



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Eastern Region Office
4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

February 24, 2025

Breeyn Greer, PE
Haley & Aldrich, Inc.
505 West Riverside Avenue, Suite 450
Spokane, WA 99201

Re: Confirmation Sampling Amendment No. 1

Site Name: Spokane Gun Club
Site Address: 19615 E Sprague Ave, Spokane Valley
Facility/Site ID: 50340
Cleanup Site ID: 14851
VCP Project ID: EA0374

Dear Breeyn Greer:

The Washington State Department of Ecology (Ecology) reviewed your proposed confirmation sampling amendment for the Spokane Gun Club facility (Site). This letter provides our summary of the request. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter [70A.305](#) RCW.¹

The amendment recommends discontinuing the use of Incremental Sampling Methodology (ISM) detailed in the January 2024 Confirmation Sampling Plan, based on your indication that the ISM data is not representative of the actual distribution and concentration of contaminants in soil at the Site. The ISM approach will be replaced with discrete sampling in accordance with methodology outlined in [Ecology's Model Remedies for Cleanup of Former Orchard Properties in Central and Eastern Washington \(Publication No. 21-09-006\)](#)², using the existing decision units at the Site and the sample quantities listed in Chapter 7, Table 10 of the Model Remedies guidance.

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

² <https://apps.ecology.wa.gov/publications/documents/2109006.pdf>

Ecology concurs with the sampling and analysis process outlined in the amendment, and the proposed changes can be implemented immediately. Please note the process to evaluate when compliance results meet State cleanup levels as stated in the Model Remedies guidance. For each depth interval, sample results should be compared to the following metrics:

- Average arsenic \leq 20 milligrams per kilogram (mg/kg)
- Max arsenic \leq 40 mg/kg
- Average lead \leq 250 mg/kg
- Max lead \leq 500 mg/kg

Using the same approach for polycyclic aromatic hydrocarbons (PAHs), then the average concentration of benzo(a)pyrene/PAH toxicity equivalency for the decision unit samples should not exceed the Method A cleanup level of 0.1 mg/kg, while the maximum concentration should not exceed 0.2 mg/kg. For naphthalenes, the average should not exceed 5 mg/kg, while the maximum should not exceed 10 mg/kg.

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](https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040)(4).³

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.305.080](https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080)⁴ and WAC [173-340-545](https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545).⁵

³ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

⁴ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

⁵ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

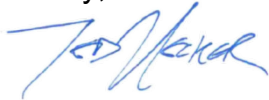
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State is immune from liability

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).⁶


If you have any questions, please contact me at 509-342-5564 or ted.uecker@ecy.wa.gov.

Sincerely,



Ted M. Uecker
Eastern Region Office, Toxics Cleanup Program

tmu:hg

cc: John Haney, Haley & Aldrich
Jay Rowell, Central Valley School District
Nicholas Acklam, Ecology 

⁶ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>