



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Central Region Office

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

September 9, 2024

Heather Gadwa  
GHD  
9725 3<sup>rd</sup> Avenue NE, Suite 204  
Seattle, WA 98115

**Re: Opinion on Proposed Cleanup of the following Site:**

- **Site Name:** Columbus Square
- **Site Address:** 614 S. Columbus Avenue, Goldendale
- **Facility/Site ID No.:** 81593498
- **Cleanup Site ID No.:** 6704
- **VCP Project No.:** CE0536

Dear Heather Gadwa:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your proposed independent cleanup of the Columbus Square Site (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.<sup>1</sup>

#### **Issue Presented and Opinion**

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Upon completion of the proposed cleanup, will further remedial action likely be necessary to cleanup contamination at the Site?

**NO. Ecology has determined that, upon completion of your proposed cleanup, no further remedial action will likely be 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 WAC<sup>2</sup> (collectively “substantive requirements of MTCA”). The analysis is provided below.

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<sup>1</sup> <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305>

<sup>2</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

### **Description of the Site**

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This opinion applies only to the Site described as follows. The Site is defined by the nature and extent of contamination associated with the following releases:

- Gasoline range organics, ethylbenzene, total xylenes, and naphthalene into the Soil.
- Gasoline range organics, diesel range organics, and lead into the groundwater.

Please note that a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this Site are affected by other sites.

### **Basis for the Opinion**

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

1. GHD Services, Inc. "Cleanup Action Report" dated June 21, 2024<sup>3</sup>
2. GHD Services, Inc. "Preliminary Remedial Investigation Report and Work Plan" dated May 6, 2022<sup>4</sup>
3. Department of Ecology "Model Remedies for Sites with Petroleum Impacts to Groundwater" dated December 2017<sup>5</sup>
4. TerraGraphics Environmental Engineering, Inc. "Final 2015 Supplemental Environmental Site Assessment Report" dated December 18, 2015<sup>6</sup>
5. Shannon & Wilson, Inc. "Phase 1 Environmental Site Assessment, South Columbus Avenue Properties." dated June 24, 2014<sup>7</sup>
6. TerraGraphics Environmental Engineering, Inc. "2013 Supplemental Environmental Site Assessment Report" dated March 4, 2014<sup>8</sup>
7. R.D. Miller Consulting "UST Site Assessment Report" dated August 14, 1992<sup>9</sup>

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<sup>3</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/143196>

<sup>4</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/112366>

<sup>5</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/1609057.html>

<sup>6</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/64976>

<sup>7</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/28530>

<sup>8</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/26467>

<sup>9</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/145676>

A number of these documents are accessible in electronic form from the Site webpage.<sup>10</sup> The complete records are stored in the Central Files of the Central Regional Office of Ecology (CRO) for review by appointment only. Visit our Public Records Request page<sup>11</sup> 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](mailto:publicrecordsofficer@ecy.wa.gov) or 360-407-6040.

This opinion is void if any of the information contained in those documents is materially false or misleading.

### Analysis of the Cleanup

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Ecology has concluded that, upon completion of your proposed cleanup, **no further remedial action will likely be necessary** to clean up contamination at the Site **upon pending execution of the most recent designated remedial action described in the 2024 GHD report**. This proposed action will consist of imposing a land use restriction under an environmental covenant. Pending successful completion of that action, a determination of no further action will be granted. 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 and select a cleanup action. The Site is described in the above documents, most recently in Document 1.

The nature and distribution of contamination in the soil and groundwater were established during a series of investigations starting as early as 1992 but primarily from 2013 through 2022. Additionally, the vapor intrusion pathway was assessed in 2022 and 2023. The interpretation of this entire set of data defines the Site and addresses the relevant exposure pathways.

Samples from the soil and groundwater were assessed for the contaminants of potential concern typically related to petroleum hydrocarbon sites. Samples of soil gas were assessed for a more limited range of chemicals that include petroleum compounds and associated volatile organic compounds. The results were then evaluated to determine the actual contaminants of concern for each medium at the Site.

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<sup>10</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/6704>

<sup>11</sup> <https://ecology.wa.gov/footer-pages/public-records-requests>

## **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.

For the contaminants of concern listed above in the section, Description of the Site, the selected cleanup levels are Method A cleanup levels as outlined in MTCA Table 740-1 (soil for unrestricted land uses) and Table 720-1 (groundwater), or Method B cleanup levels either listed in the Cleanup Levels and Risk Calculation (CLARC) data tables or calculated using Ecology's MTCATPH v12.0 model.

Note that the calculated Method B direct contact cleanup levels (CULs) for Total Petroleum Hydrocarbons are appropriate if an adequate empirical demonstration shows that there is no groundwater impact above the Method A cleanup levels for the contaminants of concern which include petroleum hydrocarbons and their constituents. The submitted data supports the completion of a suitable empirical demonstration.

A site-specific Method B direct contact CUL was calculated by analyzing samples using the EPH/VPH methods and following the procedures specified in Ecology's "Guidance on Remediation of Petroleum Contaminated Sites."<sup>12</sup>

For the vapor intrusion exposure pathway, Table 3 of Document 1 above correctly lists the applicable screening levels available in the CLARC data tables, as of July 2022. These values are pre-calculated Method B levels for this exposure pathway to assess risk from vapor intrusion.

The ecological exposure pathway was investigated under the Terrestrial Ecological Evaluation (TEE) procedure and the site qualifies for a simplified evaluation. Analysis of the data shows that no further evaluation is required based on the off-ramp provided under exposure analysis. Under exposure analysis, the current or planned land use makes wildlife exposure unlikely, based on the analysis using the procedure outlined in Table 749-1.

### **Action and location-specific requirements.**

Remaining soil concentrations above the Method B direct contact CUL exist in areas where it is not feasible to remediate either through excavation or other means. Since this contamination may potentially pose a direct contact risk, an institutional control enforced under an environmental covenant will be recorded with Klickitat County.

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<sup>12</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/1009057.html>

Please note that these and other requirements apply to the cleanup based on the type of action or location of the Site. Those requirements are specified in the Cleanup Action Report by GHD, dated June 21, 2024, and described more specifically in Section 11 of this report.

### **3. Selection of cleanup action.**

The cleanup action relies on Model Remedy 6 which is described in Ecology's "Model Remedies for Sites with Petroleum Impacts to Groundwater".

Ecology has determined this cleanup action you have proposed for the Site will meet the substantive requirements of MTCA, following the imposition of a land use restriction that includes the recording of an environmental covenant on the property. The description of the covenant terms listed in Section 11 of Document 1 above, Model Remedy and Recommendations, are sufficient.

## **Limitations of the Opinion**

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### **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).<sup>13</sup>

### **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 proposed will be substantially equivalent. Courts make that determination. See RCW 70A.305.080<sup>14</sup> and WAC 173-340-545.<sup>15</sup>

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<sup>13</sup> <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.040>

<sup>14</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

<sup>15</sup> <https://apps.leg.wa.gov/Wac/default.aspx?cite=173-340-545>

**3. 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).

**4. 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.<sup>16</sup>

**Contact Information**

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

For more information about the VCP and the cleanup process, please visit our VCP webpage.<sup>17</sup> If you have any questions about this opinion, please contact me by phone at (509) 731-9613 or e-mail at John.Mefford@ecy.wa.gov.

Sincerely,



John Mefford  
Toxics Cleanup Program  
Central Regional Office

cc: John Kusky, property owner  
Doug Frantum, Public Works Supervisor, City of Goldendale

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<sup>16</sup> <https://app.leg.wa.gov/rcw/default.aspx?cite=70A.305.170>

<sup>17</sup> [www.ecy.wa.gov/vcp](http://www.ecy.wa.gov/vcp)

