



Grant W.  
North End Quick Stop  
TCP VCP

FILE COPY

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

May 15, 2012

Mr. John Glassco  
Eco-nomic  
420 Basin Street SW  
Ephrata, WA 98823

**Re: Further Action at the following Site:**

- **Site Name:** North End Quick Stop #2
- **Site Address:** 785 Basin Street NW, Ephrata, WA
- **Facility/Site No.:** 55472594
- **VCP Project No.:** EA0217

Dear Mr. Glassco:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the North End Quick Stop #2 facility (Site). This letter provides our opinion. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

**Issue Presented and Opinion**

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Is further remedial action necessary to clean up contamination at the Site?

**YES. Ecology has determined that further remedial action is necessary to clean up contamination at the Site.**

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

**Description of the Site**

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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:

- Petroleum Hydrocarbons into the Soil and Groundwater.

**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, we have no information the parcel(s) associated with this Site are affected by other sites.

### **Basis for the Opinion**

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This opinion is based on the information contained in the following documents:

Summary Report Site Assessment during Tank Removal, 785 Basin Street Northwest, Ephrata, Washington: Applied Geotechnologies, Inc., February 21, 1992.

Underground Storage Tank Decommissioning and Site Assessment Report, Northend Shell, 785 Basin St., Ephrata, Washington: Petco Inc., July 2010.

North End Quick Stop Interim Report 2010: Eco-nomic, July 21, 2010.

North End Quick Stop #2 – Report A: Eco-nomic, August 2011.

Those documents are kept in the Central Files of the Eastern Regional Office of Ecology (ERO) for review by appointment only. You can make an appointment by calling Kari Johnson at 509/329-3415.

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

### **Analysis of the Cleanup**

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Ecology has concluded **further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

#### **1. Selection of cleanup action.**

Ecology has determined the cleanup action selected for the Site does not meet the substantive requirements of MTCA.

Contaminated soil and groundwater were identified during removal of the underground storage tanks (USTs) and dispenser island in 1991. Approximately 1,200 cubic yards of contaminated soils were excavated; however, soil sample results indicated contaminated soil remained in the dispenser island excavation.

Water samples were collected in 1991 from sumps installed in the excavations. Additional water samples were collected from the sumps in 2010 to evaluate current groundwater conditions.

Four monitoring wells were installed in August 2011. Soil samples were collected from the borings; all results were non-detect or below cleanup levels. One boring was located in the area of the former dispenser/Sump 23 location. Groundwater samples were collected in August 2011; results indicated gasoline concentrations exceeded the cleanup level in Well 4; all other results were below cleanup levels.

Soil samples were collected from the stockpiles; results from one sample collected from the second, smaller stockpile indicated concentrations of diesel and lead above cleanup levels.

**Based on this information, Ecology has the following recommendations:**

- Groundwater samples should be collected for a minimum of four consecutive quarters. Results from four consecutive quarters must be below cleanup levels before monitoring can be discontinued.
- Groundwater samples should be analyzed for gasoline- and diesel-range hydrocarbons, BTEX, and lead.
- Previous soil samples collected from beneath the loading rack indicated gasoline- and diesel-range hydrocarbon concentrations exceed cleanup levels. The lateral and vertical extent of the soil contamination should be determined. Contaminated soil should be removed or remediated.
- Diesel and lead concentrations exceeded cleanup levels in one sample from the second, smaller stockpile. Bioremediation of this stockpile should continue.
- All sampling data must be submitted to Ecology's Environmental Information Management (EIM) system. For instructions on how to submit data, please refer to the following web site:  
[www.ecy.wa.gov/programs/tcp/data\\_submittal/data\\_requirements.htm](http://www.ecy.wa.gov/programs/tcp/data_submittal/data_requirements.htm).
- Documents submitted containing geologic, hydrologic, or engineering work must be under the seal of an appropriately licensed professional, as required by Chapters 18.43 and 18.220 RCW.

**Limitations of the Opinion**

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**1. 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 70.105D.040(4).

**2. Opinion does not constitute a determination of substantial equivalence.**

To recover remedial action costs from other liable persons under MTCA, one must demonstrate the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine whether the action you performed is substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

**3. 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 70.105D.030(1)(i).

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**Contact Information**

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Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

For more information about the VCP and the cleanup process, please visit our web site: [www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm](http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm). If you have any questions about this opinion, please contact me by phone at 509/329-3522 or e-mail at [patti.carter@ecy.wa.gov](mailto:patti.carter@ecy.wa.gov).

Sincerely,



Patti Carter  
ERO Toxics Cleanup Program

PC:eh  
Enclosures:       Description and Diagram of the Site

cc:     Robert Ogan

Robert Ogan  
Ogan & Ogan Enterprises LLC  
P O Box 2233  
Wenatchee, WA 98807

## Site Description

- The property was used historically as a gasoline sales and auto service station and currently operates as a gas station and convenience store.
- Petroleum hydrocarbons contaminated soil and groundwater were encountered during removal of the USTs and dispenser island in 1991.
- Approximately 1,200 cubic yards of contaminated soils were excavated from the two areas; however, some contaminated soil remained at the base of the dispenser island excavation.
- Groundwater samples were collected from sumps installed in the excavations. Results indicated the presence of petroleum hydrocarbons.
- Four groundwater monitoring wells were installed in August 2011; results from one well indicated gasoline concentrations above the cleanup level.
- All soil sample results from the borings installed in 2011 were non-detect or below cleanup levels.
- Soil samples were collected from the stockpiles; one sample from the smaller stockpiled material contained diesel and lead above cleanup levels.

# Site Diagram

