



Third Periodic Review Old Inland Pit Site

**3808 N Sullivan Rd, Spokane Valley, Spokane County
Facility Site ID: 632, Cleanup Site ID: 1181**

Toxics Cleanup Program, Eastern Region

Washington State Department of Ecology
Spokane, Washington

November 2023

Document Information

This document is available on the Department of Ecology's [Old Inland Pit cleanup site page](#).¹

Related Information

- Facility Site ID: 632
- Cleanup Site ID: 1181

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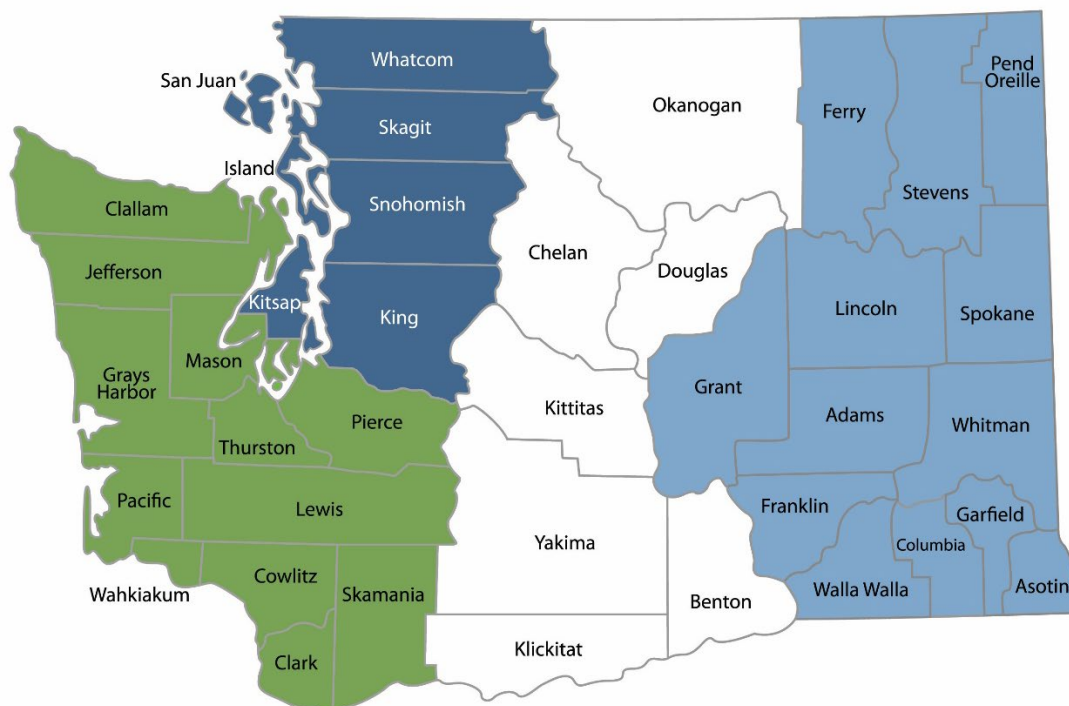
¹ <https://apps.ecology.wa.gov/cleanupsearch/site/1181>

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

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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 Old Inland Pit 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 third periodic review conducted for this Site. Ecology completed the first periodic review in August 2009, and the second periodic review in July 2017.

Cleanup activities at this Site were completed in 1999. Residual concentrations of metals 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 an institutional control was 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 Site is approximately 10 acres in an industrial area on the east end of the City of Spokane. The Site is located. It is bordered by heavy equipment and industrial materials storage yards on the north, east, and south sides. To the west is vacant land with railroad spur lines. The Site remains vacant and undeveloped.

The Site overlies the Spokane Valley-Rathdrum Prairie Aquifer, the sole source of water for the greater Spokane area. Groundwater at the Site is about 65 to 70 feet below ground surface (bgs) and flows from the northwest to the southwest towards the Spokane River. Materials at depth and near the surface are comprised of native sands and gravels. The surficial soils are a mixture of native deposits and backfilled material, including foundry sands and baghouse dust.

The Site was operated by Inland Asphalt as a sand and gravel source from 1969 to 1978. Materials were excavated to a depth of 35 to 50 feet bgs. Spokane Steel Foundry Company (SSFC), historically located just east of the pit, disposed of waste foundry sands and baghouse dust from May 1978 to May 1983. The sands were from metal molding operations, and the baghouse dust was generated from sand sieving, sandblasting operations, and the residue of electric arc furnaces.

Approximately 200 tons of baghouse dust was thought to have been disposed of in the pit. Foundry sand disposal continued until 1986. In addition to the foundry dusts, permission was also given to Inland Asphalt and Central Premix to dispose of construction debris, and to Quarry Tile Company for disposal of broken decorative clay tiles. Combined dumping from all sources raised the bottom level of the pit to a uniform 35 feet bgs.

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

Site investigations

Concerns that the baghouse dust was potentially a hazardous waste first arose in 1981. In May 1983, Ecology collected four baghouse dust samples from the SSFC plant baghouses for waste classification. Two samples were from the sandblasting/sand sieving operations, and two were from electric arc furnaces. The furnace dusts failed the Static Basic Acute Fish Toxicity test (fish bioassay) and were classified as State-only dangerous waste under the authority of WAC 173-303. The foundry sands from the sieving operations were not classified as dangerous waste.

In August 1984, Ecology & Environment (E&E) conducted a Preliminary Site Assessment (PSA) for the Environmental Protection Agency (EPA), which consisted of interviews with SSFC personnel, a Site visit, and soil sampling. Samples were analyzed for inorganics, pesticides, and volatile and semi-volatile organics; elevated concentrations of copper, zinc, nickel, and chromium were detected. The results of the PSA were used to complete a Hazard Ranking

System scoring. The Site scored 29.45, which was high enough to be nominated to the National Priorities List in 1986. The nomination was formalized in February 1990.

In July 1986, Reed Corporation was contracted to assess the data gathered during the PSA, collect data to confirm those samples, and provide additional Site characterization. E&E collected additional soil and dust samples for the EPA in late 1988 to assess the distribution and concentration of potential contaminants on the Site. Both sample sets were analyzed for inorganics, organics, and pesticides.

E&E, under contract to Ecology, collected additional soil samples and installed four groundwater monitoring wells in May 1991. Groundwater samples were collected from these wells in May 1991 and April 1993. Those groundwater samples and the soil samples collected during well installation were analyzed for the same groups of analytes as previous samples.

On April 20, 1995, the potentially liable persons (PLPs) entered into an Agreed Order with Ecology after public notice and opportunity to comment. Dames & Moore began Site investigation on behalf of the PLPs. Further soil sampling was performed. Groundwater samples were taken in January 1995, May 1996, June 1996, and September 1996. Additional dust samples were also collected from the pit floor in September 1995 for a second fish bioassay test. Those test results indicated the material would no longer be characterized as a state dangerous waste, likely due to the difference in sampling location. The complete history of Site investigations and sampling results is in the Final Phase I Remedial Investigation (RI).

The RI was completed by Dames & Moore, contractor to CH&E Investments, in August 1998. The conclusions reached by the studies are summarized below:

- The Site is in an historically industrial area, with current and future use expected to continue as such.
- Approximately 200 tons of furnace baghouse dust was disposed of during a five-year period, mainly in the northwest and south-central sections of the pit.
- Fish bioassay testing initially designated the furnace dust as a state-only dangerous waste but repeat testing has shown that the waste no longer classifies as such.
- Contaminants of potential concern in soils were inorganics, especially arsenic, chromium, zinc, and aluminum. These were all detected at levels below applicable cleanup standards.
- Groundwater has not been affected by waste disposal practices at the Site.

Following the RI, it was determined no remedial action would be required at the Site if institutional controls were implemented for the property. A restrictive covenant was recorded in 1999, and the provisions of the Agreed Order were deemed satisfied. No additional remedial actions were required for the Site.

Cleanup actions

After CH&E completed the Remedial Investigation and Feasibility Study in August 1998, Ecology issued a Cleanup Action Plan (CAP) in January 1999.

Following the RI, the property owner obtained approval from Ecology to import fill to the Site. Significant quantities of soil were tested for contamination and imported to the Site for fill. The former pit area was filled in lifts until most the Site was above the surrounding grade. A small ravine remains inside the eastern edge of the fence line.

Four groundwater monitoring wells were installed at the Site in 1991. Samples were collected sporadically throughout investigation and remediation activities. Between 1995 and 2000, only barium, chromium, and lead were detected above laboratory detection limits. The only dissolved metals detected above laboratory detection limits were barium and chromium. No contaminants were detected above MTCA Method A or B groundwater cleanup levels.

Since there were no contaminants exceeding MTCA Method C cleanup levels, no contamination of groundwater, and minimal risks from hazardous materials remaining beneath the Site surface, the CAP did not require remedial activities; however, MTCA requires that where Method C industrial soil cleanup levels are used, a restrictive covenant must be recorded with the deed. A restrictive covenant was recorded for the Site in 1999.

The Site was deleted from the National Priorities List In August 1999, concurrent with Ecology's issuance of a no further action determination and removal from the state's Hazardous Sites List.

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. 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 C cleanup levels for industrial land use were determined to be appropriate for contaminants at this Site. Site zoning and usage supported use of an industrial cleanup level.

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).

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

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 1999, institutional controls in the form of a restrictive covenant (Covenant) were recorded for the Site. The covenant was revised on July 1, 2004, to modify the area covered by the restriction. It was modified a second time on January 26, 2006, to further reduce the restricted area. The final modified [restrictive covenant](#)⁸ imposes the following limitations:

1. The Owner of the Premises must give written notice to Ecology, or to a successor agency, of the Owner's intent to convey any interest in the Premises at least thirty (30) days prior to such conveyance.
2. In the event that the Owner, any person or persons who may later own the Premises or any interest therein or any person claiming by, through or under them, proposes to use the Premises in a manner which is inconsistent in any way with these restrictive covenants, such person must give prior written notice to Ecology of its proposal and may use the Premises as proposed only after such proposal is approved in writing by Ecology.
3. No drilling for groundwater may occur on any portion of the herein before described property.
4. No excavation of any kind including drilling or digging deeper than 15 feet below ground surface may occur on any portion of the property described above.
5. Ecology and its designated representatives shall have the right to enter the premises at reasonable times for the purpose of inspecting records and evaluating compliance with these restrictive covenants. Any activity on the property that may be in violation of these restrictive covenants is prohibited.

Periodic Review

Effectiveness of completed cleanup actions

During the Site visit Ecology conducted on October 31, 2022, the remedy appears to be functioning as intended. The Site is vacant. The security fencing around the Site is in excellent condition, and there are no signs of attempted access by the public. Although the Site wasn't accessed by Ecology, it was viewed from three sides. There are signs of animal activity on the Site surface, including burrowing animals, but these burrows do not likely extend to depths that may expose contaminants of concern at the Site. The Site remains undeveloped. According to

⁸ <https://apps.ecology.wa.gov/cleanupsearch/document/2118>

the Spokane County Assessor's Office, the Site is owned by Kaiser Aluminum Washington, LLC. A photo log is in Appendix C.

Direct contact

The cleanup actions were intended to eliminate exposure to contaminated soil at the Site. Exposure pathways to contaminated soils by ingestion and direct contact were reduced by combination of physical access restrictions and institutional controls. Fencing and the lack of direct vehicular access are effective at preventing public access to the Site.

Institutional controls

Institutional controls in the form of a Covenant were implemented at the Site in 1999 and amended in 2002 and 2006 to reduce the area covered by the Covenant. The Covenant remains active and discoverable through the Spokane 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 remains vacant. The perimeter fencing is in excellent condition and prevents public access to the former pit area. 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

- 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. 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

Ecology. Agreed Order No. 95TC-E101. February 23, 1995.

Dames and Moore. *Final Report – Phase I Remedial Investigation*. February 27, 1998.

Ecology. Amendment to Agreed Order No. 95TC-E101. February 23, 1995.

United States Environmental Protection Agency. *Final Closeout Report for Old Inland Pit*. January 29, 1999.

Ecology. *Restrictive Covenant*. 1999.

Ecology. *Amended Restrictive Covenant*. 2002.

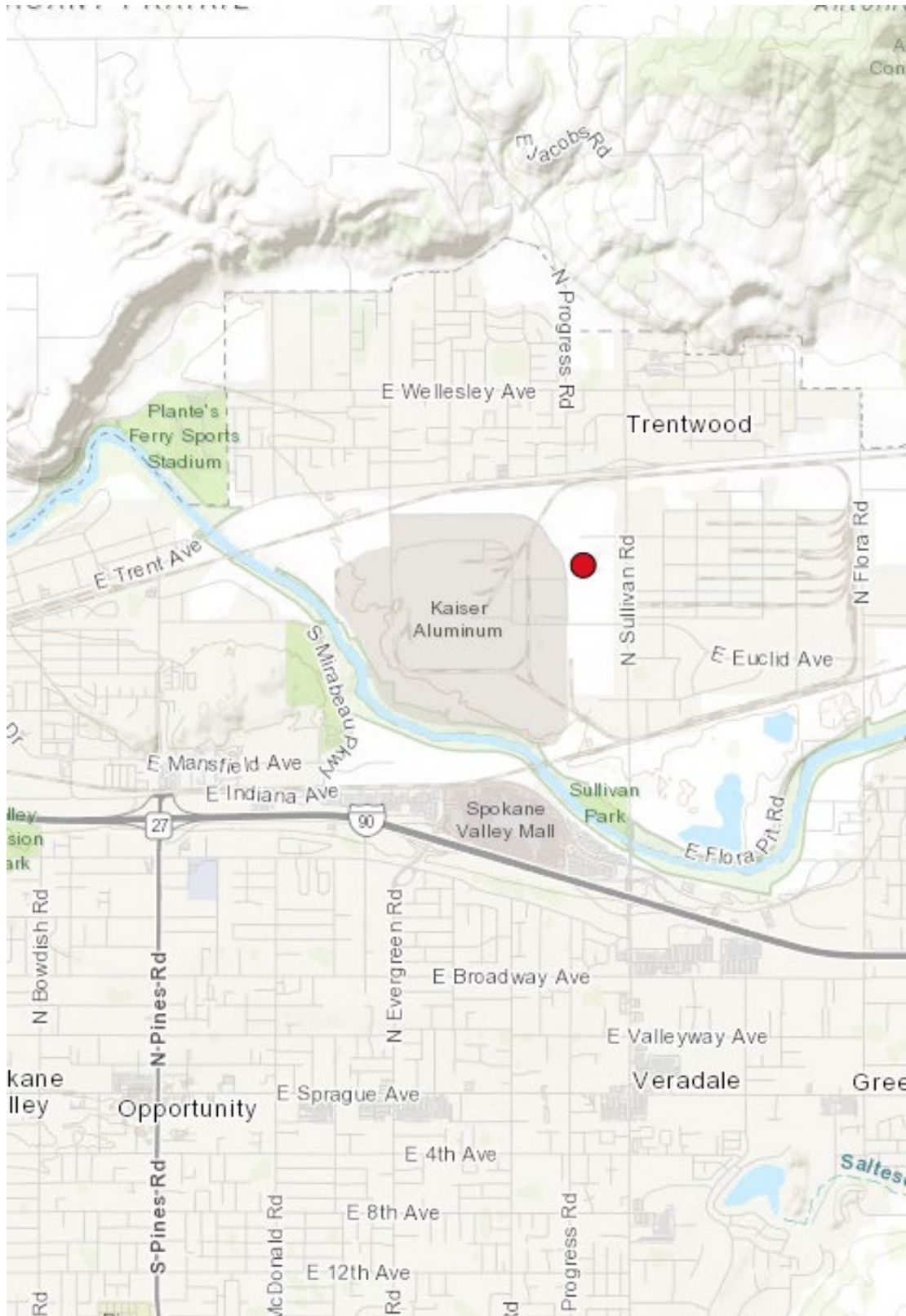
Ecology. *Amended Restrictive Covenant*. 2006.

Ecology. *First Periodic Review*. August 2009.

Ecology. *Second Periodic Review*. July 2017.

Ecology. Site visit. October 23, 2023.

Appendix A. Vicinity Map



Appendix B. Site Plan



Appendix C. Photo Log

Photo 1: View of fence line around capped area looking northwest



Photo 2: View of fence line around capped area looking southwest



Photo 3: View of fencing corner facing northwest

