



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

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

January 12, 2024

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

Re: Further Action at the following Site:

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

Dear Debra Manjarrez:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your 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

Is further remedial action necessary to clean up contamination at the Site?

YES. Ecology has determined that further remedial action is 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 to Soil and Ground Water
- Diesel to Soil and Ground Water
- Metals to Soil and Ground Water

Enclosure A includes a description and diagram of the Site, as currently known to Ecology.

Please note the Site is a known sub-facility of the Yakima Railroad facility (FSID No. 500).³ The Yakima Railroad is a comingled plume and is comprised of several 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 be considered as part of any long-term remediation of sites within the Yakima Railroad plume.

Basis for the Opinion

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

1. Blue Mountain Environmental and Consulting Company, Inc., September 2023 Groundwater Sampling Event Report, dated October 5, 2023.⁴
2. State of Washington Department of Ecology, Opinion on Proposed Cleanup of the Following Site, dated March 14, 2023.⁵
3. Blue Mountain Environmental and Consulting Company, Inc., June 2023 Groundwater Sampling Event Report, dated July 10, 2023.⁶
4. Blue Mountain Environmental and Consulting Company, Inc., December 2022 Groundwater Sampling Event Report, dated January 27, 2023.⁷
5. Blue Mountain Environmental and Consulting Company, Inc., September 2022 Additional Subsurface Investigation Report, dated October 17, 2022.⁸

³ <https://apps.ecology.wa.gov/cleanupsearch/site/3632>

⁴ <https://apps.ecology.wa.gov/cleanupsearch/document/131121>

⁵ <https://apps.ecology.wa.gov/cleanupsearch/document/122824>

⁶ <https://apps.ecology.wa.gov/cleanupsearch/document/135116>

⁷ <https://apps.ecology.wa.gov/cleanupsearch/document/122389>

⁸ <https://apps.ecology.wa.gov/cleanupsearch/document/118102>

6. Blue Mountain Environmental and Consulting Company, Inc., Drywell Decommissioning and Contaminated Soil Removal Report, dated July 28, 2022.⁹
7. Blue Mountain Environmental and Consulting Company, Inc., February 1, 2022 Subsurface Investigation Report, dated March 4, 2022.¹⁰
8. State of Washington Department of Ecology, Further Action Letter, dated February 23, 2016.¹¹
9. PETCO Incorporated, Underground Storage Tank Decommissioning & Site Assessment Report for UST Site #200130 Yakima, Washington, dated February 2008.¹²
10. PLSA Engineering & Surveying, Letter regarding land farming sampling, dated June 29, 1992.¹³
11. Hahn Motor Company Site Hazard Assessment, dated March 12, 1991.¹⁴
12. Earth Consultants, Inc., Preliminary Integrity Assessment of Two Underground Storage Tanks (UST)s and Three Industrial Waste Water Sumps, dated October 25, 1989.¹⁵

A number of these documents are accessible in electronic form from the Site webpage.¹⁶ The complete records are stored at the Central Regional Office of Ecology (CRO) for review by appointment only. Visit our Public Records Request page¹⁷ 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.

⁹ <https://apps.ecology.wa.gov/cleanupsearch/document/114972>

¹⁰ <https://apps.ecology.wa.gov/cleanupsearch/document/111174>

¹¹ <https://apps.ecology.wa.gov/cleanupsearch/document/53701>

¹² <https://apps.ecology.wa.gov/cleanupsearch/document/4485>

¹³ <https://apps.ecology.wa.gov/cleanupsearch/document/4481>

¹⁴ <https://apps.ecology.wa.gov/cleanupsearch/document/4484>

¹⁵ <https://apps.ecology.wa.gov/cleanupsearch/document/4482>

¹⁶ <https://apps.ecology.wa.gov/cleanupsearch/site/4927>

¹⁷ <https://ecology.wa.gov/publicrecords>

Analysis of the Cleanup

Ecology has concluded that **further remedial action** is 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 sufficient to establish cleanup standards but insufficient to select a cleanup action.

Sufficient remedial investigation has occurred to appropriately determine the nature of site contamination. This means that sufficient data exists determine contaminants of concern for the site and to establish cleanup standards.

The Site characterization is insufficient to establish a cleanup action. The latest groundwater samples identified the presence of tetrachloroethylene (PCE) above the established Site cleanup levels.

While the Site is a sub-facility of the Yakima Railroad and PCE is a known contaminant associated with both this Site and the greater Yakima Railroad, Ecology lacks evidence of off-site PCE contamination. The most recent sampling of other nearby PCE contaminated sites indicates that PCE concentrations are now below cleanup standards. Further investigation is needed to identify the source of PCE found in the Site groundwater.

PCE was identified in the monitoring wells (MW1, MW2, and MW7) immediately next to the building. Vapor intrusion is a concern with volatile organic compounds like PCE and its breakdown products. Due to the PCE located within wells MW1, MW2 and MW7 a vapor intrusion evaluation¹⁸ is warranted.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

The Site uses MTCA Method A Cleanup Levels for soil. These cleanup levels are for unrestricted land use and implement standard points of compliance.

¹⁸ <https://apps.ecology.wa.gov/publications/documents/0909047.pdf>

This means that soils, across the site, from ground surface to 15 feet below ground surface must meet the selected cleanup levels.

MTCA Method A Cleanup Levels for ground water were selected. These cleanup levels are for the beneficial use of water with standard points of compliance. This means that groundwater across the site must meet the selected cleanup levels.

Contaminant	MTCA Method A Soil Cleanup Levels (mg/kg)	MTCA Method A Groundwater Cleanup Levels (µg/L)
Diesel	2000	500
Heavy Oil	2000	500
PCE	0.05	5
TCE	0.03	5
Cis-DCE	-	70
Vinyl Chloride	-	0.2
Arsenic	20	5
Cadmium	2	5
Chromium	19	50
Lead	250	15
Mercury	2	2

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site does not meet the substantive requirements of MTCA.

Site characterization is not sufficient to select a cleanup action. Questions remain regarding the source of PCE in groundwater and the effect it has on indoor air (i.e. vapor intrusion).

4. Cleanup.

Ecology has determined the cleanup you performed does not meet any cleanup standards at the Site.

In addition, further investigating the PCE in groundwater and its effects on indoor air, additional groundwater sampling is necessary. Ecology requires a minimum of four clean consecutive quarters of sampling before a Site can qualify for a no further action determination.

TPH-D, TPH-G, and TPH-O were not detected above cleanup levels in any monitoring well and therefore further sampling for these contaminants are not required. However, further sampling of certain metals is required from wells MW1, MW2, MW3, MW4, MW5, and MW6.

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).¹⁹

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-supervised action.

This opinion does not determine whether the action you performed is substantially equivalent. Courts make that determination. See RCW 70A.305.080²⁰ and WAC 173-340-545.²¹

3. **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.305.170.²²

¹⁹ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.040>

²⁰ <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.080>

²¹ <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-545>

²² <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.170>

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Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. 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 web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm.²³

If you have any questions about this opinion, please contact me by phone at 509-406-6959 or e-mail at Kyle.Parker@ecy.wa.gov.

Sincerely,



Kyle Parker
Toxics Cleanup Program
Central Region Office

Enclosure: A – Site Description and Diagram

²³ <https://ecology.wa.gov/spills-cleanup/contamination-cleanup/voluntary-cleanup-program>

Enclosure A

Site Description and Diagram

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