



CARRIE  
VCP file  
NW 2589

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
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January 17, 2013

Mr. Dan Berg  
Whidbey Island Ford Sales  
PO Box 682  
Oak Harbor, WA 98277-0682

Re: Revised Opinion Pursuant to WAC 173-340-515(5) on Proposed Remedial Action  
for the Following Site:

Site Name: Whidbey Island Ford Sales #2  
Address: 31485 State Route 20, Oak Harbor, WA.  
Facility Site Number: 25449663  
VCP Number: NW2589  
ISIS Cleanup Number: 11845

Dear Mr. Berg:

Thank you for submitting documents regarding your proposed remedial action for the **Whidbey Island Ford Sales #2** facility (Site) for review by the Washington State Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

*Note: The Site name was originally listed with Ecology as Whidbey Island Ford. The Site comprises the largest part of a consolidated Property consisting of three parcels (R13202-208-0020, R13202-193-0070 and R13202-180-0060). This opinion is for parcel R13202-208-0020. This Site is also referred to as Whidbey Island Ford #2 to distinguish it from parcel R132-180-0060, which is referred to as Whidbey Island Ford #1 (BP Station). The former BP Station Site is under separate review by Ecology as VCP number NW2588.*

This letter constitutes an advisory opinion regarding a review of submitted documents/reports pursuant to requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s) at the Site:

- Diesel-range petroleum hydrocarbons in soil as TPH-D
- Heavy oil-range petroleum hydrocarbons (hydraulic fluids) in soil as TPH-O



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Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030 (1)(b) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040 (4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding your proposed remedial action(s):

1. November 19, 2012, *Letter Response to Department of Ecology's Review Comments-Whidbey Island Ford Sales #2*, GeoTest Services, Inc. (GeoTest).
2. September 25, 2012, *Opinion Letter for Whidbey Island Ford Sales #2*, Department of Ecology.
2. January 9, 2012, *Phase III Environmental Site Sampling*, GeoTest.
2. June 20, 2011, *Phase II Environmental Site Assessment*, GeoTest.
3. December 30, 2011, *Phase I Environmental Site Assessment*, GeoTest.

The reports listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact at (425) 649-7235.

*NOTE: Paragraphs that have been added or substantially changed from the original Opinion Letter of September 25, 2012, are in italics and highlighted in bold face.*

*Ecology's primary concern remains the condition of the ground water and lack of data on its presence and its quality. Further work is needed to demonstrate that ground water, if present, is not impacted.*

Based on a review of supporting documentation listed above, pursuant to requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following releases at the Site, Ecology has determined that:

- The January 9, 2012, report is incomplete because soil and ground water at the Site have not been fully characterized. Limited ground water data is available for evaluation. Even though ground water did not recharge rapidly into the various excavations, ground water is locally present on the Property. Since ground water may be present sufficiently close to the previous soil contamination and ground water could have been impacted, an evaluation of ground water impacts is required.

- To complete the review under the VCP program, additional ground water data is needed to confirm that no impacts to ground water have occurred as a result of confirmed releases to the soil.
- *Ground water as defined in WAC 173-340-200 does mean water in a saturated zone or stratum beneath the surface of land or below a surface water. Ecology considers 'perched water' to be ground water. WAC 173-340-720, Ground Water Cleanup Standards, presents an extended discussion for determining if ground water meets cleanup standards.*
- *GeoTest's Figures 3, 5 and 6 provide a working description of the Site/Property as currently known to Ecology. Since interim remedial actions have occurred at separate locations at the Property, these locations are identified as Areas of Concern (AOC's). These AOC's constitute the Site. Ecology will evaluate the cleanup as a Site within a Property as no evidence currently exists that contamination has migrated off-Property. Using data acquired from future subsurface investigations, the Site boundaries may expand or contract or merge.*
- *To issue a No Further Action (NFA) determination, the presence of ground water needs to be determined. A zone of ground water perched above the Vashon Till may exist at the Site. Ecology would accept data from either sampling using push-probe technology or ground water monitoring wells. If soil contamination is encountered, its horizontal and vertical extent should be delineated. If ground water is encountered samples should be collected.*
- *Additional soil and ground water samples should be collected to fully characterize each of the areas described in the cleanup reports. These areas of concern (AOC) include the former gasoline tank excavation and vicinity (AOC 2), the hydraulic lift excavation (AOC 1 and AOC 3), and the heating oil tank excavation (AOC 4). Drilling and sampling locations should be selected to characterize the ground water up and down-gradient of these AOC's. These AOC's are depicted in GeoTest's Figures 3, 5 and 6.*
- *Because Oak Harbor is no more than 2000 feet from the Site, concentrations of petroleum hydrocarbons in ground water at the Site may need to meet surface water cleanup levels in addition to MTCA Method A levels (WAC 173-340-720 (3) (iv) and (4) (ii). Surface water standards would only apply if ground water contamination at the Site has been confirmed and the ground water discharges to Oak Harbor Bay. As there are no published surface water cleanup standards, residual concentrations in ground water would have to meet the practical quantization limits (PQL) of the analytical method.*
- *Geotest needs to complete a new terrestrial ecological evaluation (TEE). The Site does not qualify for an exclusion for Point of Compliance or Barriers to Exposure as each these exclusions require the use of institutional controls. Asphalt alone does not*

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*constitute an institutional control. An institutional control requires an environmental covenant (formerly a restrictive covenant). An environmental covenant requires a disproportionate cost analysis in addition to approval from the TCP section manager. Only a few environmental covenants have been approved in the past two years. Any TEE exclusion involving institutional controls is not likely to be accepted by Ecology.*

- In future submittals, please prepare separate site-specific reports for parcel R132-02-208-0020 (NW2589) and for parcel R132-180-0060 (NW2588).

This opinion does not represent a determination by Ecology that a proposed remedial action will be sufficient to characterize and address the specified contamination at the Site or that no further remedial action will be required at the Site upon completion of the proposed remedial action. To obtain either of these opinions, you must submit appropriate documentation to Ecology and request such an opinion under the VCP. This letter also does not provide an opinion regarding the sufficiency of any other remedial action proposed for or conducted at the Site.

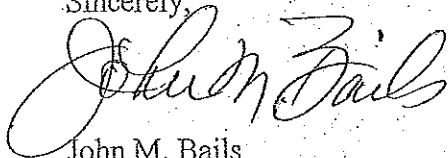
Please note this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (425) 649-7099 or by email at [jbai461@ecy.wa.gov](mailto:jbai461@ecy.wa.gov).

Sincerely,

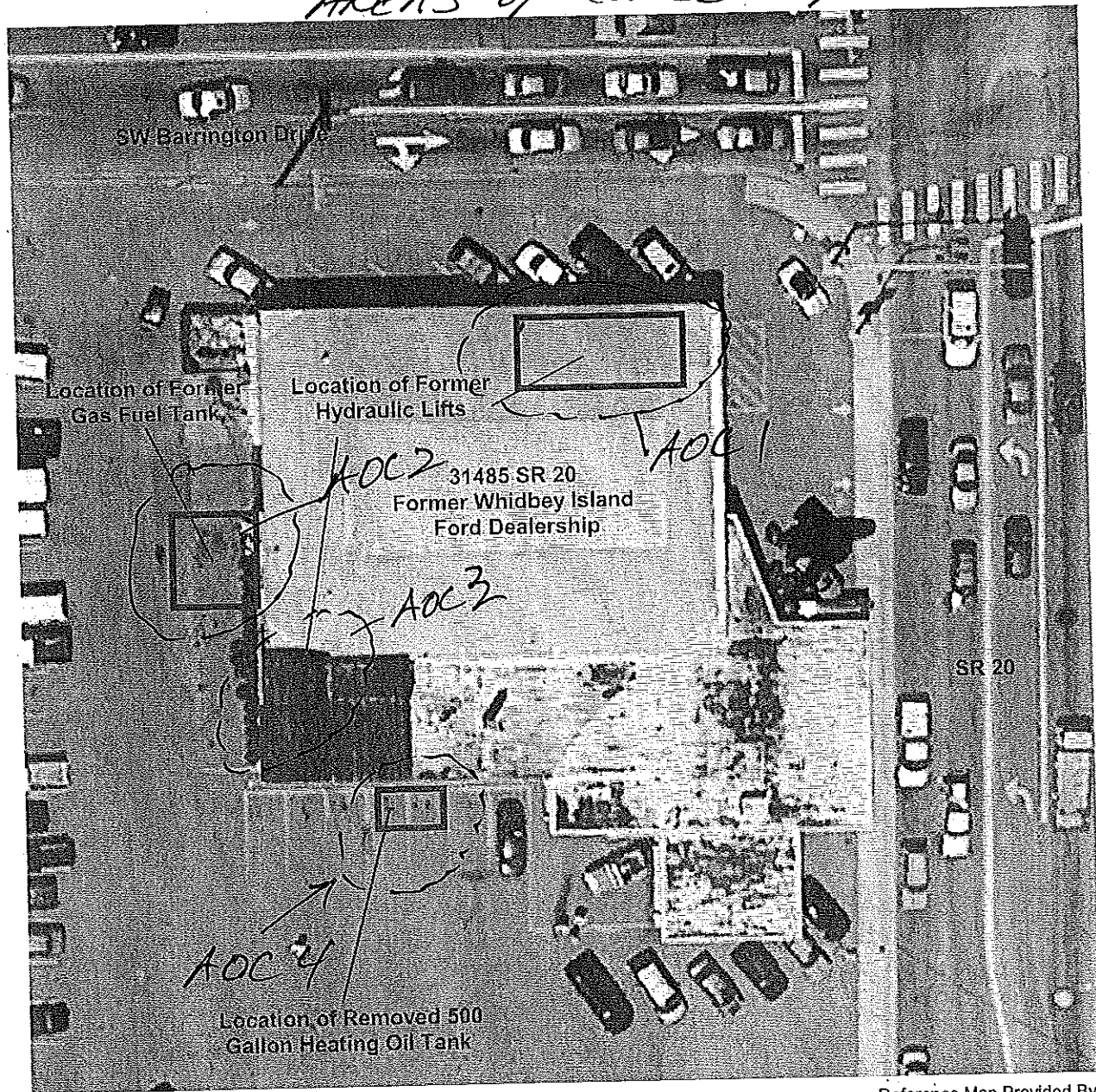


John M. Bails  
Toxics Cleanup Program

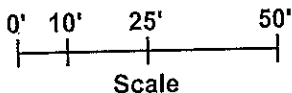
cc: Mr. Tim Chylla, GeoTest Services, Inc.  
Mr. Dan Sorenson, GeoTest Services, Inc.

JOHN BAILEY, Ecology  
11/17/2013

# AREAS OF CONCERN



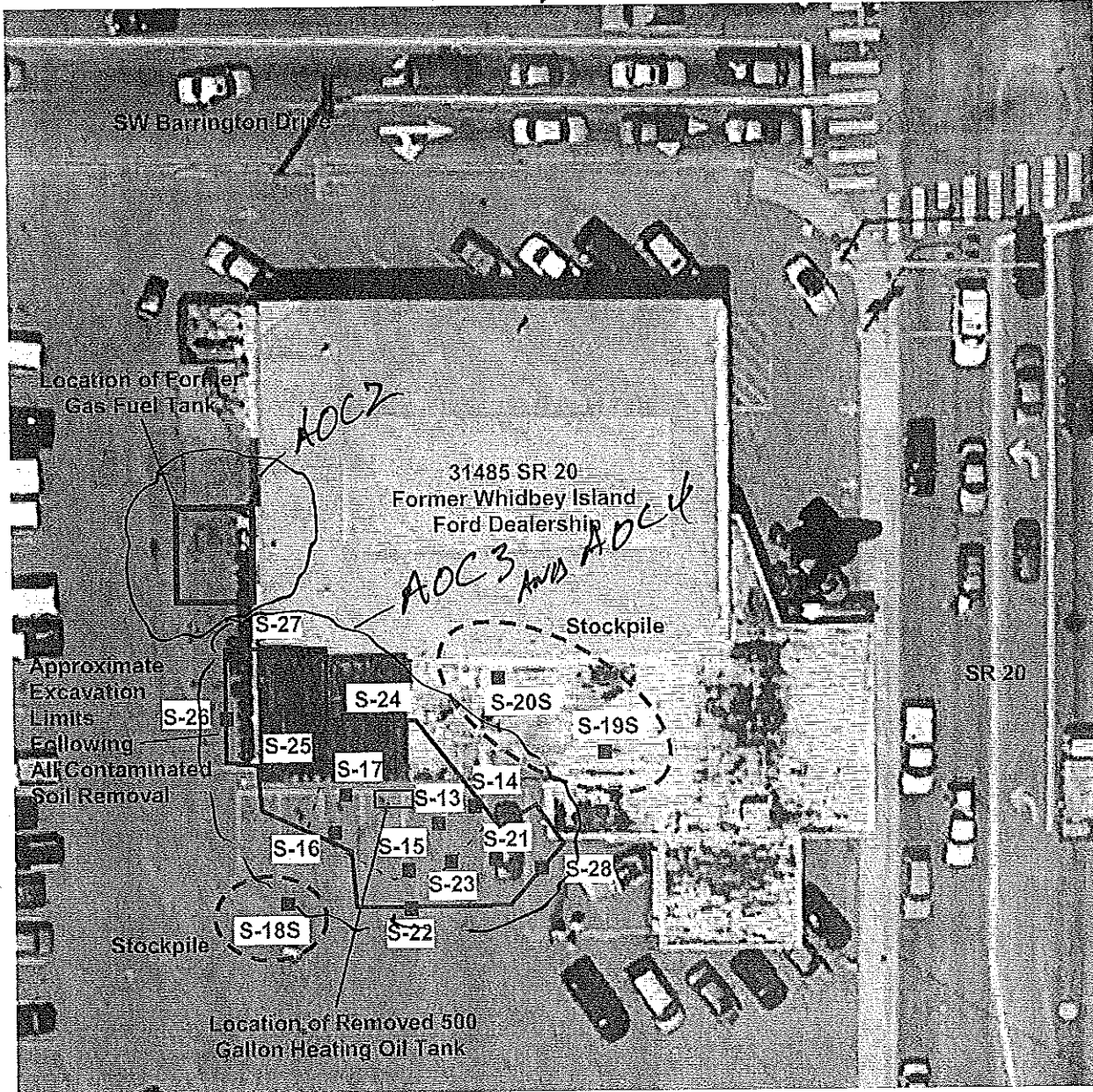
Reference Map Provided By  
Google Earth



*AOC 1 AND AOC 3 - THE HYDRAULIC LIFT LOCATIONS*

<b>GEOTEST SERVICES, INC.</b> 741 Marine Drive Bellingham, WA 98225 phone: (360) 733-7318 fax: (360) 733-7418	Date: 1-6-12	By: DS	Scale: As Shown	Project 11-0149
	<b>SITE PLAN</b> Whidbey Island Ford 31485 SR 20 Oak Harbor, Washington			Figure 3

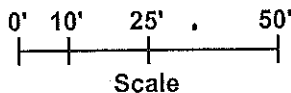
AREA OF CONCERN 3



Reference Map Provided By Google Earth



JOHN BAILS  
Ecology  
11/7/2013



APPROXIMATE SITE BOUNDARIES

**GEOTEST SERVICES, INC.**  
741 Marine Drive  
Bellingham, WA 98225  
phone: (360) 733-7318  
fax: (360) 733-7418

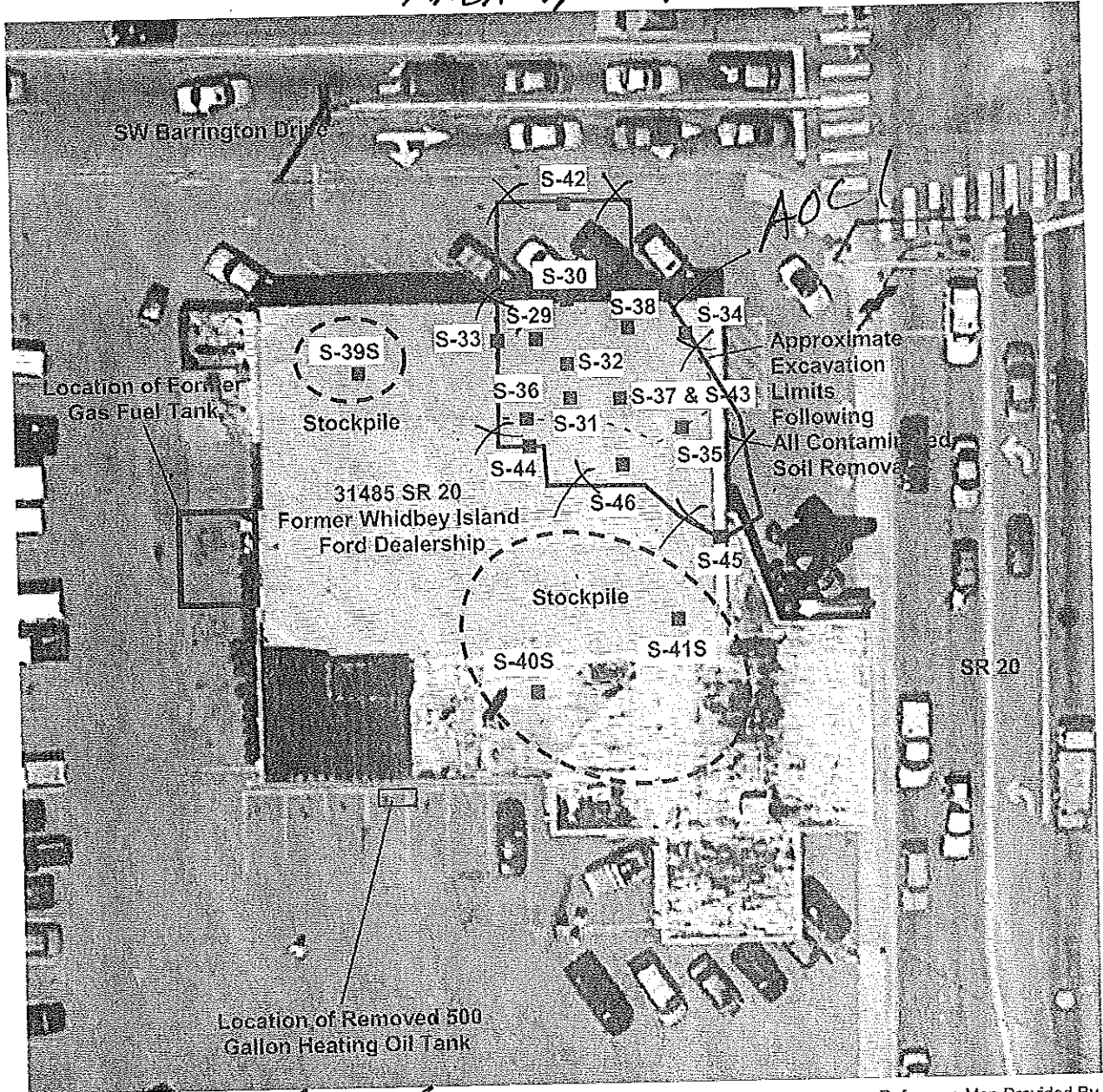
Date: 1-6-12 By: DS Scale: As Shown

**SITE AND SAMPLING PLAN 9/14 - 9/16**  
Whidbey Island Ford  
31485 SR 20  
Oak Harbor, Washington

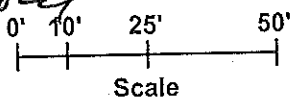
Project  
11-0149

Figure  
5

*AREA OF CONCERN 1*



*Juan Bails, Ecology*  
*11/17/2013*



Reference Map Provided By Google Earth

*APPROXIMATE SITE BOUNDARY FOR AOC1*

<b>GEOTEST SERVICES, INC.</b> 741 Marine Drive Bellingham, WA 98225 phone: (360) 733-7318 fax: (360) 733-7418	Date: 1-6-12	By: DS	Scale: As Shown	Project 11-0149
	SITE AND SAMPLING PLAN 9/16 & 9/21 Whidbey Island Ford 31485 SR 20 Oak Harbor, Washington			Figure 6

