



## **Periodic Review Tiger Oil Summitview**

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**5511 Summitview Avenue, Yakima, Yakima County  
Facility Site ID: 58425191, Cleanup Site ID: 6338**

**Toxics Cleanup Program, Central Region**

Washington State Department of Ecology  
Union Gap, Washington

May 2021

## Document Information

This document is available on the Department of Ecology's [Tiger Oil Summitview cleanup site page](#).<sup>1</sup>

### Related Information

- Facility Site ID: 58425191
- Cleanup Site ID: 6338

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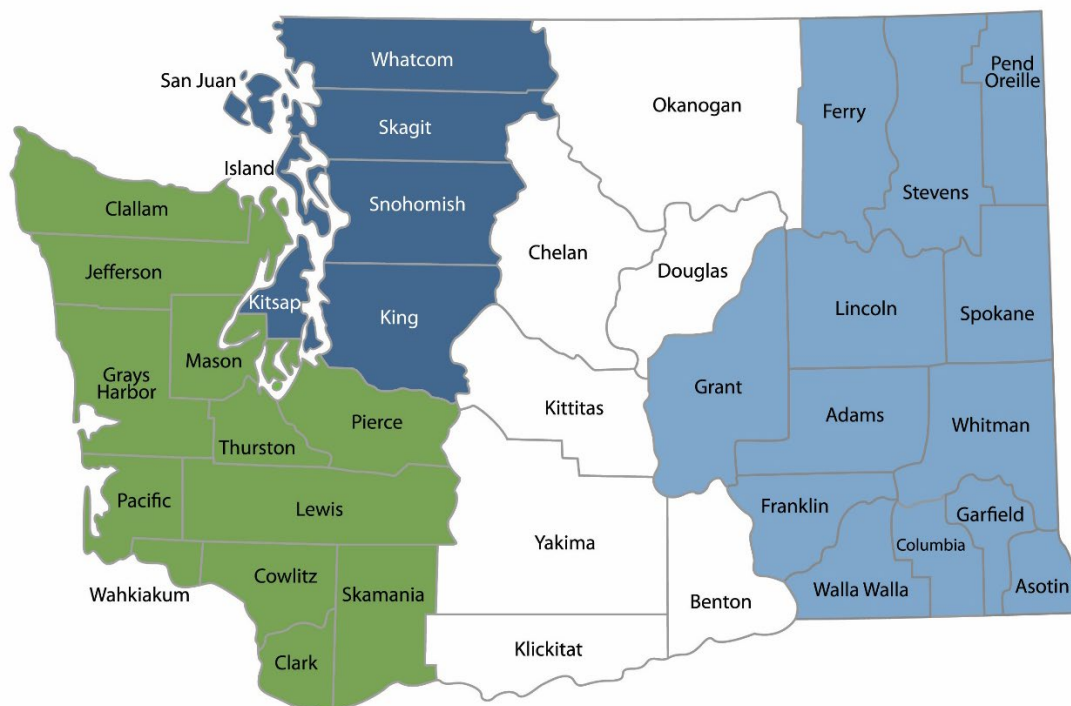
<sup>1</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/6338>

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

<sup>3</sup> <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
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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# Introduction

The Washington State Department of Ecology (Ecology) reviewed post-cleanup site conditions and monitoring data to ensure human health and the environment are being protected at the Tiger Oil Summitview (Site). Site cleanup was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). This is the first periodic review conducted for this Site.

Cleanup activities at this Site were completed under Ecology funding for groundwater assessment after independent cleanup. Residual concentrations of gasoline range petroleum hydrocarbons (TPH-G) and volatile organic compounds (VOCs) that exceeded MTCA cleanup levels remain on the property. The MTCA cleanup levels for soil and groundwater are established under [WAC 173-340-740](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-740)<sup>4</sup> and [WAC 173-340-720](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-720),<sup>5</sup> respectively.

Ecology determined institutional controls in the form of an environmental covenant would be required as part of the cleanup action for the Site. [WAC 173-340-420\(2\)](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-420(2))<sup>6</sup> requires Ecology to conduct a periodic review of certain sites every five years. For this Site, a periodic review is required because an institutional control is required as part of the cleanup action.

When evaluating whether human health and the environment are being protected, Ecology must consider the following factors (WAC 173-340-420(4)):

- a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the site
- 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) The availability and practicability of more permanent remedies
- f) The availability of improved analytical techniques to evaluate compliance with cleanup levels

Ecology publishes a notice of all periodic reviews in the *Site Register* and provides an opportunity for public comment.

## Summary of Site Conditions

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<sup>4</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-740>

<sup>5</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-720>

<sup>6</sup> <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-420>

## Site description and history

The Tiger Oil Summitview Site is located at 5511 Summitview Avenue in the City of Yakima, Yakima County, Washington. The site previously operated as a retail gasoline station and convenience store until closure in 2001. The property previously contained two buildings and two historic fuel dispenser islands. The historical buildings included a larger former convenience store in the northeast corner of the property and a smaller former satellite pay station in the southwest corner of the property.

Former fuel dispenser islands were located in the south and west areas of the property. A single tank pit was located south of the former convenience store between the convenience store and the southern fuel dispenser island. In 2005, three underground storage tanks (USTs) were decommissioned and removed from the property. The historical site structures were demolished in 2019. The Site now consists of a Bruchi's Cheese Steaks and Subs restaurant, with the new structure constructed on the property in 2019.

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

## Site investigations

Gasoline contamination in soil at a depth of 11 to 15 feet below ground surface (ft bgs) was discovered at the Site in 2005, when the three USTs were removed. Shallower soil contamination was found associated with the western fuel dispenser. Additional investigations were conducted on behalf of Ecology by GeoEngineers, including soil sampling and groundwater monitoring. The 2014 work include direct push soil sampling at six locations, and installation and sampling of two temporary monitoring wells and three permanent monitoring wells. The 2015 investigations included soil borings at 20 locations and the installation and sampling of an additional two monitoring wells.

## Cleanup actions

During the 2014 investigation, gasoline range organics concentrations in soil were found in the groundwater smear zone at a depth of 15 to 21 ft bgs exceeding the MTCA Method A cleanup level of 100 mg/kg (no benzene present) at concentrations up to 4,500 mg/kg. Gasoline was found in one monitoring well at elevated concentrations (up to 14,000 µg/L), above the Method A cleanup level of 100 µg/L (benzene present).

Ecology prepared a No Further Action (NFA) determination letter on July 19, 2016. This NFA determination was contingent on the recording of an environmental covenant and stipulated annual groundwater monitoring of downgradient monitoring wells SVMW-2 for five years. The Environmental Covenant was recorded on June 16, 2016, which provided for capping of the soil contamination and preventing any disturbances of soil at a depth greater than 10 ft bgs, as well as prohibiting use of groundwater on the property.

The NFA was further clarified in a letter from Ecology dated December 26, 2019. That letter stated no further groundwater monitoring was needed, since groundwater monitoring

conducted between 2016 and 2019 at SVM-2 showed no results above MTCA cleanup levels. The Environmental Covenant was amended on January 30, 2020, to remove the requirement for additional groundwater monitoring.

## Cleanup standards

Cleanup standards include cleanup levels, the location where these cleanup levels must be met (point of compliance), and any other regulatory requirements that apply to the Site. [WAC 173-340-704](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-704)<sup>7</sup> states 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. Method B may be used at any site and is the most common method for setting cleanup levels when sites are contaminated with substances not listed under Method A. Method C cleanup levels may be used to set soil and air cleanup levels at industrial sites.

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 current MTCA Method A cleanup level for gasoline range organics in soil is 30 mg/kg (with benzene present), and 100 mg/kg (with no benzene present). Benzene was not found in any soil samples. The Method A cleanup level for gasoline range organics in groundwater is 800 µg/L (with benzene present). Benzene was present above the cleanup level of 5 µg/L in monitoring well SVMW-3.

The Method A cleanup levels for diesel range organics is 2000 mg/kg for soil and 500 µg/L for groundwater. Diesel was found above cleanup levels in groundwater from site monitoring well SVMW-3, but was not found above cleanup levels in soil samples.

For soil, protection of groundwater pathway, and groundwater, the point of compliance is throughout the Site. For the direct contact pathway, the point of compliance is throughout the Site to a depth of 15 ft bgs.

## Environmental/Restrictive Covenant

Ecology determined that institutional controls would be required as part of the cleanup action to document the remaining contamination, protect the cleanup action, and protect human health and the environment. On June 16, 2016, institutional controls in the form of an [environmental covenant](https://apps.ecology.wa.gov/cleanupsearch/document/56932)<sup>8</sup> (Covenant) were recorded for the Site and a No Further Action letter was sent to the property owner on July 19, 2016. The Site status was changed to reflect a No

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<sup>7</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-704>

<sup>8</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/56932>

Further Action determination. The NFA was updated on December 26, 2019 and the [environmental covenant](#)<sup>9</sup> was modified on January 3, 2020 to reflect that no additional groundwater monitoring was needed.

The Covenant recorded for the Site imposes the following limitations:

1. **Interference with Remedial Action.** The Grantor shall not engage in any activity on the Property that may impact or interfere with the remedial action and any operation, maintenance, inspection or monitoring of that remedial action without prior written approval from Ecology.
2. **Protection of Human Health and the Environment.** The Grantor shall not engage in any activity on the Property that may threaten continued protection of human health or the environment without prior written approval from Ecology. This includes, but is not limited to, any activity that results in the release of residual contamination that was contained as a part of the remedial action or that exacerbates or creates a new exposure to residual contamination remaining on the Property.
3. **Continued Compliance Required.** Grantor shall not convey any interest in any portion of the Property without providing for the continued adequate and complete operation, maintenance and monitoring of remedial actions and continued compliance with this Covenant.
4. **Leases.** Grantor shall restrict any lease for any portion of the Property to uses and activities consistent with this Covenant and notify all lessees of the restrictions on the use of the Property.
5. **Preservation of Reference Monuments.** Grantor shall make good faith effort to preserve any reference monuments and boundary markers used to define the aerial extent of coverage of this Covenant. Should a monument or marker be damaged or destroyed, Grantor shall have it replaced by a licensed professional surveyor within 30 days of discovery of the damage or destruction.
6. **Containment of Soil.** The remedial action for the Property is based on containing remaining contaminated soil under a cap consisting of paved or compacted surfaces and building foundation and located as illustrated in Exhibit B. The primary purpose of this cap is to prevent direct contact with contaminated soils and prevent surface water infiltration that will contribute to migration of contamination. As such, the following restrictions shall apply within the area illustrated in Exhibit B:

Any activity on the Property that will disturb soils beneath the site at depths of ten feet below ground surface is prohibited without prior written approval by Ecology. The Grantor shall report to Ecology within forty-eight (48) hours of the discovery of any damage to the cap. Unless an alternative plan has been approved by Ecology in

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<sup>9</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/90723>

writing, the Grantor shall promptly repair the damage and submit a report documenting this work to Ecology within thirty (30) days of completing the repairs.

The Grantor must obtain prior written approval from Ecology before altering or removing the existing building structures on the Property in any manner that would expose contaminated soil, result in a release to the environment of contaminants, or create a new exposure pathway. Any contaminated soils encountered during site activities must be handled and disposed of according to State waste regulations.

7. **Stormwater Facilities.** Stormwater infiltration facilities at the Property shall be designed and constructed in a manner that prevents the migration of contamination. Stormwater shall not be infiltrated in portions of the Property known to contain residual contaminated soils.
8. **Groundwater Use.** The Grantor beneath some portions of the Property remains contaminated and shall not be extracted for any other purpose other than temporary construction dewatering, investigation, monitoring or remediation. Drilling of a well for any water supply purpose is strictly prohibited. Groundwater extracted from the Property for any purpose shall be considered potentially contaminated and any discharge of this water shall be done in accordance with state and federal law.

## Periodic Review

### Effectiveness of completed cleanup actions

During the Site visit Ecology conducted on March 22, 2021, the contaminated portion of the property is now located beneath the new building and adjacent asphalt pavement. The remainder of the Site is covered by an asphalt parking lot. The pavement was in good condition. The Site is currently operating as a Bruchi's Cheese Steak and Subs restaurant. A photo log is in Appendix C.

### Direct contact

The cleanup actions were intended to eliminate exposure to contaminated soil and groundwater at the Site. Exposure pathways to contaminated soils by ingestion and direct contact were reduced by remedial excavation and by the presence of a building and asphalt parking surface. The Site is not restricted from access by the general public. The surface cover appears to be in satisfactory condition, and no repair, maintenance, or contingency actions are required at this time.

### Protection of groundwater

Soils with TPH-G and VOCs at concentrations exceeding MTCA Method A cleanup levels remain at the Site; however, most of the contaminated soil source material has been removed.

## **Institutional controls**

Institutional controls in the form of a Covenant were implemented at the Site in 2016 and amended in 2020. The Covenant remains active and discoverable through the Yakima County Auditor. Ecology found 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 action and prohibits any use of the property that is inconsistent with the Covenant, unless approved by Ecology in advance. This Covenant ensures the long-term integrity of the cleanup action will be protected.

## **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**

There are no new applicable or relevant state or federal laws for hazardous substances remaining at the Site.

## **Current and projected site and resource uses**

The Site is used for commercial purposes. There have been no changes in current or projected future Site or resource uses. The current Site use is not likely to have a negative impact on the protectiveness of the cleanup action.

## **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 cleanup action were capable of detection below the selected MTCA cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

## **Conclusions**

- Ecology has not received documentation that indicates proper soil handling procedures were followed during recent construction at the Site; however, the current configuration of the Site continues to prevent exposure to contaminated soils and remains protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however, the cleanup action is determined to comply 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 is effective in protecting human health and the environment from exposure to hazardous substances and the integrity of the cleanup action.

Based on this periodic review, Ecology has determined the requirements of the Covenant are being followed. No additional cleanup actions are required by the property owner at this time. The property owner is responsible for continuing to inspect the Site to ensure the integrity of the cap is maintained.

## **Next review**

Ecology will schedule the next review for the Site five years from the date of this periodic review. If additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years after those activities are completed.

## References

Tetra Tech FW Inc. *UST Decommissioning and Site Assessment at Tiger Oil Corporation Facility, 5511 Summitview Road*. March 29, 2005.

GeoEngineers. *Quarterly Groundwater Monitoring, Fourth Quarter 2014, Tiger Oil Summitview*. March 26, 2015.

GeoEngineers. *Supplemental Phase II Site Assessment Report, Revision 1, Tiger Oil - Summitview*. October 20, 2015.

Ecology. *Environmental Covenant*. June 16, 2016.

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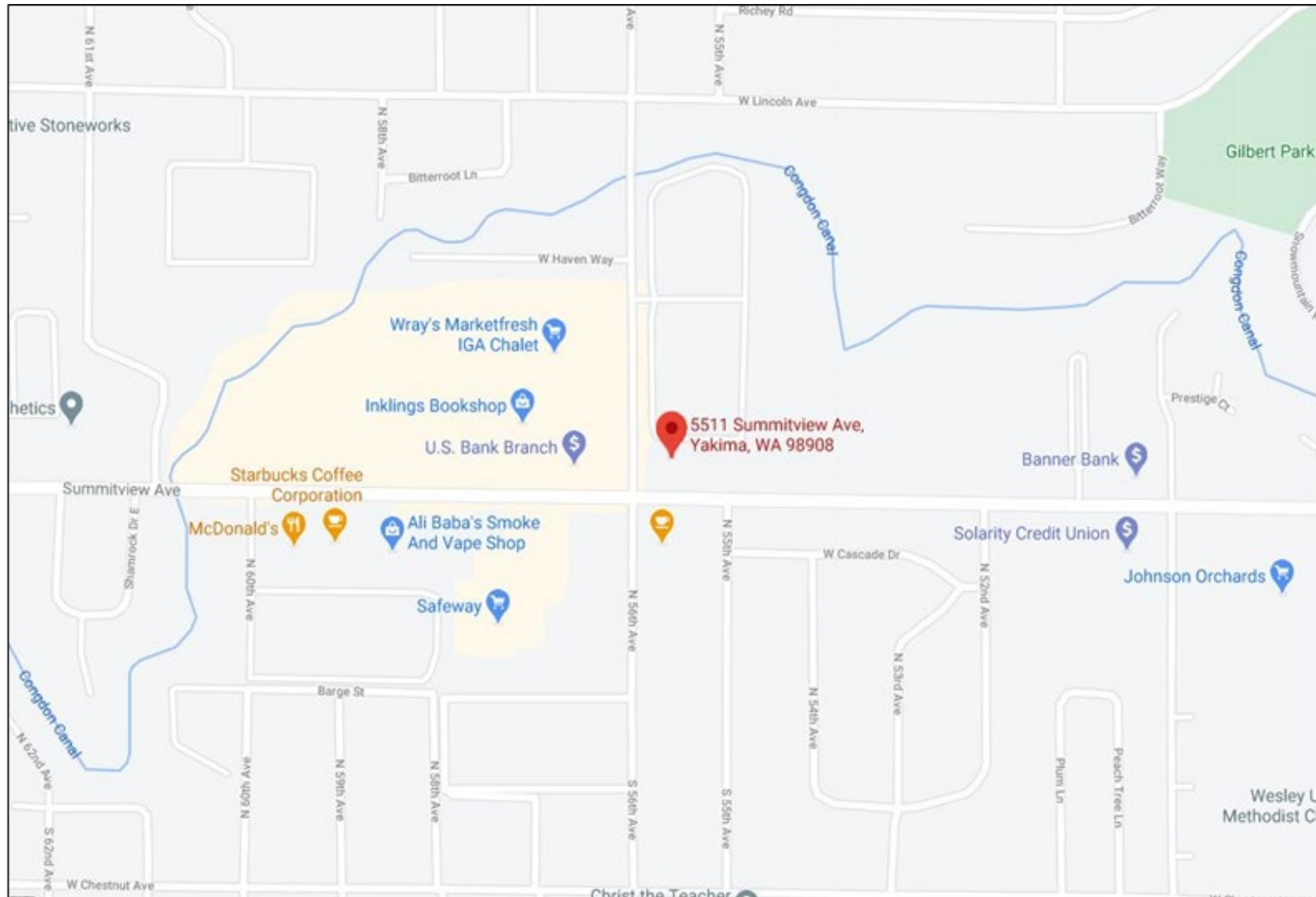
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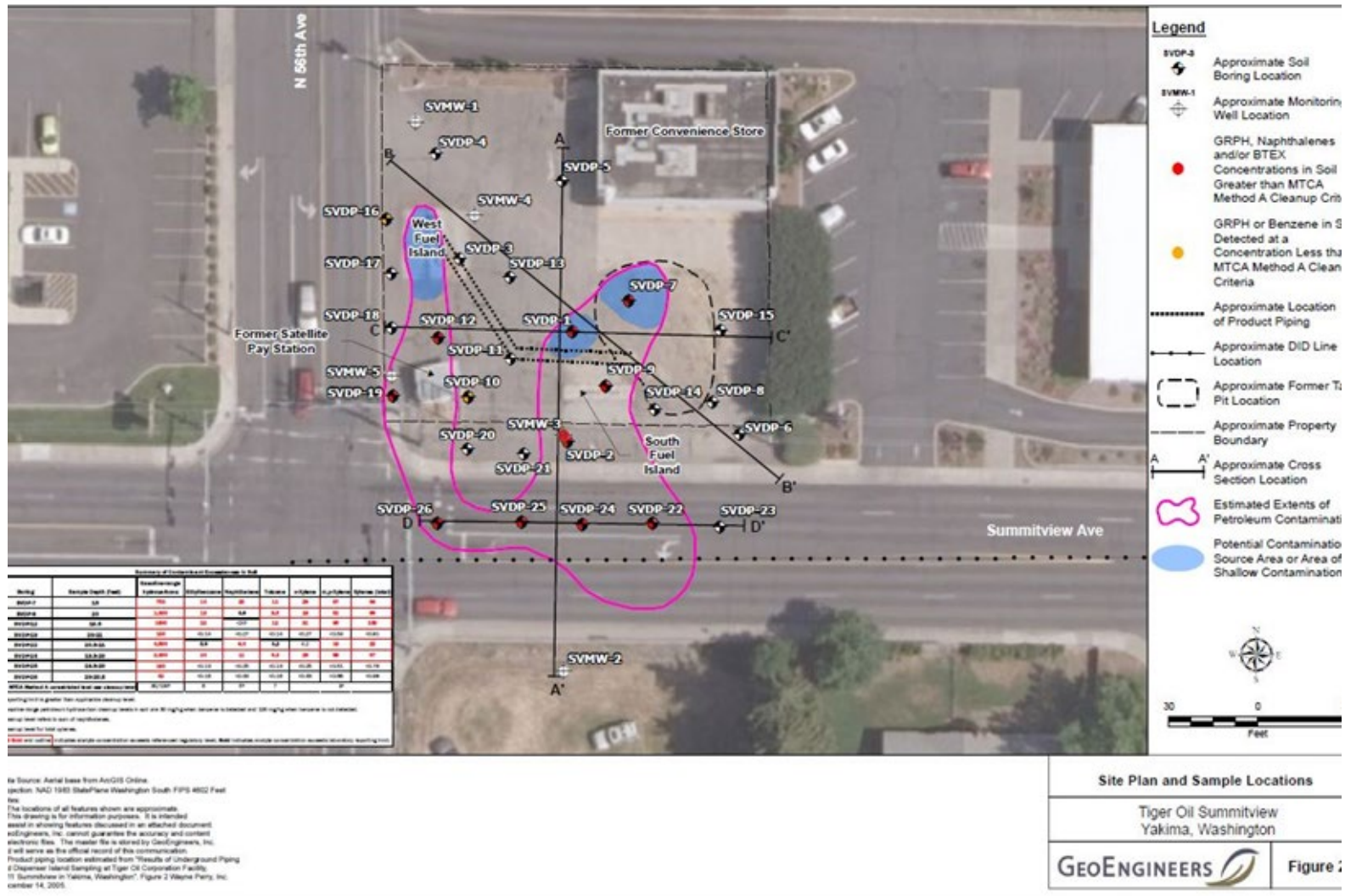
Ecology. *Technical Memo, Environmental Assessment Program*. February 12, 2020.

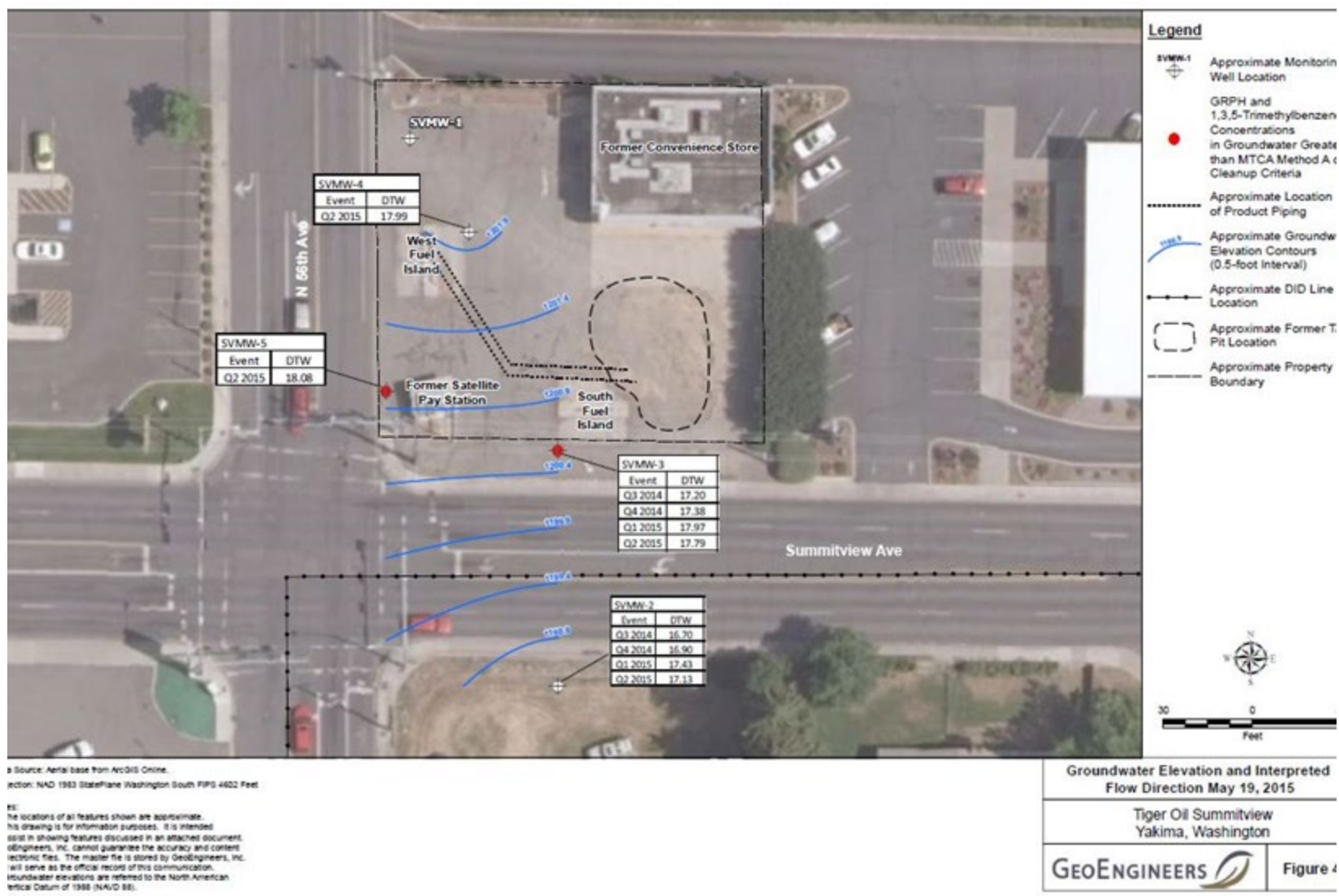
Ecology. Site visit. March 22, 2021.

## Appendix A. Vicinity Map



## Appendix B. Site Plan





## Appendix C. Photo Log

**Photo 1: Former Tiger Oil Property - from the southeast**



**Photo 2: Former Tiger Oil Property - from the southwest**



**Photo 3: Former Tiger Oil Property - from the northwest**



**Photo 4: Former Tiger Oil Property - from the northeast**

