



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

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MAY 14 2013

HILL INTERNATIONAL, INC.
SPOKANE, WASHINGTON USA

May 13, 2013

Mr. Matt Walker
Hill International
818 W Riverside Ave, Suite 350
Spokane, WA 99201

Re: Further Action at the following Site:

- **Site Name:** Spokane Convention Center Expansion 2
- **Site Address:** 332 North Spokane Falls Court, Spokane, WA
- **Facility/Site No.:** 13149
- **VCP Project No.:** EA0250

Dear Mr. Walker:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Spokane Convention Center Expansion 2 facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Issue Presented and Opinion

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

YES. Ecology has determined 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 releases:

- Metals, cPAHs and petroleum hydrocarbons into the Soil.

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

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

Basis for the Opinion

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

1. Final Revised Corrective Action Plan, Proposed Convention Center Completion Project, Spokane, Washington: GeoEngineers, Inc., February 13, 2013.

This document is kept in the Central Files of the Eastern Regional Office of Ecology (ERO) for review by appointment only. You can make an appointment by calling Kari Johnson resource contact at 509-329-3415.

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

Analysis of the Cleanup Plan

Ecology has concluded that the proposed cleanup plan is acceptable with the following comments and recommendations:

- Method A cleanup levels are the appropriate cleanup levels for the Site.
- Control run-off from stockpiles and stormwater during construction.
- Results of the supplemental ESA may necessitate changes/additions to the proposed cleanup actions.
- A Terrestrial Ecological Evaluation must be completed.
- The cleanup must comply with all applicable state and federal laws (WAC 173-340-710).
- Determine permit requirements and obtain all permits necessary for the remedial actions.

- Any soil excavated at the Site is a solid waste subject to designation as described in WAC 173-303-070. Soil which designates as hazardous waste is subject to all of the requirements of the Dangerous Waste Regulations (Chapter 173-303 WAC). If soil does not designate as a hazardous waste, solid waste disposal requirements would apply.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Liabe 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 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 substantially equivalent. Courts 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.

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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 509-329-3522 or e-mail at patti.carter@ecy.wa.gov.

Sincerely,



Patti Carter
ERO Toxics Cleanup Program

PC:eh

Enclosure: Description and Diagram of the Site

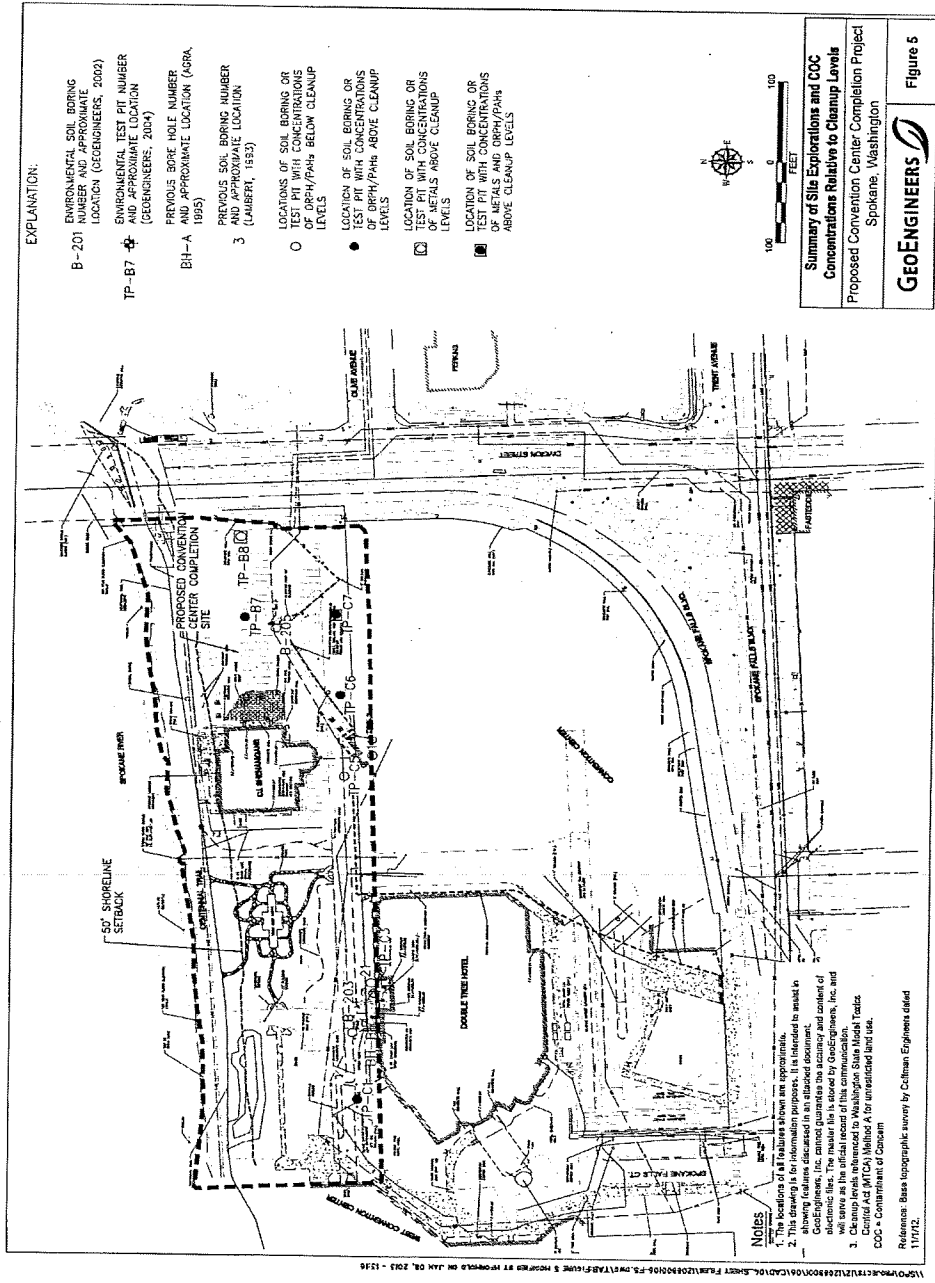
cc: Kevin Twohig, SPFD
John Haney, GeoEngineers
Dolores Mitchell, VCP Financial Manager (without enclosures)

Site Description

- The site is approximately 0.6 acres located immediately north of the Spokane Convention Center Exhibit Hall and Doubletree Hotel, and west of the old Convention Center. The Site is bordered on the north by the Centennial Trail and Spokane River. Historical uses of the Site and adjacent Exhibit Hall and Doubletree Hotel properties include residential, industrial, commercial, and medical services.
- The Exhibit Hall was completed in 2006. Environmental remediation of contaminated soil was conducted in conjunction with construction of the building. Remediation activities included partial removal of contaminated soil and capping remaining contaminated soil with structures and pavement. Since contaminated soil remained on the property, an environmental covenant was recorded for the site.
- Subsurface soil conditions consist of fine to coarse gravel with sand, trace silt, and various amounts of construction debris (concrete, bricks, cinder material, and railroad ties) to about 4 feet below ground surface. Groundwater was encountered at variable depths, but generally near the contact between overlying fill or native soil and underlying basalt. Previous investigations indicated groundwater was at approximately 7 to 9 feet bgs. Shallow groundwater flow direction is generally west-northwest.
- Multiple Phase I and Phase II environmental site assessments (ESAs) have been completed on the existing Exhibit Hall property and the Site, including soil and groundwater sampling. Results of the investigations indicated the presence of petroleum hydrocarbons, carcinogenic polycyclic aromatic hydrocarbons (cPAHs), and metals contaminated soil in the central portion of the Exhibit Hall. Results also indicated that cPAHs and metals (arsenic, cadmium and lead) were the primary contaminants of concern (COCs) detected on the Site. In addition, a groundwater sample from Site monitoring well MW-213 contained concentrations of cPAHs exceeding Method A cleanup levels.

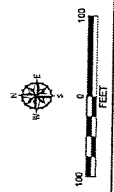
(GeoEngineers, February 2013)

Site Diagram



EXPLANATION:

- B-201 ENVIRONMENTAL SOIL BORING NUMBER AND APPROXIMATE LOCATION (GEOENGINEERS, 2002)
- TP-B7 ENVIRONMENTAL TEST PIT NUMBER AND APPROXIMATE LOCATION (GEOENGINEERS, 2004)
- BH-A PREVIOUS BORE HOLE NUMBER AND APPROXIMATE LOCATION (ARRA, 1995)
- 3 PREVIOUS SOIL BORING NUMBER AND APPROXIMATE LOCATION (LAUBERT, 1953)
- LOCATIONS OF SOIL BORING OR TEST PIT WITH CONCENTRATIONS OF DRPH/PAHs BELOW CLEANUP LEVELS
- LOCATIONS OF SOIL BORING OR TEST PIT WITH CONCENTRATIONS OF DRPH/PAHs ABOVE CLEANUP LEVELS
- LOCATIONS OF SOIL BORING OR TEST PIT WITH CONCENTRATIONS OF METALS ABOVE CLEANUP LEVELS
- LOCATIONS OF SOIL BORING OR TEST PIT WITH CONCENTRATIONS OF METALS AND DRPH/PAHs ABOVE CLEANUP LEVELS



Summary of Site Explorations and COC Concentrations Relative to Cleanup Levels
 Proposed Convention Center Completion Project
 Spokane, Washington

GEOENGINEERS

Figure 5

NOTES

- The locations of all borings shown on this drawing.
- This drawing is for information purposes. It is intended to assist in showing relative locations of borings and is not intended to be used as a basis for any legal action. The accuracy and content of this drawing are the responsibility of the engineer, and the user of this drawing assumes all liability for any errors or omissions. We save as to the actual record of this survey.
- Clean-up levels referenced to Washington State Model Toxics Control Act (MTCOA) Method A for unrestricted land use.
- COC = Contaminant of Concern

Reference: Base topographic survey by Callman Engineers dated 11/19/12.