Second Periodic Review

West Valley Commercial Center

Lots 1, 2, and 5
Facility/Site ID 3473432
Cleanup Site ID 710

Lot 3
Facility/Site ID 12071
Cleanup Site ID 11634

Lot 4
Facility/Site ID 10410
Cleanup Site ID 11395

6500-6600 West Nob Hill Boulevard
Yakima, Washington 98902

Prepared by:

Washington State Department of Ecology
Central Regional Office
Toxics Cleanup Program

April 2021

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1.0 INTRODUCTION

This document is the Washington State Department of Ecology's periodic review of post-cleanup site conditions and monitoring data to assure that human health and the environment are being protected at the West Valley Commercial Center (WVCC) sites (Sites). The Sites are comprised of three sites that were originally listed as one site. As the lots were purchased and developed, the separate sites were created to address specific remedial actions implemented during construction. Cleanup at the Sites was implemented under the Model Toxics Control Act (MTCA), Chapter 173-340 of the Washington Administrative Code (WAC). This is the second periodic review conducted for these sites. The first periodic review was completed in October 2015. This periodic review will evaluate the period from November 2015 through April 2021.

Cleanup activities at the Sites were completed through the Voluntary Cleanup Program under VCP No. CE0295, CE0327 and CE0348. The cleanup actions resulted in residual concentrations of lead and arsenic that exceed MTCA Method A cleanup levels for soil established under WAC 173-340-740(2). As a result of residual contamination, institutional controls were required for the Sites to be eligible for a no further action (NFA) determination. WAC 173-340-420(2) requires that Ecology conduct a periodic review of a site every five years under the following conditions:

(a) Whenever the department conducts a cleanup action

(b) Whenever the department approves a cleanup action under an order, agreed order or consent decree

(c) Or, as resources permit, whenever the department issues a no further action opinion

(d) And one of the following conditions exists:

    1. Institutional controls or financial assurance are required as part of the cleanup
    2. Where the cleanup level is based on a practical quantitation limit
    3. Where, in the department's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

(a) The effectiveness of ongoing or completed cleanup actions;

(b) New scientific information for individual hazardous substances of mixtures present at the Site;

(c) New applicable state and federal laws for hazardous substances present at the Site;

(d) Current and projected Site use;

(e) Availability and practicability of higher preference technologies; and

(f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site History

The West Valley Commercial Center Sites are located in the City of Yakima, Yakima County, Washington. The Sites consists of approximately 34 acres and are generally bounded on the north by Nob Hill Boulevard, a main east/west thoroughfare in Yakima, Washington. A residential housing development is located west of the Sites beginning at about South 68th Avenue and continuing west to South 72nd Avenue. Adjacent commercial lots and South 64th Avenue form the eastern boundary. Additional agricultural or undeveloped land is located south of the Sites.

The original property where the WVCC Sites were developed consisted of 8 lots. Prior to development, lots 1 through 5 were most recently planted with alfalfa. Lots 6, 7, and 8 consisted of a residence with associated outbuildings and yard areas; Wide Hollow Creek and the associated buffer area; and a fruit-bin/equipment storage area respectively. Wide Hollow Creek, the closest surface body of water, transects the southeast portion of the parent parcel. The residence and associated outbuildings were demolished as a portion of Site development activities. Lots 6, 7, and 8 were outside areas of agricultural chemical impacts and were not addressed in the remediation activities.

A Site plan is available as Appendix 6.1 and a vicinity map is available as Appendix 6.2.

2.2 Site Investigations

Four investigations took place at the WVCC Site prior to remediation. They are described below.

2.2.1 2004 Soil Investigation

The 2004 Soil Investigation was designed to identify and characterize residual agricultural chemicals in the upper-most 12 inches of soil. A limited historical review was conducted to provide a basis for the investigation. The 2004 Investigation identified lead, arsenic, and two organochlorine pesticides (OCP) above MTCA Method A or Method B cleanup levels. The 2004 Soil Investigation also detected organochlorine herbicides (OCH) and organophosphate pesticides (OPP) in near surface soils at concentrations below MTCA cleanup levels.

2.2.2 2007 Phase I Environmental Site Assessment

A Phase I ESA was completed for all 40 acres of the original eight parcels by Fulcrum Environmental on March 29, 2007. The 2007 ESA was completed prior to the parcel boundary line adjustment into the current WVCC parcel. The assessment results provided a summary of historical buildings and usages of the Site. Buildings were historically located on the southeastern quarter of the 40 acre Site. Two of the structure locations were identified with having potential to have been associated with agricultural chemical storage and mixing

activities and were included as areas of concern (AOC) in the subsequent 2007 Soil Investigation.

2.2.3 2007 Soil Investigation

In the fall of 2006, Fulcrum conducted additional sampling of the 2004 Soil Investigation area to determine the vertical extent of previously identified agricultural chemicals and to investigate the proposed Infiltration Pond Areas for Site development.

Analytical results from the 2004 Soil Investigation and Infiltration Pond Areas indicated arsenic, lead, and OCP concentrations below MTCA Method A and Method B Cleanup levels at depths greater than four-feet below ground surface (bgs), with the exception of two areas where arsenic was not below the MTCA Method A cleanup level until six feet bgs.

During the 2007 investigation, three locations were sampled and analyzed for arsenic and lead at depths of one-, two-, and four-foot bgs; and for OCPs, OCHs and OPPs at depths of one-foot bgs. All sample analytica1 results were reported to be below MTCA Method A and Method B cleanup levels at each of the respective depths sampled.

2.2.4 Soil Investigation Summary

On Lots 1 through 5, lead and selected OCPs were generally detected in the upper 1 foot of soil, while arsenic was detected from the surface to the 4 to 6 foot depths with the highest concentrations in the top foot. No organochlorine herbicides (OCHs) or organophosphate pesticides (OPPs) were detected above applicable MTCA cleanup levels. Lots 6, 7, and 8 were documented to have arsenic, lead, OCP, OCH, or OPP at concentrations below MTCA Method A and B cleanup levels.

Based on well logs in the area and a 2006 geotechnical investigation completed by Allwest Testing and Engineering at the WVCC Site, Fulcrum estimated the depth to groundwater was approximately 10 to 25 feet below ground surface. Groundwater impacts from pesticide use were not anticipated to have occurred and were not further investigated.

A table summarizing soil investigation results is provided below:

Soil Investigations – Analytical Results Summary

Contaminant of Concern		Number of Samples	Depth below ground surface – feet	Range of Analysis		Average Concentration[1]
				Low[1]	High[1]	
Arsenic		31	0-1	**21.0**	**95.1**	**45.55**
		15	4	<2.5	**34.2**	9.4
		3	6	8.7	19.8	12.7
Lead		31	0-1	162	**766**	**358.84**
		8	2	4.21	148	28.98
		7	4	3.61	23.3	9.7
OCP	DDT	4	0-1	1.27	**15.8**	**5.42**
		3	2	0.0111	0.295	0.106
		4	4	0.00498	0.0564	0.03266
	DDD	4	0-1	0.14	0.44	0.26
		3	2	ND	0.014	–
		4	4	0.00261	0.0188	–
	DDE	4	0-1	0.37	**7.15**	2.40
		3	2	0.0303	0.215	–
		4	4	ND	0.0397	–
	Other	4	0-1	ND	ND	ND
		3	2	ND	ND	ND
		4	4	ND	ND	ND
OCH		4	0-1	ND	ND	ND
OPP		4	0-1	ND	ND	ND

Levels in excess of MTCA Method A or Method B as applicable are shown in **Bold.**

1 All sample results are present in parts per million (ppm).

2.3 Cleanup Levels and Point of Compliance

WAC 173-340-704 states that MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used.

MTCA Method A cleanup levels for unrestricted land use were determined to be appropriate for contaminants at this Site. The cleanup actions conducted at the Site were determined to be 'routine', few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance. The MTCA Method A cleanup levels for arsenic, lead and DDT are 20 mg/kg, 250 mg/kg and 1.0 mg/kg, respectively.

MTCA Method B cleanup levels were used to evaluate compliance for other pesticides and herbicides in soil that do not have MTCA Method A cleanup levels.

For soil, the point of compliance is the area where the soil cleanup levels must be attained. For this Site, the point of compliance is established as soils throughout the Site.

2.4 Remedial Actions

In December 2008 through October 2009, remediation measures were performed in accordance with the Soil Remediation Plan and in conjunction with development of the WVCC site. The remediation measures included off-site disposal at the Terrace Heights Landfill in Yakima of impacted soils that could not be re-used on-site (*e.g.,* topsoil) and containment of remaining impacted soils on Lot 1 beneath one of the following barriers:

- Concrete building footprint or asphalt parking lot over approximately 4 inches of bedding rock
- 4 inches of landscaping bark with vegetation over 4-inches of clean topsoil
- 4 inches of rock over geotextile fabric
- Sod over 4 inches of clean topsoil

The remediation plan considered future development on the remaining vacant lots. Remaining impacted soil on Lots 2 through 5 was contained beneath fabric and rock barriers. In addition, in four areas of the Site to be used for stormwater detention ponds, impacted soil was removed such that concentrations of arsenic, lead, and chlorinated pesticides in bottom of the ponds were below MTCA cleanup levels. In order to ensure the protectiveness of the remediation measures, Wal-Mart intended to implement an Operation and Maintenance Plan to maintain the integrity of the protective barriers and recorded Environmental Covenants on Lots 1 through 5.

Final confirmatory analysis of exposed Site soils located within the stormwater detention ponds documented that chemical concentrations were below MTCA Method A cleanup levels. Residual concentrations of arsenic, lead, DDT, and DDE throughout the remainder of the Site were contained beneath protective barriers.

A table containing confirmation sample results from the detention ponds is provided below:

Sample Identification	Sample Collection Date	Elevation	Results	
			Arsenic	Lead
Detention Pond 01				
DP1-01	July 16, 2009	1145.2	1.6	4.2
DP1-02	July 16, 2009	1145.2	9.1	3.1
DP1-03	July 16, 2009	1145.1	13	6.9
90109DP1-04	September 1, 2009	1143.0[1]	1.6	4.2
91009DP1-05	September 10, 2009	1141.8	11	3.9
91009DP1-06	September 10, 2009	1141.8	10	3.8
Detention Pond 02 East				
92509DP1-01	September 25, 2009	1147.2	3.3	3.3
92509DP1-02	September 25, 2009	1146.7	11	3.1
91509DP2E-03	September 15, 2009	1148.1	9.8	13
91509DP2E-04	September 15, 2009	1148.1	6.0	39
DP2E-05	July 16, 2009	1150.5	8.2	49
Detention Pond 02 West				
DP2W-01	July 16, 2009	1151.5	ND	76
DP2W-02	July 16, 2009	1151.6	14	8.9
DP2W-03	July 16, 2009	1151.7	14	20
DP2W-04	July 16, 2009	1151.7	9.5	9.3
Detention Pond 03				
DP3-01	July 16, 2009	1150.3	14	31
DP3-02	July 16, 2009	1150.3	6.5	3.7
DP3-03	July 16, 2009	1150.1	6.5	3.7
DP3-04	July 16, 2009	1150.1	9.5	5.4
MTCA Method A Cleanup Levels			**20**	**250**

1 Elevation approximated based on visual operations and measured elevation of two adjacent sample locations
ND None detected above the analytical method detection limit

2.5 Institutional Controls

2.5.1 Environmental Covenant

Because contamination exceeding MTCA Method A cleanup levels remained after development, institutional controls were required for the Site to be eligible for a NFA determination. Institutional controls in the form of environmental covenants were implemented at the Site in June 2010. A separate covenant was recorded for each lot of the Site, as Site development was expected to take place by individual owners as each lot was sold. A NFA was issued for the Site in November 2010.

The environmental covenants contain the following restrictions:

1.

a. As shown on Exhibit A, a portion of the Property contains arsenic, lead, DDT, and DDE located in soil beneath buildings, pavement, sidewalks, or other protective barriers. The Owner shall not alter, modify, or remove the existing structure[s] or

other protective barriers in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.

b. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.
4. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.
5. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.
6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.
7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.
8. The Owner of the Property reserves the light under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

A copy of the environmental covenant for Lot 1 is available as Appendix 6.3.

2.5.2 Operations and Maintenance Plan

Following completion of Site development and remedial efforts, an Operations and Management Plan was prepared to assist in the future management of onsite institutional controls and contaminant control features. The intent of the Operations and Management Plan was to provide current and future owners with procedures and practices for maintaining the following Site features:

- Installed paved or concrete features
- Installed stormwater features
- Installed landscape features

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

Clean soil, asphalt, and building structures continue to serve as a cap for the Sites and eliminate the direct exposure pathways (ingestion, inhalation, direct contact) to contaminated soils. Based upon the Site visit conducted on March 10, 2021, no repair, maintenance or contingency actions are required. A photo log is available as Appendix 6.3.

The environmental covenants for the Sites have been recorded and remain active. There is no evidence that any new documents have been recorded that limit the effectiveness or applicability of the covenants. The covenants prohibit activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibit any use of the property that is inconsistent with the covenants. These covenants serve to assure the long-term integrity of the cap.

Soils with arsenic, lead, and DDT concentrations exceeding MTCA Method A cleanup levels are still present at the Site; however, these contaminated soils are capped beneath barriers that prevent human exposure by ingestion and direct contact with soils. The environmental covenants and the operation and maintenance plan for the property are expected to ensure that the integrity of the Sites surface cover is maintained.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

There is no new pertinent scientific information for the contaminants related to the Sites.

3.3 New applicable state and federal laws for hazardous substances present at the Site

There are no new relevant state or federal laws that pertain to contaminants of concern at the Sites. Contamination remains at the Sites above MTCA Method A cleanup levels and the cleanup action is still protective of human health and the environment.

3.4 Current and projected Site use

The Sites are currently used for commercial purposes. There have been no changes in current or projected future Site or resource uses.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included removal/recycling of hazardous substances as well as containment, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at these Sites.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection well below MTCA Method A cleanup levels. The presence of improved analytical techniques would not effect decisions or recommendations made for the Sites.

4.0 CONCLUSIONS

- The cleanup actions completed at the Sites are protective of human health and the environment.
- Soil cleanup levels have not been met at the Sites; however, the cleanup actions are determined to comply with cleanup standards under WAC 173-340-740(6)(f), since the long-term integrity of the containment systems are ensured and the requirements for containment technologies have been met.
- The environmental covenants for the Sites are in place and are expected to be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, the Department of Ecology has determined that the requirements of the environmental covenants are being followed. No additional remedial actions are required by the property owners. It is the property owner's responsibility to continue to inspect the Sites to assure that the integrity of the cap is maintained.

5.0 REFERENCES

Fulcrum Environmental Consulting, Inc. *Report of Voluntary Remedial Action.* February 11, 2000.

Ecology. *No Further Action Letter.* May 30, 2000.

Ecology. *Conditional No Further Action Determination.* September 26, 2002.

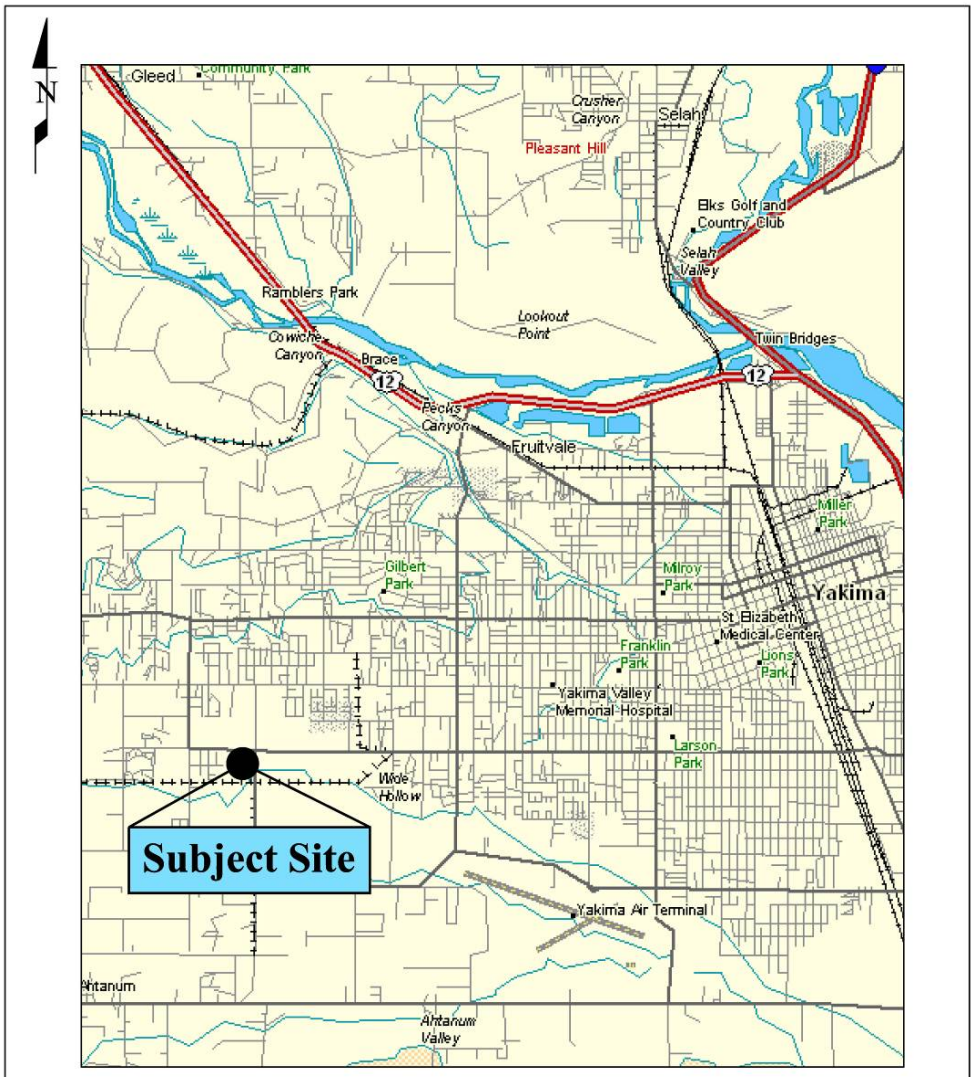
Yakima County. *Environmental Covenant.* May 12, 2010.

Ecology. *Periodic Review Report.* October, 2015.

Ecology. *Site Visit.* March 10, 2021.

6.0 APPENDICIES

6.1 Vicinity Map



LEGEND

Subject site:

Approximate Scale: 1/2 mile

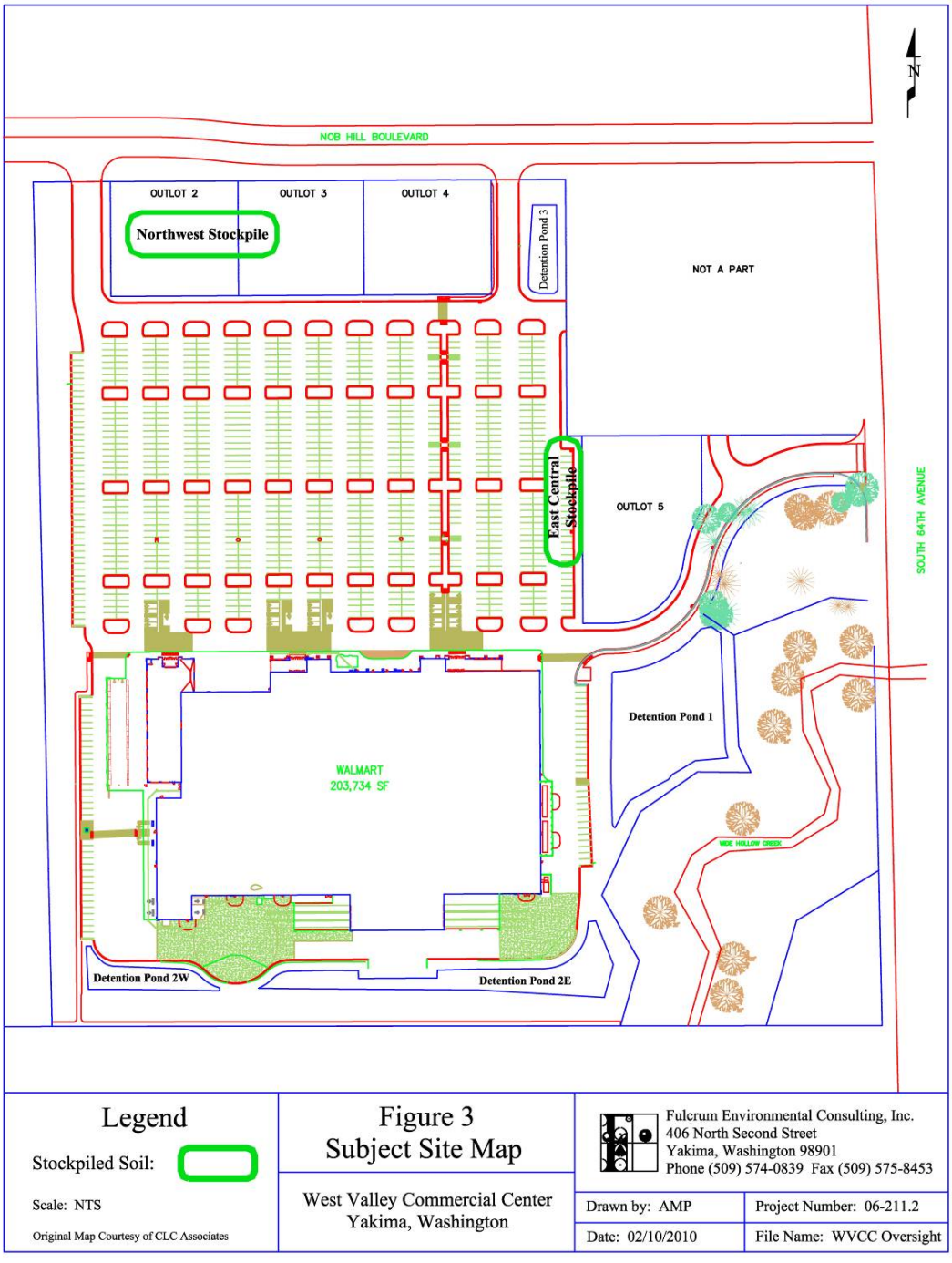
Map Base Courtesy of 3-D Topoquad, Delorme Yarmouth, ME 04096

Figure 1
General Site Map
West Valley Commercial Center
Yakima, Washington

Fulcrum Environmental Consulting, Inc.
406 North Second Street
Yakima, Washington 98901
Phone (509) 574-0839 Fax (509) 575-8453

Revised By: AMP	Project Number: 06-211.1
Date: 07/10/2006	Project Name: WVCC Remediation

6.2 Site Map


N
NOB HILL BOULEVARD
OUTLOT 2
OUTLOT 3
OUTLOT 4
Northwest Stockpile
Detention Pond 3
NOT A PART
East Central Stockpile
OUTLOT 5
SOUTH 64TH AVENUE
Detention Pond 1
WALMART
203,734 SF
WIDE HOLLOW CREEK
Detention Pond 2W
Detention Pond 2E
Legend
Stockpiled Soil:
Scale: NTS
Original Map Courtesy of CLC Associates
Figure 3
Subject Site Map
West Valley Commercial Center
Yakima, Washington
Fulcrum Environmental Consulting, Inc.
406 North Second Street
Yakima, Washington 98901
Phone (509) 574-0839 Fax (509) 575-8453
Drawn by: AMP
Project Number: 06-211.2
Date: 02/10/2010
File Name: WVCC Oversight

6.3 Environmental Covenant

RECEIVED
JUL 01 2010
DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

FILE# 7695345
YAKIMA COUNTY, WA
06/22/2010 03:28:39PM
COVENANT
PAGES: 6
VALUED CUSTOMER
FULCRUM ENVIRONMENTAL CONSULTING
Recording Fee: 67.00

After Recording Return to:
Mark Dunbar
Department of Ecology
15 W. Yakima Avenue, Suite 200
Yakima, WA 98902-3452

Environmental Covenant

Grantor: Wal-Mart Stores, Inc.
Grantee: State of Washington, Department of Ecology
Legal: **Lot 1 of that Short Plat recorded under Auditor's File No. 7686513, records of Yakima County, Washington.**
Tax Parcel No.: 18132941411

Grantor, Wal-Mart Stores, Inc., hereby binds Grantor, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") made this __ day of _____, 2010 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Grantor, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

A remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following document[s] prepared by Fulcrum Environmental Consulting, Inc.:

Soil Remediation Plan -- West Valley Commercial Center, Yakima, WA dated August 22, 2008.

Soil Remediation Report -- West Valley Commercial Center, Yakima, WA dated February 24, 2010 and revised April 23, 2010.

Page 1

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These documents are on file at Ecology's Central Regional Office.

This Covenant is required because the Remedial Action resulted in residual concentrations of arsenic, lead, 4,4'-dichlorodiphenyltrichloroethane (DDT), and an associated DDT breakdown product, 4,4'-dichlorodiphenyldichloroethylene (DDE), which exceed the Model Toxics Control Act Method A or Method B Cleanup Level(s) for soil established under WAC 173-340-740. Wal-Mart has prepared an Operations and Maintenance Plan that provides guidelines on maintaining the protective barriers overlying the residual contaminants in soil as described in the Soil Remediation Report. This Operations and Maintenance Plan is also available at Ecology's Central Regional Office.

The undersigned Grantor is the fee owner of real property (hereafter "Property") in the County of Yakima County, State of Washington, that is subject to this Covenant. The Property is legally described as stated on Page 1.

Grantor makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1.

a. As shown on Exhibit A, a portion of the Property contains arsenic, lead, DDT, and DDE located in soil beneath buildings, pavement, sidewalks, or other protective barriers. The Owner shall not alter, modify, or remove the existing structure[s] or other protective barriers in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.

b. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval by Ecology. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action, to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

WAL-MART STORES, INC.

Vice President of Real Estate

[Name of Signatory] **[Title]**

Dated: 6/15/2010

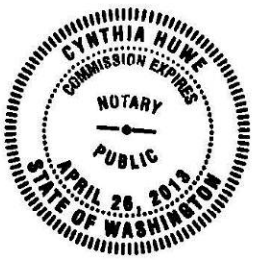
2034 019 gd150504

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Valerie Bound Section Manager

[Name of Person Acknowledging Receipt] **[Title]**

Dated: 6-22-10



6/22/10
Cynthia Huwe
4/26/13

STATE OF Arkansas
COUNTY OF Benton

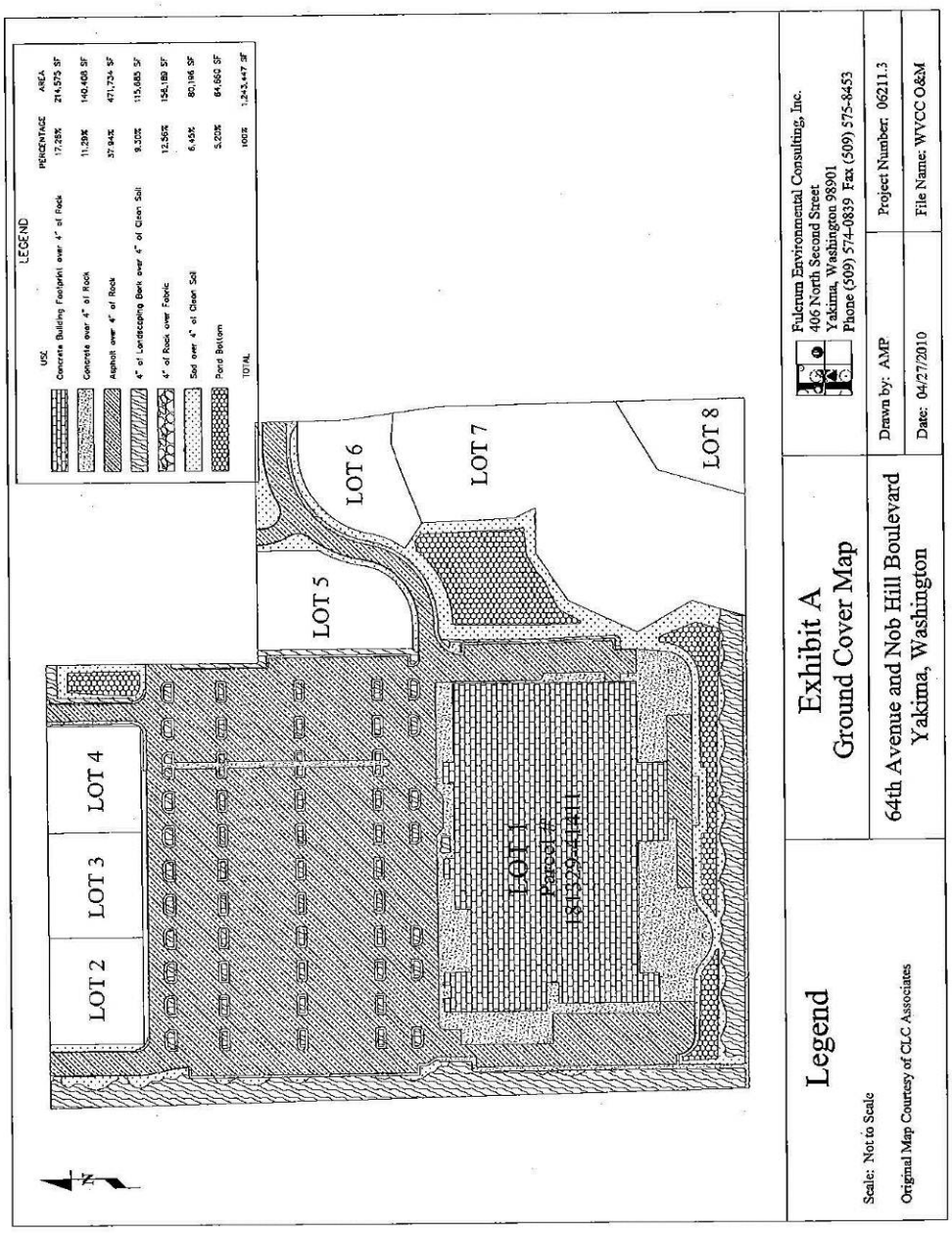
On this 15th day of June, 2010, I certify that John E. Clarke personally appeared before me, acknowledged that **he/~~she~~** is the Vice President of Real Estate of the corporation that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that **he/~~she~~** was authorized to execute said instrument for said corporation.

Jane Bennett
County of Benton
Notary Public - Arkansas
My Commission Exp. 03/13/2012

Jane Bennett
Notary Public in and for the State of Arkansas, residing at Bentonville, Ar.
My appointment expires 3-13-2012.

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LEGEND
USE
PERCENTAGE
AREA
Concrete Building Footprint over 4" of Rock
17.28%
214,575 SF
Concrete over 4" of Rock
11.29%
140,408 SF
Asphalt over 4" of Rock
37.94%
471,734 SF
4" of Landscaping Bark over 4" of Clean Soil
9.30%
115,680 SF
4" of Rock over Fabric
12.56%
156,180 SF
Sod over 4" of Clean Soil
6.45%
80,194 SF
Pond Bottom
5.20%
64,660 SF
TOTAL
100%
1,243,447 SF
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 1
Parcel #
181329-41411
N
Legend
Scale: Not to Scale
Original Map Courtesy of CLC Associates
Exhibit A
Ground Cover Map
64th Avenue and Nob Hill Boulevard
Yakima, Washington
Fulcrum Environmental Consulting, Inc.
406 North Second Street
Yakima, Washington 98901
Phone (509) 574-0839 Fax (509) 575-8453
Drawn by: AMP
Date: 04/27/2010
Project Number: 06211.3
File Name: WVCC O&M

6.4 Photo log

Photo 1: Facility Front Entrance - from the north



Photo 2: Lot 2 Restaurant - from the east



Photo 3: Lot 3 Bank - from the southeast



Photo 4: Lot 4 Parking Area – from northeast

