



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

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

September 30, 2024

Kris O'Bannon
Bekins Moving & Storage
940 Poplar Street
Olympia, WA 98501

Re: No Further Action Opinion for the following Contaminated Site:

- **Site Name:** Bekins Moving & Storage Company
- **Site Address:** 1891 North 1st Street, Yakima
- **Facility/Site ID:** 21186636
- **Cleanup Site ID:** 5677

Dear Kris O'Bannon:

The Washington State Department of Ecology (Ecology) sampled your property as part of our Leaking Underground Storage Tank (LUST) Assessment Program. We are providing an opinion on the work that was done under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.¹

Site Description and History

The Bekins Moving & Storage Company site (Site) is located at 1891 N 1st Street in Yakima, Washington. Petroleum contamination was discovered in 1990 during the removal of one 1000-gallon gasoline tank. Gasoline, benzene, and xylene in concentrations greater than MTCA Method A cleanup levels (CULs) was discovered in soil around the tank. Approximately 250 cubic yards of contaminated soil was excavated and moved onsite to be land-farmed during a March 1991 cleanup, during which all contaminated soil was removed.

Soil from the onsite land-farm was resampled in 1998 and contamination greater than Method A CULs was not present.

Ecology issued a Letter of Partial Sufficiency in 2006 for the work that had been done characterizing and remediating contamination in soil.

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

However, the cleanup actions performed at the Site were not sufficient to meet MTCA's substantive requirements for characterizing potential contamination in groundwater and insufficient groundwater data prevented the Site from obtaining a No Further Action determination.

Site Assessment

In December 2023, samples were collected to determine if contamination related to the historic release of petroleum from the UST was present in groundwater at the Site.

Groundwater samples were collected at the release area and downgradient of the release area and analyzed for the following contaminants: gasoline, diesel, and oil range petroleum hydrocarbons, BTEX, naphthalene, ethylene dichloride, methyl tert-butyl ether, ethylene dibromide, and lead.

Contaminants were either not detected or were detected at concentrations less than MTCA Method A CULs in soil and groundwater.

Opinion

Ecology has determined that no further remedial action is necessary to clean up petroleum hydrocarbon contamination at the Site. As a result, **Ecology is issuing a No Further Action (NFA) determination for the Site.** This conclusion is based on the following:

- Decommissioning and removal of the original, onsite UST has removed the source of petroleum hydrocarbons and related constituents.
- Remedial excavation was used to remove the contaminated soil, which was successfully land-farmed on site.
- Concentrations of petroleum hydrocarbons and related constituents were not detected in groundwater samples, collected at the Site in December 2023, above MTCA Method A CULs.

Ecology bases this opinion on the information contained in the following documents:

- Burlington Environmental Chempro Division. 1991. "Burlington Environmental, Site Characterization/ Interim Action Report, Bekins Northwest, Yakima Washington." June 1991.²
- Foss Environmental & Infrastructure. 1999. "Draft – Summary of Soil Sampling Activities." December 31, 1998.³

² <https://apps.ecology.wa.gov/cleanupsearch/document/23333>

³ <https://apps.ecology.wa.gov/cleanupsearch/document/23334>

- GeoEngineers, Inc. 2024. "Site Assessment Bekins Northwest Moving & Storage 1891 North First Street Yakima, Washington." April 29, 2024.⁴
- Washington State Department of Ecology. "Model Toxics Control Act Regulation and Statute Chapter 173-340 WAC and 70.105D RCW." Publication 94-06. Revised January 2024.⁵
- Washington State Department of Ecology. 2006. "Partial Sufficiency and Further Action Determination." May 22, 2006.⁶
- Washington State Department of Ecology. "Model Remedies for Sites with Petroleum Contaminated Soil." Publication 15-09-043. Revised December 2017.⁷

You can request these documents by filing a records request.⁸ For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check if the documents are available on Ecology's Cleanup and Tank Search website.⁹

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

Based on this opinion, Ecology will update the Site status on the Contaminated Sites List to reflect the new NFA status.

Limitations of the Opinion

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).¹⁰

⁴ <https://apps.ecology.wa.gov/cleanupsearch/document/146148>

⁵ <https://apps.ecology.wa.gov/publications/SummaryPages/9406.html>

⁶ <https://apps.ecology.wa.gov/cleanupsearch/document/23331>

⁷ <https://apps.ecology.wa.gov/publications/SummaryPages/1509043.html>

⁸ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

⁹ <http://apps.ecology.wa.gov/cleanupsearch/site/5677>

¹⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

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Opinion does not constitute a determination of substantial equivalence

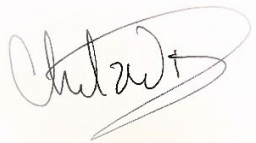
To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine if the action you performed is substantially equivalent. Courts make that determination. See RCW 70A.305.080¹¹ and WAC 173-340-545.¹²

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(6).¹³

If you have any questions about this opinion, please contact me by phone at 509-571-4708 or email at chelsea.wisotzkey@ecy.wa.gov.

Sincerely,



Chelsea Wisotzkey
LUST Site Manager
Toxics Cleanup Program
Central Regional Office

¹¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

¹² <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

¹³ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>