



Electronic Copy

STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Southwest Region Office  
PO Box 47775 • Olympia, WA 98504-7775 • 360-407-6300

February 14, 2023

Greg Senf  
Personal Representative of Estate of Burt L. Senf  
1120 West 6th Street  
Port Angeles, WA 98363  
[gregs@dairyfarms.com](mailto:gregs@dairyfarms.com)

**Re: No Further Action opinion for the following contaminated Site**

**Site name:** Quality 4 x 4  
**Site address:** 2509 Eddy Ln, Port Angeles, Clallam County, WA 98362  
**Facility/Site ID:** 1003  
**Cleanup Site ID:** 1300  
**VCP Project No.:** SW1783

Dear Greg Senf:

The Washington State Department of Ecology (Ecology) received your request on August 23, 2022, for an opinion regarding the sufficiency of your independent cleanup of the Quality 4 x 4 facility (Site) under the [Voluntary Cleanup Program \(VCP\)](#).<sup>1</sup> This letter provides our opinion and analysis. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter [70A.305](#) RCW.<sup>2</sup>

## Opinion

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

**As the Site is ranked (3 – Moderate Risk), Ecology will complete the required minimum 30-day public notice and comment period after issuing this letter.<sup>3</sup> If the comments received show that additional cleanup is needed, this no further action opinion may be rescinded.**

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<sup>1</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

<sup>2</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

<sup>3</sup> Required by WAC 173-340-600

Ecology bases this opinion on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in chapter 70A.305 RCW and chapter [173-340](#) WAC<sup>4</sup> (collectively called “MTCA”).

## Site Description

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release(s):

- Total petroleum hydrocarbons (TPH) as diesel (DRO) and heavy oil (ORO) in soil.
- Metals (lead, cadmium, chromium, and arsenic) in soil.

**Enclosure A** includes Site description, history, and diagrams.

Please note that releases from multiple sites can affect a parcel of real property. At this time, Ecology has no information that other sites affect the parcel(s) associated with this Site.

## Basis for the Opinion

Ecology bases this opinion on the information contained in the following documents:

1. Krazan & Associates, Inc. (Krazan), *Removal Action and Confirmation Sampling Quality 4x4 Truck Supply*, July 25, 2022.
2. Krazan, *Phase II Environmental Site Assessment*, February 21, 2022.
3. Ecology, *Re: No Further Action at the following Site (VCP SW1483 Liberty 908)*, September 29, 2016.
4. Clallam County, *Site Hazard Assessment Test Results FS#1003*, September 30, 2002.
5. Ecology, *Re: The Quality 4 x 4 and Truck Supply Site, 2509 Eddy Lane Port Angeles*, November 6, 1990.

You can request these documents by filing a [records request](#).<sup>5</sup> For help making a request, contact the Public Records Officer at [recordsofficer@ecy.wa.gov](mailto:recordsofficer@ecy.wa.gov) or call (360) 407-6040. Before making a request, check whether the documents are available on the [cleanup site search webpage](#).<sup>6</sup>

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<sup>4</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

<sup>5</sup> <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

<sup>6</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/1300>

This opinion is void if any information in the documents is materially false or misleading.

## **Analysis of the Cleanup**

Ecology has concluded that no further remedial action is necessary to clean up contamination at the Site. Ecology bases its conclusion on the following analysis:

### **Characterizing the Site**

Ecology has determined your completed Site characterization is sufficient for setting cleanup standards and selecting a cleanup action. **Enclosure A** describes the Site and includes a Site description, history, and diagrams. Ecology's comments are provided below.

### **Table 830-1 Sampling**

Soil sampling at the Site followed the analytical list presented in WAC 173-340-900, Table 830-1, as did the sampling conducted for the initial site hazard assessment completed in July 2002. The contaminants required to be analyzed for unknown/waste oil releases, such as carcinogenic polycyclic aromatic hydrocarbons (cPAHs) and polychlorinated biphenyls (PCBs), were not detected or were less than cleanup levels. It appears that sufficient sampling was completed to meet the requirements under Table 830-1.

Volatile organic compounds (VOCs) were not analyzed in any historical soil sample. As the petroleum was removed following the second excavation on July 11, 2022, and petroleum was not detected in soil sampled, Ecology determines that it is more likely than not that VOC sampling is not needed for this cleanup. Based on these screening results, the excavation focused on removing those identified contaminant concentrations which exceeded screening values, such as heavy oil, lead, and cadmium.

### **Site Hazardous Substances**

The cleanup action addressed DRO and ORO, lead, and cadmium. These contaminants all had concentrations above the MTCA Method A cleanup levels in soil. Chromium (total) and arsenic were detected in soil, but all concentrations during the cleanup were less than the applicable MTCA Method A cleanup levels. Thus, DRO, ORO, lead, and cadmium were retained as Site hazardous substances requiring cleanup.

## **Terrestrial Ecological Evaluation (TEE)**

The required TEE form was submitted to Ecology, requesting an exclusion from further TEE based on a simplified TEE using the values presented in WAC 173-340-900, Table 749-2. Ecology concurs with the proposed exclusion. No further TEE is necessary for the Site.

## **Groundwater Pathway Evaluation**

Groundwater at the Site was not encountered during Phase II ESA activities or excavation activities. The Site is not located within a drinking water well wellhead travel zone.

Ecology evaluated the depth to groundwater likely for the Site, based on the adjacent cleanup, [Liberty 908 Gasamat 908 \(FSID: 82921122; CSID: 10670\)](#). The CSID 10670 cleanup was completed under VCP project SW1483 and has a status of no further action. Based on a depth to groundwater at Liberty 908 Gasamat 908 of approximately 45 feet below ground surface (bgs), Ecology concludes that it is more likely than not<sup>7</sup> that groundwater is not at risk at the Quality 4 x 4 Site.

Our conclusion is based on the fact that contaminant concentrations in soil meet the MTCA Method A cleanup levels (soil concentrations protect the leaching to groundwater pathway) and that the vertical distance from the bottom of the excavation to the estimated groundwater table is nearly 50 feet.<sup>8</sup> Additionally, the Site is located outside any known wellhead protection zone, so municipal drinking water resources are not likely at risk from the Site.

## **Environmental Information Management System (EIM) Database**

Site data collected since August 1, 2005, were uploaded and accepted into Ecology's EIM database on October 17, 2022. The Ecology VCP cleanup project manager reviewed the data and approved them.

## **Setting cleanup standards**

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

Ecology concurs that the following standard points of compliance are appropriate for the Site and have been met.

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<sup>7</sup> WAC 173-340-360(2)(a)

<sup>8</sup> See p. 68 in Ecology publication 10-09-057, Guidance for Remediation of Petroleum Contaminated Sites, revised June 2016.

| Media                           | Points of Compliance  |
|---------------------------------|---|
| Soil-Direct Contact             | Based on human exposure via direct contact, the standard point of compliance is throughout the Site from ground surface to fifteen feet below the ground surface. <i>WAC 173-340-740 (6)(d)</i> |
| Soil- Protection of Groundwater | Based on the protection of groundwater, the standard point of compliance is throughout the Site. <i>WAC 173-340-747</i>   |

Ecology concurs with these MTCA Method A cleanup levels used for the Site.

| Hazardous Substance         | Soil Cleanup Level <sup>9</sup><br>(mg/kg) <sup>10</sup> |
|-----------------------------|--|
| TPH as diesel and heavy oil | 2,000  |
| Lead                        | 250  |
| Cadmium                     | 2  |

Ecology reviewed applicable state and federal requirements, and no adjustments to the cleanup levels and points of compliance presented above are necessary.

### Selecting the cleanup action

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

Removal of contaminated soil by excavation with off-Site disposal at a permitted facility was selected as the cleanup action.

### Implementing the cleanup action

Ecology has determined the cleanup you implemented meets the standards set for the Site.

A total of 8.4 tons of contaminated soil, from two excavation mobilizations, were disposed of at City of Port Angeles Transfer Station under waste profile WDA #22-6. Sidewall samples were not collected because the material removed was in a trench between the building foundation to the west and a concrete retaining wall to the east. Bottom excavation samples were only those performance soil samples which could be collected.

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<sup>9</sup> More stringent of protection of groundwater or direct contact

<sup>10</sup> mg/kg = milligrams per kilogram

Based on the soil sampling results, as well as Ecology's groundwater evaluation presented earlier in this letter, groundwater sampling was not needed.

Per WAC 173-340-360(2)(a), threshold requirements appear to be met for this cleanup and closure is appropriate because:

- The cleanup is protective of human health and the environment, complies with cleanup standards, and complies with applicable state and federal laws.
- Contaminated soil on the Property has been removed to the extent practicable.
- Cleanup levels are met at a standard point of compliance.
- The cleanup method used is permanent to the maximum extent practicable, and provided for cleanup in a reasonable restoration timeframe.
- A groundwater cleanup was not warranted based on the extent of contamination identified at the Site.
- The Site is not expected to be used as a school or residential property.
- Cleanup actions did not rely on dilution or dispersion.
- Remediation levels are not being used for this Site.
- No engineered or institutional controls are required as part of this cleanup.

No investigation derived waste (IDW) is believed to remain at the Site. There are no monitoring wells at the Site which require decommissioning.

### **Listing of the Site**

Based on this opinion, Ecology will initiate the process of removing the Site from its lists of contaminated sites, including the:

- Hazardous Sites List

A minimum 30-day public notice and comment period is required to delist the ranked VCP site from the Hazardous Sites List. Ecology will complete this process and will update you when the public comment period is scheduled to occur.

That process includes providing public notice and the opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or rescind this opinion. Additionally, the public comment results determines whether Ecology updates the Site status on Ecology's Confirmed and Suspected Contaminated Sites List to no further action.

## **Limitations of the Opinion**

### **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).<sup>11</sup>

### **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](#)<sup>12</sup> and WAC [173-340-545](#).<sup>13</sup>

### **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.305.170](#)(6).<sup>14</sup>

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<sup>11</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

<sup>12</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

<sup>13</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

<sup>14</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

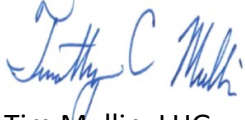
## Termination of Agreement

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing VCP Project No. SW1783.

## Questions

If you have any questions about this opinion or the termination of the Agreement, please contact me at 360-999-9589 or email at [tim.mullin@ecy.wa.gov](mailto:tim.mullin@ecy.wa.gov).

Sincerely,



Tim Mullin, LHG  
Toxics Cleanup Program  
Southwest Region Office

TCM/tam

Enclosure: A – Site Description, Property History and Current Use, and Figure

cc by email: Shawn Williams, Krazan & Associates, Inc.; [shawnwilliams@krazan.com](mailto:shawnwilliams@krazan.com)  
Jerome Lambiotte, Ecology, [Jerome.lambiotte@ecy.wa.gov](mailto:Jerome.lambiotte@ecy.wa.gov)  
Fiscal, VCP Fiscal Analyst (w/o encl)  
TCP, Operating Budget Analyst (w/o encl)  
Ecology Site File



## **Enclosure A**

Site Description, Property History and Current Use, and Figure

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## **Site Description**

The Site is located at 2509 Eddy Ln, Port Angeles, Clallam County, Washington. The Property includes one Clallam County parcel 0630125713300000. According to the Clallam County Assessor & Treasurer's website, the parcel is approximately 18,404 square feet (0.42 acres) in size.

## **Property History and Current Use**

The Property has been used as an automotive repair facility with machine shop, likely operating as such since the building was built in 1974. The Property continues to operate today as Quality 4 x 4 and Truck Supply, an auto parts supplier. In 1990, Ecology inspected the Quality 4 x 4 facility, summarizing its findings in a letter dated November 6, 1990. The release appears to have been related to an oil dip tank in the rear of the building (east side the building). The release was first evaluated on July 29, 2002, when Clallam County Environmental Health District took two soil samples in the release area. Analyses included TPH, PAHs, and metals (cadmium, chromium, and lead). DRO, ORO, cadmium, and lead were detected at concentrations at or above MTCA Method A soil cleanup levels.

In November 2021, a Phase II Environmental Site Assessment was completed at the Site. Four borings, B1 through B4, were advanced at the Site, to a maximum depth of 6.5 feet below ground surface (bgs). These four borings generally targeted the former operations identified in the 1990 site inspection by Ecology. A total of seven soil samples were collected. Analysis included DRO and ORO, MTCA 5 metals (lead, cadmium, chromium, arsenic, and mercury), PCBs, and PAHs. The concentrations of ORO, lead, cadmium, and arsenic exceeded the respective MTCA Method A cleanup levels in a soil sample from one-foot bgs in boring B2. All other soil sampling results complied with the MTCA Method A soil cleanup levels.

In June and July 2022, contaminated soils were removed from the Site by excavation. The final excavation area along the east side of the building was 4.5 by 30 feet (see the confirmation sampling map figure included in Enclosure A). Confirmation samples were analyzed for DRO, ORO, and MTCA 5 metals. Initial excavation sampling results showed that ORO, lead, and cadmium concentrations in soil exceeded the MTCA Method A cleanup levels at 1.5 feet bgs. Additional excavation to 2.5 feet bgs was completed. All sampling results from two additional soil samples collected from the excavation base complied with the cleanup levels.

## **Property Vicinity**

The Site is located in an area of mixed residential and commercial properties including a residence to the north, a gas station to the south, a residence to the east, and a residence to the west.

## **Soils and Geology**

To the maximum depth explored of approximately 6.5 feet bgs, the Site is underlain by silty sands, coarse sands, with varying amounts of gravel.

## **Groundwater**

Site groundwater has not been sampled. No groundwater monitoring wells have been installed at the Site. The depth to groundwater, based on the adjacent cleanup at Liberty 908 Gasamat 908 (FSID: 82921122; CSID: 10670), is nearly 50 feet bgs. The Site is not within a 10-year wellhead travel timeframe for any drinking water supply well.

## **Surface/Storm Water/Septic Systems/Wetlands**

No wetlands are present on the property. The building at the Property is believed to be serviced by city water and sewer.

## Figure





Confirmational Sample Locations

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| Sample Number | Date    | Depth | Diesel | Oil          | Metals   |                                   |
|---------------|---------|-------|--------|--------------|--|-----------------------------------|
| KA-CS-03-SL   | 6/15/22 | 1.5'  | 480    | <b>2,500</b> | Mercury = <1<br><b>Lead = 1,710</b><br><b>Cadmium = 3.24</b> | Chromium = 76.7<br>Arsenic = 8.85 |
| KA-CS-05-SL   | 7/11/22 | 2.5'  | <50    | <250         | Mercury = <1<br>Lead = 6.69<br>Cadmium = <1                  | Chromium = 33.2<br>Arsenic = 2.59 |

| Sample Number | Date    | Depth | Diesel | Oil  | Metals   |                                   |
|---------------|---------|-------|--------|------|--|-----------------------------------|
| KA-CS-02-SL   | 6/15/22 | 1.5'  | <50    | 300  | Mercury = <1<br><b>Lead = 1,650</b><br><b>Cadmium = 2.38</b> | Chromium = 54.1<br>Arsenic = 5.60 |
| KA-CS-04-SL   | 7/11/22 | 2.5'  | <50    | <250 | Mercury = <1<br>Lead = 6.69<br>Cadmium = <1                  | Chromium = 33.2<br>Arsenic = 2.59 |


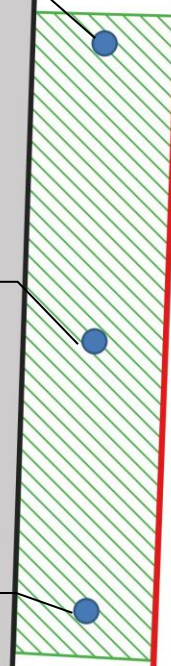
| Sample Number | Date    | Depth | Diesel | Oil  | Metals                                       |                                   |
|---------------|---------|-------|--------|------|--|-----------------------------------|
| KA-CS-01-SL   | 6/15/22 | 1.5'  | <50    | <250 | Mercury = <1<br>Lead = 301<br>Cadmium = 1.78 | Chromium = 35.6<br>Arsenic = 4.98 |


 Confirmation Sample Locations  
 Parcel Boundary  
 Quality 4x4 Truck Supply  
 Excavation area

-Soil analytical laboratory results in mg/kg.  
 -Bold and yellow highlighted results exceed MTCA cleanup levels.

N

0    5    10    15 ft

|  |                                 |                            |  |
|--|---------------------------------|----------------------------|--|
| <b>Confirmation Sample Locations</b><br><br><b>Quality 4x4 Truck Supply</b><br><b>Removal Action and</b><br><b>Confirmation Sampling</b><br><b>2509 E Eddy Lane</b><br><b>Port Angeles, Washington</b> | <b>Scale:</b><br>NTS            | <b>Date:</b><br>July-2022  | <br><b>SITE DEVELOPMENT ENGINEERS</b><br><i>Offices Serving the Western United States</i> |
|  | <b>Modified by:</b><br>AG       | <b>Approved by:</b><br>SEW |  |
|  | <b>Project No.</b><br>104-22002 | <b>Figure No.</b><br>2     |  |