



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Eastern Region Office

4601 North Monroe ST, Spokane, WA 99205-1295 • 509-329-3400

May 19, 2022

Sound Earth Strategies
Ryan Bixby
2811 Fairview Avenue East, Suite 2000
Seattle, WA 98102

Re: Site Status Update Letter:

- **Site Name:** North Colfax Petroleum Contamination (NCPC) Site
- **Site Address:** 102 E Tyler Street, 104 E Tyler Street, and 804 Main Street, Colfax, Whitman County, 99111
- **County Assessor's Parcel Number(s):** 01350001010000, 101350001040000, 101350001150000, 200004316104910, 801950000000323
- **Cleanup Site ID number:** 11557
- **Facility Site ID numbers:** 21984243, 96954884

Dear Ryan Bixby:

The Washington Department of Ecology (Ecology) sent an opinion letter to you dated October 19, 2021 indicating that based on the October 2019 soil sampling results above MTCA Method A cleanup levels and previous groundwater determinations, Ecology generally agrees that all reasonable remedial activities have been utilized. The Site status will remain listed as “performance monitoring” and institutional controls including an environmental restrictive covenant will be required in order to satisfy the Agreed Order.

Ecology received an email from you outlining some inquiries regarding moving forward with drafting environmental covenants for the NCPC site.

Your first inquiry, *“would [Ecology] require separate covenants for the Colfax Grange and Time Oil properties, rather than a single covenant for both properties?”* Covenants would be required for each property where contamination above MTCA Method A cleanup levels remain. Each site should be outlined including media affected and the most-recent sample concentrations for each contaminant of concern.

Your second inquiry, *“at other sites where I have implemented covenants, Ecology has required that we first submit an interim cleanup action report summarizing the work performed to date. Will Ecology require such a report for this site, or can we proceed straight to the implementation of covenant(s)? Are there any other steps that you will need to see completed in advance of the covenant(s)?”* The agreed order activities at this site were conducted outside the typical process for satisfaction of work completed; Ecology concludes that an interim cleanup action report is not necessary at this time and you may proceed with the draft covenants. A final cleanup report summarizing the work completed at the site should be included when remitting the final environmental covenants; however, submitting an interim formal cleanup action report prior to filing the covenants is not necessary.

And your final inquiry, *“we understand that we will likely need to prepare plans describing the periodic cap inspections that will be performed, but are operating under the assumption that no additional groundwater monitoring or vapor monitoring will be necessary, given the extensive amount of groundwater data collected to date and Ecology’s prior stated opinion that vapor intrusion is not a complete pathway.”* An Operations and Maintenance (O&M) plan and inspection schedule will be necessary. Based on the lateral distance and reported concentrations of remaining impacted soil to potentially occupied structures, soil-vapor is not considered a viable pathway and does not need to be included in the O&M plan. The groundwater pathway is contingent on soil conditions at the site and though soil concentrations remain above MTCA Method A Cleanup levels, the soil conditions demonstrate they are protective of groundwater. However, during work completed in October 2019 that included the decommissioning of the majority of monitoring wells, Ecology requested that groundwater sampling be conducted at select monitoring wells of Ecology’s choosing prior to decommissioning. Since this step was not completed, perimeter groundwater sampling shall be included in the O&M planning in order to demonstrate for the purposes of periodic reviews that if impacted groundwater is present at the site that it is not migrating off-site.

If you have further inquiries regarding this site, please contact me by email (evelyn.cummings@ecy.wa.gov) or by phone (509-795-4638).

Ryan Bixby
May 19, 2022
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Sincerely,

A handwritten signature in black ink, appearing to read 'E. Cummings', with a large, stylized loop at the end.

Evelyn Cummings
Site Manager
ERO Toxics Cleanup Program

By certified mail: 7019 0140 0000 6495 8846

cc: William Fees, P.E., Environmental Engineer, Ecology TCP-ERO WJF