



Third Periodic Review Costco Wholesale 670

**5601 East Sprague Avenue, Spokane Valley, Spokane
County**

Facility Site ID 82832887, Cleanup Site ID 1073

Toxics Cleanup Program, Eastern Region

Washington State Department of Ecology
Spokane, Washington
September 2022

Document Information

This document is available in the Department of Ecology's [Costco Wholesale 670 cleanup site page](#)¹.

Related Information

- Cleanup site ID: 1073
- Facility site ID: 82832887

Contact Information

Toxics Cleanup Program

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¹ <https://apps.ecology.wa.gov/cleanupsearch/site/1073#site-documents>

² <https://ecology.wa.gov/About-us/Who-we-are/Our-Programs/Toxics-Cleanup>

³ <https://ecology.wa.gov/About-us/Accountability-transparency/Our-website/Accessibility>

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region
360-407-6300

Northwest Region
206-594-0000

Central Region
509-575-2490

Eastern Region
509-329-3400

Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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Introduction

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup site conditions and monitoring data to assure human health and the environment are being protected at the Costco Wholesale 670 site (Site). Site cleanup was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). Ecology has completed three periodic reviews for this Site. The first periodic review was completed in April 2012, while the second was completed in December 2016. This periodic review evaluates January 2017 through December 2021.

Cleanup activities at this Site were completed under the Voluntary Cleanup Program (VCP). Following cleanup, residual concentrations of total petroleum hydrocarbons (TPH), polycyclic aromatic hydrocarbons (PAHs), lead, cadmium, zinc, and mercury exceeded MTCA Method A cleanup levels for soil established under WAC 173-340-740(2). Ecology determined institutional controls in the form of a restrictive covenant (Covenant) would be required for the Site to be eligible for a no further action (NFA) determination. WAC 173-340-420(2) requires Ecology to conduct a periodic review of a site every five years under the following conditions:

- 1) Whenever Ecology conducts a cleanup action;
- 2) Whenever Ecology approves a cleanup action under an order, agreed order, or consent decree;
- 3) Or, as resources permit, whenever Ecology issues a no further action opinion;
- 4) And, one of the following conditions exists:
 - a) Institutional controls or financial assurance are required as part of the cleanup.
 - b) Where the cleanup level is based on a practical quantitation limit.
 - c) 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 Ecology 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 or mixtures present at the Site.
- c) New applicable state and federal laws for hazardous substances present at the Site.
- d) Current and projected Site and resource uses.
- e) Availability and practicability of more permanent remedies.

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

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

Summary of Site Conditions

Site history

The Costco Wholesale 670 site is bordered by railroad tracks to the north, vacant commercial property to the west, commercial property to the east, and commercial property and Sprague Avenue to the south.

Historically, the Site consisted of two parcels. Records from 1912 indicate the northern portion was owned by the Chicago-Milwaukee and Puget Sound Railroad and the Oregon-Washington Railroad. A rail line transected the southern portion, near the current southern Site boundary. The Site remained undeveloped until the early 1950s, when it was developed into a switchyard and railyard. By the early 1960s, a roundhouse had been constructed next to the west property boundary, and railroad-related shops were located on the Site, including a shop, a carpenter's shop, coal and ice buildings, a tank, and several other structures. By the early 1970s, these buildings had been removed, and the entire main portion of the Site was used for switching and siding of railcars. By the late 1980s to early 1990s, most of the railroad tracks had been removed from the Site. The eastern portion was owned by the Federal Match Company from about 1930 until about 1957.

Following this period, these lots were occupied by a construction company, a utility trailer service company, and a bottled gas company. In the mid-1990s, most of the buildings had been demolished. By the late 1990s, Home Depot owned the Site, and a paved access driveway and stormwater runoff swale were constructed across the northern portion of the Site. The property was purchased by Costco in 2000, and a 147,000 square-foot wholesale store and gasoline retail facility are now located on the 17-acre property. The Spokane County Tax Parcel number for the property is 35144.9098.

Depth to groundwater at the Site is estimated to be greater than 50 feet below ground surface (bgs). Groundwater flow is projected to be to the west.

A vicinity map is in Appendix A, and a Site plan is in Appendix B.

Remedial actions

In 1995, Home Depot conducted Phase I and Phase II environmental site assessments (ESAs) of the main portion of the Site (rail yard), which included soil and groundwater sampling. In addition, the former Site owner (Union Pacific Railroad) performed supplemental soil and groundwater sampling. Results of these investigations indicated that soil contained concentrations of lead, cadmium, mercury, zinc, and TPH above MTCA Method A cleanup levels.

Following the investigation, approximately 36,000 cubic yards of contaminated soil were excavated and removed from the property. In addition, approximately 1,900 cubic yards of soil were placed into engineered containment cells under the Home Depot parking lot. In 1999, Home Depot was granted NFA status from Ecology.

In 2000, Costco conducted Phase I and II ESAs prior to purchasing the property. The assessments included soil sampling, drilling two borings, and excavating more than 40 test pits. Analytical results indicated that near-surface soil at various locations (TP-18, TP-40, TP-41, SS-4, SS-7, SS-8, and SS-10) in the southwest corner of the Site were impacted with metals (lead, cadmium, zinc, and mercury), TPH, and PAHs at concentrations exceeding cleanup levels. Samples collected at depth (up to three feet bgs) from SS-7 and TP-40 were below cleanup levels. Results also indicated that the central-eastern portion of the Site (TP-17, TP-36, and TP-39) and the central and western portions of the Site (TP-4 and TP-32) were impacted with lead, PAHs, and TPH at concentrations exceeding cleanup levels. These areas appeared to be associated with in-place railroad ballast material present at the Site.

Remedial activities were conducted from August 1 to 15, 2000, and consisted of excavating and temporarily stockpiling the contaminated soil and impacted ballast material. Approximately 5,000 cubic yards of impacted ballast were removed from the central portion of the Site and temporarily stockpiled in the southwest portion of the Site. The impacted ballast was removed to a depth of about one foot bgs using road graders. The impacted ballast was temporarily stockpiled over contaminated soil areas. Two containment cells were constructed onsite for placement of the ballast material and associated soil. Each containment area was excavated to a depth of six feet bgs. The stockpiled impacted ballast, underlying contaminated soil, and the contaminated soil located on Lots 22 and 23 were excavated and consolidated into the containment cells. Approximately one foot of clean soil was compacted over each cell. The entire containment area was then capped with 6 inches of compacted base coarse gravel and four inches of continuous asphalt concrete pavement.

In addition, approximately 1,000 cubic yards of stockpiled soil and debris in three stockpiles contained concentrations of lead, cadmium, zinc, and TPH at concentrations exceeding cleanup levels. The previous owner (Home Depot) removed the 1,000 cubic yards of stockpiled soil and debris from the Site.

Confirmation samples were collected following removal of the impacted ballast and contaminated soil. Twenty-three soil samples were collected from the soil that was exposed following excavation of the impacted ballast (CS-1 through CS-23). All samples were analyzed for lead; samples CS-1, CS-2, CS-11, CS-22, and CS-23 were also analyzed for diesel- and oil-range petroleum hydrocarbons and PAHs. Sample CS-11 was also analyzed for gasoline-range petroleum hydrocarbons. Results indicated that all contaminant concentrations were below cleanup levels.

Eleven soil samples were collected from the soil that was exposed after excavation in the southwest portion of the Site (CS-A through CS-H) and Lots 22 and 23 (CS-I, CS-J, and CS-J2). Samples CS-A through CS-H were analyzed for cadmium, lead, mercury, diesel, oil-range

hydrocarbons, and PAHs. Samples from Lots 22 and 23 were analyzed for lead. All results were non-detect or below cleanup levels, with the exception of sample CS-J, which had a lead concentration of 513 milligrams per kilogram (mg/kg). An additional two feet of soil were removed from this area and then it was resampled (CS-J2). Results were below cleanup levels.

Cleanup levels and points of compliance

WAC 173-340-705 states MTCA Method B may be used to calculate Site-specific cleanup levels for multiple hazardous substances if the effects on human health do not exceed a hazard quotient of one (1), and the excess cancer risk is less than or equal to one in one million (1×10^{-6}). For this Site, the TPH cleanup level of 3,871 mg/kg was calculated based on the results from extractable/volatile petroleum hydrocarbon analysis. All other contaminants were evaluated using MTCA Method A cleanup levels defined in WAC 173-340-704.

For soil, the point of compliance is the area where the soil cleanup levels shall be attained. For soil cleanup levels based on the protection of groundwater, as they are for this Site, the point of compliance is established as soils throughout the Site.

Restrictive Covenant

It was determined the Site would be eligible for an NFA determination if institutional controls were used to document and protect remaining contamination that extended under the rail line as well as the soil and ballast material in the containment cells. In 2006, Ecology filed a Covenant for the Site with Spokane County under recording number 5380425. The site status was changed to reflect an NFA determination.

The Covenant recorded for the Site imposes the following limitations:

1. Any activity on that portion of the Property that includes the two (2) encapsulation areas depicted in the Report and on Exhibit A of the restrictive covenant attached hereto that might 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. Examples of activities that are prohibited in the two (2) encapsulation areas include, without limitation, drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capacity, piercing the surface with a rod, spike or similar item, and/or 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 might 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 creates a new exposure pathway, is prohibited without prior written approval from Ecology.
4. Owner must give thirty (30) days advance written notice to Ecology of Owner's intent to convey any interest in the Property. Owner shall not consummate any conveyance of title,

easement, lease, or other interest in the Property without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

5. Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.
6. Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.
7. 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, and to inspect records that are related to the Remedial Action.
8. Owner reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive 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 Covenant is in Appendix C.

Periodic Review

Effectiveness of completed cleanup actions

During the Site visit conducted on September 15, 2021, Ecology found no indications the integrity of the remedial action has been compromised. There were no indications of undocumented excavation or disturbance activities, and no visual indications of disturbance of the Site surface. The Site continues to be occupied by the Costco Wholesale 670 retail warehouse. A photo log is in Appendix D.

Direct contact

Cleanup actions were intended to eliminate human exposure to contaminated soils at the Site. Exposure pathways to contaminated soils (ingestion, direct contact) were reduced by remedial excavation and the presence of an active rail line with compacted gravel and clean soil at the surface. Additionally, parts of the Site are fenced and restricted from public access.

Protection of groundwater

Soils with concentrations of lead, cadmium, mercury, zinc, and TPH exceeding MTCA Method A cleanup levels remain at the Site; however, the majority of the contaminated soil source material has been removed or is contained in engineered containment cells beneath impermeable surfaces. Groundwater is not expected to be impacted at the Site because water is at depths greater than 50 feet bgs. The engineered containment cells and impermeable

surfaces will prevent leaching by surface water and reduce risk of future degradation of groundwater quality.

Institutional controls

The Covenant for the Site was recorded with Spokane County and remains active. There is no evidence a new instrument has been recorded that limits the effectiveness or applicability of the Covenant. This Covenant prohibits activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This Covenant serves to assure the long-term integrity of the surface cover.

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

There is no new relevant scientific information for the hazardous substances remaining at the Site.

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

MTCA Method A cleanup levels have not changed for contaminants of concern at the Site since the NFA determination was issued in 2006.

Current and projected site and resource uses

The Site is currently occupied by a Costco Wholesale store. There have been no changes in current or projected Site or resource uses.

Availability and practicability of more permanent remedies

The remedy implemented included containing hazardous substances, and it continues to be protective of human health and the environment. While more permanent remedies may be available, they are still not practicable at this Site.

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 below MTCA Method A cleanup levels, which are the most stringent. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

Conclusions

- The cleanup actions completed at the Site appear to be protective of human health and the environment.

- Soil cleanup levels have not been met at the Site; however, the cleanup action complies with cleanup standards under WAC 173-340-740(6)(f), since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The Covenant for the property is in place and will 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, Ecology determined the requirements of the Covenant are being followed. No additional remedial actions are required by the property owner. The property owner is responsible for continuing to inspect the Site to assure the integrity of the cap is maintained.

Next review

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

References

GeoEngineers. *Independent Remedial Action Report*. June 14, 2001.

Ecology. *VCP Review for Costco Wholesale Store*. July 27, 2001.

Ecology. *Restrictive Covenant*. May 17, 2006.

Pacific Crest Environmental. *Restrictive Covenant and Request for No Further Action Determination*. July 10, 2006.

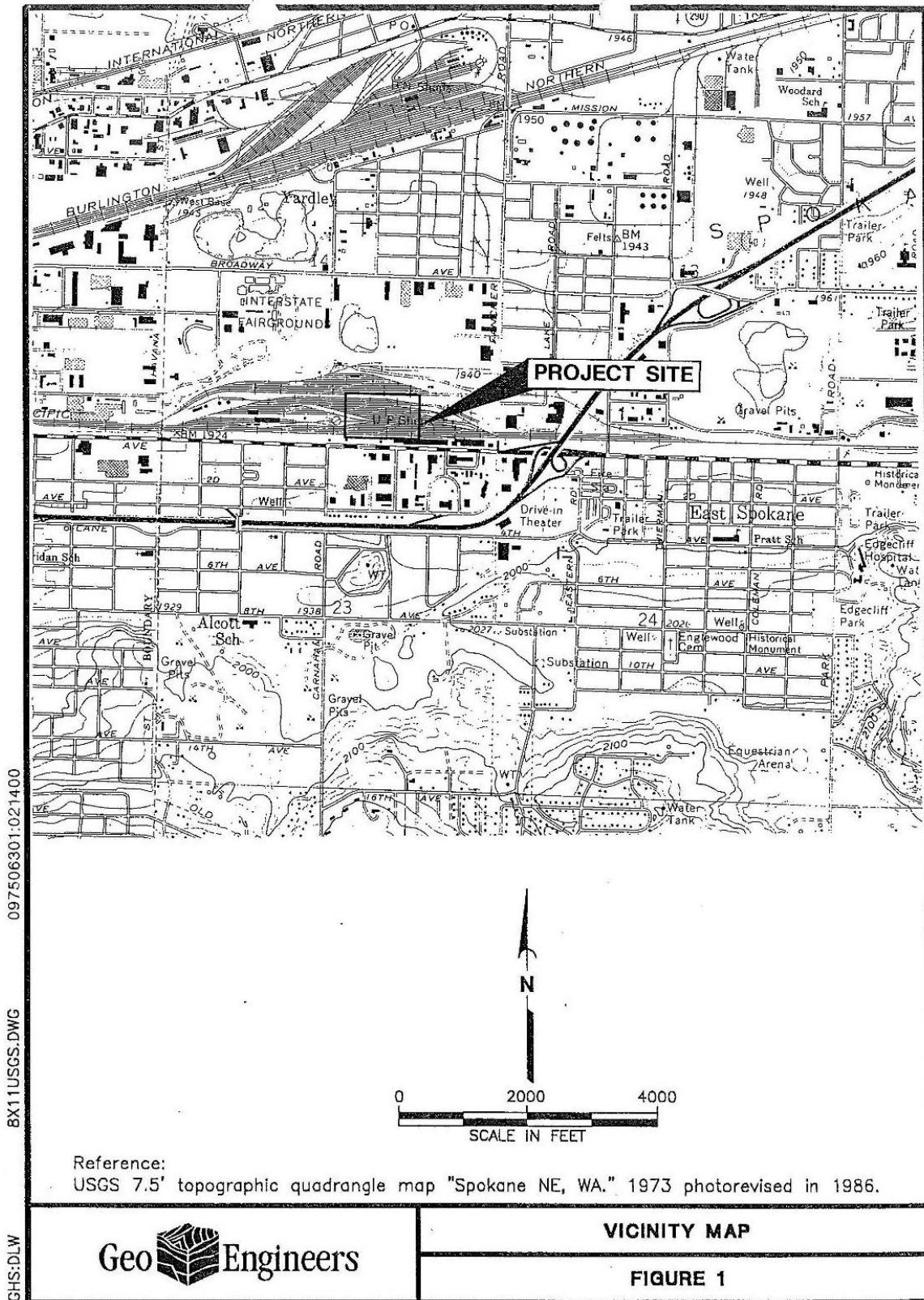
Ecology. *No Further Action Determination Letter*. July 24, 2006.

Ecology. Site Visit. September 10, 2011.

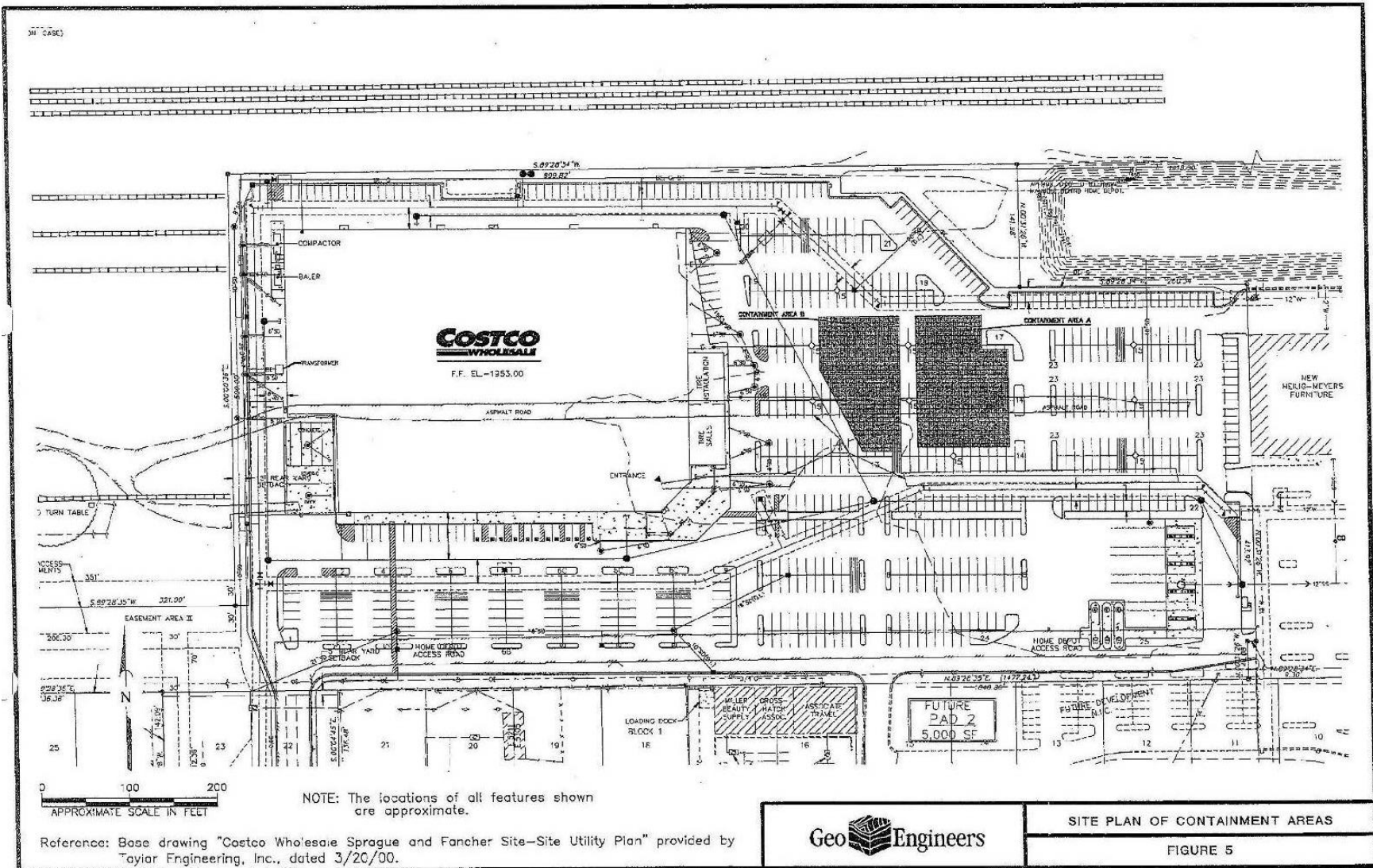
Ecology. Site Visit. October 2, 2016.

Ecology. Site Visit. September 15, 2021.

Appendix A. Vicinity Map



Appendix B. Site Plan



Appendix C. Restrictive Covenant



PACIFIC CREST ENVIRONMENT COV \$35.00

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RETURN ADDRESS

Costco Wholesale Corporation

999 Lake Drive

Issaquah, WA 98027

Please Type or Print Neatly & Clearly All Information

Document Title(s)

Restrictive Covenant

Reference Number(s) of Related Documents

Grantor(s) (Last Name, First & Middle Initial)

Costco Wholesale

Grantee(s) (Last Name, First & Middle Initial)

The Public

Legal Description (Abbreviated form is acceptable) i.e. Section/Township/Range/1/4 Section

That portion of SE 1/4, Section 14, T25N, R43E., W. M., Spokane Cty, WA.
Commencing at SE corner of Section 14 together with Lots 22 and 23,
Block 1, Williams and Lutes Addition (Volume 5 of Plats, pg. 13, Spokan.

Assessor's Tax Parcel ID Number: 35144.9098

The County Auditor will rely on the information provided on this form. The Staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

Sign below only if your document is Non-Standard.

I am requesting an emergency non-standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some parts of the text of the original document. Fee for non-standard processing is \$50.

Signature of Requesting Party



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Spokane Co, WA

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

Costco Wholesale Corporation
999 Lake Drive
Issaquah, WA 98027
Attn: Peter Kahn

RESTRICTIVE COVENANT

**COSTCO WHOLESALE STORE AND GASOLINE RETAIL FACILITY
5601 EAST SPRAGUE AVENUE, SPOKANE, WASHINGTON**

This Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Costco Wholesale Corporation, its successors and assigns (collectively, "Costco").

Costco is the fee owner of the real property (the "Property") in the County of Spokane, State of Washington, which is subject to this Restrictive Covenant. The legal description of the Property is as follows:

"That portion of the SE ¼ Section 14, T.25N., R.43E., W.M., Spokane County, Washington, described as follows: Commencing at the southeast corner of said Section 14; thence N.00°00'08"W., along the east line of said Section 14, 794.09 feet; thence S.89°28'34"W., 1418.50 feet, to the true point of beginning of this description; thence continuing S.89°28'34", 899.82 feet; thence S.00°00'36"E., 500.00 feet; thence S.89°28'35"W., 321.00, feet to the centerline of said Section 14; thence S.00°00'36"E, along said centerline, 100.00 feet to the northwest corner of the Plat of Williams and Lute's Addition according to plat recorded in Volume 5 of Plats, page 13, Spokane County, Washington; thence N.89°28'35"E., along the north line of said Plat 1477.24 feet; thence N.00°31'26"W, 44.08 feet; thence N.89°28'34"E. 9.30 feet; thence N.00°31'26"W., 413.92 feet; thence S.89°28'34"W., 260.34 feet; thence N.00°31'26"W., 141.98 feet, to the point of beginning.

Together with Lots 22 and 23, Block 1, Williams and Lute's Addition, according to plat recorded in Volume 5 of Plats, page 13, in Spokane County, Washington."

An independent remedial action (the "Remedial Action") occurred at the Property. The Remedial Action is described in the following document: Report, Independent Remedial Action, Costco Wholesale Store and Gasoline Retail Facility, East Sprague Facility, Spokane County,



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Washington, prepared by GeoEngineers, Inc. on March 1, 2001 (the "Report"). The Report is on file at the State of Washington Department of Ecology's ("Ecology") Eastern Regional Office.

This Restrictive Covenant is required by Ecology to be recorded against the Property because the Remedial Action resulted in residual concentrations of lead, cadmium, zinc, mercury, total petroleum hydrocarbons and carcinogenic polynuclear aromatic hydrocarbons which exceed the Model Toxics Control Act Method A and Method B Residential Cleanup Levels for soil established under WAC 173-340-740.

Costco 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 (collectively, "Owner"):

Section 1. Any activity on that portion of the Property that includes the two (2) encapsulation areas depicted in the Report and on Exhibit A attached hereto that might 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. Examples of activities that are prohibited in the two (2) encapsulation areas include, without limitation, drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capacity, piercing the surface with a rod, spike or similar item, and/or 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 might 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 creates a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. Owner must give thirty (30) days advance written notice to Ecology of Owner's intent to convey any interest in the Property. Owner shall not consummate any conveyance of title, easement, lease, or other interest in the Property without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

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

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



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Spokane Co, WA

Section 7. 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, and to inspect records that are related to the Remedial Action.

Section 8. Owner reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive 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.

DATED as of this 3 of May, 2006.

COSTCO WHOLESALE CORPORATION

By: [Signature]

Its: VP - General Counsel

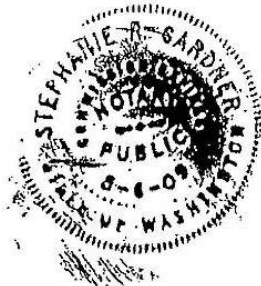
STATE OF WASHINGTON)

COUNTY OF KING)

ss.

On May 3, 2006, before me, a Notary Public in and for said State, personally appeared Richard J. Olin, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person acted, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Stephanie R. Gardner
Notary Public in and for the state of Washington

Appendix D. Photo Log

Photo 1: Costco 670 Site including capped containment cell – from the south facing Union Pacific Property



Photo 2: Site from the east facing Costco 670 Warehouse



Photo 3: Site from the west



Photo 4: Site from the north facing Sprague Ave



Photo 5: Stormwater swale and railroad tracks northeast of Site – from the southeast

