



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

May 18, 2006

CERTIFIED MAIL

7005 1820 0006 5951 1169

Mr. Bob Hall
RDH Limited Partnership
P.O. Box 33
Yakima, WA 98907

Dear Mr. Hall:

Re: Partial Sufficiency and Further Action Determination under WAC 173-340-515(5) for the following Hazardous Waste Site:

- Name: Alders Chevron (Chevron Station 9-3883)
- Address: 1602 Terrace Heights Road, Yakima
- Facility/Site No.: 511
- VCP No.: CE0191

Thank you for your participation in the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up the above-referenced site (Site) under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

1. No Further Action determination for soil only, letter dated 3/8/2004 by Ecology (Norman Hepner) to Bob Hall
2. Recommendation for additional groundwater sampling, letter dated 9/6/2005 by Ecology (Norman Hepner) to Bob Hall

The documents listed above will be kept in the Central Files of the Central Regional Office (CRO) of Ecology for review by appointment only. Appointments can be made by calling the CRO resource contact, Roger Johnson, at (509) 454-7658.

FILE COPY



Bob Hall
RDH Limited Partnership
May 18, 2006
Page 2

The Site is defined by the extent of contamination caused by the following release(s):

- petroleum hydrocarbons and various other used oil contaminants (including waste oils) in soil
- petroleum hydrocarbons and various other used oil contaminants (including waste oils) in groundwater

Based on a review of the environmental assessment, sampling, and cleanup reports and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) performed at the Site are sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the following release(s):**

- petroleum hydrocarbons and various other used oil contaminants (including waste oils) in soil

However, the independent remedial action(s) performed at the Site are not sufficient to meet MTCA's substantive requirements for characterizing and addressing the following release(s):

- petroleum hydrocarbons and various other used oil contaminants (including waste oils) in groundwater

Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **further remedial action is necessary** at this Site under MTCA. Specifically, the following is required:

- four consecutive quarters of groundwater monitoring showing contamination below MTCA
- evidence that the previously abandoned wells were decommissioned in accordance with WAC 173-160, or the existing wells are located and decommissioned

The following is recommended:

- A single monitoring well be installed near MW-3 [or use MW-3 if it exists] to demonstrate groundwater contamination is below MTCA method A cleanup levels for four consecutive quarters. The groundwater should be sampled for the "waste oil" contaminants listed in Table 830-1, Required Testing for Petroleum Releases.

This letter replaces the Ecology "no further action" determination for soil of March 8, 2004.

Ecology's soil only "no further action" determination of March 8, 2004, issued to this site is hereby rescinded until the required additional sampling is conducted to address the MTCA substantive requirements for petroleum in groundwater.

Bob Hall
RDH Limited Partnership
May 18, 2006
Page 3

Ecology will re-consider a "no further action" determination at this site at a future date when the analytical groundwater results are below MTCA for four consecutive quarters.

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (509) 454-7886.

Sincerely,



Valerie Drew
Unit Supervisor, Site Manager
Toxics Cleanup Program
Central Regional Office
Washington State Department of Ecology

VD/rp

cc: Trish Akana, Ecology HQ

FILE COPY