



## **Periodic Review Robys Services**

---

**800 Buena Rd, Buena, Yakima County  
Facility Site ID: 93453337, Cleanup Site ID: 1937**

**Toxics Cleanup Program, Central Region**

Washington State Department of Ecology  
Union Gap, Washington

July 2022

## Document Information

This document is available on the Department of Ecology's [Robys Services cleanup site page](#).<sup>1</sup>

### Related Information

- Facility Site ID: 93453337
- Cleanup Site ID: 1937

## Contact Information

### Toxics Cleanup Program

Central Regional Office  
Frank Winslow  
1250 W Alder Street  
Union Gap, WA 98903  
Email: [frank.winslow@ecy.wa.gov](mailto:frank.winslow@ecy.wa.gov)  
Phone: 509-424-0543

**Website:** [Washington State Department of Ecology](#)<sup>2</sup>

## ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact the Ecology ADA Coordinator by phone at 360-407-6831 or email at [ecyadacoordinator@ecy.wa.gov](mailto:ecyadacoordinator@ecy.wa.gov). For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website](#)<sup>3</sup> for more information.

---

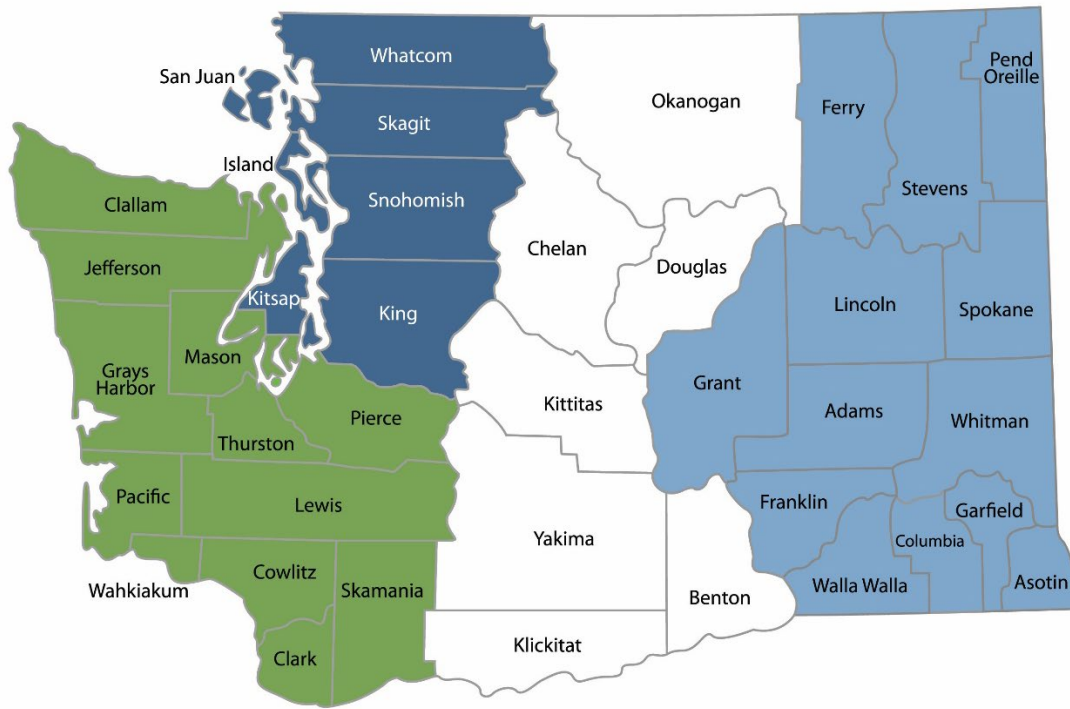
<sup>1</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/1937>

<sup>2</sup> <https://ecology.wa.gov/About-us/Who-we-are/Our-Programs/Toxics-Cleanup>

<sup>3</sup> <https://ecology.wa.gov/About-us/Accountability-transparency/Our-website/Accessibility>

# Department of Ecology's Regional Offices

## Map of Counties Served



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 206-594-0000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
---	---	---------------------------------------	---------------------------------------

	Counties served	Mailing Address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Across Washington	PO Box 47600 Olympia, WA 98504	360-407-6000

# Table of Contents

<b>Introduction</b> .....	<b>1</b>
<b>Summary of Site Conditions</b> .....	<b>2</b>
Site description and history .....	2
Site investigations .....	2
Cleanup actions .....	2
Groundwater monitoring.....	3
Cleanup standards .....	3
Environmental/Restrictive Covenant.....	4
<b>Periodic Review</b> .....	<b>5</b>
Effectiveness of completed cleanup actions .....	5
New scientific information for individual hazardous substances or mixtures present at the Site .....	6
New applicable state and federal laws for hazardous substances present at the Site.....	6
Current and projected site and resource uses.....	6
Availability and practicability of more permanent remedies .....	6
Availability of improved analytical techniques to evaluate compliance with cleanup levels.....	6
<b>Conclusions</b> .....	<b>6</b>
Next review .....	7
<b>References</b> .....	<b>8</b>
<b>Appendix A. Vicinity Map</b> .....	<b>9</b>
<b>Appendix B. Site Plan</b> .....	<b>10</b>
<b>Appendix C. Photo Log</b> .....	<b>13</b>
Photo 1: Former Service Station Lot (view to southeast) .....	13
Photo 2: Former Service Station Lot (view to northwest) .....	13
Photo 3: Former Service Station Lot (view to north).....	14
Photo 4: Former Service Station Lot (view to east) .....	14

# 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 Robys Services (Site). Site cleanup was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). This is the first periodic review conducted for this Site and evaluates the period from September 2016 through April 2021.

Cleanup activities at this Site were completed by Ecology using Eastern Washington Clean Site Initiative funding. Residual concentrations of petroleum hydrocarbons (TPH) 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)<sup>4</sup> and [WAC 173-340-720](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-720),<sup>5</sup> 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))<sup>6</sup> requires Ecology to conduct a periodic review of certain sites every five years. For this Site, a periodic review is required because the department conducted a cleanup and an institutional control is 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.

---

<sup>4</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-740>

<sup>5</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-720>

<sup>6</sup> <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-420>

# Summary of Site Conditions

## Site description and history

The Robys Services property is located at 800 Buena Road in the City of Buena in Yakima County, Washington. The facility is a former service station.

Gasoline contamination of soils was reportedly discovered in 1993 during sewer installation activities. In 2010, the property was occupied with an abandoned and dilapidated Texaco service station. The former service station was demolished in 2011, and the property has been vacant since that time.

An interim remedial action including excavation and offsite disposal of contaminated soils was conducted in 2012. An environmental covenant was recorded for the Site on March 1, 2016, and a No Further Action (NFA) determination was issued by Ecology on August 5, 2016.

A vicinity map is in Appendix A, and Site plans are in Appendix B.

## Site investigations

Monitoring wells were installed in the vicinity of the Site in 1997 and these wells were sampled as recently as 2008. Underground storage tanks were reportedly closed in place in 1996. Petroleum contaminated soil was again identified on the Roby's Services Site during the removal of five USTs and associated product lines and fuel dispensers in 2001. Contaminated soil was reportedly returned to the UST excavation.

Monitoring well MW-15 was installed and sampled in 2010. GeoEngineers conducted additional investigation activities in November 2011, including groundwater sampling and advancing 18 direct-push soil borings on the Roby's Services Site.

## Cleanup actions

Remedial interim action activities were conducted at the Roby's site and neighboring Monte De Sion Church site (located east of Roby's, southeast of the intersection of Buena Road and Burr Street) between about November 1 through November 16, 2012. The interim action consisted of excavation and offsite disposal of contaminated soil, and placement of an oxygen-releasing compound to enhance biological degradation of contaminants in groundwater within the excavation prior to backfilling.

Approximately 2,691 tons of contaminated soil and debris were excavated from the Roby's and Monte De Sion Church sites and disposed off-site at Anderson Landfill in Yakima, Washington. This included approximately 2,568 tons of soil and 123 tons of debris. Approximately 2,500 pounds of proprietary oxidant compound supplied by BioRemediation Specialists, LLC was applied to the open remedial excavation before placement of imported backfill material. At the time of oxidant application, the bottom of the remedial excavation generally was about 4 feet below surrounding grade, and was at least several inches below the top of groundwater.

Confirmation soil sample analytical results indicated soil with contaminant concentrations in excess of MTCA Method A cleanup levels was removed on all sides of the excavation except for the southeast side, where further excavation was limited by trees and utilities. The remedial excavation was backfilled with imported structural fill, and the excavation area was graded with a slight slope towards the center to limit runoff. Oxidant injection galleries were constructed approximately perpendicular to the estimated groundwater flow direction to allow future oxidant application for potential further remediation of groundwater and soil within the smear zone.

## Groundwater monitoring

Results of the groundwater monitoring between 2012 and 2013 indicated that some petroleum in groundwater remained at the Roby's Services Site. However, results from the December 2013 monitoring event were below MTCA cleanup levels. Any residual gasoline contamination in soil or groundwater is expected to undergo natural attenuation. An Environmental Covenant was record in March 2016, and Ecology issued a No Further Action (NFA) determination in August 2016.

## 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](#)<sup>7</sup> 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.

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 extent of the Site includes the area containing soil and/or groundwater that have been impacted by the release of petroleum hydrocarbons from the Robys Services Site. The point of compliance for soil is defined as the area affected by petroleum hydrocarbons released into soil at concentrations above MTCA Method A cleanup levels, regardless of depth, for protection of groundwater.

For groundwater, the point of compliance is the point where the groundwater cleanup levels must be attained for a Site to be in compliance with the cleanup standards. The groundwater standard point of compliance is established throughout the Site form the uppermost levels of

---

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

the saturated zone extending vertically to the lowest most depth which could potentially be affected by the Site.

## Environmental 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 March 1, 2016, institutional controls in the form of an [environmental covenant](#)<sup>8</sup> (Covenant) were recorded for the Site.

The Covenant recorded for the Site imposes the following limitations:

1. **Interference with Remedial Action.** The Grantor shall not engage in any activity on the Property that may impact or interfere with the remedial action and any operation, maintenance, inspection or monitoring of that remedial action without prior written approval from Ecology.
2. **Protection of Human Health and the Environment.** The Grantor shall not engage in any activity on the Property that may threaten continued protection of human health or the environment without prior written approval from Ecology. This includes, but is not limited to, any activity that results in the release of residual contamination that was contained as a part of the remedial action or that exacerbates or creates a new exposure to residual contamination remaining on the Property.
3. **Continued Compliance Required.** Grantor shall not convey any interest in any portion of the Property without providing for the continued adequate and complete operation, maintenance and monitoring of remedial actions and continued compliance with this Covenant.
4. **Leases.** Grantor shall restrict any lease for any portion of the Property to uses and activities consistent with this Covenant and notify all lessees of the restrictions on the use of the Property.
5. **Preservation of Reference Monuments.** Grantor shall make good faith effort to preserve any reference monuments and boundary markers used to define the aerial extent of coverage of this Covenant. Should a monument or marker be damaged or destroyed, Grantor shall have it replaced by a licensed professional surveyor within 30 days of discovery of the damage or destruction.
6. **Containment of Soil/Waste Materials.** The remedial action for the Property is based on containing contaminated soil under a cap consisting of native soils and vegetation and located as illustrated in Exhibit B. The primary purpose of this cap is to prevent direct contact with soils and minimize airborne dust to human and ecological receptors, as well as protect multiple underground utilities located in the subsurface. The results of groundwater monitoring at the Site reveals no impacts to groundwater from these

---

<sup>8</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/54466>



remaining soils. As such, the following restrictions shall apply within the area illustrated in Exhibit B.

The Grantor shall not alter or remove the existing structures on the Property in any manner that would expose contaminated soil and result in a release to the environment of contaminants, or create a new exposure pathway, without prior written approval of Ecology. Should the Grantor propose to remove all or a portion of the existing structures illustrated in Exhibit B so that access to the underlying contamination is feasible, Ecology may require treatment or removal of the underlying contaminated soil.

## Periodic Review

### Effectiveness of completed cleanup actions

During the Site visit Ecology conducted on Site visit conducted on March 23, 2021, the Site continues to be a vacant lot. The facility appears as it did during the NFA issuance. The portion of the Site containing potential residual contaminated soils is covered by compacted soil, gravel, and vegetation. This surface continues to eliminate direct contact exposure pathways (ingestion, dermal contact) to any contaminated soils. The Site continues to be a vacant lot. 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 a cap of compacted soil, gravel, and vegetation. The cap appears to be in satisfactory condition, and no repair, maintenance, or contingency actions are required at this time.

#### Protection of groundwater

Soils with petroleum hydrocarbons at concentrations exceeding MTCA Method A cleanup levels remain at the Site; however, most of the contaminated soil source material has been removed. Any residual gasoline contamination in soil or groundwater is expected to undergo natural attenuation.

#### Institutional controls

Institutional controls in the form of a Covenant were implemented at the Site in 2016. The Covenant remains active and discoverable through the Yakima County Auditor's Office. 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 is used for commercial 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.

## **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 Site surface 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

GeoEngineers. *Site Characterization Report, Buena LUST Site*. October 21, 2010.

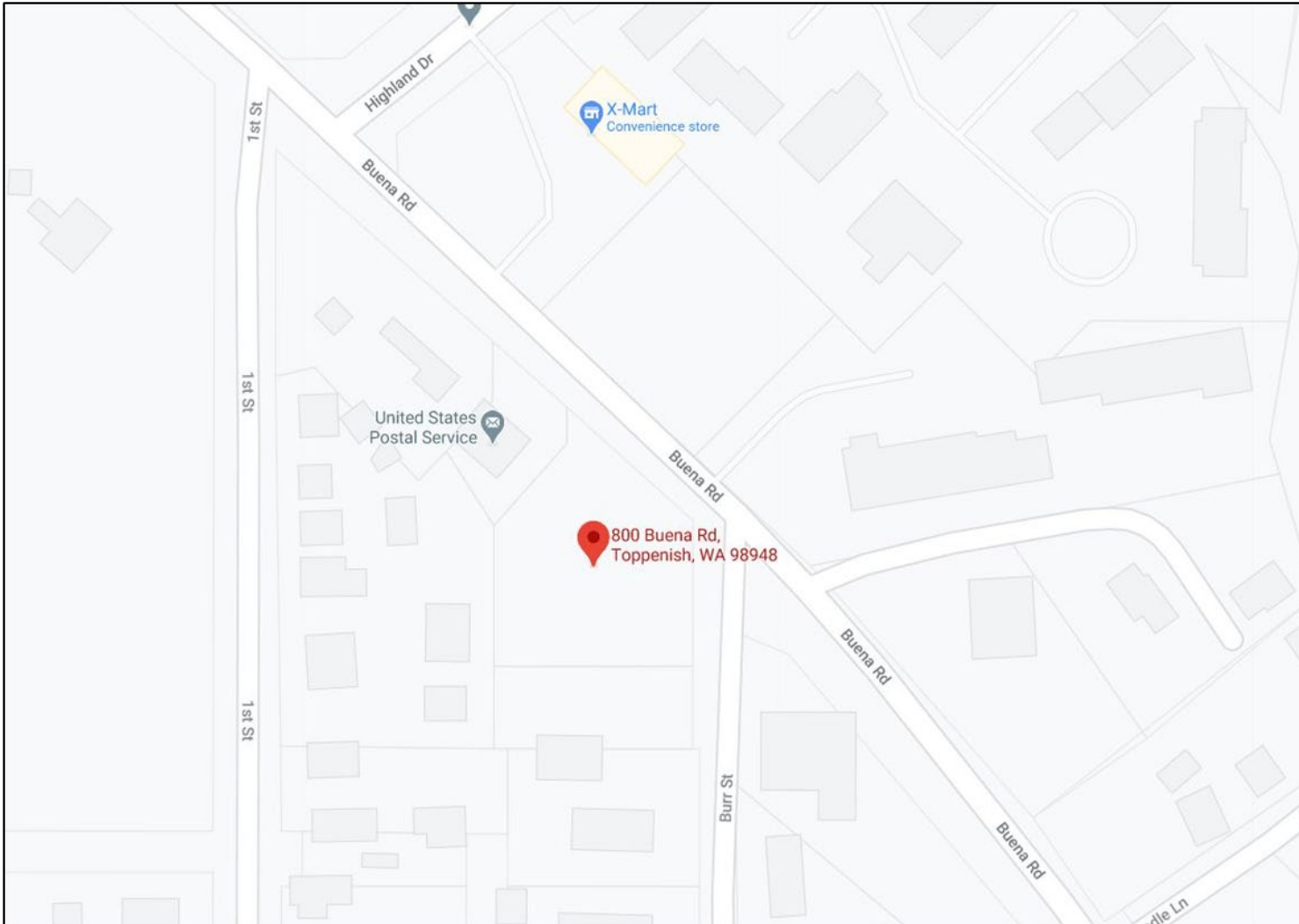
GeoEngineers. *Groundwater Monitoring Report, Fourth Quarter 2013, Robys Station*. June 18, 2014.

Ecology. *Environmental Covenant*. March 1, 2016.

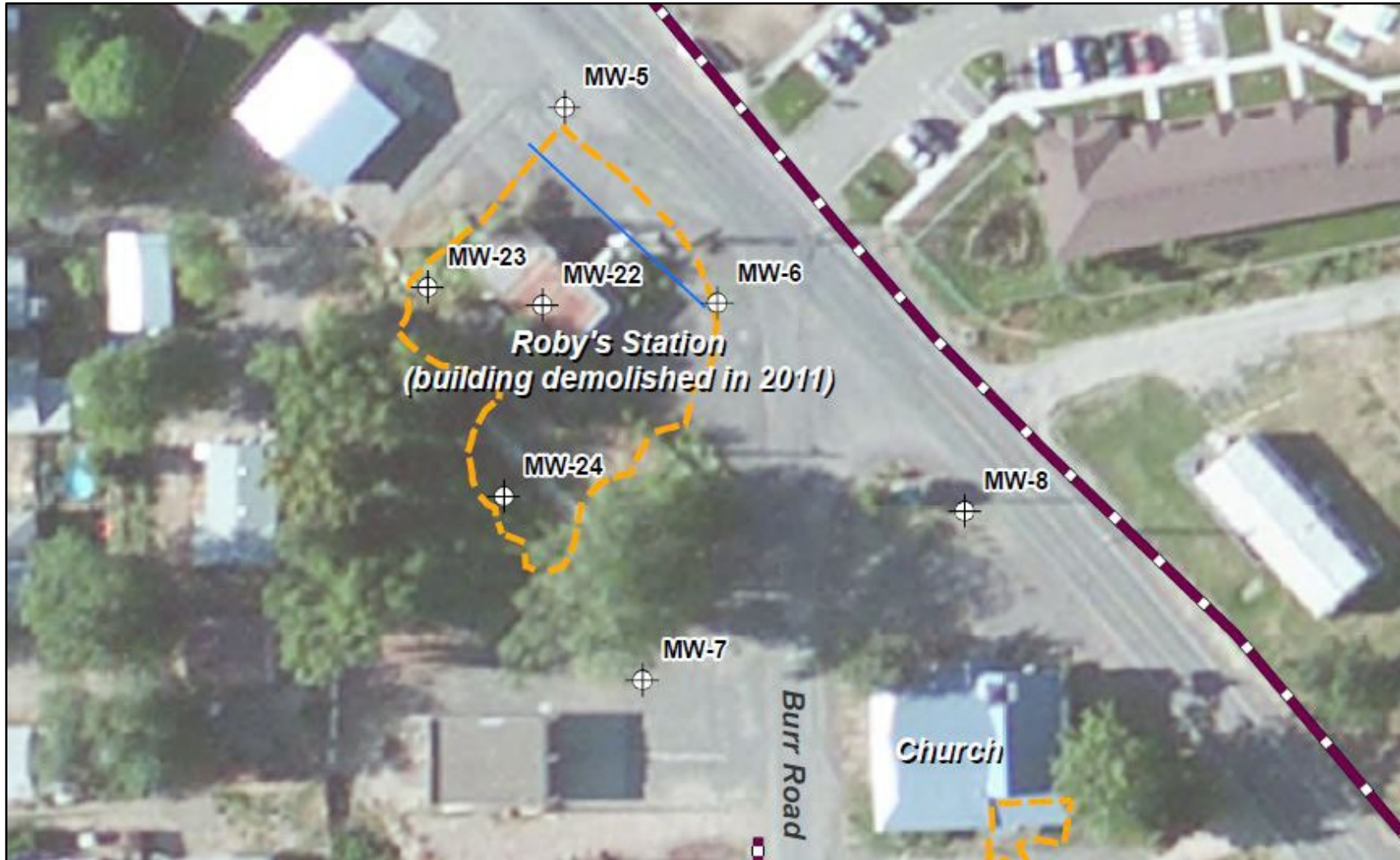
Ecology. *Roby's Services. Proposed Removal from the Hazardous Sites List Available for Review and Public Comment*. June 2016.

Ecology. Site visit. March 23, 2021.

# Appendix A. Vicinity Map



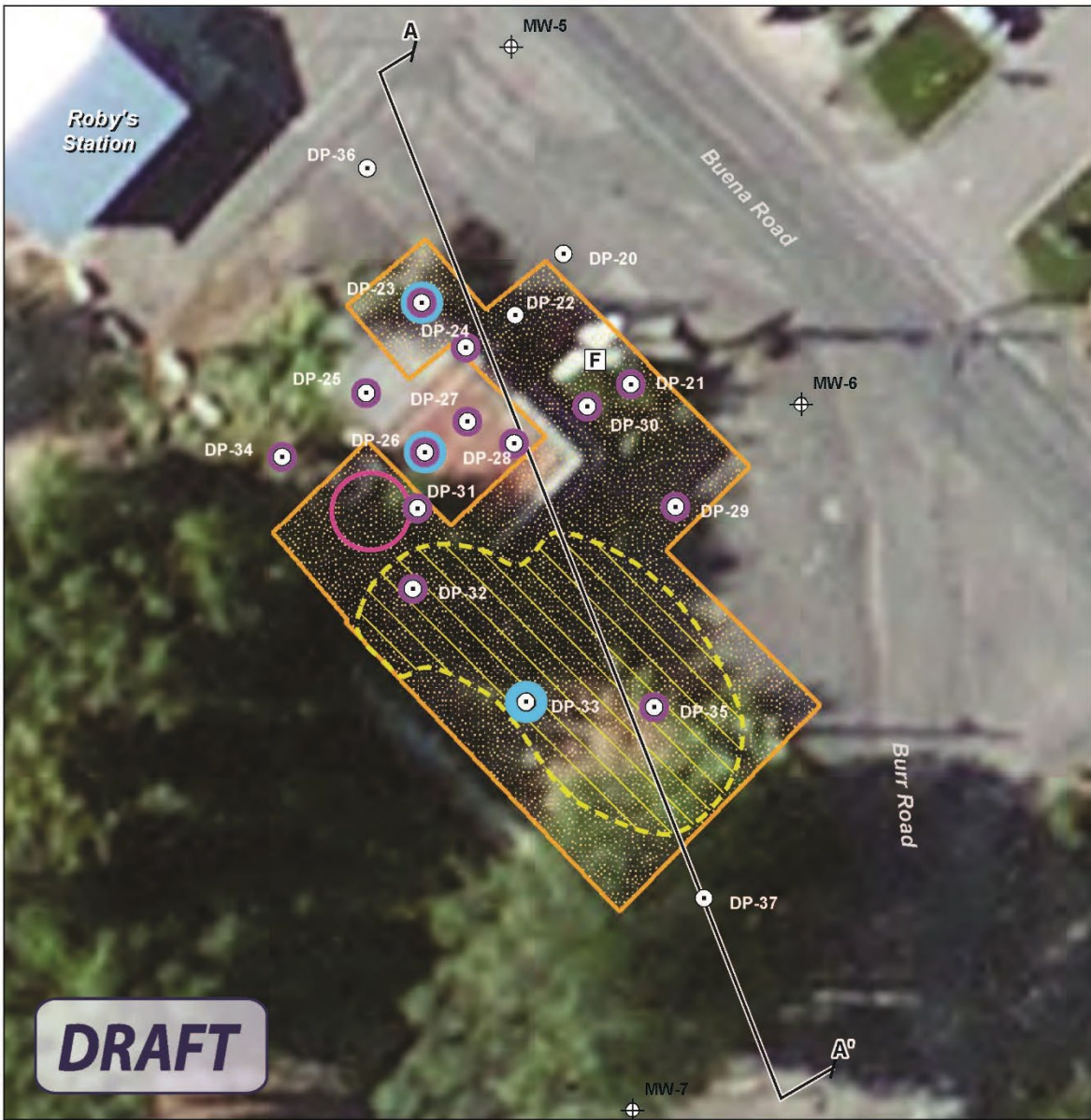
## Appendix B. Site Plan







Map Revised: 01/09/2012 CKC  
 W:\Spokane\Projects\00504060\GIS\050406002\_Excavation\Area\_F4.mxd  
 Office: SPO



<p>DP-20  Direct-Push Boring Number and Location</p> <p>MW-5  Existing Monitoring Well Number and Approximate Location</p> <p> Boring Location where Field-Screening or Analyte Test Results Indicate Soil Contamination</p> <p> Boring Location where Analytical Test Results Indicate Groundwater Contamination</p>	<p> Location of Former Fuel Dispensers</p> <p> Approximate Location of Existing Waste Oil Tank</p> <p> Approximate Location of Former USTs</p> <p> Approximate Area of Excavation</p>	  <p>0 30 Feet</p>
---	---	------------------------------

A A'  
 Cross Section

Notes:  
 1. The locations of all features shown are approximate.  
 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.  
 Data Sources: Bing Maps Aerial from ESRI Data Online  
 Projection: NAD 1983, UTM Zone 11 North.

<b>Proposed Excavation Plan</b>	
Roby's Station Interim Action Buena, Washington	
	<b>Figure 4</b>



## Appendix C. Photo Log

**Photo 1: Former Service Station Lot (view to southeast)**



**Photo 2: Former Service Station Lot (view to northwest)**





**Photo 3: Former Service Station Lot (view to north)**



**Photo 4: Former Service Station Lot (view to east)**

