



Response to Comments

Second Periodic Review for the

CENEX Supply & Marketing, Inc. Rinsate Site

Public comment period held
October 31 – November 29, 2022

Facility Site ID: 370
Cleanup Site ID: 33599645

Toxics Cleanup Program

Washington State Department of Ecology
Spokane, Washington

December 2022

Document Information

This document is available on the Department of Ecology's [CENEX Supply & Marketing Inc. Rinsate cleanup site page](#).¹

Related Information

- Cleanup site ID: 370
- Facility site ID: 33599645

Contact Information

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ADA Accessibility

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¹ <https://apps.ecology.wa.gov/cleanupsearch/site/370>

² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites>

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

Toxics Cleanup in Washington State

Accidental spills of dangerous materials and past business practices have contaminated land and water throughout the state. The Washington State Department of Ecology (Ecology) Toxics Cleanup Program (TCP) works to remedy these situations through cleanup actions. TCP cleanup actions range from simple projects requiring removal of a few cubic yards of contaminated soil to large, complex projects requiring engineered solutions.

Contaminated sites in Washington are cleaned up under the [Model Toxics Control Act](#)⁴ (MTCA, Chapter 173-340 Washington Administrative Code), a citizen-mandated law passed in 1989. This law sets standards to ensure toxics cleanup protects human health and the environment and includes opportunities for public input.

Public Comment Period Summary

Ecology held a comment period October 31 through November 29, 2022, for the draft [Periodic Review](#)⁵ for the CENEX Supply & Marketing Inc. Rinsate site. We conduct a periodic review at least every five years after beginning cleanup at a site, as required by MTCA. The purposes of the review are to evaluate site conditions and to ensure continued protection of human health and the environment when institutional controls are used as part of a cleanup.

Ecology appreciates the comments we received from CHS Inc. (formerly CENEX Harvest States), the party responsible for cleanup. We address them in the Response to Comments section that begins on page 4. After considering the comments, we removed the recommendation in the periodic review to amend the Cleanup Action Plan (CAP) to include the cleanup level (CUL) adjustments based on the new groundwater practical quantitation limit (PQL) of 0.2 micrograms per liter (µg/l) for ethylene dibromide (EDB), 1,2-dichloropropane (1,2-DCP), and 1,2,3 trichloropropane (1,2,3-TCP).

Site Background

The site stored and distributed liquid fertilizer and soil fumigant, and a fertilizer and fumigant plant was built in 1974 and operated there until 1991. Fumigant releases caused soil and groundwater contamination exceeding state standards and posing a risk to humans and the environment.

In 2001, the final cleanup included a soil-vapor extraction system, a groundwater treatment system, a protective cap over contaminated soil, and an environmental covenant filed to prevent activities that would interfere with the cleanup systems or disturb remaining contamination.

⁴ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

⁵ <https://apps.ecology.wa.gov/cleanupsearch/document/117621>

Response to Comments

The comment is copied verbatim as received and followed by Ecology's response.

Tracey Mulhern for CHS Inc., received via email November 28

CHS Inc. (CHS) would like to provide comments on the Second Periodic Review, CENEX Supply & Marketing Inc. Rinsate (the Site), 300 Division St. East, Quincy, Grant County, Facility Site ID No. 33599645, Cleanup Site ID No. 370 (Second PR) dated October 2022, prepared by the Toxics Cleanup Program, Eastern Region, Washington State Department of Ecology (Ecology).

CHS requests that Ecology remove the recommendation provided on page 31 of the Second PR regarding amendment of the Cleanup Action Plan (CAP) to include cleanup level (CUL) adjustments based on a new groundwater laboratory practical quantitation limit (PQL) of 0.2 micrograms per liter ($\mu\text{g/l}$) for 1,2-dibromoethane (EDB), 1,2-dichloropropane (1,2-DCP), and 1,2,3-trichloropropane (1,2,3-TCP). The current CUL for these analytes for the Site is 1 $\mu\text{g/l}$, which was based on the laboratory PQL established in the Final Cleanup Action Plan, Cenex/Quincy Site, Quincy, WA dated February 22, 2001, Exhibit B of Consent Decree No. DE-00TCPER-1815 dated February 22, 2001 entered into by the Ecology and Cenex Harvest States Cooperatives (Consent Decree).

The recommendation to lower the current CUL for 1,2-DCP to a new groundwater PQL of 0.2 $\mu\text{g/l}$ is inconsistent with established MTCA regulations, which establish the MTCA Method B CUL for 1,2-DCP at 1.2 $\mu\text{g/l}$. The recommendation to lower the CUL for EDB, 1,2-DCP, and 1,2,3-TCP to 0.2 $\mu\text{g/l}$ is also inconsistent with the discussion of Site CULs in the 2022 PR public review draft, which states that a "decision to potentially lower the current cleanup levels based on laboratory PQLs must consider the ability of existing remedial systems and contaminant reductions process to effectively achieve and sustain the lower IHS concentrations." Here, the 2022 PR public review draft indicates that Ecology will not require CHS to analyze EDB, 1,2-DCP, and 1,2,3-TCP using improved analytical techniques (e.g., EPA Method 8011), noting that the PQL for the currently used laboratory method satisfies the remedial objectives at the Site. Furthermore, evaluation of alternative technologies has previously demonstrated that there are no viable, cost-effective options that would achieve CULs faster than the current remedy.

Under the circumstances, amending the CAP to adjust the PQL downward is not justified and will not promote further or faster reduction in IHS concentrations. Therefore, CHS requests that Ecology remove the recommendation on page 31 of the Second PR regarding adjustments to the groundwater PQLs at the Site.

Ecology's response

Ecology appreciates the comment and recognizes the discrepancies between the main text of the periodic review and the final recommendation on page 31. The recommendation that reads, "Amend the CAP to include the CUL adjustments based on the new groundwater PQL of 0.2 $\mu\text{g/l}$ for EDB, 1,2-DCP, and 1,2,3-TCP," was included in error. During the periodic review period, the reporting limits for these constituents were routinely down to the current PQL of

0.2 ug/L, which is below the vapor intrusion groundwater screening level for all three constituents.

In future periodic reviews and considering the remedial system capabilities and site conditions, Ecology may determine it's appropriate to amend the CAP to reflect current MTCA Method B cleanup levels and/or relevant PQLs. At this time, however, Ecology does not recommend amending the CAP to update the cleanup levels for EDB, 1,2-DCP, and 1,2,3-TCP, and retracts the recommendation. Groundwater concentrations for EDB, 1,2-DCP, and 1,2,3-TCP should continue to be reported down to the current PQL.