



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

August 10, 2023

Randy Hayden
Port of Pasco
PO Box 769
Pasco, WA 99301

Re: Technical Assistance for the following contaminated Site:

Site Name: Port of Pasco Big Industrial Park Lagoons
Site Address: SE Road 36/ E Ainsworth St, Pasco
Cleanup Site ID: 15433
Facility/Site ID: 88749
VCP Project ID: EA0362

Dear Randy Hayden:

The Washington State Department of Ecology (Ecology) received your request for technical consultation pursuant to WAC 173-340-515(5) on your proposed limited evaluation of the Port of Pasco Big Industrial Park Lagoons facility (Site) under the Voluntary Cleanup Program (VCP)¹. This letter provides our advice and assistance. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter [70A.305](#)² RCW.

Issue Presented and Opinion

Ecology has determined the following sampling and analysis plan for soils, biosolids, and groundwater will be sufficient to resolve data gaps at the Site. These requirements take into consideration the previous biosolids characterization and current institutional and engineering controls implemented at the Site.

This opinion is based on an analysis of whether the proposed actions meet the substantive requirements of MTCA, Chapter 70A.305 RCW, and its implementing

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

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

regulations, Chapter 173-340 WAC (collectively “substantive requirements of MTCA”). The analysis is provided as follows.

Soil and biosolids sludge characterization

- A minimum of five soil borings should be installed in the south lagoon and three soil borings installed in the north lagoon. Discrete soil samples should be collected from below the lagoon biosolids in each boring (eight total soil samples). Three discrete biosolids samples should be collected from the south lagoon and two from the north lagoon (five total biosolids samples).
- Soil samples should be analyzed for the following contaminants of concern (COCs):
 - RCRA 8 metals,
 - Dioxins and furans
 - Total petroleum hydrocarbons (TPH). The NWTPH-HCID method may be used to determine if TPH is present, while the respective gasoline-, diesel- and oil-range petroleum hydrocarbon analytical methods (NWTPH-Gx and NWTPH-Dx) should subsequently be used to quantify any TPH fractions if present.
 - The five soil samples from the south lagoon should also be analyzed for polybrominated diphenyl ethers (PBDEs).
- Biosolids samples should be analyzed for the following COCs:
 - PFAS
 - VOCs
 - TPH
- Please include the percent dry weight of solids for the soil and sludge samples with your results.

Groundwater characterization

- Three groundwater monitoring wells should be installed with one upgradient and two downgradient of the south lagoon.
- Groundwater samples from all four monitoring wells should be analyzed for the following COCs:
 - RCRA 8 metals
 - PFAS
 - VOCs
 - TPH

- If soil sample results indicate the presence of dioxins, furans, or PBDEs exceeding soil cleanup levels for groundwater protection, further groundwater sampling and analyses should be conducted for these analytes.

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).

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 proposed will be substantially equivalent. Courts make that determination. See RCW 70A.305.080 and WAC 173-340-545.

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 Voluntary Cleanup Program (VCP).

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.

Contact Information

Thank you for choosing to clean up the Site under the VCP. As you conduct your cleanup, please do not hesitate to request additional services. We look forward to working with you.

Randy Hayden
August 10, 2023
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For more information about the VCP and the cleanup process, please visit our webpage³. If you have any questions about this opinion, please contact me by phone at 509-342-5564 or e-mail at ted.uecker@ecy.wa.gov.

Sincerely,



Ted M. Uecker
ERO Toxics Cleanup Program

tmu:hg

cc: Tracy Friesz, Port of Pasco
Yancy Meyer, BMEC
Brent Bergeron, BMEC
Christer Loftenius, Ecology 
Nicholas Acklam, Ecology

³ <https://www.ecy.wa.gov/vcp>