



Fourth Periodic Review Cummins Northwest Inc Spokane

**3904 East Trent Avenue, Spokane, WA 99202
Facility Site ID: 682, Cleanup Site ID: 1151**

Toxics Cleanup Program, Eastern Region

Washington State Department of Ecology
Spokane, Washington

August 2023

Document Information

This document is available on the Department of Ecology's [Cummins Northwest Inc Spokane cleanup site page](#).¹

Related Information

- Facility Site ID: 682
- Cleanup Site ID: 1151

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¹ <https://apps.ecology.wa.gov/cleanupsearch/site/1151>

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

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

Table of Contents

Introduction.....	3
Summary of Site Conditions	4
Site description and history	4
Site investigations	4
Cleanup actions	4
Cleanup standards	5
Restrictive Covenant	5
Periodic Review	7
Effectiveness of completed cleanup actions	7
New scientific information for individual hazardous substances or mixtures present at the Site	7
New applicable state and federal laws for hazardous substances present at the Site.....	8
Current and projected Site and resource uses	8
Availability and practicability of more permanent remedies	8
Availability of improved analytical techniques to evaluate compliance with cleanup levels.....	8
Conclusions.....	8
Next review	9
References.....	10
Appendix A. Vicinity Map.....	11
Appendix B. Site Plan	12
Appendix C. Photo Log	13
Photo 1: East side of building from the south.	13
Photo 2: East side of building from the northeast.....	13
Photo 3: Southwest bay of building from the northwest.	14
Photo 4: Central parking area from the southwest.	14

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 Cummins Northwest Inc Spokane cleanup site (Site). Site cleanup was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). This is the fourth periodic review conducted for this Site. Ecology completed periodic reviews in June 2008, March 2013, and July 2018.

Cleanup activities at this Site were completed as an independent remedial action. Residual concentrations of petroleum hydrocarbons 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)⁴ and [WAC 173-340-720](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-720),⁵ respectively.

Ecology determined institutional controls in the form of a restrictive 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))⁶ requires Ecology to conduct a periodic review of certain sites every five years. For this Site, a periodic review is required because the department issued a no further action (NFA) opinion at the site and institutional controls were 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.

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

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

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

Summary of Site Conditions

Site description and history

The 1.93-acre Site is bounded by E. Trent Ave to the north and N. Julia St to the west in a heavy industrial area. Two buildings are on the Site: the western building has as service center with 10 vehicle bays and the eastern building is a warehouse and leased offices. Unifire Inc., a rescue equipment manufacturer and distributor, occupies the former Cummins Northwest facility. When Cummins Northwest occupied the Site, it was used for heavy truck maintenance and repair. A vicinity map is in Appendix A, and a Site plan is in Appendix B.

Site investigations

A Phase II Site Assessment was conducted in 1990 that included installing three groundwater monitoring wells, advancing 16 soil borings, and collecting soil and groundwater samples for analysis. Four areas were identified as petroleum hydrocarbon contaminated soils. The investigation revealed no detectable petroleum hydrocarbon contamination in groundwater. The locations were not connected and were remediated as individual areas. They include:

1. The former fuel underground storage tank (UST) area.
2. The used oil above-ground storage tank (AST) area.
3. The eastern dry well area.
4. The former oil/water separator (OWS) area.

In November 1993, additional soil and groundwater sampling were conducted to determine the presence of total petroleum hydrocarbons (TPH) and volatile organic compounds (VOCs). In addition, soil and groundwater samples collected in the vicinity of the former OWS were analyzed for total metals.

Petroleum hydrocarbons identified as diesel and VOCs were detected in soil samples collected from the former UST and OWS areas. Both areas are next to the building, making excavation difficult without risking structure damage. Contamination was not detected lower than 30 feet below ground surface (bgs).

Cleanup actions

No corrective actions were necessary for the UST since it had been removed previously, excavation could potentially damage building structure, and the area is already capped with asphalt.

Impacted soil was removed to a depth of 4 feet in the area of the used oil AST in 1990. Confirmational soil sampling in the excavation indicated all impacted soil had been removed.

The eastern drywell was decommissioned and abandoned in place in 1994 and capped with asphalt.

In 1996, the OWS was cleaned and removed along with all floor vaults, drains, and sumps in the building. In addition, approximately 25 cubic yards of contaminated soils were removed during the excavation. Soil removal could not be completed below 12 feet bgs due to potential damage to the building structure.

Groundwater monitoring

Three monitoring wells were installed in the vicinity of the former OWS location and the former UST location. Groundwater samples were analyzed for TPH and VOCs. Samples collected from MW-4 were also analyzed for total metals. Several groundwater monitoring events were conducted between 1993 and 1997. VOCs were not detected in any groundwater samples. By December 1995, all monitoring wells onsite had four consecutive quarters without detection of TPH or VOCs. By March 1997, all monitoring wells had four consecutive quarters without arsenic or lead exceeding MTCA Method A cleanup levels.

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)⁷ 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.

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 point of compliance is the area where the cleanup levels must be attained. For soil cleanup levels based on the protection of groundwater, as they are for this Site, the point of compliance is established as soils throughout the Site (standard point of compliance).

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. In 1997, institutional controls in the form of a [restrictive](#)

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

[covenant](#)⁸ (Covenant) were recorded for the Site. The Site status was changed in 1997 to reflect an [NFA determination](#).⁹

The restrictions implemented in the covenant are listed below.

1. A portion of the property shown on Phase III Environmental Site Assessment Report contains Petroleum Hydrocarbons contaminated soil, located just east of the building noted on the Phase III Environment Site Assessment Report as "Cummins Building" approximately at the MW-2 area on the Groundwater Gradient Map, Figure 4. Remediation or removal of the contaminated soil must be addressed before the owner or a successor owner alters, modifies or removes the existing structures or buildings. Any plans for alteration, modification or removal shall be submitted to Ecology for approval.
2. The owner or successor owner of the Site must give written notice to Ecology, or to a successor agency, of the owner's or successor owner's intent to convey any interest in the Site, and shall, prior to conveyance of title, easement, lease or other interest in the Site, provide to the new owner or lessee of any interest in the Site a copy of the Phase III Environmental Site Assessment Report as referenced before, this covenant. No conveyance of title, easement, lease, or other interest in the property shall be consummated by the owner with adequate and complete provision for continued compliance with this covenant. Copies of this covenant shall be furnished to any transferee of such real property.
3. The owner or successive owner must notify and obtain approval from Ecology, or from a successor agency, prior to any use of the Site that is inconsistent with the terms of this covenant. Ecology or its successor agency may approve such a use only after public notice and comment.
4. The owner or successor owner shall grant Ecology, or successor agency, and its designated representatives the right to enter the Site at reasonable times for the purpose of carrying out its duties under Chapter 70.1050 RCW, including the right to take samples, inspect records.
5. The owner of the Site and any successor owners reserve the right under WAC 173-340-440 to record an instrument which provides that this covenant shall no longer limit use of the Site or be of any further force or effect. However, such an instrument may be recorded only with the consent of Ecology, or of a successor agency. Ecology or a successor agency may consent to the recording of such an instrument only after public notice and comment, and only if a covenant is no longer required by law at this Site.

⁸ <https://apps.ecology.wa.gov/cleanupsearch/document/1983>

⁹ <https://apps.ecology.wa.gov/cleanupsearch/document/1344>

Periodic Review

Effectiveness of completed cleanup actions

During the Site visit Ecology conducted on August 10, 2023, there were no indications that the integrity of the remedial action has been compromised. There was no evidence of undocumented Site excavation or disturbance activities, and no visual indications of disturbance of the Site surface. An asphalt patch had been placed in the central parking lot, where an indentation would previously pool water (see Appendix C, Photo 2). This amendment does not interfere effectiveness of the protective Site surface. The Site is occupied by Unifire Inc. and is surrounded by a variety of industrial properties. A photo log is in Appendix C.

Direct contact

The cleanup actions were intended to eliminate exposure to contaminated soils at the Site. Exposure pathways to contaminated soils by ingestion and direct contact were reduced by remedial excavation and by the presence of protective Site surfaces including, asphalt, building foundations, and roadways. The protective Site surface appears to be in satisfactory condition, and no repair, maintenance, or contingency actions are required at this time. However, Ecology recommends the protective Site surface be evaluated prior to the next periodic review.

Protection of groundwater

Soils with petroleum at concentrations exceeding MTCA Method A cleanup levels remain at the Site; however, most of the contaminated soil source material has been removed. Groundwater monitoring data indicated soil contamination is no longer impacting groundwater quality. Due to the removal of significant source material, the age of the release, and the empirical evidence that groundwater has not been impacted by contaminated soils, residual contaminated soils are not likely to pose a threat to groundwater quality in the future.

Institutional controls

Institutional controls in the form of a Covenant were implemented at the Site in 1993. The Covenant remains active and discoverable through the Spokane County Auditor's Office. 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 industrial 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 MTCA Method A cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

Conclusions

- The cleanup actions completed at the Site appear to be 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. However, it is recommended that the protective Site surface be evaluated prior to the next periodic review. The property owner is responsible for continuing to inspect the Site to ensure the integrity of the cap is maintained.

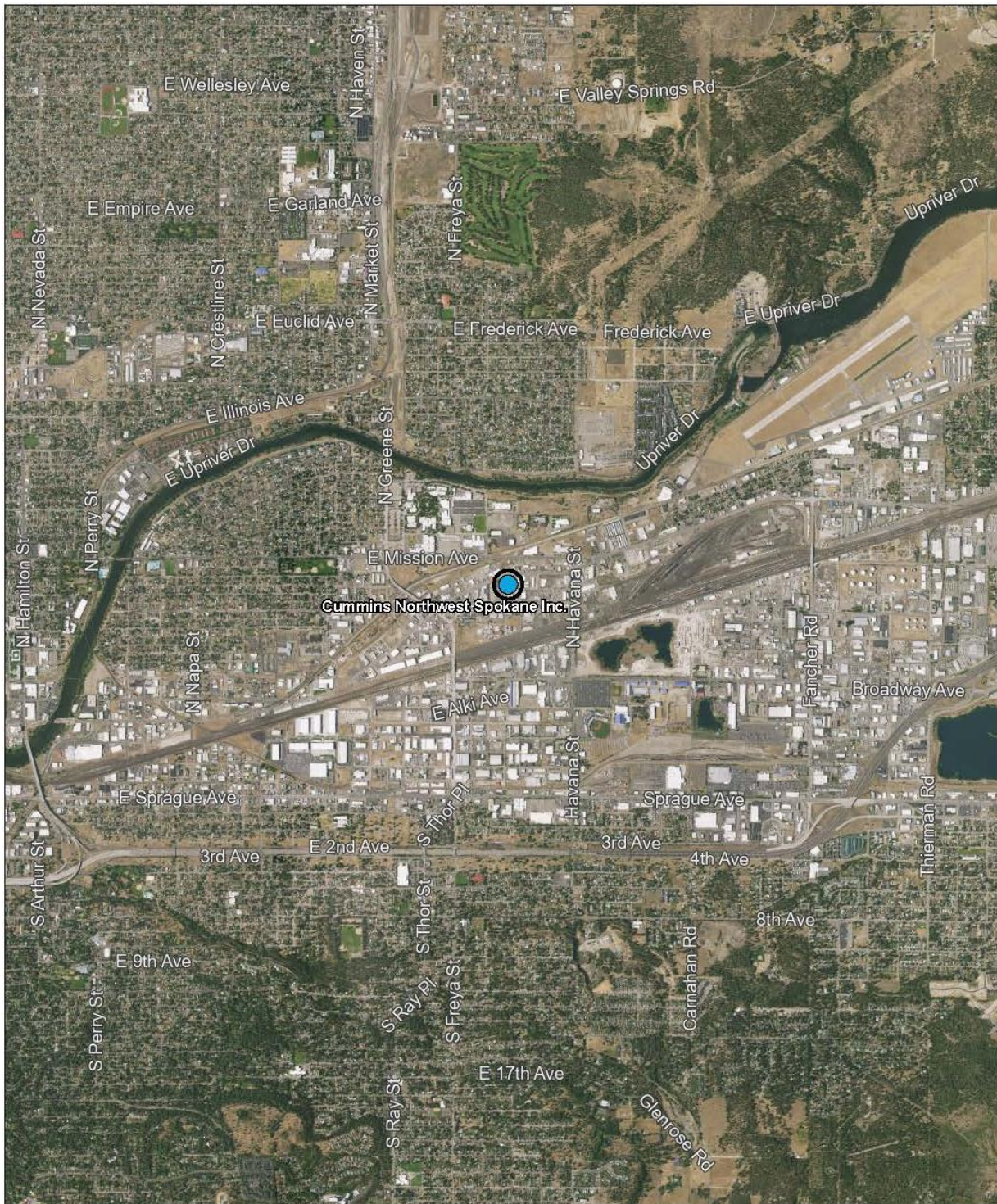
Next review

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.

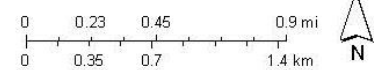
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Appendix A. Vicinity Map

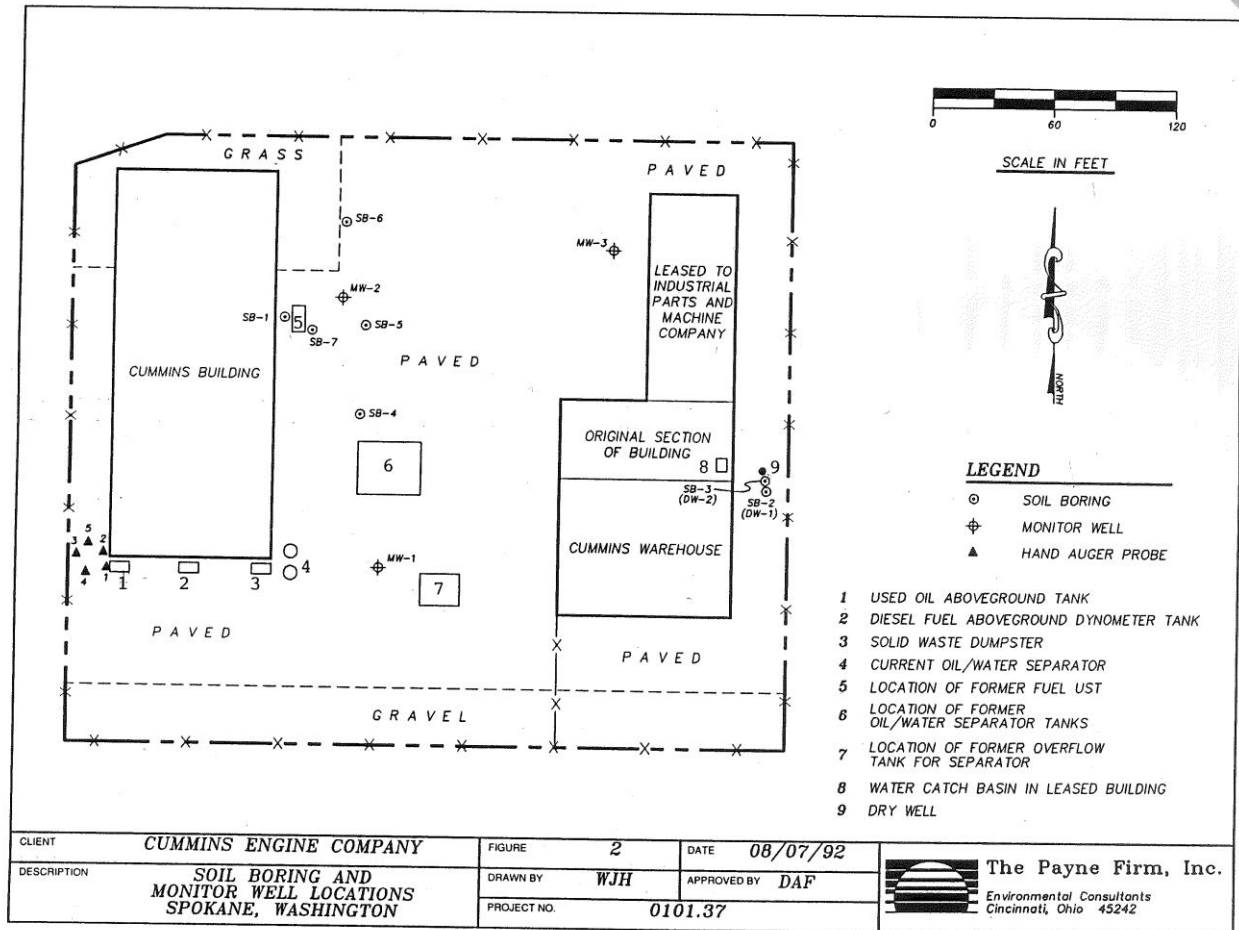


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WA Dept. of Ecology

Appendix B. Site Plan



Appendix C. Photo Log

Photo 1: East side of building from the south.



Photo 2: East side of building from the northeast.



Photo 3: Southwest bay of building from the northwest.



Photo 4: Central parking area from the southwest.

