respondents restarted the biosparge system in 2012. The EPA approved shut down of the system in 2015 after several consecutive quarterly sampling events demonstrated that toluene remained below the groundwater cleanup level. After four consecutive post-shutdown sampling events during which toluene was not detected, the Respondents dismantled the system in 2016 upon the EPA's approval. The final sampling event in June 2016 marked the thirteenth consecutive quarter in which toluene levels were below the cleanup level, and the tenth consecutive event in which toluene was not detected above the analytical reporting limit.

This final determination of Corrective Action Complete without Controls means that the EPA, under authority of the Order, has determined that remedies for the entirety of the East Parcel have been implemented successfully and no further activities or controls are necessary, and that human health and ecological risks have been appropriately addressed.

If you have any questions regarding this letter, please contact Janette Knittel at (206) 553-0483 or knittel.janette@epa.gov, or your legal counsel may contact Jennifer MacDonald at (206) 553-8311 or macdonald.jennifer@epa.gov.

Sincerely,



Timothy B. Hamlin
Director

cc: Mr. Chintan Amin Bayer CropScience	Mr. Gene McBrayer Museum of Flight
Mr. David Blount Landye Bennett Blumstein LLP	Ms. Alison O'Sullivan The Suquamish Tribe
Mr. James J. Dragna Morgan, Lewis & Bockius LLP	Mr. James Rasmussen Duwamish River Cleanup Coalition
Mr. Paul Linskey Solvay USA Inc.	Mr. Glen St. Amant The Muckleshoot Tribe
Mr. Byung Maeng Ecology NWRO	Ms. Marla Steinhoff NOAA