



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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August 13, 2021

Humberto Lopez Medina
1220 South 6th Street
Yakima, WA 98901
betol80@yahoo.com

RE: No Further Action at the following Site:

- **Site Name:** Tonys Auto Repair
- **Site Address:** 1220 S. 6th Street, Yakima
- **Facility Site ID No.:** 548
- **Cleanup Site ID No.:** 1597

Dear Humberto Lopez Medina:

The Washington State Department of Ecology (Ecology) has performed further investigations at the Tony's Auto Repair site (Site). This letter provides our opinion based on those further investigations. 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?

NO. Ecology has determined that no 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 (heavy oil) into the Soil



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- Non-halogenated solvents in the Soil.
- Suspected halogenated solvents in the Soil.

Enclosure A is a 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 that the parcel(s) associated with this Site are affected by other sites.

The Site is located at 1220 South 6th Street, in Yakima. The property consists of an auto repair shop. The property is surrounded by commercial land uses.

Basis for the Opinion

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

1. *"Site Hazard Assessment, Summary Score Sheet."* Department of Ecology dated July 9, 1996.
2. *"Site Assessment, Tonys Auto Repair Site Assessment, 1220 South 6th Street, Yakima, Washington."* GeoEngineers dated July 26, 2021.

A number of these documents are accessible in electronic form from the Site webpage <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=223>. The complete records are stored in the Central Files of the Headquarters Office of Ecology, for review by appointment only. Visit our Public Records Request page <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>, to submit a public records request or get more information about the process. If you require assistance with this process, you may contact the Public Records Officer at publicrecordsofficer@ecy.wa.gov or 360-407-6040.

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 **no further remedial action** is necessary to clean up contamination at the Site.

That conclusion that no further remedial action is necessary is based on the following analysis:

1. Characterization of the Site.

Little information is available in the Site file for this cleanup site. Available information regarding a contamination release at the site was found within the Site Hazard Assessment summary score sheet dated July 9, 1996. Information from that document is as follows:

The site is currently an auto repair business. It is not known what the site was used for prior to this. To the south of the site is an empty lot.

To the west of the site is an auto repair shop (Midas) and an empty lot. To the north of the site is a house. To the east of the site, across the street, is a mission. The site is zoned arterial commercial, but a low density residential zone is across the street to the east.

Yakima Health District personnel first visited the site on March 31, 1995 because of a complaint. Large areas of staining were at various locations at the site. Barrels were draining in the alley. Barrels were at various locations around the property. A site hazard assessment was recommended at the conclusion of this initial investigation.

On March 18, 1996, Yakima Health District personnel returned to the site to take samples. At that time, a septic tank like device (with an inlet and outlet) was discovered which appeared to be full of oil. This liquid was sampled during the visit. Results of the sampling showed that heavy oil, acetone, xylenes, toluene, and ethylbenzene were present at levels above the MTCA cleanup standards. An interim action was recommended as a result of this discovery.

An investigation was conducted on behalf the Department of Ecology Toxics Cleanup Program (TCP) by GeoEngineers in May 2021. This investigation included soil borings at four locations in open areas south and west of the auto repair shop structures. Direct push soil borings were placed at locations to provide lateral coverage within the adjacent yard areas. No soil staining was noted. The soil borings were advanced to 10 to 14 feet below ground surface (ft bgs) until refusal was reached. No groundwater was encountered and soils were observed to be dry to the depth of refusal.

One soil sample was collected at each of the four boring locations at depths ranging between 0.5 to 2.0 ft bgs. No indications of contamination were noted and photoionization detector (PID) readings were within background range. Soil samples were analyzed for gasoline-range, diesel-range, and heavy oil range organics by NWTPH-Gx and NWTPH-Dx, and for volatile organic compounds by EPA Method 8260.

No analytes were detected above any potential cleanup levels, except for one detection of 1,2,4-trimethylbenzene. This compound was detected at an estimated 0.075 mg/kg, above a calculated Method B soil protective of groundwater concentration of 0.072 mg/kg. This detection is not believed by Ecology to present a risk to groundwater based on the drilling observations reported at the Site.

The investigation conducted by GeoEngineers in 2021 indicates that no contamination is present at the Site at concentrations above cleanup levels that would suggest the need for further investigation or cleanup. The soil staining observed in 1995-1996 has either been cleaned up or has attenuated. Ecology recommends that best management practices be applied at this auto repair shop to ensure no releases of contaminants take place at this site in the future.

2. Establishment of cleanup standards.

Cleanup Levels

The following Cleanup Levels for unrestricted land use have been used at the Site:

Contaminant	Maximum Concentration in Site Soils (mg/kg)	MTCA Cleanup Level (mg/kg)
Gasoline Range Organics	5.2 J	100 ¹
Diesel Range Organics	23 J	2,000 ¹
Heavy Oils Range Organics	120	2000 ¹
1,2,4-Trimethylbenzene	0.075 J	800 ²
p-Isopropyl toluene	0.033 J	NE
Naphthalene	0.12 J	5 ¹
Toluene	0.081 J	7 ¹
Xylenes	0.147 J	9 ¹

J – Estimated value. Value for Gasoline Range Organics based on no benzene present.
1 – Method A cleanup level.
2 – Method B (direct contact, non-cancer) cleanup level.
NE = No cleanup level established.

Point of Compliance (POC): Standard, throughout the Site, for soil extending from the surface to 15 feet below ground surface (ft bgs) (direct contact pathway).

Terrestrial Ecological Evaluation (TEE): The site is located within a highly urbanized setting in Yakima with little open space in the area. Therefore, the site is exempt from TEE requirements.

3. Cleanup.

No cleanup level exceedances have been found at the Site, which would require further action. Per WAC 173-340-360(2), it is our professional judgment that no further action is required for this cleanup site.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.

That process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdraw this opinion.

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 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).

Closing

If you have any questions about this opinion, please contact me by phone at (509) 454-7835 or e-mail at Frank.Winslow@ecy.wa.gov.

Sincerely,



Frank P. Winslow, LHG
Toxics Cleanup Program
Central Regional Office

Enclosures: A – Site Diagram

Enclosure A

Site Diagram



P:\031418B-GIS\031418B-Projects\031418B-Project\031418B-Parcel.dwg, Date Examined: 08-18-21 by cca/bra

Notes:

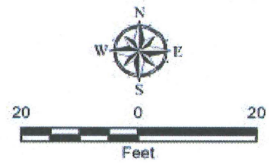
1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: ESRI World Imagery
 Parcel from Yakima County GIS.

Projection: NAD 1983 StatePlane Washington South FIPS 4602 Feet

Legend

- Boring Number and Approximate Location
- IDW Approximate Location
- Overhead Power
- Gas Line Approximate Location
- Sewer
- Tony's Repair Shop
- Parcel Boundary



Site Plan	
Tony's Auto Repair Yakima, Washington	
	Figure 2

