STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, WA 99205-1295 • 509-329-3400

January 27, 2022

Steve Burchett, PE
Budinger & Associates, Inc.
1101 North Fancher Road
Spokane Valley, WA 99212

Re: Opinion on cleanup at the following Site:

Site Name: City of Spokane Maintenance Shop
Site Address: 127 W Mission Ave, Spokane
Facility/Site No.: 22442438
Cleanup Site No.: 8317
VCP Project No.: EA0347

Dear Steve Burchett:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the City of Spokane Maintenance Shop facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.

Issue Presented and Opinion

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

No. Ecology has determined that upon completion of the requirements detailed in this letter, no further remedial action will likely be 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 70A.305 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, petroleum hydrocarbons, volatile organic compounds (VOCs), and polycyclic aromatic hydrocarbons (PAHs) into the soil.

- Metals into the groundwater.

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

Basis for the Opinion

Ecology bases this opinion on information in the documents listed in **Enclosure B**. You can request these documents by filing a records request.[1] For help making a request, contact the Public Records Officer at publicrecordsofficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check whether the documents are available on the Site webpage[2].

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 upon completion of the requirements detailed in this letter, **no further remedial action** will be necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A.**

All underground storage tanks (USTs) have been identified and removed from the Site, including 11 previously decommissioned USTs and three that were active until the Maintenance Facility was closed. Soil boring samples identified localized areas throughout the Site with metals, petroleum hydrocarbons, VOCs, and PAHs exceeding MTCA Method A cleanup levels. The main areas of concern include the former USTs, a former cesspool near the center of the Site, and the network of dry wells, floor drains, and associated piping throughout the

[1] https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests
[2] https://apps.ecology.wa.gov/gsp/CleanupSiteDocuments.aspx?csid=8317

Site. Five groundwater monitoring wells were monitored quarterly starting in 2019, and arsenic and lead were identified above the Method A cleanup levels.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

For soil, the cleanup levels were established using MTCA Method A and are based on protection of groundwater. The land use is classified as unrestricted. The point of compliance for soils is throughout the lateral and vertical extent of the Site. This is the standard point of compliance. The cleanup levels are as follows.

Contaminant	**Cleanup Level (mg/kg)**
Arsenic	20
Cadmium	2
Chromium	2000
Lead	250
Methylene Chloride	5
Gasoline-range petroleum hydrocarbons (GRPH)	30
Diesel- and oil-range petroleum hydrocarbons (DRPH + ORPH)	2,000
cPAHs	0.1

For groundwater, the cleanup levels were established using MTCA Method A and are based on the protection of drinking water beneficial uses. For groundwater, the point of compliance is throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the Site. This is the standard point of compliance. The cleanup levels are as follows:

Contaminant	**Cleanup Level (µg/L)**
Arsenic	5
Lead	15

3. Selection of cleanup action.

Ecology has determined the cleanup action for groundwater you selected for the Site meets the substantive requirements of MTCA.

- Excavation of all USTs, drywells, and floor drains, as well as soils associated with this areas or where contamination has previously been identified.

- Confirmation sampling in each excavation to ensure all contaminated material has been removed, and offsite disposal of all excavated material containing hazardous substances above MTCA cleanup levels.

- Collection of groundwater samples from all site monitoring wells until each well meets the cleanup standards for four consecutive quarters

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards at the Site.

- All of the USTs were properly decommissioned and removed, and all other areas of concern were excavated with confirmation samples collected. Please refer to the Site diagram in **Enclosure A** for the former locations of the USTs, drywells, floor drains, piping.

- Approximately 85 tons of contaminated soil were disposed at the Waste Management Graham Road Subtitle D Facility in Medical Lake, WA.

- All five groundwater monitoring wells were sampled quarterly until sample results from all wells were below the cleanup level for four consecutive quarters.

5. Further Requirements.

The following actions are required before Ecology can issue a final opinion for this Site.

- Electronic submittal of all sampling data into Ecology's Electronic Environmental Information Management (EIM) database in accordance with WAC 173-340-840. Suzan Pool (email Suzan.Pool@ecy.wa.gov, or via telephone at 360-255-5773) is Ecology's contact and resource on entering data into EIM.

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 70A.305.040(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 70A.305.080 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 70A.305.180.

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.

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) 342-5564 or e-mail at ted.uecker@ecy.wa.gov.

Sincerely,

Ted M. Uecker
ERO Toxics Cleanup Program

tmu;hg

Enclosures (2): A – Description and Diagrams of the Site
B – List of Site Documents

cc: Chris Batten, NODO LLC
Beau Brett, Babylon Investments
Tim Lewis, Budinger & Associates
Kathy Falconer, Ecology KLF

Enclosure A

Description and Diagrams of the Site

Site Description

The Site is located at 127 W Mission Ave and is listed as Spokane County tax parcel 35181.0201. It is north of downtown Spokane in a commercial use area between W Mission and W Sinto Avenues to the north and south, and N Calispel and N Atlantic Streets to the east and west. The Site is 5.37 acres, and has been used as an automotive maintenance and refueling facility for the City of Spokane since the early 1900s. At the start of the 2016 cleanup project, there were eight buildings onsite with an extensive network of floor drains and stormwater drains connected to the City sewer system. There were also two operational underground storage tanks (USTs) in the south central area of the Site, a 10,000 gallon diesel UST and a 20,000 gallon gasoline UST.

Remedial investigation and cleanup actions at the site have been ongoing since 1989, and include the removal of 6 USTs while 8 additional USTs have been closed in-place. Petroleum hydrocarbons, heavy metals, polycyclic aromatic hydrocarbons (PAHs), solvents, and other volatile organic compounds (VOCs) have been identified in soil in multiple locations throughout the Site including the UST areas, floor drains, stormwater drains, and a former cesspool. Heavy metals have also been identified in groundwater. Throughout the remedial history of the Site, residual contaminated soil and USTs have been left in place due to concerns for utilities, drainage lines, and compromising buildings or other structures.

Site History

In 1989, a 1,000-gallon UST was removed near the NW corner of Sinto and Atlantic. The UST had been used for fuel, then waste oil. Samples of the sludge within the tank contained 5400 parts per million (ppm) trichloroethene (TCE). Ecology performed an initial investigation and observed stained soils in the excavation pit and the presence of groundwater at approximately fifteen (15) feet below ground surface (bgs). Soil samples collected from the excavation supposedly confirmed that total petroleum hydrocarbons (TPH), metals, polychlorinated biphenyls (PCBs), and PAHs were below the applicable cleanup levels, but there is no record of the chemical analyses in Ecology’s files.

Between 1991 and 1992, there was a release of approximately 2,000 gallons of diesel-range petroleum hydrocarbons (DRPH) from a fuel pump island in the middle of the property. Approximately 40 cubic yards of petroleum-contaminated soils (PCS), and a previously closed-in-place UST was discovered during excavation. In 1997, diesel contamination was discovered during the removal of three gasoline and one diesel USTs, and approximately 447 tons of PCS were removed. In 1998, PCS was discovered during a sewer line repair. This soil was excavated along with a brick-lined cesspool at the end of the drain line. In 2000, approximately 22.3 tons of PCS were

excavated from a grassy swale at the north end of the property. All PCS excavated between 1992 and 2000 were disposed offsite but residual contamination remained in several areas of the Site due to the presence of utilities, drainage lines, or proximity to buildings or other structures. In 2011, Ecology issued No Further Action (NFA) determinations for two of the leaking underground storage tank (LUST) releases (LUST IDs 8102 and 8103) based on review of historic cleanup actions.

In 2016, a Phase I Environmental Site Assessment (ESA) was conducted in preparation for the City of Spokane to sell the property for residential and commercial development. The purpose of the Phase I was to review the operational history of the Site, evaluate the previous releases and remedial actions, and identify recognized environmental conditions (RECs) that may pose a risk to human health and the environment. Areas of concern identified in the report included the stormwater dry wells and floor drains, the former cesspool, the eight closed-in-place USTs, and the two active USTs.

In 2017, forty-two (42) soil borings were drilled in areas of concern identified in the Phase I report. Ninety-six (96) soil samples were collected and analyzed for TPH, metals, and VOCs. Seven borings (B3, B13, B22, B24, B26, B29, and B42) ranging from 1-21 feet bgs contained total chromium ranging from 19 to 78 mg/kg, and one boring (B29) contained diesel, heavy oil, and methylene chloride above cleanup levels. Groundwater was encountered in 18 borings ranging from 20-30 feet bgs. Boring B13 (west of the Broom Shed) contained arsenic and lead in groundwater at concentrations exceeding MTCA Method A cleanup levels.

In September 2019, three groundwater monitoring wells (MW-1, MW-2, and MW-3) were installed in the southeast portion of the site where a 10,000 gallon waste oil tank was removed in 1989 (north of the Fleet Building). Soil samples collected during installation of the wells did not contain any contaminants of concern above MTCA cleanup levels, and groundwater samples collected in September did not contain any contaminants above cleanup levels.

In November 2019, the active 10,000 gallon diesel and 20,000 gallon gasoline USTs were removed from the south-central area of the site, along with the pump island. Soil samples collected during the excavation contained cPAHs with a toxicity equivalency factor (TEF) above the cleanup level (2.54 mg/kg), but did not contain diesel- or gasoline-range petroleum hydrocarbons above the cleanup levels.

In January 2020, two additional monitoring wells (MW-4 and MW-5) were installed to the northeast of the site and directly west of the Broom Shed (former cesspool area). Soil samples collected from the well borings were analyzed for metals, TPH, VOCs, and PAHs, all of which were below cleanup levels. Groundwater elevation data collected from all site wells in February 2020 indicates that groundwater flow is to the southeast. Groundwater samples collected from the two additional wells contained arsenic above

the cleanup level. Subsequent groundwater samples from MW-5 did not contain arsenic above the cleanup level, while MW-4 contained arsenic above the cleanup level in April 2020 and below the cleanup level in June 2020. Groundwater samples collected from wells MW-4 and MW-5 in October 2020 and February 2021 did not contain arsenic above the cleanup level, and groundwater monitoring was discontinued.

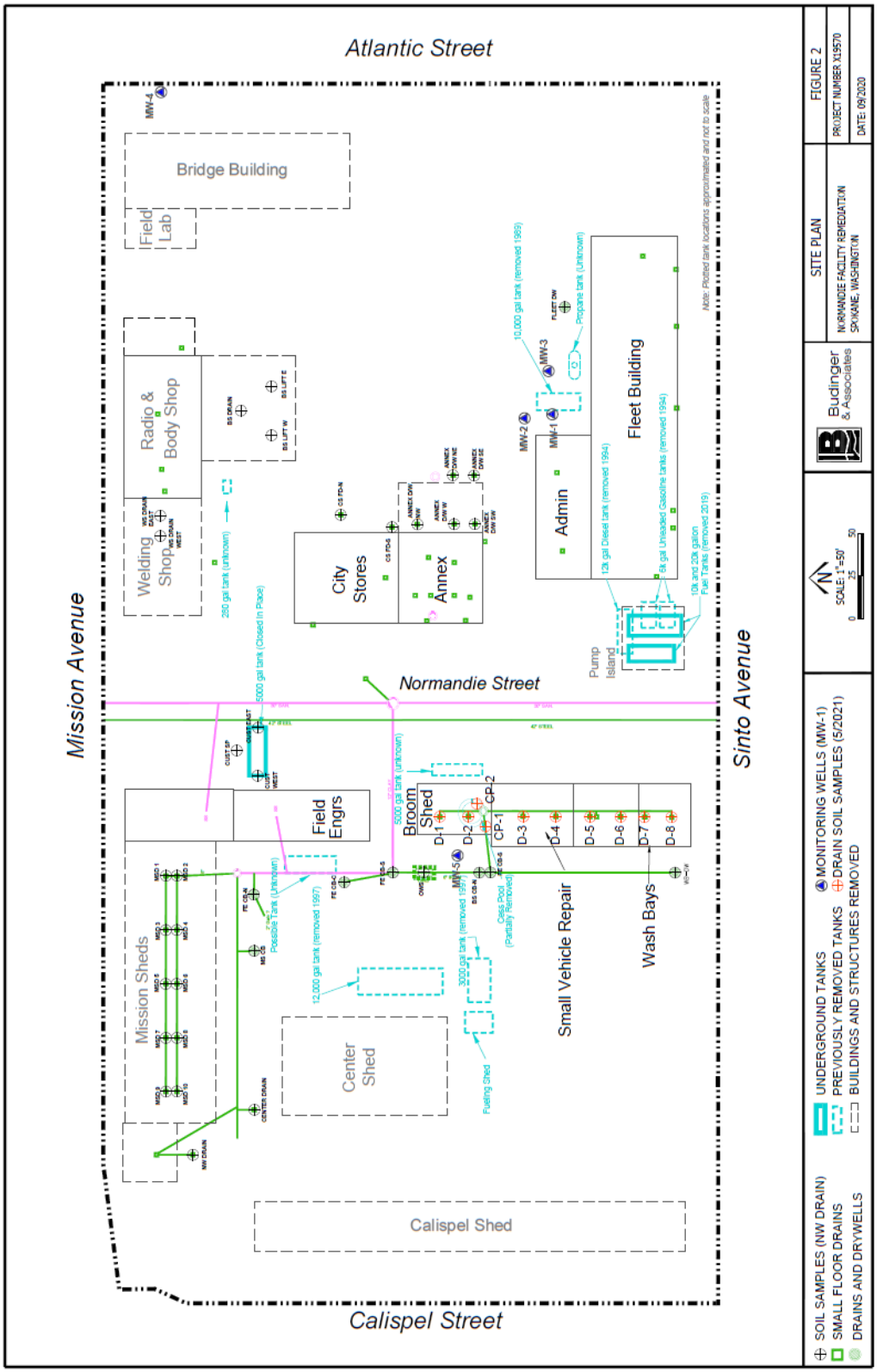
In May 2021, the floor drains, drywells, and surrounding soils were excavated and analyzed for TPH and metals. Samples from the NW drain near the Mission Sheds building contained lead above the Method A cleanup level at 3.5 feet bgs, and this area was overexcavated and confirmation samples indicated no contaminants remained. Heavy oil-range petroleum hydrocarbons were detected in samples from the NW drain, Welding Shop west drain, Annex northwest drywell, and several of the Mission Shed floor drains, but below the Method A cleanup level. Two vehicle hoists were removed from the former Body Shop, and the surrounding soils were excavated to approximately eight feet bgs. Confirmation samples collected from the excavation did not indicate TPH or metals above the cleanup levels. The brick cesspool structure was remediated in May 2021 following demolition of the former broom shed building. The structure and surrounding soils were excavated until native, unstained soil was reached, and the waste was sampled for disposal. Confirmation samples were collected from below al drains near the broom shed and cesspool, no contaminants of concern exceeded the cleanup levels.

The abandoned 5,000 gallon UST east of the Engineer’s field office was excavated and removed along with the surrounding soils. Soil samples collected from the excavation did not indicate TPH or metals above the cleanup levels. In June 2021, the former fuel pump island area excavated in November 2019 was overexcavated and sampled for PAHs. Tests results from the excavation were below the cleanup level, and the excavated fill was disposed offsite.

Site wastes associated with the remedial activities from 2017-2021 included 8.56 tons of contaminated sediment from the floor drains and 76.48 tons of soil from the floor drains, surfaces throughout the Site, UST excavations, fuel pump excavation, and cesspool excavation. These wastes were characterized as non-hazardous waste and disposed at the Waste Management Graham Road Subtitle D facility in Medical Lake, WA.

Source: Stantec, 2016; Budinger & Associates, 2017-2021

Site Diagram



Enclosure B

List of Site Documents

1. Budinger & Associates, Inc., Former Normandie Maintenance Facility Remediation and Closure, Addendum 1, January 4, 2022.

2. Budinger & Associates, Inc., Former Normandie Maintenance Facility Remediation and Closure, September 21, 2021.

3. Budinger & Associates, Inc., Former Normandie Facility Remediation, Groundwater Sampling and Chemical Analysis (Quarterly Report), June 30, 2020.

4. Budinger & Associates, Inc., Former Normandie Facility Remediation - Additional Monitoring Wells, Results of Soil Sampling and Chemical Analysis, March 5, 2020.

5. Budinger & Associates, Inc., Former Normandie Facility, Soil Management Plan, February 2020.

6. Budinger & Associates, Inc., Former Normandie Facility, UST Removal Assessment Report, November 21, 2019.

7. Budinger & Associates, Inc., Former Normandie Maintenance Facility, Remediation and Closure Plan, September 27, 2019.

8. Budinger & Associates, Inc., Environmental Site Characterization Report, November 20, 2017.

9. Stantec, Phase I Environmental Site Assessment, Former Normandie Storage/Maintenance/Fueling Facility, August 16, 2016.