



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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August 13, 2021

Mike Engelhart
Public Works Director
City of Cle Elum
119 West 1st Street
Cle Elum, WA 98922
mengelhart@cleelum.gov

RE: No Further Action at the following Site:

- **Site Name:** Cle Elum City
- **Site Address:** 301 West 1st Street, Cle Elum
- **Facility Site ID No.:** 390
- **Cleanup Site ID No.:** 4762

Dear Mike Engelhart:

The Washington State Department of Ecology (Ecology) has performed further investigations at the Cle Elum City 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:



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- Petroleum (heavy oil and gasoline) into the Soil and Groundwater
- Suspected non-halogenated solvents into the Soil and Groundwater

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 the southwest corner of Billings Avenue and 1st Street West (301 West 1st Street) in Cle Elum. Petroleum contamination was found in the City right-of-way (ROW) in 1996, hence the site name "Cle Elum City". The Site is surrounded by commercial land uses, including the Timber Lodge Inn (to southwest of the intersection), which is the location of a former gas station, and a gas station and convenience store located at the southeast corner of the intersection.

Basis for the Opinion

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

1. "*Phase 1 and 2 Environmental Site Assessment, Former and Current Service Stations and Bulk Storage Facilities, Cle Elum, WA.*" Washington Department of Ecology dated December 1996.
2. "*Soil and Groundwater Assessment, Cle Elum City, Cle Elum, WA.*" 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=4762>. 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.

A petroleum release was found at the southwest corner of Billings Avenue and 1st Street West in Cle Elum during telephone utility work in 1991.

Petroleum product was observed in the utility trench. The contamination was believed to originate from the former gas station that had been located at 301 West 1st St (now the location of the Timber Lodge Inn). The release was further investigated in 1996 as part of an investigation by Ecology of service stations and bulk fuel facilities in Cle Elum. The 1996 investigation found gasoline range organics in soil at 270 mg/kg, and in groundwater at 240 µg/L in monitoring well MW-5, near the southwest corner of the intersection. Benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected in a groundwater sample from MW-5, but at concentrations well below their respective cleanup levels.

An investigation was conducted on behalf the Department of Ecology Toxics Cleanup Program (TCP) by GeoEngineers in May 2021. This investigation included soil and groundwater sampling at three locations via direct push sampling methods and sampling of an existing monitoring well (MW-5) from the 1996 investigation where contamination had previously been found. Investigation locations were constrained by abundant utilities located in the vicinity. Continuous soil sampling was done to a depth of 10 feet below ground surface (ft bgs) and soil was screened for indications of petroleum using a photoionization detector (PID) and via visual and olfactory observations.

The potential presence of petroleum in soil was noted in one of the three soil borings at a depth of five ft bgs. Soil samples from the three borings were analyzed for gasoline-range, diesel-range, and heavy oil range organics by NWTPH-Gx and NWTPH-Dx, and for benzene, toluene, ethylbenzene, and xylenes (BTEX) by EPA Method 8260. No gasoline or BTEX was detected in any soil samples. Diesel was detected in one of three soil samples with an estimated maximum detection of 67 mg/kg. Heavy oil was detected in one of three soil samples with a maximum detection of 450 mg/kg.

Groundwater was found within monitoring well MW-5 at a depth of approximately seven ft bgs and sampled with a peristaltic pump. Groundwater is believed to flow to the east-southeast at the Site, based on potentiometric surface maps and contamination distribution maps at nearby sites.

Groundwater was sampled at the test boring locations by placing a temporary PVC well screen within the test borings and sampling with a peristaltic pump. Groundwater samples were analyzed for the same parameters as the soil samples. No petroleum was detected in any of the four groundwater samples, nor in two duplicate samples.

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.

3. Establishment of cleanup standards.

Cleanup Levels

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

Contaminant	Maximum Concentration in Site Soils in 2021 (mg/kg)	MTCA Method A Cleanup Level (mg/kg)
Gasoline Range Organics	< 5.7	100
Diesel Range Organics	67 J	2,000
Heavy Oils Range Organics	450	2000
Diesel + Heavy oil	517	2000

J – Estimated value. Cleanup level for Gasoline Range Organics based on no benzene present.

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

Contaminant	Maximum Concentration in Site Groundwater in 2021 (µg/L)	MTCA Method A Cleanup Level (µg/L)
Gasoline Range Organics	<150	1,000
Diesel Range Organics	<230	500
Heavy Oils Range Organics	<390	500

J – Estimated value. Cleanup level for Gasoline Range Organics based on no benzene present.

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

Terrestrial Ecological Evaluation (TEE): The site is located within a urbanized setting in Cle Elum with little open space in the area. A park consisting of grass turf is located west of the Timber Lodge Inn and 0.88 acres of the park are within 500 feet of the Site.

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However, exposure of ecological receptors to the Site contaminants is highly unlikely, and based on MTCA Table 749-1, the TEE process can be ended. The Site is therefore exempt from further 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.

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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.

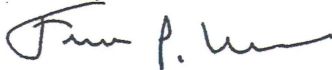
3. State is immune from liability.

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,

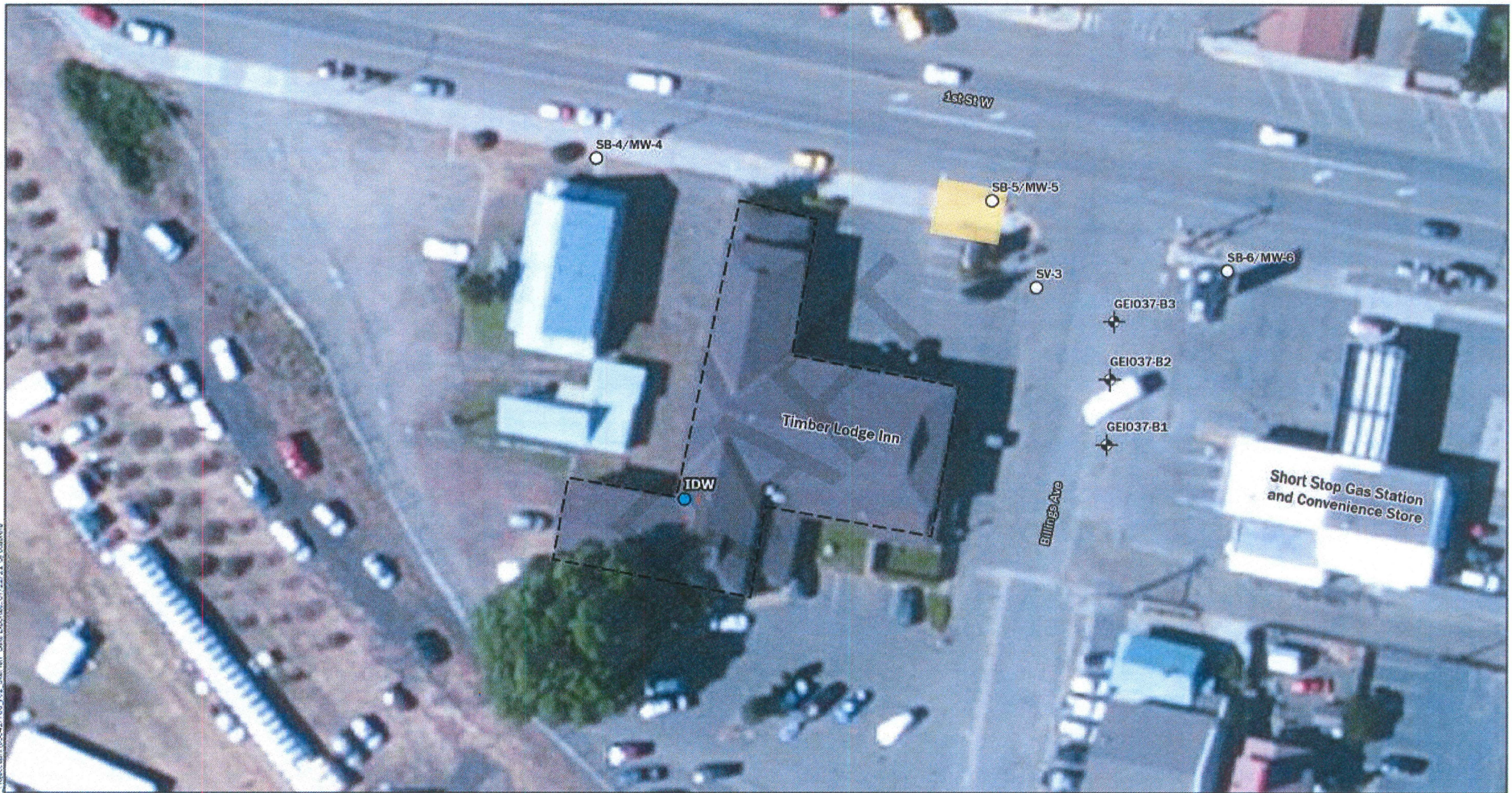


Frank P. Winslow, LHG
Toxics Cleanup Program
Central Regional Office

Enclosures: A – Site Diagram

Enclosure A

Site Diagram



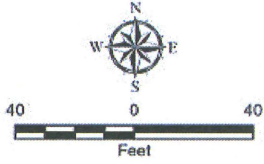
7/2/2019 10:47:35 AM 100431700_P02_Basemap Date Expires: 07/22/21 by: catherine

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.
3. Locations of 1996 explorations were approximated by centering an electronic image from the 1996 report over field located MW-5 and then electronically stretching the image to match gridded street layout of the figure and recent aerial imagery.

Data Source: ESRI Clarify
 Projection: NAD 1983 StatePlane Washington South FIPS 4602 Feet

- Legend**
- Approximate location of Historical Exploration (Ecology, 1996)
 - ✦ Boring Number and Approximate Location
 - IDW Approximate Location
 - Approximate UST Excavation Location
 - ⌈⌋ Timber Lodge Motel



Site Plan	
Cle Elum City Cle Elum, Washington	
GEOENGINEERS	Figure 2