



State of Washington
POLLUTION LIABILITY INSURANCE AGENCY
PO Box 40930 • Olympia, Washington 98504-0930
(360) 407-0520 • (800) 822-3905
www.plia.wa.gov

March 27, 2023

Roy Byman
655 Commerce Avenue
Longview, WA 98632

Re: No Further Action at the Following Site:

- **Facility/Site Name:** Longview Auto and Tire
- **Facility/Site Address:** 655 Commerce Avenue, Longview, WA 98632
- **Facility/Site ID:** 69286382
- **Technical Assistance Program No.:** P-SW2094

Dear Mr. Byman:

The Washington State Pollution Liability Insurance Agency (PLIA) received your request for an opinion on your independent cleanup located at 655 Commerce Avenue, Longview, WA 98632 (Site). This letter provides our opinion made under the authority of Chapter 70A.330 RCW and Chapter 374-80 WAC. PLIA appreciates your initiative in pursuing this administrative option for cleaning up a contaminated site under the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.

Opinion on Cleanup

PLIA has determined that **no further remedial or investigative actions are necessary** to address residual petroleum contamination resulting from historic activities.

Soil sampling results from June 2017, July 2021 and January 2022 and several quarters of groundwater monitoring data have been obtained and evaluated to render this opinion.

This opinion is based on the remedial action meeting the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). Our analysis is provided below.

Description of the Site and the Property

This opinion applies only to the petroleum release at the Site located at 655 Commerce Avenue, Longview, WA 98632 and includes the one Cowlitz County tax parcel(s): 02106

This opinion does not apply to any other hazardous substance release(s) that may affect any adjacent Property (parcels).

On February 25, 2022, HydroCon submitted the application form on behalf of Longview Auto and Tire to enter the Site into PLIA's Technical Assistance Program (TAP). The intake meeting occurred on March 8, 2022.

1. Description of the Site:

The Site is defined by the nature and extent of contamination associated with the following release(s):

- Total petroleum hydrocarbons (TPH): TPH-d (diesel), TPH-o (oil) and TPH-g (gasoline) into the soil and groundwater.

Based on review of historic Cowlitz County permits, two building permits were filed in 1989 for removal of underground storage tanks (USTs). One of the permits is likely associated with the property located south of the Site (referred to Ecology as Longview Tire Sales, North at 1330 California Way).

One permit was for three 1,000-gallon USTs (2 diesel and 1 gasoline) and the other was for four 500-gallon USTs (contents were not listed). Based on the interview conducted in the Phase I ESA report, the vehicle hoists were also removed at the time the USTs were decommissioned by removal. No reports were currently available to document the tank removal(s) or confirmation soil sampling results.

2. Description of the Property:

The subject Property (the Site) described herein is located at 655 Commerce Avenue in Longview, Washington. According to the Cowlitz County Assessor's office, the Property is 0.60 acres in size and consists of one tax parcel:

- Parcel No.: 02106

Adjacent properties include Superior Tire located west and south of the Site; Builders First Source and Pie @ Trios located east of the Site, and Tennant Way located north of the Site. The Pie @ Trios site received a No Further Action (NFA) determination from Ecology in 2008. The site was a former retail gas station. A site listed as Longview Tire Sales Inc. North in Ecology's database is located south of the

Superior Tire building with a street address of 1330 California Way. This property is not part of the Longview Auto & Tire operation. The site historically operated as a retail gas station. Petroleum impacted soil and groundwater was discovered on this property, but no further investigation or cleanup has been performed.

In 2017 Creekside Environmental Consulting, LLC (CEC) and EVREN Northwest, Inc. (EVREN) together performed a Phase I and Phase II ESA for 2 properties owned by Mr. Byman as part of due diligence for the purchase of the properties. The two properties are located on the same side of the Commerce Avenue, separated by a property owned and occupied by Superior Tire Service. In the report, the properties are referred to as the “north parcel” (Longview Tire property located at 655 Commerce Avenue) and the “south parcel” (vacant property located at the corner of Commerce Avenue and California Way).

Both parcels are separate properties with separate site histories. HydroCon was contracted by Mr. Byman to assist him with the Longview Tire property. Although the Phase I and Phase II ESAs discussed the results of the investigation of both parcels, HydroCon focused on the site conditions of the Longview Tire property.

Basis of the Opinion

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

1. *Groundwater Monitoring – July 2022*. Prepared by HydroCon Environmental, LLC. on July 25, 2022.
2. *Monitoring Well Installation and Soil Sampling for Method B Calculations*. Prepared by HydroCon Environmental, LLC. on February 16, 2022.
3. *Focused Phase II Environmental Site Assessment (ESA)*. Prepared by Creekside Environmental Consulting, LLC. and EVREN Northwest, Inc. on July 16, 2017.
4. *Groundwater Monitoring – October 2021*. Prepared by HydroCon Environmental, LLC. on October 27, 2021.
5. *Monitoring Well Installation and Groundwater Monitoring*. Prepared by HydroCon Environmental, LLC. on August 4, 2021.
6. *Phase I Environmental Site Assessment*. Prepared by Creekside Environmental Consulting, LLC. in May 2017.

These reports are also available for download at:
<https://plia.box.com/s/f8nrokpix9di5ofxtrmf5ll33l8r1i0>

Documents submitted to PLIA are subject to the Public Records Act (Chapter 42.56 RCW). To make a request for public records, please email pliamail@plia.wa.gov.

This opinion is void if any of the information contained in those documents is materially

false or misleading.

Establishment of Cleanup Standards and Points of Compliance

PLIA has determined the cleanup levels (CULs) and points of compliance (POCs) established for the Site meet the substantive requirements of MTCA.

Results of the Phase I ESA identified the former presence of a UST and hydraulic vehicular hoists on the north parcel. A subsurface investigation was recommended to assess current soil and groundwater conditions.

MTCA Method B Cleanup Level Calculations

To characterize soil and groundwater, on January 7, 2022, HydroCon drilled two temporary soil borings (HC01 and HC02) in the **area of highest reported historic contamination** (borings B01 and B02) inside the repair shop to assess if the Washington State Department of Ecology's (Ecology) Model Toxics Control Act (MTCA) Method B cleanup standard can be used at the Site. The extractable petroleum hydrocarbons/volatile petroleum hydrocarbons (EPH/VPH) analytical results were entered into Ecology's MTCA TPH 11.1 Cleanup Levels and Risk Calculation (CLARC) workbook. As a result of the calculations, Method B TPH CULs for the direct contact exposure pathway for sample HC01-10 was 2,976 mg/kg and 1,178 mg/kg for HC2-12. **HydroCon proposed that the more stringent 1,178 mg/kg value be used as the Method B cleanup standard for Site soils.**

The proposed CULs for soil and groundwater and for air are met at the standard POCs.

- For **soil**, the CUL is based on direct contact and is set "*...throughout the site from the ground surface to fifteen feet below the ground surface.*" This is in compliance with WAC 173-340-740(6)(d) and represents a reasonable estimate of the depth of soil that could be excavated and distributed at the soil surface as a result of Site development activities.
- For **groundwater**, the standard POC as established under WAC 173-340-720(8) is: "*...throughout the site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the site.*"
- For the **air** pathway, the CULs established must be attained in the ambient air throughout the Site, including indoor air within the lateral and vertical inclusion zone (WAC 173-340-750[6]).

Analysis of the Cleanup

PLIA has determined the CULs and POCs established for the Site meet the substantive

requirements of MTCA.

PLIA has concluded that **no further remedial or investigative actions** are necessary at the Site. Our conclusion is based on the following analysis:

Cleanup of the Site:

Site data demonstrates that petroleum contamination from a Petroleum UST system existed on the Site at one time. A release of petroleum caused exceedances in soil of the most stringent criteria (MTCA Method A residential). This opinion only addresses the contaminants of concern (COCs) as detailed in the *Description of the Site and the Property* section of this letter. The Site history is detailed in the documents cited above.

PLIA has determined that the Site currently meet(s) the cleanup standards established, pursuant to MTCA. The following cleanup and investigative actions have been performed at the Site:

i. Soil:

A Phase II Environmental Site Assessment (Phase II ESA) was performed by CEC which included drilling nine temporary borings (B01 through B09) to collect soil and groundwater samples for chemical analysis. A total of twelve soil samples were submitted for analysis. Two samples (B01-10 and B02-12) had a detection of TPH-g. The concentration of both samples exceeds the MTCA Method A CUL of 100 mg/kg (no benzene). One sample (B09-10) had TPH-d and TPH-o detected. **The concentration of TPH-d and TPH-o in the sample are below their respective CULs. There was no detection of benzene, toluene, ethylbenzene or total xylenes (BTEX) in any sample above their respective laboratory method reporting limits (MRL)**

- Soil sampling results from June 2017, July 2021 and January 2022 are listed in the following table:
 - *Monitoring Well Installation and Soil Sampling for Method B Calculations*, HydroCon, February 16, 2022, Table 2 Soil Analytical Results - Longview Auto Tire, Longview, Washington
- **Confirmation samples collected from areas where soil contamination was most likely to be present demonstrate that, at all locations tested, no petroleum contaminated soil (PCS) was detected at concentrations above the applicable MTCA CULs for the Site.**

The rationale for selection of soil sampling locations and results of the analytical testing are described in the following section.

- Results of the Phase I ESA identified the former presence of a UST and vehicle

hoists on the north parcel. No reports appear to be available documenting the UST decommissioning and confirmation soil sampling results on the Property. A subsurface investigation was recommended to assess soil and groundwater conditions.

- The Phase II ESA was performed by CEC which included drilling nine temporary borings (B01 through B09) on the subject Site to collect soil and groundwater samples for chemical analysis.
- A total of twelve soil samples were submitted for analysis. Only two samples (B01-10 and B02-12) had detections of TPH-g. **The concentration of both samples exceeds the MTCA Method A CUL of 100 mg/kg (no benzene).**
- One sample (B09-10) had TPH-d and TPH-o detected. **The concentration of TPH-d and TPH-o in the sample are below their respective MTCA CULS. There were no detections of BTEX in any of the samples above their respective laboratory method reporting limits (MRLs).**
- On July 8 and 9, 2021, HydroCon drilled five borings to a depth of 20' below ground surface (bgs) for the purpose of collecting soil samples and installation of groundwater monitoring wells. Three soil samples were collected from each boring for laboratory analysis based on the results of field screening. **A total of 15 soil samples were collected for laboratory analysis.** Soil analytical results indicated that TPH-g was detected in two samples (MW01-12 and MW02-11) at concentrations of up to 124 mg/kg. The CUL of 100 mg/kg (no benzene present) was exceeded in the MW01-12 sample. TPH-d, TPH-o and BTEX were not detected above their respective laboratory MRLs.

Result: The data indicate there is no longer an unacceptable risk presented by the soil direct contact exposure pathway at the Site. The remedial action(s) removed the potential for PCS above CULs to come into contact with human or ecological receptors.

ii. **Groundwater:**

Results of this groundwater monitoring event indicate that there was no detection of contamination above the respective MRLs in any of the wells.

- On July 13, 2022, HydroCon performed the fourth groundwater monitoring event at the Site (see *Groundwater Monitoring – July 2022*, HydroCon, July 25, 2022). Depth to groundwater recorded at the Site ranged from 7.65' to 8.75' bgs in the monitoring wells. The groundwater elevations ranged from 8.11' to 8.92' above mean sea level. A groundwater elevation contour plot for the July 13, 2022 dataset (Figure 3) indicated groundwater flows towards the northeast at an

approximate gradient of 0.0026 feet/foot between MW01 and MW03.

- Four quarters of groundwater monitoring data have been obtained from MW01 through MW05 and two sets of data from MW06. To date, **only TPH-d has been detected in the wells at a concentration well below the CUL.**
- Two quarters of groundwater data have been collected from MW06; results of both sampling events were **non-detect for all constituents above their respective laboratory MRLs.**
- TPH-g, TPH-o, BTEX and naphthalene **were not detected** above their respective MRLs in any of the samples. TPH-d was detected in the samples collected from MW01, MW02 and MW04 at concentrations of up to 172 µg/L. **The CUL of 500 µg/L was not exceeded in any sample.** The only COC detected in groundwater was TPH-d at a maximum concentration of 172 µg/L, **well below the CUL of 500 µg/L.** The detection of TPH-d above the MRL occurred once at MW01 and MW02 and twice at MW04 in four sampling events.
- Four quarters of groundwater monitoring data have been obtained from MW01 through MW05 and two sets of data from MW06. To date, **only TPH-d has been detected in the wells at a concentration well below the CUL.**
- Two quarters of groundwater data have been collected from MW06; results of both sampling events were **non-detect for all constituents above their respective MRLs.**

Result: The data indicate there is no longer an unacceptable risk presented by the groundwater exposure pathway at this Site. The remedial action removed the potential for PCS above CULs to come into contact with, and leach into, groundwater at the Site.

iii. **Air (Soil or Groundwater to Vapor):**

- Analytical testing of soil samples (as described above) indicate that PCS concentrations were below applicable Site CULs and posed no risk to human health.
- Groundwater sampling results from 2017 to 2022 indicate that groundwater contamination does not exist at levels exceeding MTCA Method A CULs that are applicable to the Site.

Result: The data indicate there is no longer an unacceptable risk presented by the soil or groundwater to vapor exposure pathway(s) at this Site. The remedial action removed the potential for vapors from PCS or PCGW to enter nearby commercial or residential structures.

iv. Surface Water:

- Not applicable for the Site. (Relationship to groundwater, if any).

Result: The surface water exposure pathway did not exist at this Site. This means that, based on current data, petroleum contamination has not spread to surface water.

Limitations of the Opinion

1. Opinion does not settle liability with the state.

Under the MTCA, liable persons are strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release(s) of hazardous substances at the Site. This opinion **does not**:

- Change the boundaries of the Site.
- 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 the Office of the Attorney General and the Department of Ecology under RCW 70A.305.040(4).

2. Opinion does not constitute a determination of substantial equivalence.

To recover remedial action costs from other liable persons under the 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 equivalent. Courts make that determination (RCW 70A.305.080 and WAC 173-340-545).

3. State is immune from liability.

The state, PLIA, 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.

Termination of Agreement

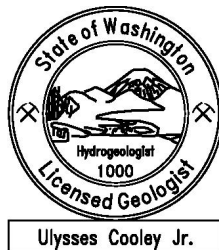
This opinion terminates the Technical Assistance Program (TAP) agreement for Project No. P-SW2094.

Contact Information

Thank you for choosing to clean up your Site under PLIA's TAP. If you have any questions about this opinion, please contact me by phone at 1-800-822-3905, or by email at pliamail@plia.wa.gov.

Sincerely,

Ulysses Cooley Jr.



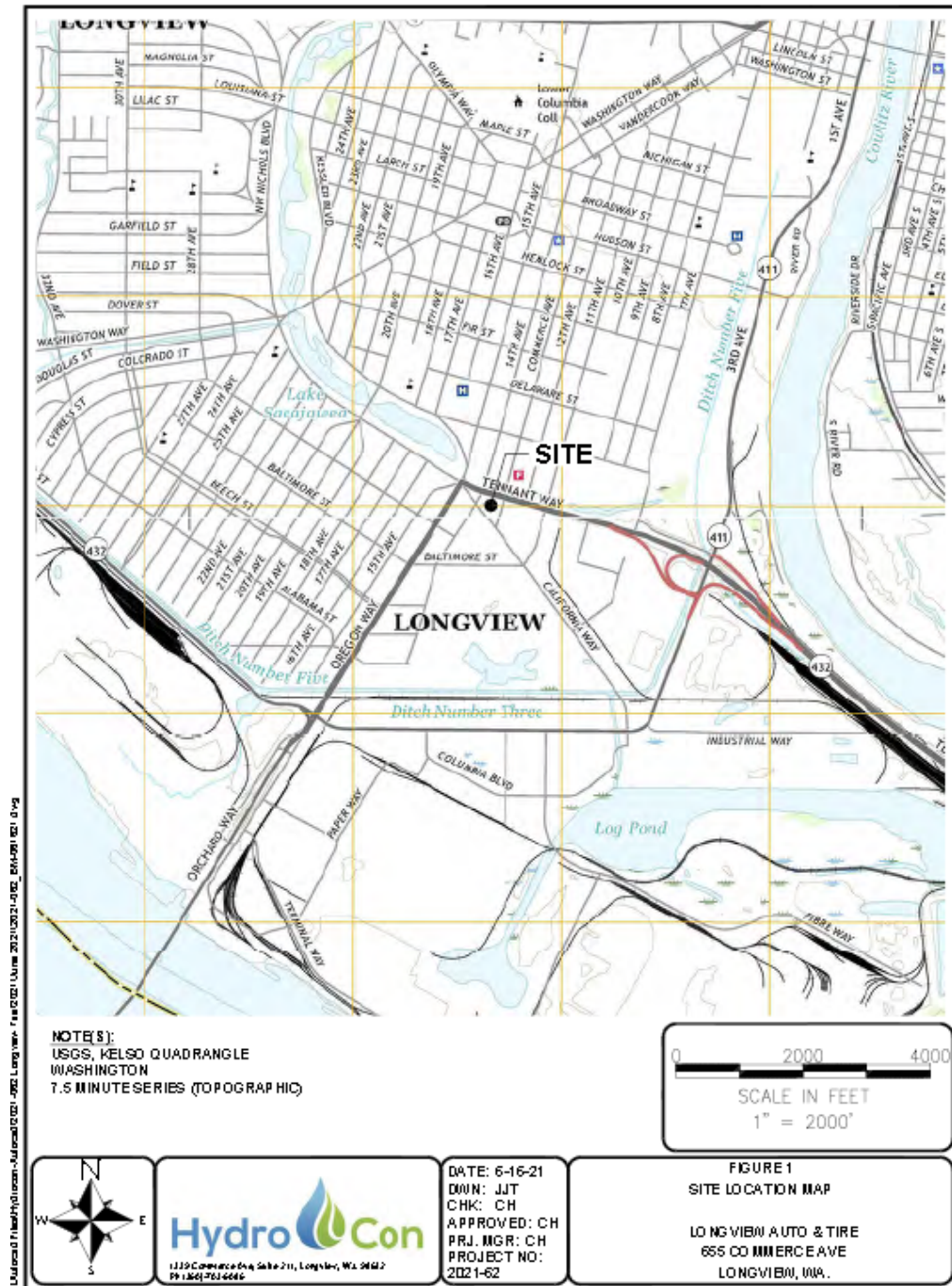
Ulysses Cooley
Lead Hydrogeologist

Enclosure A: Figure 1: Site Location Map
Figure 2: Site Plan Map With Monitoring Well Locations
Figure 3: Groundwater Elevation Contour Plot – July 13, 2022

cc: Carrie Pederson, Agency Planner

Enclosure A:
Longview Auto and Tire Site
TAP Project No. P-SW2094

Figure 1: Site Location Map



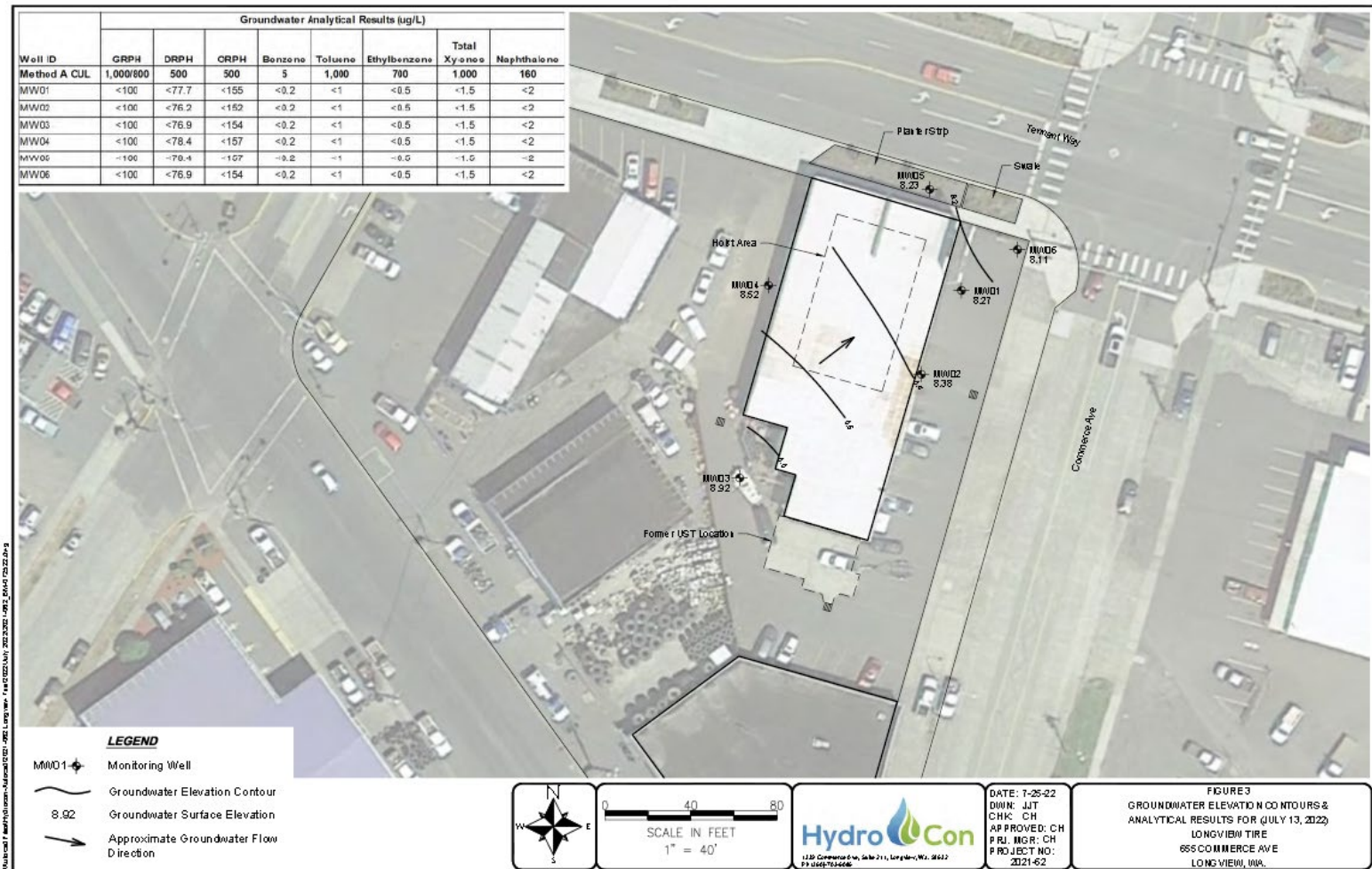
Source: Groundwater Monitoring – July 2022. Prepared by HydroCon Environmental, LLC. on July 25, 2022.

Figure 2: Site Plan Map With Monitoring Well Locations



Source: Phase I Environmental Site Assessment. Prepared by Creekside Environmental Consulting, LLC. in May 2017.

Figure 3: Groundwater Elevation Contour Plot – July 13, 2022



Source: Groundwater Monitoring – July 2022. Prepared by HydroCon Environmental, LLC. on July 25, 2022.