STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Central Region Office
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

April 8, 2026

Gukarn Gill
Property Owner
1041 Buena Road
Zillah, WA 98953

Re: No Further Action Opinion for the following Contaminated Site:

- **Site Name:** Gold Nugget Market
- **Site Address:** 1041 Buena Road, Buena
- **Facility/Site ID:** 28575673
- **Cleanup Site ID:** 5818

Dear Gukarn Gill:

The Washington State Department of Ecology (Ecology) has recently completed groundwater monitoring activities as part of a larger effort to remediate contamination at the Gold Nugget Market Site. We are providing an opinion on the work that was done under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.[1]

Based on our review, Ecology has determined that **no further remedial action is necessary** to clean up petroleum hydrocarbon contamination at the Site.

Site Description and History

The Gold Nugget Market site has been listed on the Contaminated Sites List since 1993, after petroleum-contaminated soil from abandoned leaking underground storage tanks (LUSTs) was discovered during the installation of city sewer lines. The abandoned tanks were removed, and excavation was conducted to remove approximately 400 tons of petroleum-contaminated soil. Following the remedial excavation, soil and groundwater samples were collected to assess the extent of the remaining contamination, and a network of monitoring wells was installed to further characterize site conditions.

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

A remediation system consisting of air-sparge wells and a soil vapor extraction system was installed beginning in December 2012 to reduce contaminant concentrations in soil and groundwater. However, groundwater monitoring conducted in the years following installation, including a 2019 sampling event, showed that although contaminant concentrations generally trended downward, they continued to exceed state cleanup levels.

Groundwater monitoring

Ecology recently conducted additional groundwater monitoring at all onsite wells to evaluate if contamination had decreased below state cleanup levels. Groundwater was sampled and analyzed for the following contaminants: gasoline range petroleum hydrocarbons (GRPH), diesel and oil range petroleum hydrocarbons (DRPH, ORPH), and benzene, toluene, ethylbenzene, xylenes, (BTEX) and naphthalene. Wells were sampled quarterly between July 2024 and April 2025.

Contaminants were either not detected or were detected at concentrations less than their respective MTCA Method A cleanup levels (CULs) in groundwater during four consecutive groundwater monitoring events.

Based on the results of this assessment, Ecology has determined that contamination greater than the MTCA Method A CULs related to the historic release of petroleum products from the LUSTs is no longer present at the site. Ecology has initiated the decommissioning of the onsite well network and remediation system.

Opinion

Ecology has determined that **no further remedial action is necessary** to clean up petroleum hydrocarbon contamination at the Site. This conclusion is based on the following:

- Decommissioning and removal of the original, on-site USTs has removed the original source of petroleum hydrocarbons and related constituents.
- Targeted remedial excavation was conducted to remove contaminated soil from the site.
- A combined air-sparge and soil vapor extraction system was installed on site, accelerating biodegradation of remaining petroleum contaminants.
- Petroleum hydrocarbons and related constituents were not detected above their respective MTCA Method A CULs in groundwater samples collected during four recent consecutive quarterly monitoring events.

Ecology bases this opinion on the information contained in the following documents and other supporting records:

- GeoEngineers, Inc. 2025. "Groundwater Assessment- April 2025 Gold Nugget Market Site 1041 Buena Road Zillah, Washington." June 12, 2025.[2]
- GeoEngineers, Inc. 2019. "Groundwater Assessment Gold Nugget Market Site 1041 Buena Road Zillah, Washington." June 26, 2019.[3]
- GeoEngineers, Inc. 2013. "Gold Nugget Market Interim Action Plan." January 1, 2013.[4]
- GeoEngineers, Inc. 2010. "Site Characterization Report Buena LUST Site Buena, Washington." October 21, 2010.[5]
- NetCompliance Products & Services, Inc. 2001. "Site Cleanup and Environmental Site Assessment at the Gold Nugget Market." January 09, 2001.
- Washington State Department of Ecology. 2013. "Model Toxics Control Act Regulation and Statute: MTCA Cleanup Regulation Chapter 173-340 WAC, Model Toxics Control Act Chapter 70A.305 RCW, Uniform Environmental Covenants Act Chapter 64.70 RCW" Publication 94-06. Revised January 2024.[6]

You can request all documents relating to this site by filing a records request.[7] For help making a request, contact the Public Records Officer at recordsofficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check if the documents are available on Ecology's Cleanup and Tank Search website.[8]

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

Based on this opinion, Ecology will update the Site status on the Contaminated Sites List.

Limitations of the Opinion

1.) Opinion does not settle liability with the state

[2] https://apps.ecology.wa.gov/cleanupsearch/document/159655

[3] https://apps.ecology.wa.gov/cleanupsearch/document/135804

[4] https://apps.ecology.wa.gov/cleanupsearch/document/10514

[5] https://apps.ecology.wa.gov/cleanupsearch/document/29757

[6] Model Toxics Control Act Regulation and Statute: MTCA Cleanup Regulation Chapter 173-340 WAC, Model Toxics Control Act Chapter 70A.305 RCW, Uniform Environmental Covenants Act Chapter 64.70 RCW

[7] https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests

[8] http://apps.ecology.wa.gov/cleanupsearch/site/5818

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(4).[9]

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

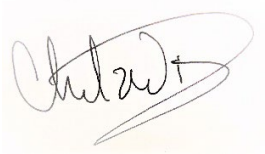
To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine if the action you performed is substantially equivalent. Courts make that determination. See RCW 70A.305.080[10] and WAC 173-340-545.[11]

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 70A.305.170(6).[12]

If you have any questions about this opinion, please contact me by phone at 509-571-4708 or email at chelsea.wisotzkey@ecy.wa.gov.

Sincerely,



Chelsea Wisotzkey
LUST Site Manager
Toxics Cleanup Program
Central Regional Office

[4] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040
[10] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080
[11] https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545
[12] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170