



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Eastern Region Office

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

February 26, 2025

Jan Thompson
Wilbur-Ellis Company, LLC
345 California Street, 27th Floor
San Francisco, CA 94104

Re: No Further Action opinion for the following contaminated Site

Site name: Wilbur Ellis Company Othello
Site address: 910 N Broadway, Othello, WA 99344-1846
Facility/Site ID: 24865893
Cleanup Site ID: 16811
County Assessor's Parcel Number(s): 1529030682009

Dear Jan Thompson,

The Washington State Department of Ecology (Ecology) independently reviewed the [Wilbur Ellis Company Othello \(Site\)](#)¹. This letter provides our opinion. We are providing this opinion under the authority of the [Model Toxics Control Act \(MTCA\)](#)², Revised Code of Washington (RCW) Chapter [70A.305](#)³.

Opinion

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

¹ <https://apps.ecology.wa.gov/cleanupsearch/site/16811>

² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

³ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

Ecology bases this opinion on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in Chapter 70A.305 RCW and Chapter [173-340](#) WAC⁴ (collectively called “MTCA”).

It is presumed that when MTCA cleanup standards are met, the Site will be protective of human health and the environment for current and future property use.

Site Description

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release(s):

- Fertilizer and chemical rinsate into the soil

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.

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

Basis for the Opinion

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

- Wilbur-Ellis Company, LLC Othello Facility Site Assessment Report, EA Engineering, Science and Technology, Inc., May 12, 2023.

The [Wilbur-Ellis Site Assessment Report](#)⁵ can be found at the Ecology Site website. You can request these documents by filing a [records request](#).⁶ For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 407-6040.

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

Reassessment of Site Hazard Assessment Samples

In March 2023, a total of 24 samples at two depths (0.5 and 3 ft bgs) were collected at the Site at 11 locations in the drainage swale and adjoining agricultural parcel (see Figure 1). Samples

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

⁵ <https://apps.ecology.wa.gov/cleanupsearch/document/126362>

⁶ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

were evaluated for ammonia (as nitrite), nitrate (as nitrogen), 1,3-dichloropropene, MITC (metam sodium breakdown product), and chloropicrin. Ammonia and nitrate were detected in all but two samples (for nitrate) but were below applicable CULs. All values were determined to be below MTCA Method B Cleanup Levels (CULs).

The table below shows the sampling values and their corresponding Method B CUL. Note that MTCA B Cleanup Levels for Nitrate and 1,3-Dichloropropene and method detection limits (MDL) for 1,3-dichloropropene were corrected from the Site-Assessment Report.

	Sampled Interval (ft bgs)	Ammonia (as nitrite) (mg/kg)	Nitrate (mg/kg)	1,3-Dichloropropene (mg/kg)	MITC (mg/kg)	Chloropicrin (mg/kg)
MTCA Method B CUL		8,000	130,000	0.002	N/A	N/A
HA-01	0-0.5'	430	1.6	--	--	--
	2-3'	450	46	--	--	--
HA-02	0-0.5'	3200	55	--	--	--
	2-3'	1600	1300	--	--	--
HA-03	0-0.5'	1800	41	--	--	--
	0-0.5' (DUP)	1500	56	--	--	--
	2-3'	2400	990	--	--	--
	2-3' (DUP)	2400	1400	--	--	--
HA-04	0-0.5'	2500	140	--	--	--
	2-3'	2000	3500	--	--	--
HA-05	0-0.5'	2600	31	--	--	--
	2-3'	1700	710	--	--	--
HA-06	0-0.5'	2.1 U	31	--	--	--
	2-3'	7.6	3.1	--	--	--
HA-07	0-0.5'	2000	24	0.0008 U	0.0087 U	0.025 U
	2-3'	1900	420	0.0009 U	0.0082 U	0.023 U
HA-08	0-0.5'	2100	190	0.0016 U	0.0094 U	0.026 U
	2-3'	1800	420	0.0010 U	0.0082 U	0.023 U
HA-09	0-0.5'	1400	56	0.0012 U	0.0094 U	0.026 U
	2-3'	1400	130	0.0009 U	0.0081 U	0.023 U
HA-10	0-0.5'	1100	7.9	0.0015 U	0.0100 U	0.028 U
	2-3'	1600	240	0.0007 U	0.0084 U	0.023 U
HA-11	0-0.5'	6.2	6.8	0.0010 U	0.0078 U	0.022 U
	2-3'	2 U	0.7 U	0.0016 U	0.0075 U	0.021 U

Ecology has concluded that no further remedial action is necessary to clean up contamination at the Site.

Establishment of cleanup standards

Ecology has determined the following CUL for the Site meet the substantive requirements of MTCA. These levels are based on the standard Method B Soil CUL for unrestricted land use. The Method B CUL are as follows:

Compound (mg/kg) dry	Method B CUL
Ammonia as nitrite	8,000
Nitrate	130,000
1,3 -Dichlorpropene	0.002
MITC	N/A
Chloropicrin	N/A

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from the Contaminated Sites List. The Site will be added to the No Further Action sites list.

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).⁷

⁷ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

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](#)⁸ and WAC [173-340-545](#).⁹

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).¹⁰

Questions


If you have any questions about this opinion or would like additional information regarding the cleanup of contaminated sites, please contact me at (509) 202-7869 or Bri.Brinkman@ecy.wa.gov.

Sincerely,



Bri Brinkman, Ph.D.
Site Manager
Eastern Regional office, Toxics Cleanup Program

Enclosures (1): A – Site Description, History, and Diagrams
 B – SHARP Report

cc: Nicholas Acklam, Ecology 

⁸ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

⁹ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

¹⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

Enclosure A

Site Description and History

The Wilbur-Ellis Company, LLC (Wilbur-Ellis) Othello Facility is a warehouse location for storage of fertilizer substances and fumigants. The Site is located north of the town of Othello, at 910 N Broadway Avenue in Adams County, Washington (Figure 1).

The Facility comprises 3.49 acres, including a mix of buildings, concrete loading zones, asphalt and gravel surface vehicle travel and parking areas. A shallow drainage ditch is located on the eastern edge of the property, which consists of a gravel area that is used for equipment storage and loading structures. Adjacent to the ditch is an unused agricultural field. The ditch conveys stormwater from the site to a detention pond located immediately south of the site. Soils at the site are unconsolidated alluvium overlain by crushed gravel.

In December 2022, approximately 3,000 gallons of rinsate water, stored water used to rinse used fertilizer storage containers, was released on Site through a drainage hose to a shallow ditch at the eastern boundary. Materials specifically of concern include ammonium polyphosphate, UAN-32-0-0 (urea ammonium nitrate), and Simplot CAN-17 (Calcium Ammonium Nitrate).

A second potential release of rinsate water from direct rinsing of empty totes with residual fumigant to the same drainage ditch was suspected by Wilbur-Ellis staff to have occurred, approximately 50 feet south of the fertilizer rinsate ditch area. Fumigants of concern include Strike 80C® Fumigant (chloropicrin and 1,3-dichloropropene) and Sectagon 42® (Metam sodium).

Site Diagrams



Enclosure B

SHARP Report

• SHARP first SHARP		v2024.04.29	Ecology Info	
• SHARP rating	Low		ERTS	719602
• SHARP date	02/04/2025		CSID	16811
• EJFlagged?	✓ – No Override		FSID	24865893
• LD confidence level	high		VCP	N/A
• Cleanup milestone	site hazard assessment		UST ID	N/A
• SHARPster	Bri Brinkman		LUST ID	N/A

This section is blank if this is the first SHARP	

SHARP Media	Scores	Confidence	Additional Factors	
Indoor air	D4	high	multiple chemical types	⊘
Groundwater	D4	medium	risk to off-site people	⊘
Surface water	D4	high	climate change impacts	⊘
Sediment	D4	high	plant/animal tissue data	⊘
Soil	D4	high		

Location and land use info	
910 N Broadway, Othello, Adams County, 99344-1846	
Primary parcel	1529030682009
Land use	agricultural
Responsible unit	ERO

Sources reviewed
Wilbur-Ellis Company, LLC, Othello Facility Site Assessment Report, EA Engineering, Science, and Technology, Inc. May 12, 2023.

Primary census tract	Associated census tracts
53001950400	N/A

Local demographics comments



no comments

Source/source area description

In December 2022, approximately 3,000 gallons of rinsate water, stored water used to rinse used fertilizer storage containers, was released on Site through a drainage hose to a shallow ditch at the eastern boundary.

Soil comments

no comments

Groundwater comments

no comments

Surface water comments

no comments

Sediment comments
no comments

Indoor air comments
no comments

Additional factors comments
no comments

Site history	Go to top
<p>The Wilbur-Ellis Company, LLC (Wilbur-Ellis) Othello Facility is a warehouse location for storage of fertilizer substances and fumigants. The Site is located north of the town of Othello, at 910 N Broadway Avenue in Adams County, Washington (Figure 1).</p> <p>The Facility comprises 3.49 acres, including a mix of buildings, concrete loading zones, asphalt and gravel surface vehicle travel and parking areas. A shallow drainage ditch is located on the eastern edge of the property, which is consists of a gravel area that is used for equipment storage and loading structures. Adjacent to the ditch is an unused agricultural field. The ditch conveys stormwater from the site to a detention pond located immediately south of the site. Soils at the site are unconsolidated alluvium overlain by crushed gravel.</p>	

Overflow - Site contamination and cleanup history

No overflow

Wilbur Ellis Company Othello

16811 Wilbur Ellis Company Othello 20250204

First SHARP

SHARP rating — Low

SHARP Report — Part 2 of 2

Conceptual site model

02/04/2025



Assessment scores by environmental medium

