WASHINGTON STATE DEPARTMENT OF ECOLOGY

Southwest Regional Office
Toxics Cleanup Program
PO Box 47775
Olympia, WA 98504-7775
360-407-6240

TRANSMITTAL MEMO

Date: January 16, 2014

TO: Mr. Kevin Willis

RE: Cummins Northwest Inc. Longview
SW1309

Subject: Explanation of Timeline

NOTE: **The determination date is the date Ecology approved the No Further Action status for the site. Final payment, EIM Data submission, once received, the NFA letter was released.**

Ecology Determination date: October 28, 2013

Email Customer Notification: October 28, 2013

Payment received date: December 10, 2013

EIM Data successfully uploaded: January 16, 2014

Ecology Determination letter mailed/sent: January 16, 2014

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

October 28, 2013

Mr. Kevin Willis
1150 3rd Avenue
Longview, WA 98632

Re: No Further Action at the following Site:

- **Site Name:** Cummins Northwest Inc. Longview
- **Site Address:** 1153 3rd Avenue, Longview, WA 98632-3204
- **Facility/Site No.:** 98511436
- **Cleanup Site ID No.:** 11312
- **VCP Project No.:** SW1309

Dear Mr. Willis:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the former Cummins Northwest Inc. Longview 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

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

No. Ecology has determined that no 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 it's implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

Description of the Site

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 Constituents in Soil and Groundwater.

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

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

Basis for the Opinion

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

1. Anderson Environmental Contracting, LLC. (AEC), Phase II Environmental Site Assessment Report, October 28, 2011.
2. Payne Reimer Group, Inc., Environmental Site Assessment, May 1990.

These documents are kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. You can make an appointment by calling the SWRO resource contact at (360) 407-6365.

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

Analysis of the Cleanup

Ecology has concluded that no **further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined your characterization of the Site is sufficient to establish cleanup Standards. The Site is described below and in **Enclosure A**.

The Site was listed as a confirmed Leaking Underground Storage Tank (LUST) Site by Ecology on June 26, 1990 and given a status of "Awaiting Cleanup" on July 31, 1990. Both soil and groundwater are listed as having confirmed contamination from "Petroleum O", otherwise known as heavy oil-range petroleum hydrocarbons (TPH-O). There is limited information on Ecology's database regarding the underground storage tank (UST). The capacity is listed as between 111 and 1,100 gallons and used for used oil/waste oil. The date of installation is unknown and the status date for removal shows August 6, 1996.

The Site was given a status of "Reported Cleaned Up" (RCU) on November 18, 2003 by Ecology personnel following a file review and "drive by". The Site was closed on "limited information". Beginning in 2011, Ecology began a statewide review of all the Sites that had

previously been given a status of RCU to determine whether the cleanup met the substantive requirements of the MTCA and be given a status of No Further Action (NFA). If a Site did not meet this determination following the review, the Site was re-listed as an active LUST Site and an Early Notice Letter (ENL) was sent to the current owner informing them of Ecology's decision.

Ecology's Prime contractor, Hart Crowser, conducted the file review and on December 12, 2011 made the determination that there was insufficient evidence to confirm that the Site was "clean". During the file review, only limited information was found. Based on the findings from the review, Ecology concurred with Hart Crowser's assessment and the ENL was sent to the current owner on March 11, 2013.

On June 25, 2013 the Site was enrolled in Ecology's Voluntary Cleanup Program (VCP). Included with the application was a Phase II Environmental Site Assessment Report by AEC dated October 28, 2011. Also included was a historical environmental site assessment report by the Payne Riemer Group, Inc. (Payne Riemer), dated July 11, 1990, which appears to have not been reviewed during the file review by Hart Crowser. Other correspondence between Cummins and Ecology that was most likely obtained from the Washington State Archives was included as well.

The Phase II report (no title page) from Payne Reimer is dated July 31, 1990. It appears the work was most likely performed during March 1990 based on the sample chain of custody form that is dated March 22, 1990.

There were three areas of concern at the Site as shown on Figure 1. The floor drains in the south section of the building originally discharged to an outside catch basin (Concern 1) at the southwest corner of the building. Overflow from the catch basin reportedly discharged to the county ditch on the west side of the property. The floor drains were rerouted to the city's storm sewer system in the late 1970s. The catch basin was described as being round, constructed of steel, measuring 4 feet in diameter and 5 feet deep. Based on the description, size, and content, the catch basin is most likely the UST listed on Ecology's database. Two backhoe trenches (Fig.1) were excavated in the southeast corner of the property in an attempt to locate the catch basin and examine the soil in the area around the basin. Once the catch basin was located, Spencer Environmental Services of Oregon City, Oregon pumped the sludge from the tank. Two soil samples (Tank-1-soil and Tank-2-soil) were collected for analysis using EPA Method 418.1 giving results as Total Petroleum Hydrocarbons (TPH). The Tank-1-soil sample showed TPH at 5,500 milligrams per kilogram (mg/kg) just outside the catch basin. The Tank-2-soil sample, collected approximately 10 feet from the catch basin showed TPH at 240 mg/kg. Payne Reimer estimated that approximately 200 to 400 cubic yards was in place that would exceed the current (1990) cleanup standard of 200 mg/kg for motor oils.

The second area of concern is referred to as the "Bay Door Area". This was an area outside of a large bay door on the west side of the building where Cummins steam-cleaned engines and other truck parts prior to the 1970s. The steam cleaning operation was moved indoors in the mid-1970s. Five backhoe trenches were excavated in the area around the bay door where surface staining was observed (Fig.1). None of the samples exhibited results above the MTCA Method A cleanup levels for soil.

The third area of concern was an oil/water separator. Waste water from the inside steam cleaning operation discharged to a partially below-ground, two-chambered, concrete oil/water separator located outside the west wall of the building. Black to gray-stained soil around the top of the separator system suggested that the system periodically overflowed. Six soil borings (DP1 – DP6) were advanced around the separator to a depth of 6 feet below ground surface (bgs) with a hand-operated soil auger. One soil sample collected next to the oil/water separator inflow pipe showed TPH at 5,600 mg/kg which is above the current MTCA Method A Cleanup Level for both diesel (TPH-D) and TPH-O of 2,000 mg/kg. The boring log for DP-1 references "continuous gray staining, petroleum odor, and sheen" encountered at 9 feet bgs in the saturated zone.

At least one sample from each area of concern collected during 1990 was analyzed for TPH, volatile organic analysis (VOA), extraction procedure toxicity (EP Tox), percent solids, and polychlorinated biphenyls (PCBs). Overall, there was one sample (Tank-1- Soil, Lab sample ID D107713) that exceeded the current MTCA Method A cleanup level for TPH-D and TPH-O (2,000 mg/kg) with a result of 5,500 mg/kg and one sample collected near the oil/water separator inflow pipe at 5,600 mg/kg (Fig. 2).

Regarding groundwater, there is a copy of a note (Fig. 3), possibly a field inspection note, from Cindy James (Ecology), dated 9/26/90 at 10 a.m. to Dick Walker (Ecology) and Lee Otte (Cummins). The note states that "oil has been discovered in the groundwater....Area that has been dug out is 25' wide east to west & 15' wide N to south and 12 ft deep. They have hit sand and hole is filling with water. Water has a sheen on it...pads have been placed in hole. Area is 20 ft from discharge ditches." There is also an Exploratory Boring Log for a boring (DP-1) located at the southwest corner of property, 14 feet west and 17 feet north of the southwest building corner, adjacent to the west side of the oil/water separator. The observations state that "continuous gray staining, petroleum odor, sheen" was encountered beginning at a depth of 9 feet bgs. The boring was terminated at 15 feet bgs. It appears that other than visual observations, no groundwater samples were collected for analysis.

Based on the Phase II, a proposed remediation plan was developed. Contaminated soil would be excavated from the three areas of concern. The soil would be aerated on Site before transportation to the Hillsboro Landfill in Oregon for disposal. If contaminated groundwater was encountered, samples were to be tested for TPH and volatile organic compounds. If the "state-approved limits" were exceeded, the state would be notified.

2. Establishment of cleanup standards.

Ecology has determined the cleanup levels and points of compliance you established for the Site meet the substantive requirements of MTCA.

a. Cleanup levels.

MTCA Method A cleanup levels for unrestricted land use for soil and groundwater were used to characterize the Site.

b. Points of compliance.

Standard points of compliance were used for the Site. The point of compliance for protection of groundwater was established in the soils throughout the Site. For soil cleanup levels based on human exposure via direct contact or other exposure pathways where contact with the soil is required to complete the pathway, the point of compliance was established in the soils throughout the Site from the ground surface to 15 feet bgs. In addition, the point of compliance for the groundwater was established throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth that could potentially be affected by the Site.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

Cleanup activities conducted to date have included UST removal, the excavation and On-Site treatment of petroleum-contaminated soil, and natural attenuation for groundwater.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

Although no final report for the work performed in 1990 was found, interview notes, letters, and field notes confirm that a fairly large excavation did occur and that the UST/catch basin was removed. Confirmation soil and groundwater samples were collected from the three areas of concern. Soil samples were collected from depths that have been below the level of groundwater and show that any remaining contaminant levels in soil and groundwater were below the MTCA Method A cleanup levels.

There was limited correspondence between Ecology and Cummins during the summer of 1990 regarding the proposed remediation plan but it appears that nothing was ever performed following the Phase II conducted in March 1990.

There were allegedly work activities related to the proposed remediation plan completed in September 1990 by Payne Reimer; however, no reports have been found. Mr. Jeff Wilson, a former employee of Pacific Northern Environmental (PNE), stated to AEC that the work was completed by PNE under the direction of Payne Reimer in late 1990. According to the "Historic Assessment Activities" found in the Phase II Environmental Site Assessment Report (AEC, Oct. 28, 2011), Mr. Wilson stated that the areas in the vicinity of the oil/water separator and overhead doors were completely over-excavated, while the area around the former catch basin exhibited some impacts, which were not removed. Copies of post-remediation reports were not identified. PNE and Ecology were both contacted by AEC with the goal of obtaining a copy of any post-remediation reports but none were found. The field note from Cindy James (Ecology) dated 9/26/90 does support the statements by Payne Reimer and Mr. Jeff Wilson that remedial excavation did in fact occur. Based on the measurements of the excavation provided by Ms. James, approximately 166 cubic yards of soil would have been excavated. The final disposition of the excavated soil is not known although the plan was to aerate the soil on Site prior to transporting it to the Hillsboro Landfill in Oregon.

On October 13, 2011, AEC was at the Site to complete Phase II activities based on the results found during the previous Phase II conducted in 1990. Three borings (DP-1 through DP-3) were advanced using a direct-push sampling device. Each boring was advanced to a total depth of 15 feet bgs. Boring DP-1 was completed in the vicinity of the former catch basin. Boring DP-2 was advanced in the vicinity of the former oil/water separator. Boring DP-3 was completed in the vicinity of the "bay door" area. According to the chain of custody, groundwater samples were collected for analysis from each boring and soil samples collected for analysis from DP-1@ 9' bgs, DP-1@13'bgs, DP-2@9' bgs, and DP-3@6' bgs. During the Phase II activities, groundwater was identified between 7 and 9 feet bgs. Groundwater flow direction has not been determined at the Site.

Based on the chain of custody report, groundwater samples DP-1-W, DP-2-W, and DP-3-W were analyzed for BTEX and PAHs only. Four soil samples were collected (DP-1@ 9', DP-1@ 13', DP-2 @ 9', and DP-3 @ 6'). Sample DP-1@9' was analyzed for hydrocarbon identification (NWTPH-HCID), diesel and heavy-range hydrocarbons (NWTPH-Dx) and percent Dry Weight Solids (solids). All results were below the MTCA Method A cleanup levels for soil (Fig. 4). Sample DP-1@13' was analyzed using NWTPH-HCID and solids. HCID results were below the laboratory detection limits and MTCA Method A cleanup levels for soil. Sample DP-2@9' was collected near the area of the oil/water separator, which is in the area where boring DP-1 was advanced in 1990 noting staining, odor, and sheen.

Approximately 23 years have passed since the Site was first reported to Ecology. At that time, only two samples exhibited TPH-D or TPH-O levels that would exceed the current MTCA Method A cleanup levels for soil. However, soil and groundwater samples collected from these areas in 2011 have demonstrated the Site has achieved cleanup standards.

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List.

Limitations of the Opinion

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 that 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).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (SW1309).

For more information about the VCP and the cleanup process, please visit our web site: www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm. If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at 360-407-6179 or e-mail at ptur461@ecy.wa.gov.

Sincerely,

Paul Turner, L.HG.
SWRO Toxics Cleanup Program

PT/ksc:Cummins NFA SW1309

Enclosures:

Enclosure A – Site Description and Site Location Map
Figure 1 – Site Plans Showing 1990 Trenching and Borings Locations
Figure 2 – Analytical Results from 1990
Figure 3 - Ecology/Cummins Correspondence from 1990
Figure 4 - Site Plan and Sample Results from 2011

By certified mail: (7012 2210 0002 6581 0645)

cc: Mr. Brett MacDonald, 3 Kings Environmental, Inc.
Scott Rose – Ecology
Dolores Mitchell – Ecology

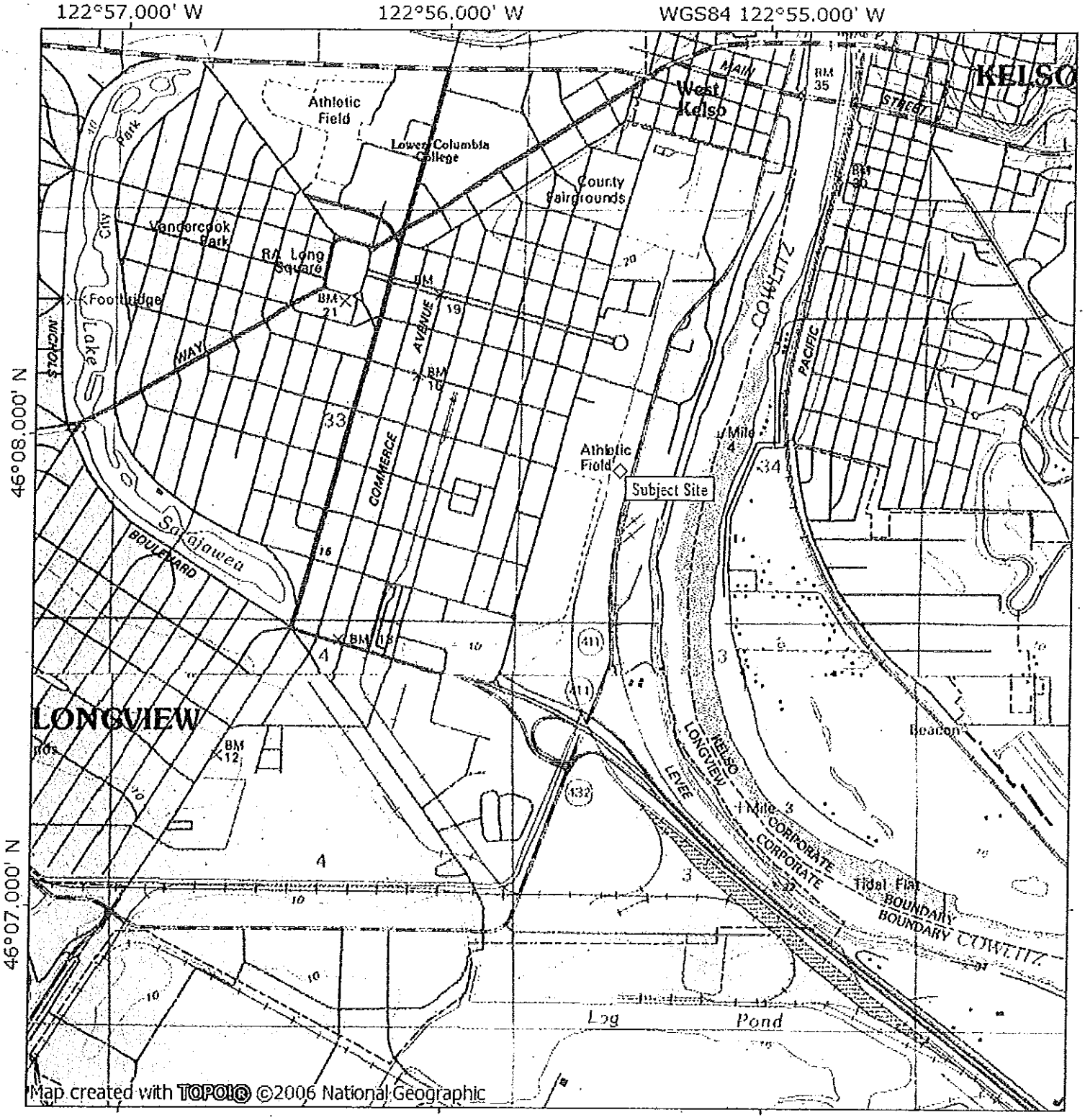
Enclosure A

Site Description and Location Map

The subject Site occupies an approximate 4.82-acre parcel, measuring about 700 feet north to south and 300 feet east to west, located on the southeast side of the city of Longview, Washington (WA). The Cowlitz County Assessor's Office identifies the property as Parcels 10039 and 10041 within Section 34 of Township 8 North and Range 2 West.

At the time of the ESA, the Site was developed as a multi-tenant professional office and commercial retail space. A single, approximately 100,000-square foot two-story building covers nearly the entire Site with the exception of parking areas along the northern and eastern sides. A fenced storage area is located adjacent to and west of the building. A flood management feature (stormwater drainage ditch) is also located west of the Site and is maintained by Cowlitz County.

The property originally supported residential housing prior to 1965. A variety of businesses have occupied the building since 1965, including a building supply store, catering company, moving and storage supply, a warehouse, a wood truss manufacturing company, electrical supply parts supply, diesel engine repair shop, and the Lower Columbia Community College.



SOURCE: USGS 7.5 MINUTE TOPOGRAPHIC SURVEY MAP OF KESLO, WASHINGTON QUADRANGLE. 2005.

0 5 MILES
1000 0 1000 2000 3000 4000 5000 FEET
5 0 KILOMETERS
1000 0 METERS 1000

TN 17° MN

10/24/11

FIGURE 1: SITE VICINITY MAP

Project Address: 1157 3rd Avenue
Project City, State: Longview, Washington
AEC Project Name: Willis Phase II ESA
AEC Project Number: 11-089

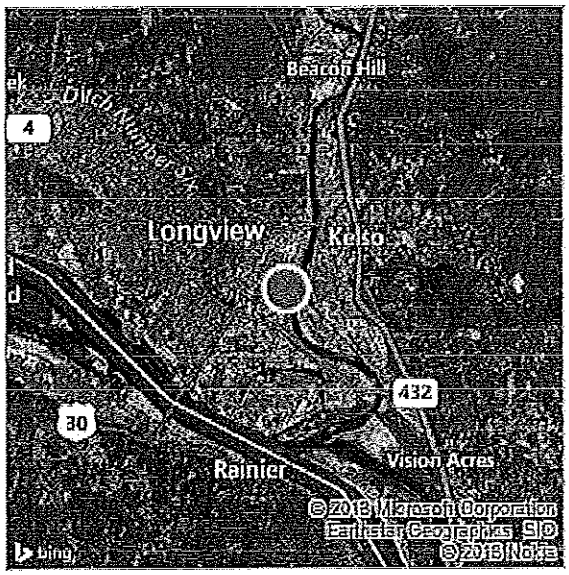
AEC

bing Maps

1153 3rd Ave, Longview, WA 98632

My Notes

On the go? Use **m.bing.com** to find maps, directions, businesses, and more



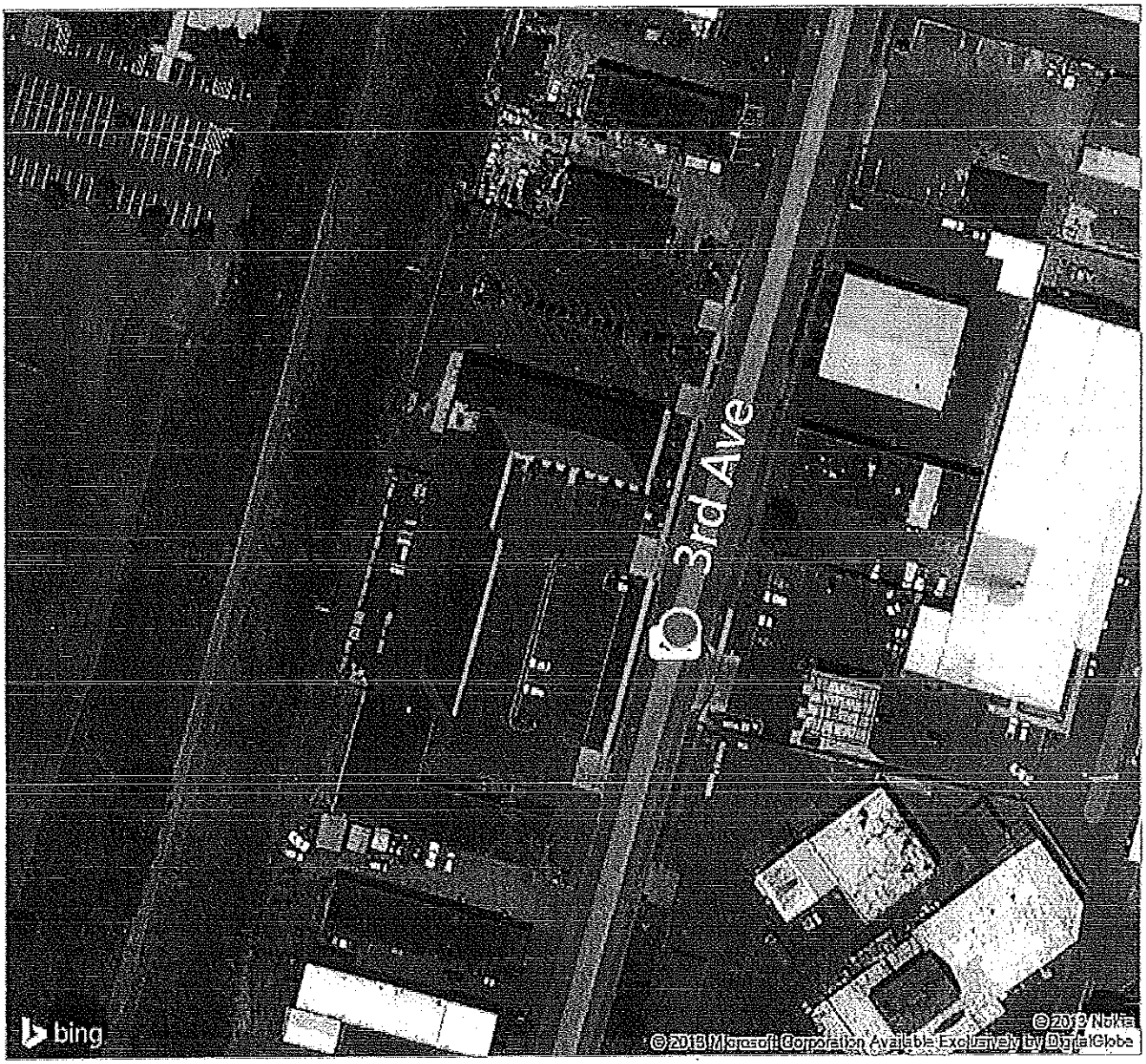


Figure 1

Site Plans Showing 1990

Trenching and Boring Locations

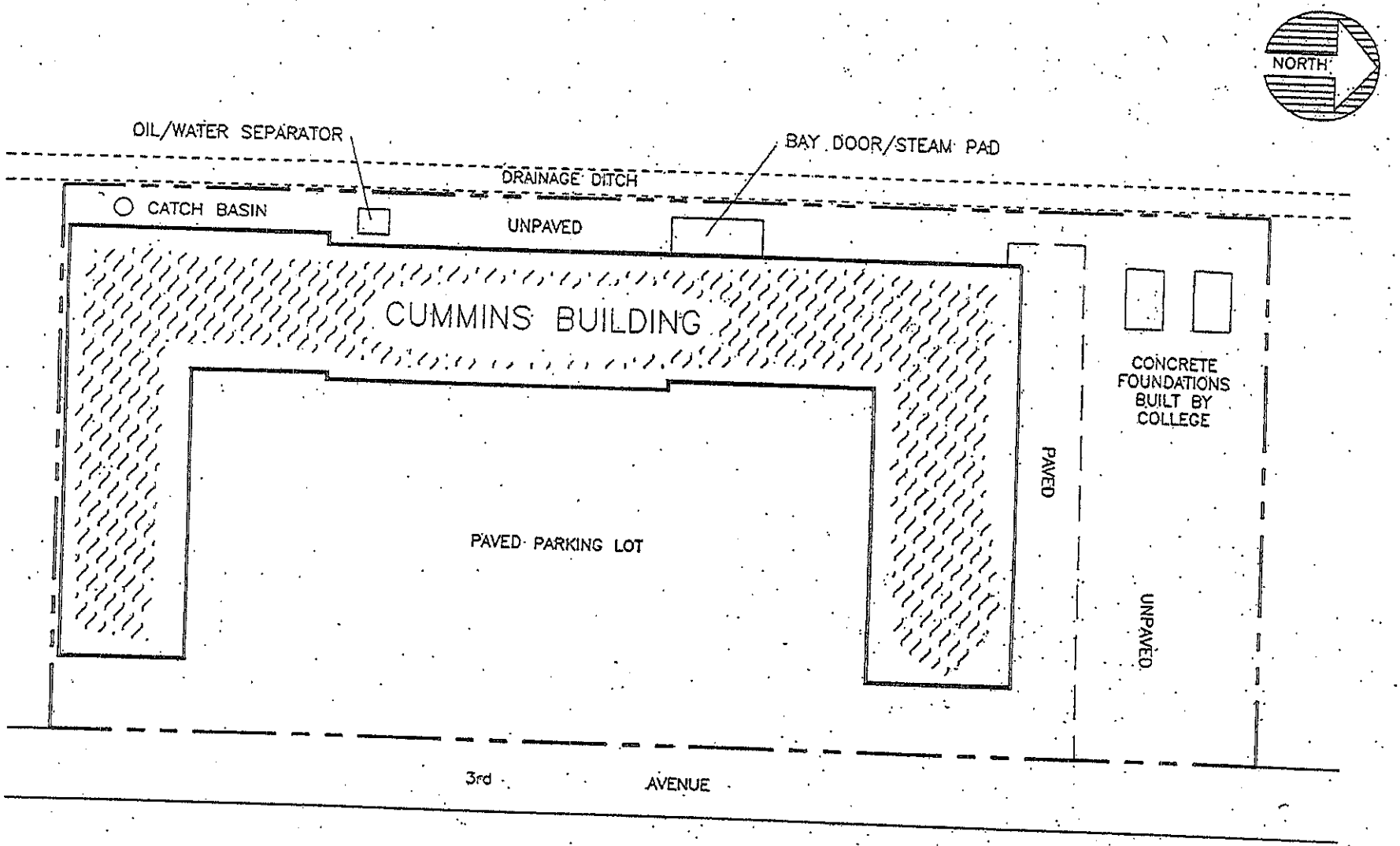
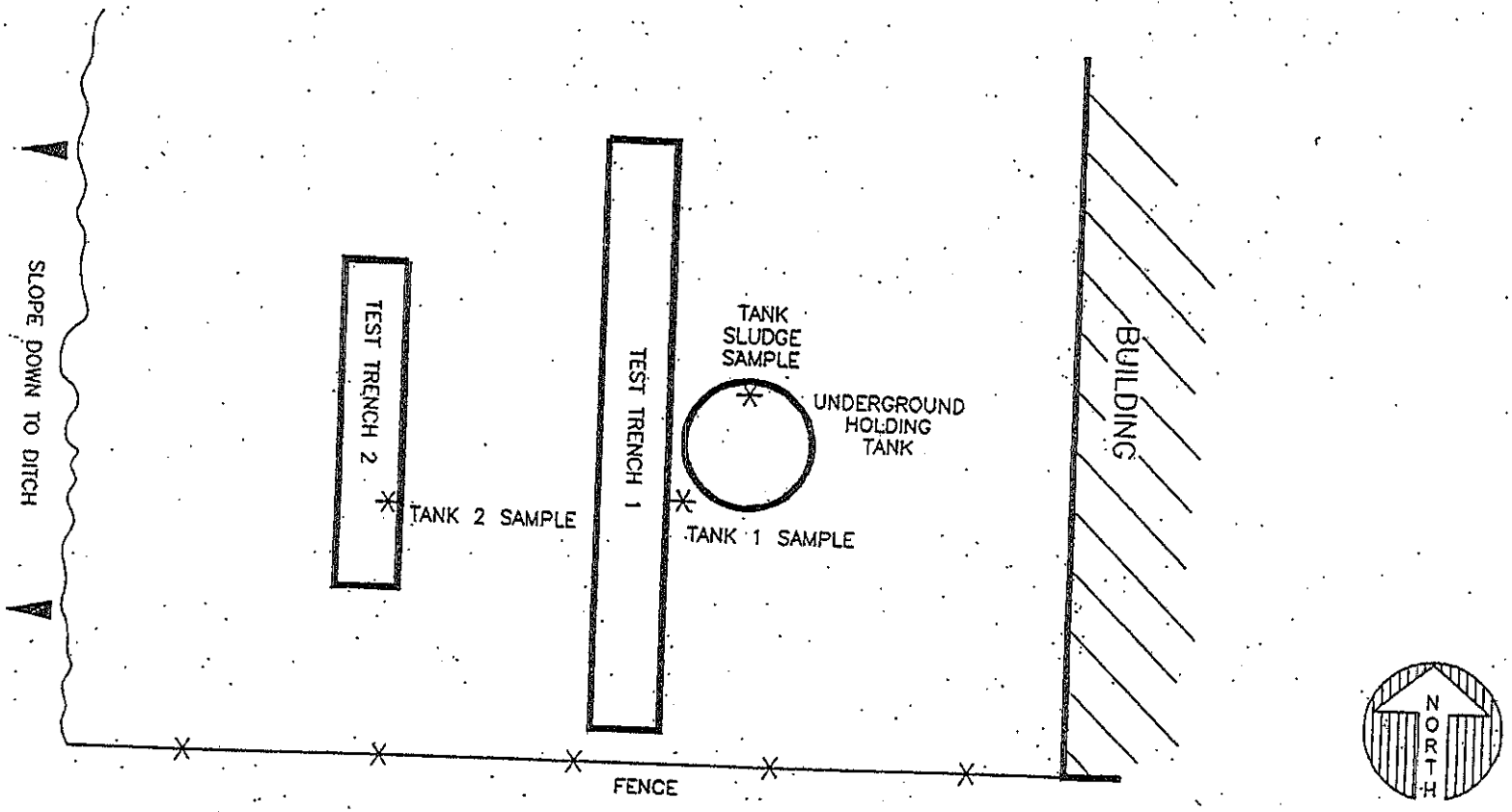


FIGURE NOT TO SCALE

CLIENT: CUMMINS ENGINE COMPANY	FIGURE: 2	DATE: 7-11-90	
DESCRIPTION: SITE DESCRIPTION FOR THE CUMMINS LONGVIEW, WASHINGTON FACILITY	DRAWN BY: JNC	APPROVED BY: LJO	
	PROJECT NO.: 101.38		

Payne Riemer Group, Inc.
Environmental Consultants
Cincinnati, Ohio 45236

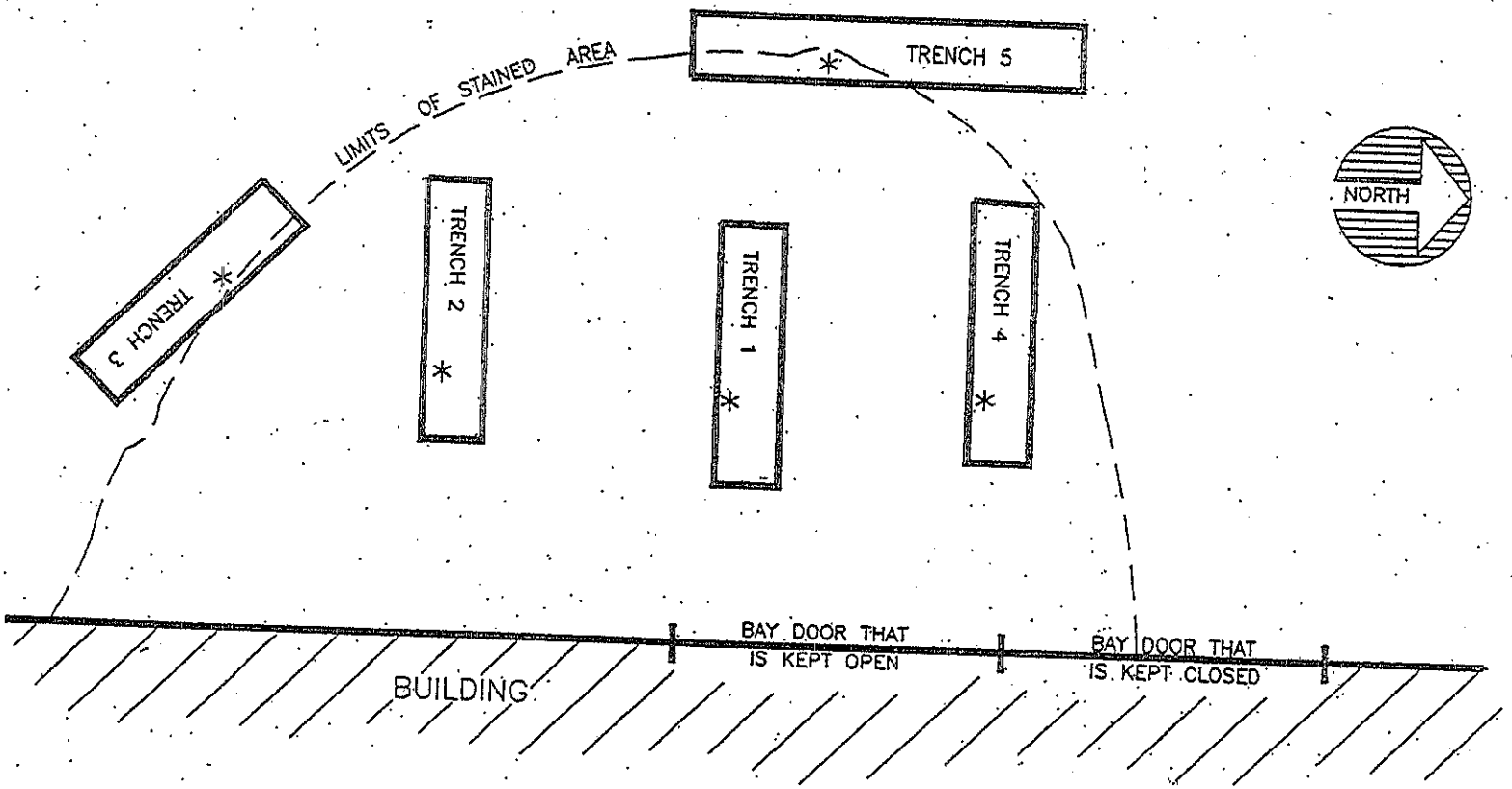


CLIENT CUMMINS ENGINE CO.

DESCRIPTION LOCATION OF BACKHOE TRENCHES NEAR THE CATCH BASIN

FIGURE 3		DATE 7-12-90
DRAWN BY JNC		APPROVED BY LJO
PROJECT NO. 101.38		

Payne Riemer Group, Inc.
Environmental Consultants
Cincinnati, Ohio 45236



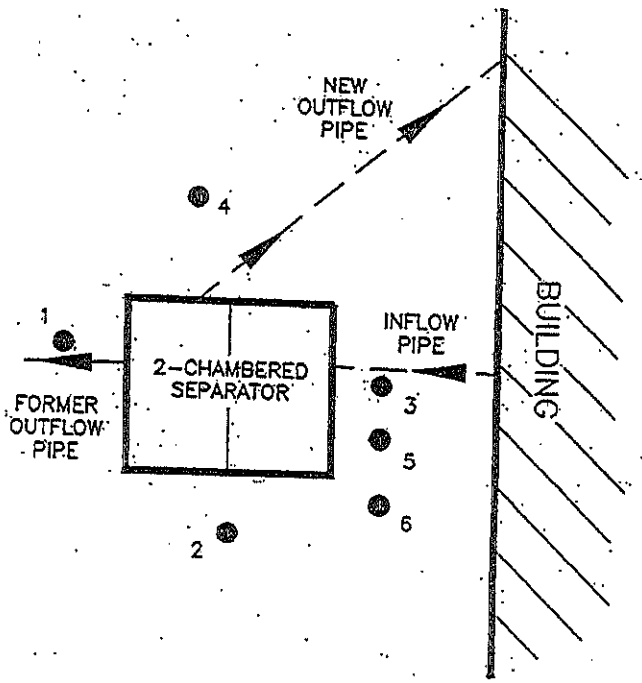
* LOCATIONS WHERE HEADSPACE SAMPLES AND ANALYTICAL SAMPLES WERE COLLECTED

0 5 10

SCALE IN FEET

CLIENT	CUMMINS ENGINE CO.	FIGURE 4	DATE 7-12-90
DESCRIPTION	LOCATION OF BACKHOE TRENCHES NEAR THE BAY DOOR	DRAWN BY JNC	APPROVED BY LJO
		PROJECT NO. 101.38	

Payne Riemer Group, Inc.
Environmental Consultants
Cincinnati, Ohio 45236



SOIL BORING LOCATIONS

0 5 10

SCALE IN FEET

CLIENT CUMMINS ENGINE CO.	FIGURE 5	DATE 7-12-90	
DESCRIPTION LOCATION OF SOIL BORINGS AROUND THE OIL/WATER SEPARATOR	DRAWN BY JNC	APPROVED BY LJO	
	PROJECT NO. 101.38		

Payne Riemer Group, Inc.
Environmental Consultants
Cincinnati, Ohio 45236