



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

March 14, 2023

Debra Manjarrez
Manjarrez & De Leon Inc, PS
2010 W. Nob Hill Blvd., Suite 1
Yakima, WA 98902

Re: Opinion on Proposed Cleanup of the Following Site:

- **Site Name:** Hahn Motor Company
- **Site Address:** 1201 S. 1st Street, Yakima
- **Facility/Site ID:** 502
- **Cleanup Site ID:** 4927
- **VCP Project No.:** CE0529

Dear Debra Manjarrez:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your proposed independent cleanup of the Hahn Motor Company facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.¹

Issue Presented and Opinion

Upon completion of the proposed cleanup, will further remedial action likely be necessary to clean up contamination at the Site?

YES. Ecology has determined that, upon completion of your proposed cleanup, further remedial action will likely be necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing regulations, Chapter 173-340 WAC² (collectively “substantive requirements of MTCA”). The analysis is provided below.

¹ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305>

² <https://apps.leg.wa.gov/wac/default.aspx?cite=173-340>

Description of the Site

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

- Tetrachloroethylene (PCE) into the soil and groundwater.
- Diesel and Heavy Oil into the soil and groundwater.
- Metals into the soil and groundwater.

Please note the Site is a known sub-facility of the Yakima Railroad facility (# 500). The Yakima Railroad's comingled plume comprises of a number of sub-facilities along the Yakima Railroad Corridor. Each sub-facility must demonstrate that site soils meet appropriate MTCA cleanup levels or removed to the greatest extent practicable and are no longer contributing to the areawide PCE contamination. Vapor Intrusion is a concern that must also be considered as part of any long-term remediation of sites within the Yakima Railroad plume. The remainder of this opinion does not apply to Yakima Railroad facility, or the other Sub-facilities associated with the Yakima Railroad facility.

Basis for the Opinion

This opinion is based on the information contained in the following documents:

1. Blue Mountain Environmental and Consulting Company, Inc., December 2022 Groundwater Sampling Event Report, January 27, 2023.³
2. Blue Mountain Environmental and Consulting Company, Inc., September 2022 Additional Subsurface Investigation Report, October 17, 2022.⁴
3. Blue Mountain Environmental and Consulting Company, Inc., Drywell Decommissioning and Contaminated Soil Removal Report, July 28, 2022.⁵
4. Blue Mountain environmental and Consulting Company, Inc., February 1, 2022 Subsurface Investigation Report, March 4, 2022.⁶
5. State of Washington Department of Ecology, Further Action Letter, February 23, 2016.⁷

³ <https://apps.ecology.wa.gov/cleanupsearch/document/122389>

⁴ <https://apps.ecology.wa.gov/cleanupsearch/document/118102>

⁵ <https://apps.ecology.wa.gov/cleanupsearch/document/114972>

⁶ <https://apps.ecology.wa.gov/cleanupsearch/document/111174>

⁷ <https://apps.ecology.wa.gov/cleanupsearch/document/53701>

6. PETCO Incorporated, Underground Storage Tank Decommissioning & Site Assessment Report For UST Site #200130 Yakima, Washington, February 2008.⁸
7. PLSA Engineering & Surveying, Letter regarding land farming sampling, June 29, 1992.⁹
8. Hahn Motor Company Site Hazard Assessment, March 12, 1991.¹⁰
9. Earth Consultants, Inc., Preliminary Integrity Assessment of Two Underground Storage Tanks (UST)s and Three Industrial Waste Water Sumps, October 25, 1989.¹¹

A number of these documents are accessible in electronic form from the Site webpage.¹² The complete records are stored at the Central Regional Office of Ecology (CRO) for review by appointment only. Visit our Public Records Request page¹³ to submit a public records request or get more information about the process. If you require assistance with this process, you may contact the Public Records Officer at publicrecordsofficer@ecy.wa.gov or 509-575-2490.

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

Analysis of the Cleanup

Ecology has concluded that, upon completion of your proposed cleanup, **further remedial action** will likely be necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is not sufficient to establish cleanup standards and select a cleanup action.

Cleanup standards cannot be established until the nature of contamination is characterized. It is possible the metals found within the groundwater are not representative of Site contamination. Site samples indicate elevated concentrations of metals across the site.

Elevated metal concentrations maybe explained by water turbidity. It would be prudent to collect turbidity readings going forward along with both unfiltered and filtered samples.

⁸ <https://apps.ecology.wa.gov/cleanupsearch/document/4485>

⁹ <https://apps.ecology.wa.gov/cleanupsearch/document/4481>

¹⁰ <https://apps.ecology.wa.gov/cleanupsearch/document/4484>

¹¹ <https://apps.ecology.wa.gov/cleanupsearch/document/4482>

¹² <https://apps.ecology.wa.gov/cleanupsearch/site/4927>

¹³ <https://ecology.wa.gov/publicrecords>

Sometimes filtered samples have lower concentrations as the metal particulates get removed leaving only the metals that have solubilized.

It is also possible further assessment is necessary to determine groundwater Cleanup standards for metals. MTCA allows for the establishment of background Cleanup Levels as long as sufficient evidence is provided to determine their use. If further characterization is necessary additional wells and researching the metals concentrations of other sites within the area could prove necessary.

As the Site is a sub-facility of the Yakima Railroad facility (#500), it is important to demonstrate that site soils meet MTCA PCE cleanup standards. PCE and its degradation products must be below cleanup levels or removed to the greatest extent practicable. The Site must also demonstrate that it no longer is contributing to the areawide PCE plume. Contribution to the areawide PCE groundwater plume is defined by the concentration of PCE and its degradation products entering and leaving the Site. PCE degradation products are trichloroethylene (TCE), cis-1,2-dichloroethylene (Cis-DCE), and vinyl chloride (VC).

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance currently documented in the December 2022 Groundwater Sampling Event Report and the September 2022 Additional Subsurface Investigation Report meet the substantive requirements of MTCA. However, they don't sufficiently capture all contaminants of concern. The degradation products of PCE must also be considered.

The MTCA Method A Cleanup Levels for unrestricted land uses (soil) and beneficial water uses (groundwater) are:

| Contaminant | Soil Cleanup Levels (mg/Kg) | Groundwater Cleanup Levels (µg/L) |
|--------------------|------------------------------------|--|
| Diesel | 2,000 | 500 |
| Heavy Oil | 2,000 | 500 |
| PCE | 0.05 | 5 |
| Arsenic | 20 | 5 |
| Cadmium | 2 | 5 |
| Chromium | 19 | 50 |
| Lead | 250 | 15 |
| Mercury | 2 | 2 |

*Metal Cleanup Levels maybe subject to further evaluation depending on additional investigation.

The MTCA Method A Cleanup Levels for PCE's degradation products in groundwater are:

| Contaminant | Groundwater Cleanup Levels (µg/L) |
|-------------|-----------------------------------|
| TCE | 5 |
| Cis-DCE | 70 |
| VC | 0.2 |

A standard point of compliance (POC) was selected for both soil and groundwater on the Site. Standard POC for soil, based on direct contact for unrestricted land use, is defined as throughout the Site from the ground surface to 15 feet below the ground surface. The standard POC for Groundwater, based on drinking water beneficial use, is defined as throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth that could potentially be affected by the Site.

3. Selection of cleanup action.

Further investigation is required to determine if or what additional cleanup action is necessary. Investigation into the elevated metal concentrations and the nature of what is causing the elevated groundwater concentrations of metals is essential to determine what or if further remedial action is needed. It must also be demonstrated that the Site is no longer contributing to the greater Yakima Railroad facility PCE groundwater plume. These data gaps must be known prior to selecting a cleanup action for the Site.

Limitations of the Opinion

1. 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).¹⁴

2. 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-

¹⁴ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.040>

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supervised action. This opinion does not determine whether the action you proposed will be substantially equivalent. Courts make that determination. See RCW 70A.305.080¹⁵ and WAC 173-340-545.¹⁶

3. Opinion is limited to proposed cleanup.

This letter does not provide an opinion on whether further remedial action will actually be necessary at the Site upon completion of your proposed cleanup. To obtain such an opinion, you must submit a report to Ecology upon completion of your cleanup and request an opinion under the VCP.

4. 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.305.170.¹⁷

Contact Information

Thank you for choosing to clean up your site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may resubmit your proposal for our review. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our VCP webpage.¹⁸ If you have any questions about this opinion, please contact me by phone at 509-406-6959 or by email at Kyle.Parker@ecy.wa.gov.

Sincerely,



Kyle Parker
Toxics Cleanup Program
Central Regional Office

Enclosures: A – Description and Diagram of the Site

cc: Peter Trabusiner, BMEC Company

¹⁵ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.080>

¹⁶ <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-545>

¹⁷ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305>

¹⁸ www.ecy.wa.gov/vcp

Enclosure A

Description and Diagram of the Site

Site Description

Hahn Motor Company facility (Site) is located on the southeast corner of South 1st Street and East Arlington Street in the city of Yakima, Washington. The Site historically had a heating oil tank which was converted to a waste oil tank after it was no longer used for its intended original use. A second waste oil tank was also installed at the site. The diesel, heavy oil, and tetrachloroethylene (PCE) contamination at the site is believed to be released from those tanks and potentially from the maintenance shop for the auto dealer. The nature and extent of metals found within the groundwater is still under investigation. Diesel, heavy oil, and PCE were released to soil and migrated to groundwater. PCE and its degradation products poses a potential vapor intrusion threat at the Site and therefore is a potential pathway to exposure for workers within the structure. As most of the site is covered with cement or asphalt contact to soils is unlikely unless soil disturbance occurs. Contaminated sites are defined by their release(s) and where contamination associated with the release(s) has come to be located. The Site as currently known to Ecology is located within the property of the original release, as shown in the Site Diagram.

Site Diagram



BMEC
P.O. Box 545/125 Main Street
Waitsburg, Washington 99361

FIGURE 2 – SITE LOCATION MAP

Hahn Motors Company
1201 South 1st Street
Yakima, Washington 98901