



Fourth Periodic Review Broadway Truck Stop

**6606 East Broadway Avenue, Spokane Valley, Spokane
County**

Facility Site ID: 61956471, Cleanup Site ID: 569

Toxics Cleanup Program, Eastern Region

Washington State Department of Ecology
Spokane, Washington

March 2024

Document Information

This document is available on the Department of Ecology's [Broadway Truck Stop cleanup site page](#).¹

Related Information

- Facility Site ID: 61956471
- Cleanup Site ID: 569

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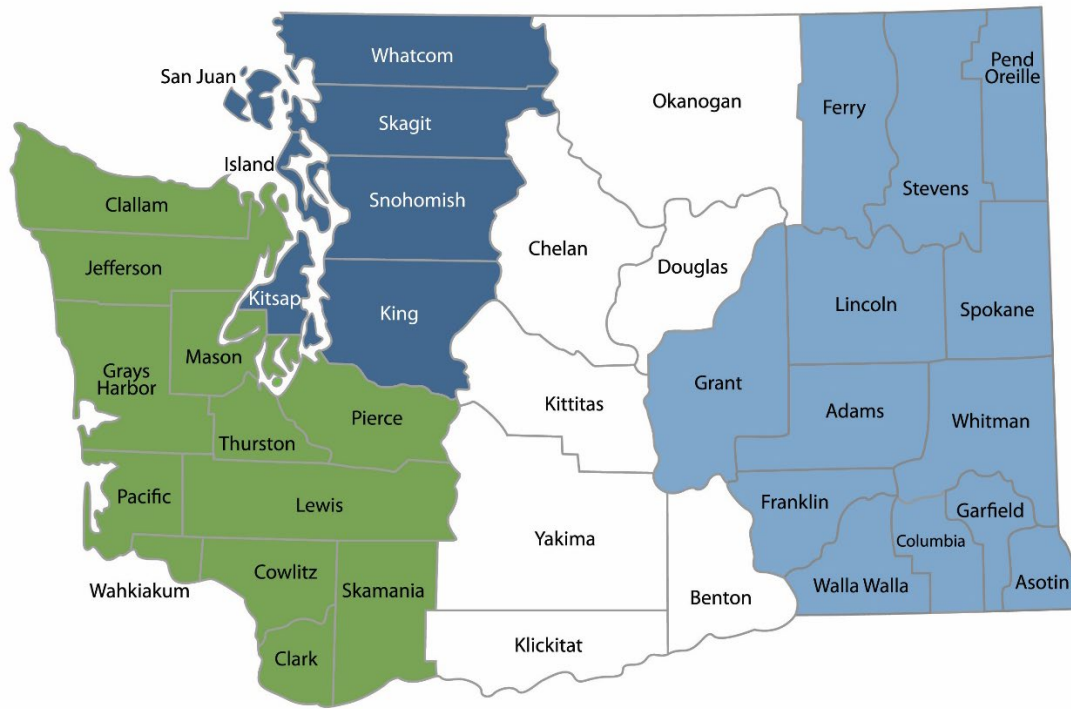
¹ <https://apps.ecology.wa.gov/cleanupsearch/site/569>

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
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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 Broadway Truck Stop 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. The first three periodic reviews were completed in 2008, 2014, and 2019.

Cleanup activities at this Site were completed under Voluntary Cleanup Program (VCP) project ID EA0013. Residual concentrations of petroleum hydrocarbons, cadmium, and polycyclic aromatic hydrocarbons (PAHs) 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 an environmental 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 all periodic reviews on the webpage for the Site.

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 in a commercial/industrial area, east of the Spokane City limits. The Site is west of the Interstate 90 and Broadway Avenue interchange. The Site is developed as a commercial truck stop and vehicle refueling facility. Structures include a vehicle service center, convenience store, car wash building, and restaurant. An underground storage tank (UST) system with one tank bed and vehicle fueling islands operates at the Site. The surface is generally improved with asphalt and concrete parking and travel ways.

In the early 1960s, the Site was developed as a commercial gasoline service station. The facility has undergone at least one renovation to enlarge the building into a truck stop operation, including a restaurant, large truck refueling islands, vehicle maintenance area, truck wash area, and a wastewater disposal system. The wastewater disposal system consisted of an underground cesspool structure connected to floor drains and sumps within an adjacent vehicle maintenance area in the truck stop building. The cesspool consisted of an underground, perforated concrete structure that discharged through drain rock to surrounding soils, similar to a stormwater drywell design. The system historically received accumulations of spilled petroleum products (used oils, diesel fuel, solvents, etc.), floor wash wastewaters, and wastewaters from the former truck wash area.

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

Site investigations

In 1997, a Phase I and limited Phase II Environmental Site Assessment identified the on-site wastewater disposal system (OSDS), and determined that it contained petroleum hydrocarbons, volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), and metals. A single boring was advanced to 20 feet below ground surface (bgs) near the OSDS. Samples were collected at 9.5 feet bgs, 14 feet bgs, and 20 feet bgs, and were analyzed for hydrocarbon identification (HCID), VOCs, and total metals. Total petroleum hydrocarbons (TPH), VOCs, and metals were all detected above MTCA Method A cleanup levels in samples down to 14 feet bgs. The sample from 20 feet bgs did not contain concentrations of TPH above laboratory detection limits.

Cleanup actions

Prior to remedial excavation, the wastewater disposal system was upgraded. A 1,000-gallon septic vault was installed, and a trench was excavated for connection to the municipal sewer system. Soil contamination was not observed during these activities.

During preparation for remedial excavation, a second cesspool (OSDS2) was discovered approximately 15 feet south of the original known cesspool (OSDS1). Additionally, an

abandoned drywell was in the immediate vicinity. Prior to beginning excavation, approximately 600 gallons of liquid was removed from OSDS1 and OSDS2. Excavation was conducted based upon field observations and field screening of in-situ material. Following the removal of contaminated material, confirmation samples were collected from the base and sidewalls of the excavation.

Analytical results indicated that most contaminated soils were removed from the Site. Remaining contamination existed at OSDS2 between 20 and 22 feet bgs with concentrations of diesel-range petroleum hydrocarbons (DRPH) up to 3,130 milligrams per kilogram (mg/kg) and heavy oil-range petroleum hydrocarbons (ORPH) up to 2,830 mg/kg, exceeding their respective MTCA Method A cleanup levels of 2,000 mg/kg. Cadmium and PAHs were detected in the southwest and northwest sidewall samples at 12 and 14 feet bgs, respectively. Cadmium was detected at a maximum concentration of 26 mg/kg, exceeding the MTCA Method A cleanup level of 2 mg/kg. Total PAHs were detected at a maximum concentration of 3.9 mg/kg, exceeding the MTCA Method A cleanup level of 0.1 mg/kg. Confirmation samples did not detect contamination remaining in the vicinity of OSDS1. Additional soil borings were advanced to further delineate and characterize remaining contaminants. Four borings were advanced to depths from 31 to 42 feet bgs. ORPH were detected in Boring-3 at 15 feet bgs at a concentration of 218 mg/kg and in Boring-1 at 20 feet bgs at a concentration of 300 mg/kg.

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 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).

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. On April 16, 1999, institutional controls in the form of an [restrictive covenant](#)⁸ (Covenant) were recorded for the Site in Spokane County under recording number 4356677.

The Covenant recorded for the Site imposes the following limitations:

1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike, or similar item, bulldozing or earthwork.
2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.
4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.
5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the use of Property.
6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant, Ecology may approve and Inconsistent use only after public notice and comment.
7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.
8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

⁸ <https://apps.ecology.wa.gov/cleanupsearch/document/1979>

Periodic Review

Effectiveness of completed cleanup actions

Based on information reported to Ecology on January 25, 2024, cleanup standards are not being met at the Site, and the requirements of the Covenant are not being followed. The Site is currently operating as a retail vehicle fueling and service center, convenience store, and restaurant.

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 engineering controls consisting of an asphalt cap. The cap appears to be in satisfactory condition, and no repair, maintenance, or contingency actions are required at this time.

Updated Site characterization

Soils with DRPH, ORPH, PAHs, and cadmium at concentrations exceeding MTCA Method A cleanup levels remain south of the service center near the OSDS. In November 2023, an updated Phase II Environmental Site Assessment was conducted that included 17 direct-push soil borings advanced throughout the Site to depths of 20 to 25 feet bgs. Soil samples were collected from each boring based on photoionization detector (PID) screening.

Samples collected from between the UST vault and north dispenser island, west of the service center building, and surrounding the east dispenser island contain DRPH and gasoline-range petroleum hydrocarbons (GRPH) exceeding MTCA Method A cleanup levels, and ORPH, VOCs, and heavy metals exceeding the laboratory method detection limits. Other petroleum contaminants may be present that were excluded from analysis. At this time, further investigation will be required to determine the source, nature, and extent of the release.

Institutional controls

Institutional controls in the form of a Covenant were implemented at the Site in 1999. This Covenant is meant to prohibit 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.

However, the Phase II ESA included subsurface work conducted in November 2023 without notification or approval by Ecology. This included soil borings installed throughout the restricted parcels for the purpose of evaluating possible environmental hazards related to fueling operations as part of a potential property transaction.

The Covenant remains active and discoverable through the Spokane County Auditor's website. Ecology found no evidence a new instrument has been recorded that limits the effectiveness or applicability of the Covenant.

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

The cleanup was governed by Chapter 173-340 WAC (1996 edition). Chapter 173-340-702(12) (c) [2001 edition] provides that, “A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment.”

Although cleanup levels changed for DRPH, ORPH, and PAHs as a result of modifications to MTCA in 2001, contamination remains at the Site above MTCA Method A cleanup levels, and the cleanup action is still protective of human health and the environment.

Current and projected Site and resource uses

The Site is used for commercial and 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 if property owners follow the restrictions of the Covenant.

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 near the OSDS south of the service center appear to be protective of human health and the environment. However, additional soil contamination is present throughout the Site.
- Soil cleanup levels have not been met at the Site; however, the prior 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. Further evaluation is required to determine the source and extent of the release reported in January 2024.
- The Covenant for the property is in place to protect human health and the environment from exposure to hazardous substances and the integrity of the cleanup action. However, the property owner and contractors have violated the Ecology notification and approval requirements of the Covenant.

Based on this periodic review, Ecology has determined the requirements of the Covenant are not being followed. Additional cleanup actions are required by the property owner at this time to evaluate contamination reported to Ecology in January 2024, and the NFA determination Ecology issued on May 18, 1999, will be rescinded. The property owner is responsible for continuing to inspect the Site to ensure the integrity of the prior cleanup action is maintained.

Next review

Ecology will suspend further periodic reviews at the Site until further cleanup actions are implemented. If such actions result in an NFA determination and institutional controls are required, the next periodic review will be scheduled five years after those activities are completed.

References

BB&A Environmental. Focused Phase II Environmental Site Assessment. January 5, 2024.

Ecology. Third Periodic Review: Broadway Truck Stop. April 30, 2019.

Ecology. Second Periodic Review: Broadway Truck Stop. March 6, 2014.

Ecology. Periodic Review: Broadway Truck Stop. October 1, 2008.

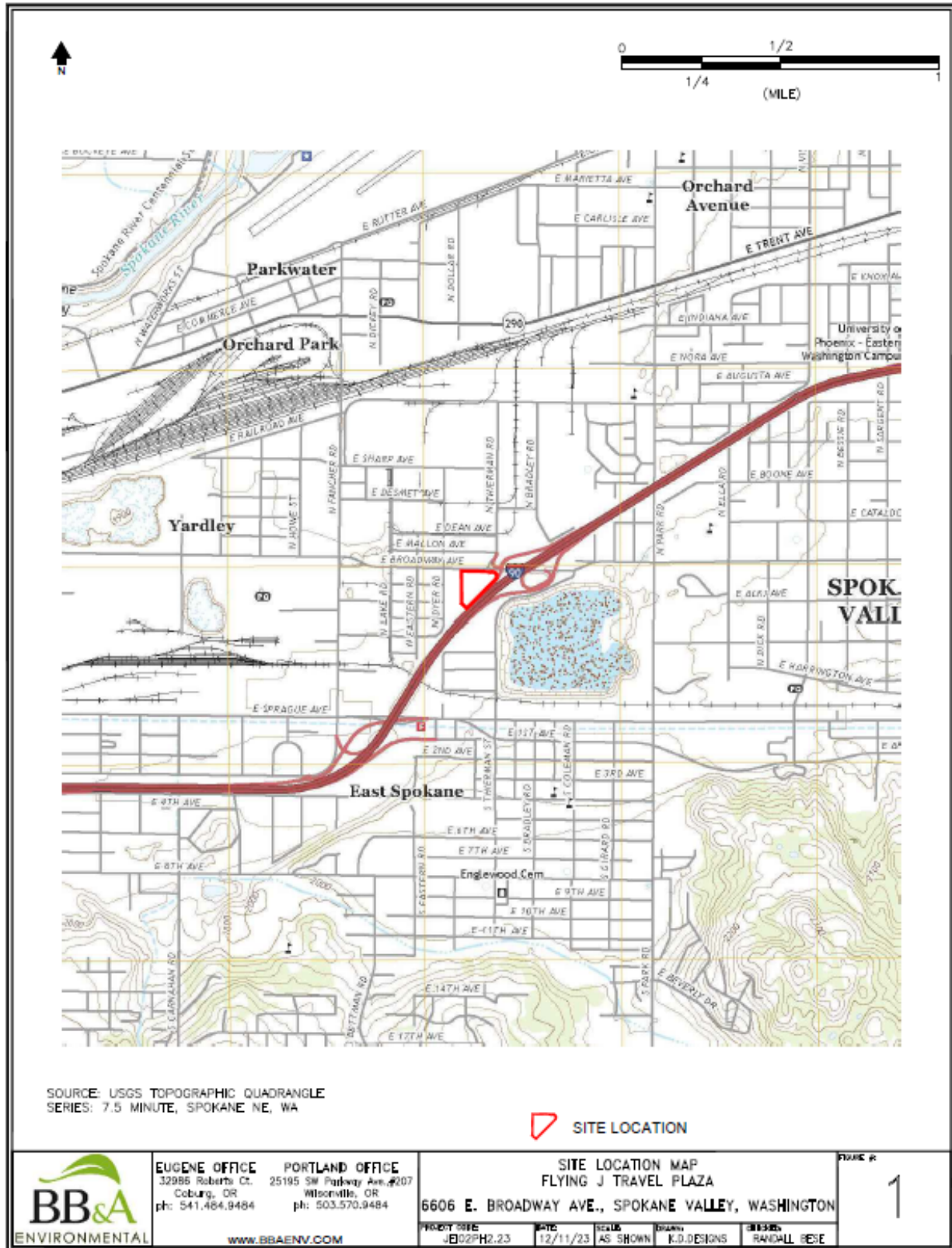
Ecology. No Further Action Determination Letter. May 18, 1999.

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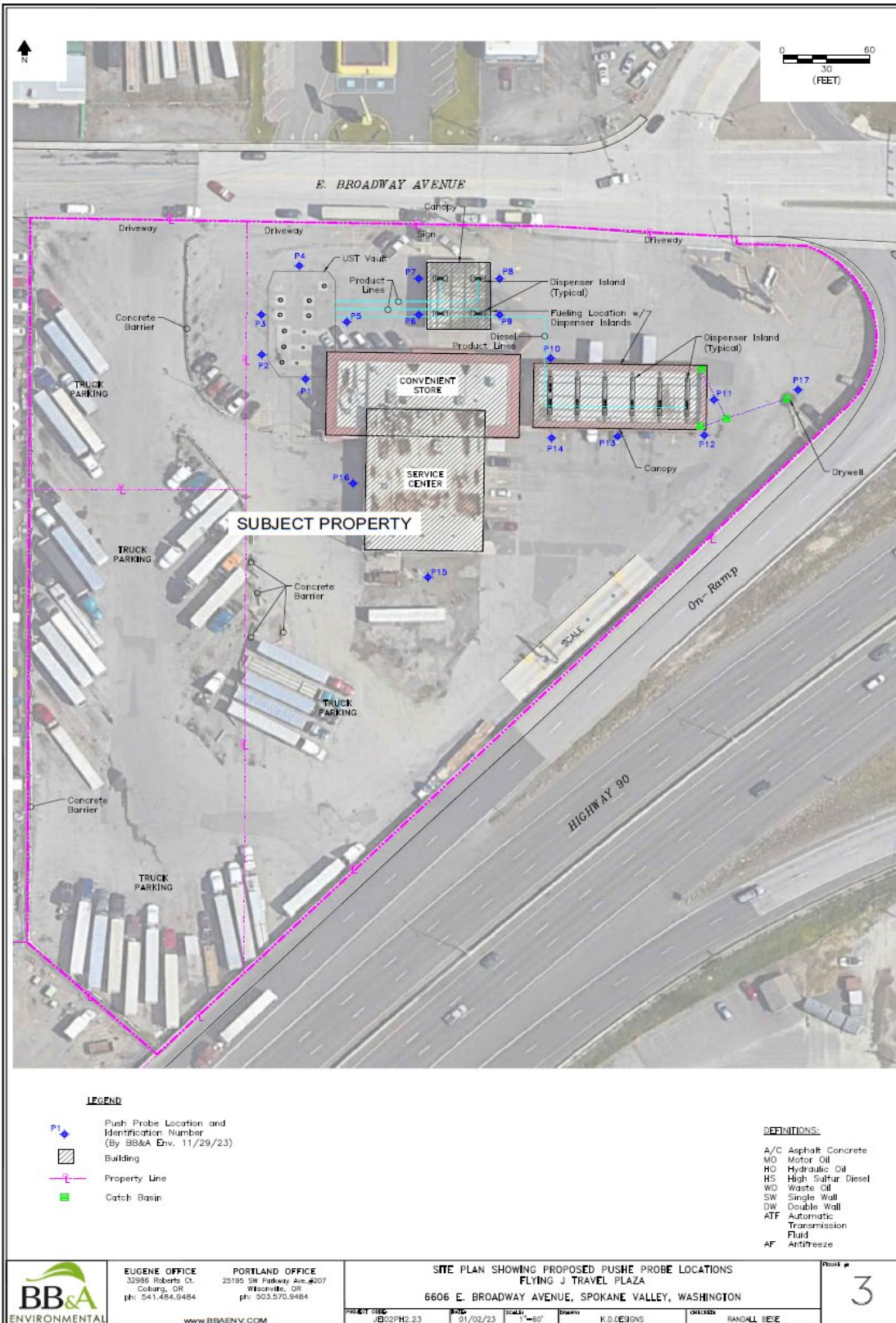
Leppo Consultants Inc. Addendum to Independent Remedial Action Report: Review of Cleanup Action Alternatives. September 1998.

Leppo Consultants Inc. Independent Remedial Action Report. July 1998.

Appendix A. Vicinity Map



Appendix B. Site Plan



Appendix C. Photo Log

Photo 1: Fuel dispensers on the east end of the Site, from the north



Photo 2: Fuel dispensers and service center, from the east



Photo 3: Petroleum staining near dispenser and dry well, from the south



Photo 4: Service center and OSDS2 excavation area, from the south

