



## **Second Periodic Review**

Elliott Tire Center  
1 E Lincoln Avenue  
Yakima, Washington 98902

Facility/Site ID #: 547  
Cleanup Site ID #: 1940

Completed by:  
Washington State Department of Ecology  
Central Regional Office  
Toxics Cleanup Program

December 2013

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## 1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup site conditions and monitoring data to assure human health and the environment are being protected at the Elliott Tire Center site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

Cleanup activities at this Site were completed under the Independent Remedial Action Program. The cleanup actions resulted in residual concentrations of total petroleum hydrocarbons (TPH) in soil that exceed MTCA Method A cleanup levels established under WAC 173-340-740(2). As a result of residual contamination, institutional controls were required for the Site to be eligible for a No Further Action (NFA) determination. WAC 173-340-420(2) requires Ecology conduct a periodic review of a site every five years under the following conditions:

1. Whenever Ecology conducts a cleanup action.
2. Whenever Ecology approves a cleanup action under an order, agreed order or consent decree.
3. Or, as resources permit, whenever Ecology issues a no further action opinion
4. And one of the following conditions exists:
  - (a) Institutional controls or financial assurance are required as part of the cleanup.
  - (b) Where the cleanup level is based on a practical quantitation limit.
  - (c) Where, in Ecology's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors Ecology shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions.
- (b) New scientific information for individual hazardous substances of mixtures present at the Site.
- (c) New applicable state and federal laws for hazardous substances present at the Site.
- (d) Current and projected Site use.
- (e) Availability and practicability of higher preference technologies.
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

Ecology shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

## **2.0 SUMMARY OF SITE CONDITIONS**

### **2.1 Site History**

The Elliott Tire facility is located in the City of Yakima in Yakima County, Washington (Vicinity Map - Appendix 6.1). Following remedial activities, a restrictive covenant was recorded for the property in 1996. A Consent Decree was entered into with Ecology in 2001, and the Site received a No Further Action determination.

Elliott Tire is an operating retail tire center and automotive repair shop (Site Plan – Appendix 6.2). Historical maps indicate that the Site was occupied by service stations and residences between 1921 and 1961. In 1961, the property was acquired by the current owners. A tire service center was constructed at the Site by 1968.

### **2.2 Cleanup Levels and Point of Compliance**

WAC 173-340-704 states that MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used.

MTCA Method A cleanup levels for unrestricted land use were determined to be appropriate for contaminants at this Site. The cleanup actions conducted at the Site were determined to be 'routine', few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance; however, the MTCA Method A cleanup levels for TPH-D is 2000 milligrams per kilogram (mg/kg). At the time of the cleanup action, the cleanup level for TPH-D was 200 mg/kg.

For soil, the point of compliance is the area where the soil cleanup levels must be attained. For this Site, the point of compliance is established as soils throughout the Site.

### **2.3 Site Investigations and Remedial Activities**

#### **2.3.1 1994-1995 Environmental Site Assessments**

Phase I and Phase II Environmental Site Assessments (ESAs) were conducted at the Site during 1994 and 1995. Two dry wells were observed on the property. Samples collected from the sludge within these dry wells indicated the presence of tetrachloroethene (PCE) at a maximum concentration of 2.3 parts per million (ppm). In addition, TPH-G and diesel-range petroleum hydrocarbon (TPH-D) contamination was detected in soil and groundwater in the vicinity of the former gasoline and oil sales area.

#### **2.3.2 1995 Groundwater Investigation**

Three groundwater monitoring wells were installed at the Site in 1995. All wells were screened from 10 to 25 feet bgs. Five quarterly sampling events were conducted at the Site and samples were analyzed for TPH and VOCs. Detectable levels of PCE (0.64 to 1 parts per billion) were detected in all three wells during winter sampling events with low water tables. PCE was not

detected above method detection limits in any of the samples collected during summer and fall sampling events.

TPH-G was detected at a maximum concentration of 2,400 ppb in MW-3, adjacent to the former dry well location. TPH-G was not detected in samples collected from the two downgradient wells, MW-1 and MW-2. Quarterly groundwater monitoring was continued through September 1997, at which time four consecutive quarters of ground water samples did not contain VOCs or TPH at concentrations exceeding MTCA Method A cleanup levels. Groundwater monitoring data is available as Appendix 6.3.

### **2.3.3 1996 Remedial Investigation**

In 1996, additional investigation work was conducted at the Site. Fifty-four soil samples were collected from a combination of test pits and soil borings across the Site, additional samples were collected from both dry wells at the Site, 24 samples were collected through the floor of the service center adjacent to hydraulic equipment, and five groundwater sampling events were conducted from three monitoring wells installed at the Site. The results of this investigation are detailed below:

#### **2.3.3.1 Test Pit Investigation and Soil Removal**

Test pits were conducted on a 35-foot grid across the Site parking lot and on a 70-foot grid around the perimeter of the building. Samples were collected from each test pit at 3, 6, and 10 feet below ground surface (bgs), or until groundwater was encountered at approximately 11 feet bgs. Samples were analyzed for volatile organic compounds (VOCs), TPH-G, TPH-D, and heavy oil-range petroleum hydrocarbons (TPH-O). Excavation of contaminated soil was conducted concurrently with the test pit excavation with the assistance of an on-site laboratory. Excavation occurred in the vicinity of two USTs and in the vicinity of the two dry wells.

#### **2.3.3.2 Underground Storage Tank Investigation**

During test pit sampling activities, two 1,000-gallon gasoline USTs were discovered in the parking lot. These USTs had been abandoned in place and filled with sand. The USTs were removed along with 180 tons of impacted soil.

#### **2.3.3.3 Dry Well Sampling and Cleanup**

Two dry wells were located in the tire center parking lot. One well was used to collect storm water runoff from the parking lot; the second was abandoned and covered with concrete and asphalt. Both wells contained sludge with a petroleum hydrocarbon-like odor. Analysis of the sludge indicated the presence of PCE at concentrations of 2.0 ppm in the active dry well. Soils in the vicinity of the dry wells were excavated down to the groundwater table. A total of 308 tons of impacted soil were excavated and transported to Anderson Pit in Yakima, Washington. A new dry well was installed to collect storm water runoff from the parking lot.

#### **2.3.3.4 Interior Bay Investigation**

Soil samples were collected from the interior of the building through cores cut into the concrete floor. Twelve sample locations were selected in the vicinity of hydraulic equipment in the building. Samples were collected between 1.5 and 6 feet bgs and analyzed for petroleum hydrocarbons, VOCs and PCE. Petroleum hydrocarbon impacted soil was detected over approximately 1,200 square feet of area under the building. It was determined that this material

could not be excavated without damaging the structural integrity of the facility. PCE was detected in the immediate vicinity of two of the sample points. Approximately one cubic yard of material was excavated from this area.

## 2.4 Consent Decree

In 2000, the property owner requested to enter into a *de minimus* consent decree with Ecology in response to potential contribution to PCE contamination of groundwater in the Yakima Railroad Area. The consent decree stated that the release or potential release of hazardous substances at the property had been resolved, and that a settlement is appropriate.

## 2.5 Institutional Controls

Following remediation, it was determined that the Site would be eligible for a no further action determination if institutional controls were implemented in the form of a restrictive covenant. A restrictive covenant was recorded for the Site in 2001 and Ecology issued a no further action determination shortly thereafter. The restrictive covenant contained the following limitations:

1. At such time as the improvements and slab on the site are demolished or removed, remediation, pursuant to then applicable standards, of any remaining petroleum contamination located under the slab shall be required.
2. Corrective measures to prevent accidental spills in the newly installed dry well on the site and under the floors of the improvements on the site have been implemented. Absorbents presently installed and in the dry well should be regularly maintained and replaced to minimize the potential for new releases of contaminants to groundwater.
3. Any transferee of an interest in the site shall give DOE written notice of its acquisition of an interest within 30 days of the date of conveyance.
4. The owner or any successor owner of the site shall allow authorized representatives of DOE, or any successor agency, the right to enter the site at reasonable times for the purposes of evaluating compliance with the IRAP Reports and this Restrictive Covenant, including the right to take samples, inspect any remedial action taken at the site, and to inspect records that are related thereto, as long as it does not damage the property or interfere with the reasonable continuation of business operations on the premises in doing so.
5. The owner and successor owners of the site reserve the right under WAC 173-340-440 to record an instrument which provides that this Restrictive Covenant shall no longer be of any further force or effect. This Restrictive Covenant, however, shall be removed only if DOE, after public notice and opportunity for comment, concurs.

The restrictive covenant is available as Appendix 6.4.

## **3.0 PERIODIC REVIEW**

### **3.1 Effectiveness of completed cleanup actions**

Based upon the Site visit conducted on December 2, 2013, the building and asphalt cover at the Site continue to eliminate exposure pathways (ingestion, contact) to contaminated soils. The asphalt appears in relatively poor condition, with significant cracking; however, it still provides a sufficient barrier to direct contact exposure with contaminated soils. The Site is still operating as a tire service and automotive repair business. A photo log is available as Appendix 6.5.

The restrictive covenant for the Site was recorded and is in place. This restrictive covenant prohibits activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This restrictive covenant serves to ensure the long term integrity of the cap.

Additionally, the restrictive covenant requires that efforts be maintained to prevent additional soil and groundwater contamination through the Site's catch basin and drywell. At the time of the Site visit, the catch basin and drywell contained a filter and sorbent material, respectively. The store manager was aware of the requirement to protect these storm water infiltration points, and a regular maintenance program was followed.

### **3.2 New scientific information for individual hazardous substances for mixtures present at the Site**

There is no new scientific information for the petroleum contaminants related to the Site.

### **3.3 New applicable state and federal laws for hazardous substances present at the Site**

The cleanup at the Site was governed by Chapter 173-340 WAC (1996 ed.). WAC 173-340-702(12) (c) [2001 ed.] provides that,

“A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment.”

Although cleanup levels changed for gasoline, diesel, and volatile organic compounds as a result of modifications to MTCA in 2001, contamination remains at the Site above MTCA Method A cleanup levels and the cleanup action is still protective of human health and the environment.

### **3.4 Current and projected Site use**

The Site is currently used for commercial and industrial purposes. There have been no changes in current or projected future Site or resource uses.

### **3.5 Availability and practicability of higher preference technologies**

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

### **3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels**

The analytical methods used at the time of the remedial action were capable of detection below MTC Method A cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.



## **4.0 CONCLUSIONS**

- The cleanup actions completed at the Site appear to be protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however, the cleanup action is determined to comply with cleanup standards under WAC 173-340-740(6)(f), since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The covenant for the property is in place and will be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.
- If the building or slab are removed or replaced, contaminated soils beneath the Site must be remediated.

Based on this periodic review, Ecology has determined the restrictions in the restrictive covenant are being observed. No additional remedial actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the Site surface is maintained.

## **4.1 NEXT REVIEW**

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

## **5.0 REFERENCES**

Bison Environmental Resources, Inc. *Spokane Detroit Diesel-Allison Independent Remedial Investigation and Cleanup Report*. 1995.

Ecology. *Independent Remedial Action Review*. 1995.

Ecology. *No Further Action Determination Letter*. 1996.

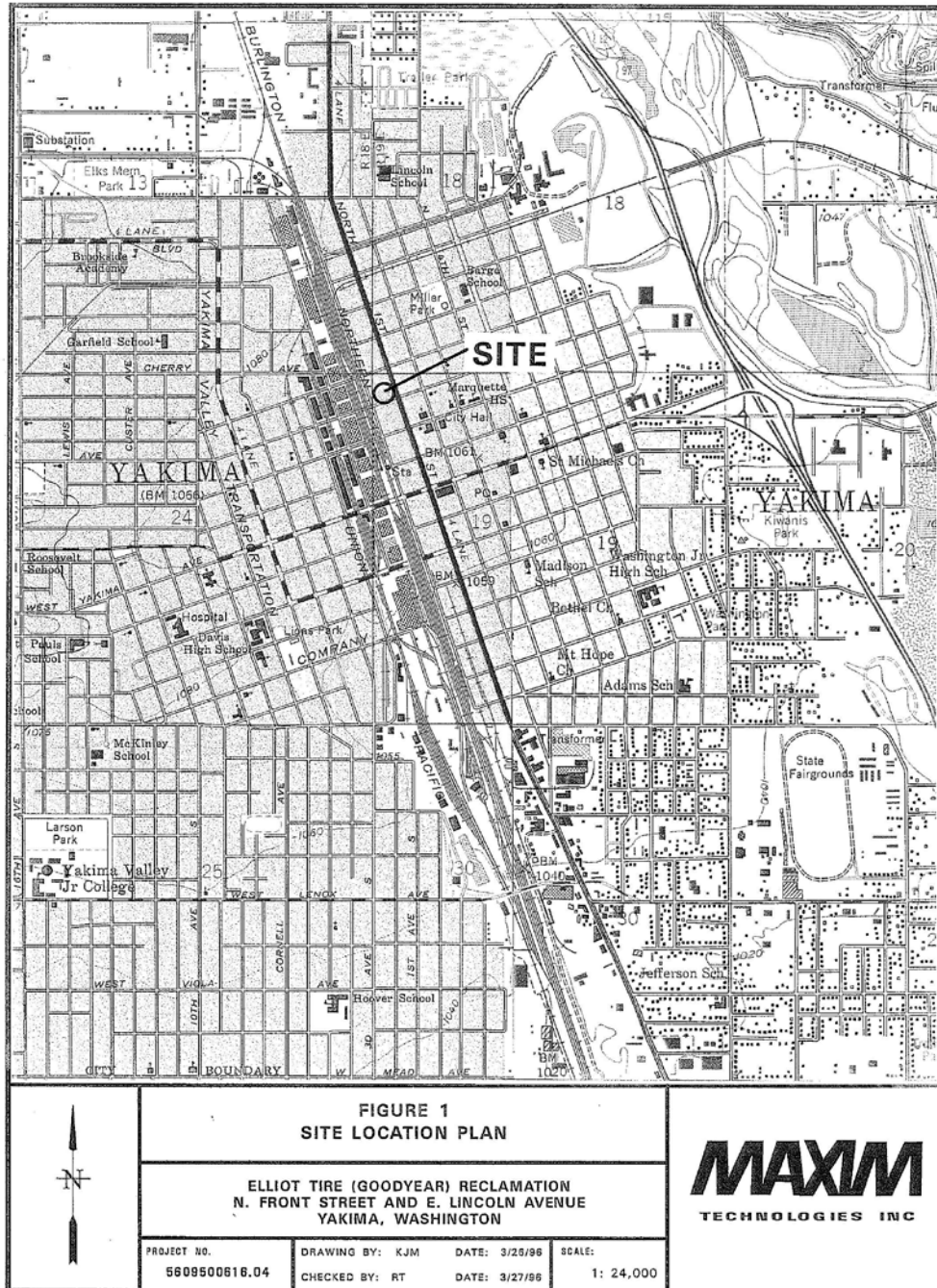
Ecology. *Restrictive Covenant*. 1996.

Ecology. *Periodic Review*. September 19, 2008.

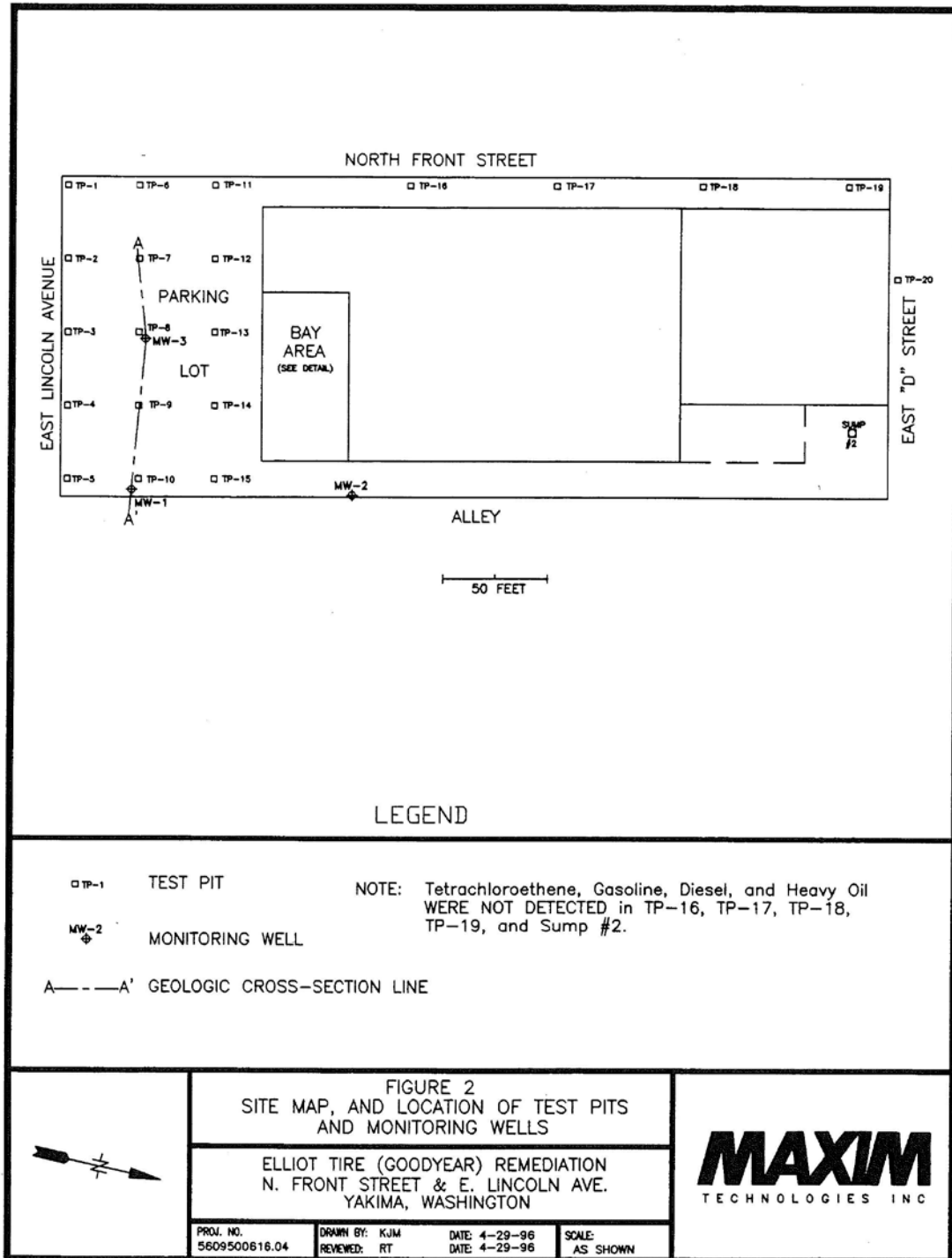
Ecology. *Site Visit*. December 2, 2013.

## **6.0 APPENDICES**

## 6.1 Vicinity Map



## 6.2 Site Plan



### 6.3 Groundwater Monitoring Data

Elliott (Goodyear) Tire Center, Yakima, WA - Independent Remedial Action Program (IRAP) Groundwater Report

Well No.	Elevation of Reference Point (ft)	Event No.	Depth to Water (ft)	Elevation of Water Table (ft)	PCE (µg/L)	BTEX (µg/L)	Gasoline (µg/L)	Diesel (µg/L)	Heavy Oil (µg/L)	Date Collected
MW-1	1088.51	1	18.18	1070.33	0.64 <sup>1</sup>	ND	ND	ND	NA	2/21/95
		2	13.05	1075.46	ND	ND	ND	ND	ND	8/15/95
		3	17.11	1071.40	ND	ND	ND	ND	ND	11/20/95
		4	18.12	1070.39	1.0	ND	ND	ND	ND	2/20/96
		5	13.51	1075.00	ND	ND	ND	ND	ND	8/5/96
		6	16.81	1071.70	1.3	ND	ND	ND	ND	11/12/96
		7	17.22	1071.29	2.1	ND	ND	ND	ND	2/4/97
		8	14.03	1074.48	2.6	NA	ND	NA	NA	7/4/97
		9	13.75	1074.76	ND	NA	ND	NA	NA	9/17/97
MW-2	1089.42	1	19.06	1070.36	NA	ND	ND	ND	NA	2/21/95
		2	13.03	1076.39	ND	ND	ND	ND	ND	8/15/95
		3	17.64	1071.78	ND	ND	ND	ND	ND	11/20/95
		4	19.0	1070.42	1.0	ND	ND	ND	ND	2/20/96
		5	13.53	1075.89	ND	ND	ND	ND	ND	8/5/96
		6	17.36	1072.06	1.8	ND	ND	ND	ND	11/12/96
		7	17.86	1071.56	1.5	ND	ND	ND	ND	2/4/97
		8	14.16	1075.26	ND	NA	ND	NA	NA	7/4/97
		9	13.89	1075.53	ND	NA	ND	NA	NA	9/17/97
MW-3	1087.77	1	17.11	1070.66	NA	25.9	2500	ND	NA	2/21/95
		2	11.61	1076.16	ND	ND	ND	ND	ND	8/15/95
		3	15.90	1071.87	ND	ND	ND	ND	ND	11/20/95
		4	16.98	1070.79	1.0	189	2420	ND	ND	2/20/96
		5	12.04	1075.73	ND	ND	200	ND	ND	8/5/96
		6	15.64	1072.13	0.8	4.1	ND	ND	ND	11/12/96
		7	16.02	1071.75	2.4	ND	ND	ND	ND	2/4/97
		8	12.59	1075.18	ND	NA	ND	NA	NA	7/4/97
		9	12.30	1075.47	ND	NA	ND	NA	NA	9/17/97

NOTES:

- ND = Not Detected
- NA = Not Analyzed
- <sup>1</sup> PCE Analyzed Using EPA Method 8240
- PCE Analyzed Using EPA Method 8010/8020

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## 6.4 Environmental Covenant

**Return Address:**

Michael F. Shinn  
Halverson & Applegate, P.S.  
P.O. Box 22730  
Yakima, WA 98907-2715

### RESTRICTIVE COVENANT

**Grantor(s):**

1. Pleas J. Green and Paula J. Green

**Legal Description:**

Lots 17-32, inclusive, Block 7, TOWN OF NORTH YAKIMA, now Yakima, Washington, per Plat recorded in Volume E of Plats, page 1, records of Yakima County, Washington. (See attached site map, Exhibit A.)

**Assessor's Property Tax Parcel Number(s):**

Parcel No. 191319 22406

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## RESTRICTIVE COVENANT

The property subject to this Restrictive Covenant ("site" herein) was the subject of an Independent Remedial Action Program ("IRAP") undertaken by Maxim Technologies, Inc. on property known as the Goodyear Tire Center, 1 East Lincoln Avenue, Yakima, Washington, legally described as follows:

Lots 17-32, inclusive, Block 7, TOWN OF NORTH YAKIMA, now Yakima, Washington, per Plat recorded in Volume E of Plats, page 1, records of Yakima County, Washington. (See attached site map, Exhibit A.)

The remedial action taken to clean up the site is described in the IRAP Report dated August 1996, and the IRAP Quarterly Groundwater Monitoring Report dated October 1997, submitted to the Washington State Department of Ecology ("DOE") at its Yakima, Washington Central Regional Office. The clean up action did not remediate approximately 1,300 square feet of petroleum contamination located up to a depth of two feet below the concrete slab floor of the existing building on the site. See attached Exhibit B. As that petroleum contamination does not result in any groundwater contamination, however, and as the other potential sources of groundwater contamination have been successfully removed from the site, it has been recommended that the under slab contamination be left in place until the existing building and slab are demolished, with remediation to be required at that point in time. The DOE is requesting this Restrictive Covenant to that effect, pursuant to WAC 173-340-440. Accordingly:

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The undersigned owners of the site hereby make the following declaration which shall constitute a covenant to run with the land, as provided by law, and which shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or any interest in the site, to-wit:

1. At such time as the improvements and slab on the site are demolished or removed, remediation, pursuant to then applicable standards, of any remaining petroleum contamination located under the slab shall be required.

2. Corrective measures to prevent accidental spills in the newly installed dry well on the site and under the floors of the improvements on the site have been implemented. Absorbents presently installed and in the dry well should be regularly maintained and replaced to minimize the potential for new releases of contaminants to groundwater.

3. Any transferee of an interest in the site shall give DOE written notice of its acquisition of an interest within 30 days of the date of conveyance.

4. The owner or any successor owner of the site shall allow authorized representatives of DOE, or any successor agency, the right to enter the site at reasonable times for the purposes of evaluating compliance with the IRAP Reports and this Restrictive Covenant, including the right to take samples, inspect any remedial action taken at the site, and to inspect records that are related thereto, as long as it does not damage the property or interfere with the reasonable continuation of business operations on the premises in doing so.

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5. The owner and successor owners of the site reserve the right under WAC 173-340-440 to record an instrument which provides that this Restrictive Covenant shall no longer be of any further force or effect. This Restrictive Covenant, however, shall be removed only if DOE, after public notice and opportunity for comment, concurs.

DATED this 12 day of July, 2001.

Pleas J. Green  
Pleas J. Green  
Paula J. Green  
Paula J. Green

STATE OF WASHINGTON )  
County of Yakima ) ss:

On this day personally appeared before me PLEAS J. GREEN and PAULA J. GREEN, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed

the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 12 day of July, 2001.



Karen A. Hill  
NOTARY PUBLIC in and for the  
State of Washington,  
Residing at Yakima  
My commission expires: 9-10-03

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## 6.5 Photo Log

**Photo 1: Elliott Tire Center - from the southwest**



**Photo 2: Parking Lot - from the west**



**Photo 3: Dry Well with Sorbent Material - from the west**



**Photo 4: Monitoring Well in Parking Lot – from the southeast**

