



PERIODIC REVIEW

**Cummins Northwest
Facility Site ID#: 682**

**3904 East Trent Avenue
Spokane, Washington 99202**

Eastern Region Office

TOXICS CLEANUP PROGRAM

September 30, 2008

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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 ensure that human health and the environment are being protected at the Cummins Northwest Facility (Site), formerly known as Pacific Power Products. Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA), 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 heavy oil-range petroleum hydrocarbons exceeding MTCA Method A cleanup levels for soil established under WAC 173-340-740(2). WAC 173-340-420 (1) requires that “if the department selects or approves a cleanup action that results in hazardous substances remaining at a site at concentrations which exceed Method A or Method B cleanup levels established under WAC 173-340-700 through 173-340-760 or if conditional points of compliance have been established, the department shall review the cleanup action no less frequently than every five years after the initiation of such cleanup action to ensure that human health and the environment are being protected”.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(2)]:

- (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; and
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The department 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 former Cummins Northwest facility is located in the City of Spokane in Spokane County, Washington (Vicinity Map - Appendix 6.1). Following remedial activities, a restrictive covenant was recorded for the property in 1997 and the Site received a No Further Action determination.

The former Cummins Northwest facility is now occupied by General Fire Protection Systems, Inc., a fire safety equipment and alarm manufacturing facility. When Cummins Northwest occupied the facility, it was used for heavy truck maintenance and repair (Site Plan – Appendix 6.2). The facility is located in a heavily industrialized area.

In 1990, a phase II site investigation was conducted at the Site by The Payne Group. The investigation included the installation of three groundwater monitoring wells, the advancement of 16 soil borings, and soil and groundwater sample collection and analysis. The investigation revealed no detectable petroleum hydrocarbon contamination in groundwater. Four areas of petroleum hydrocarbon contaminated soils (PCS) were identified. The locations were not contiguous and were remediated as individual areas. They include:

1. The former oil/water separator (OWS) area
2. The former fuel Underground Storage Tank (UST) area
3. The used oil Above ground Storage Tank (AST) area
4. The eastern Dry Well area

In November 1993, an additional investigation was conducted that included drilling, soil sampling, monitoring well construction and groundwater sampling. Twenty soil borings were advanced to depths between 20 and 90 feet below ground surface (bgs). Soil samples were collected at five foot intervals and field screened using a portable photoionization detector (PID). Samples with the highest PID reading or visual indication of contamination were analyzed to identify the type of petroleum hydrocarbon. Based on the results, additional quantitative analyses were performed for total petroleum hydrocarbon (TPH) as gasoline, diesel and for volatile organic compounds (VOCs). In addition, samples collected in the vicinity of the former oil/water separator were analyzed for total metals. Three monitoring wells were installed in the vicinity of the former OWS location and the former UST location. Groundwater samples were analyzed for TPH and VOCs. Samples collected from MW-4 were also analyzed for total metals.

Petroleum hydrocarbons as diesel and VOCs were detected in soil samples collected from the former UST area and the former OWS area. Both areas are adjacent to the Cummins Northwest building, making excavation difficult without risking damage to the structure. Contamination was not detected lower than 30 feet bgs. VOCs were not detected in any groundwater samples. Samples collected from MW-4 contained TPH at .62 milligrams per liter (mg/L), arsenic at .024 mg/L and lead at .062 mg/L.

In 1996, the OWS was cleaned and removed along with all floor vaults, drains and sumps in the Cummins Northwest building. In addition, approximately 25 cubic yards of contaminated soils were removed from the OWS excavation. Additional soil removal could not be completed below 12 feet bgs due to potential damage to the structure of the Cummins Northwest building.

Several groundwater monitoring events were conducted between 1993 and 1997. By December 1995, all monitoring wells onsite had four consecutive quarters with no detection of TPH or VOCs. By March 1997, all monitoring wells had four consecutive quarters without arsenic or lead exceeding MTCA Method A cleanup levels.

Summary

Limited amounts of petroleum hydrocarbon contaminated soils remain in the areas of the former UST and former OWS. Since the extent of the contamination is limited, site structures may be damaged by excavation and there is no apparent threat to groundwater, no additional remedial action was taken. A restrictive covenant (Appendix 6.3) was recorded for the Site on May 9, 1997, and on May 15, 1997, a No Further Action determination was issued.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

Based upon the site visit conducted on June 4, 2008, the building and asphalt cover at the Site continue to eliminate exposure pathways (ingestion, contact) to contaminated soils. The asphalt appears in satisfactory condition and no repair, maintenance or contingency actions have been required. The former Cummins Northwest facility is now occupied by General Fire Protection Systems, Inc., a fire safety equipment and alarm manufacturing facility. A photo log is available as Appendix 6.4.

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.

Conclusions:

Soils with TPH concentrations higher than MTCA Method A cleanup levels are still present at the Site. However, the structures and asphalt surface prevent human exposure to this contamination by ingestion and direct contact with soils. The Restrictive Covenant for the property will ensure that the integrity of the caps will be protected through maintaining the current use of the Site.

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 MTCA 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.
- Soils cleanup levels have not been met at the Site; however, under WAC 173-340-740(6)(d), the cleanup action is determined to comply with cleanup standards since the long-term integrity of the containment system is ensured, and the requirements for containment technologies in WAC 173-340-360(8) have been met.
- The Restrictive 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.

Based on this periodic review, the Department of Ecology has determined that the requirements of the Restrictive Covenant have been satisfactorily completed. No additional actions are required by the property owner. It is the property owner's responsibility to continue to inspect the site to ensure that the integrity of the cap 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

SECOR, 1994, Phase III Environmental Assessment Report

SECOR, 1994, Remedial Stabilization Field Work

SECOR, 1995, Second Quarter Groundwater Monitoring – March 1995

SECOR, 1995, August 1995 Groundwater Monitoring Event

SECOR, 1996, December 1995 Groundwater Monitoring Event

SECOR, 1996, Confirmation Soil Sample Data: Oil/Water Separator Excavation

SECOR, 1996, Response to Initial Screening Questions for the former Cummins Northwest Site

SECOR, 1997, December 1996 Groundwater Monitoring Event

SECOR, 1997, March 1997 Groundwater Monitoring Event

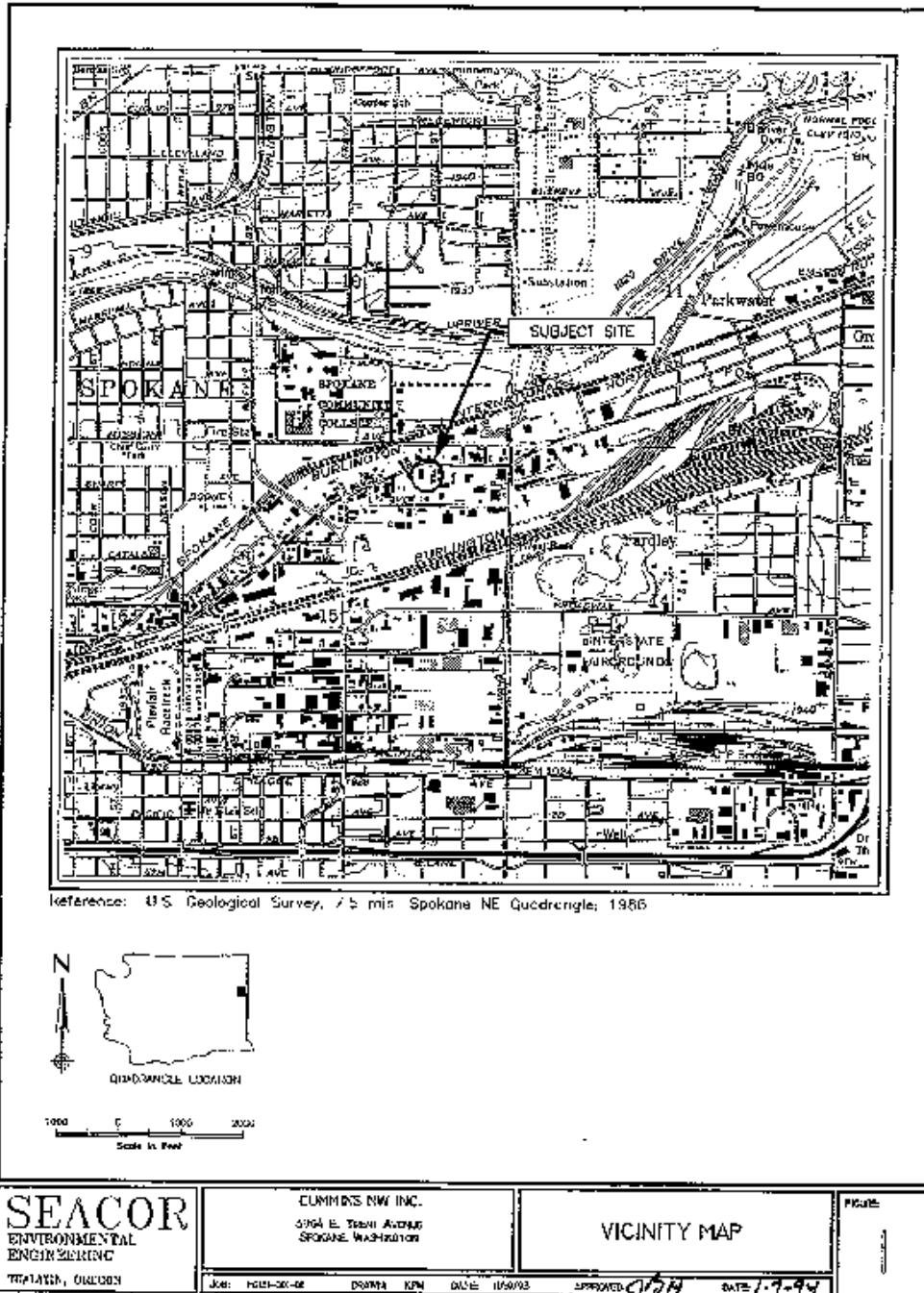
Ecology, 1997, No Further Action Letter

Ecology, 1997, Restrictive Covenant

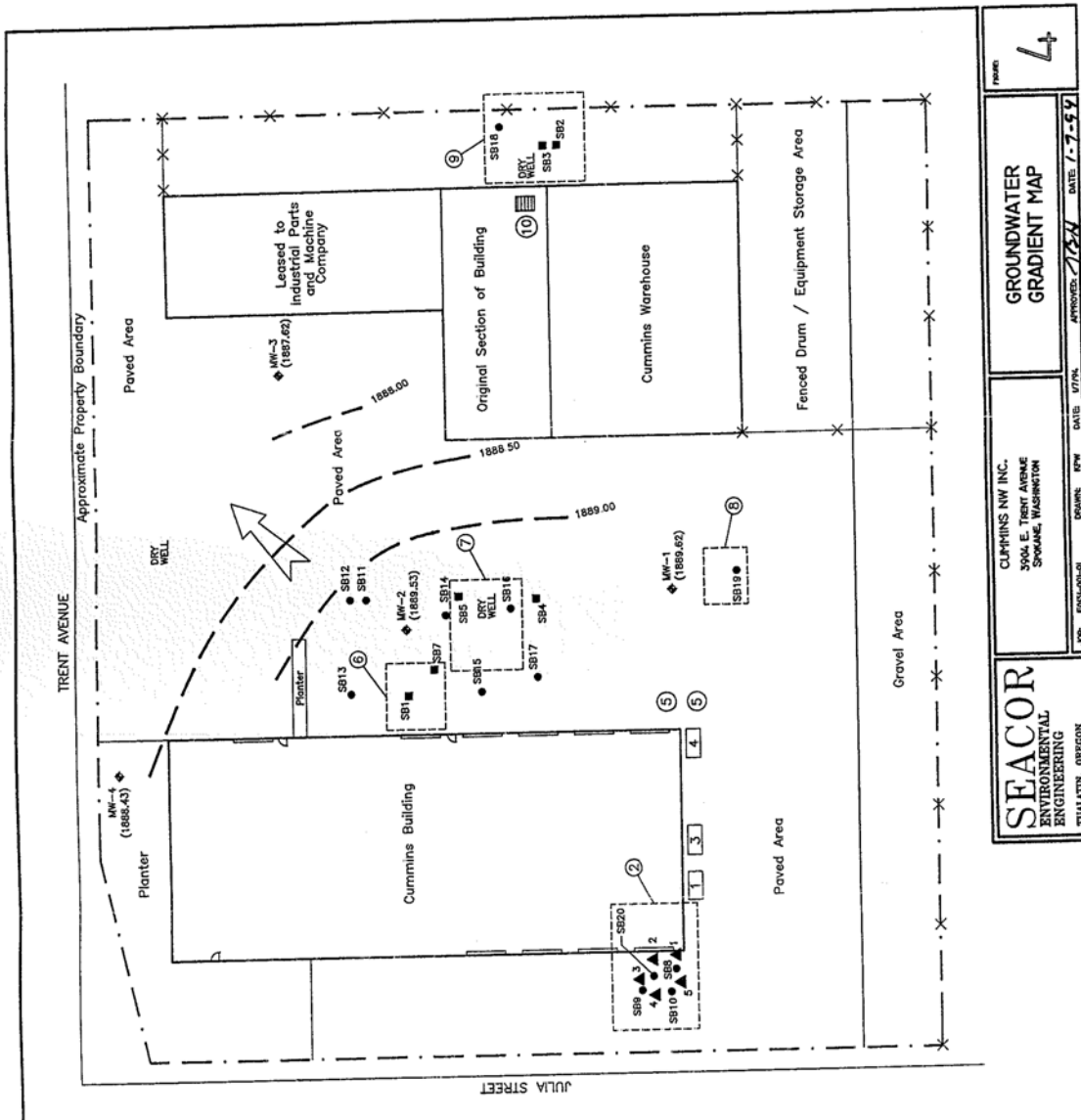
Ecology, 2008, Site Visit

6.0 APPENDICES

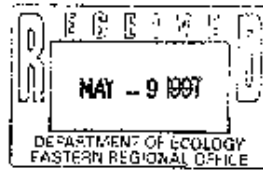
6.1 Vicinity Map



6.2 Site Plan



6.3 Environmental Covenant



COPY
OF UNRECORDED OR UNRECORDED
MAY 09 1997
COUNTY RECORDER
SPOKANE COUNTY WA

Recording File # 4101372

RESTRICTIVE COVENANT
on the GENERAL FIRE APPARATUS PROPERTY at
3904 E. Trent Avenue
Spokane, WA 99202

I, the Grantor,

Darrell V. Siria
12023 N. Homlock Ct.
Spokane, WA 99218-3501

owner of the property that is the subject of this restrictive covenant here state that it has been the subject of remedial action under Chapter 70.105RCW and is legally described as follows:

Spokane County Real Estate Parcel Number 351511001
East Side Syndicate L12012 S195 INC VAC 37.5FT STR
E OF S195 L1212 INC VAC 37.5FT SPP S OF S195 L12012
SADJ EOP

The remedial actions undertaken to clean up the property (hereafter the "Cleanup Action") are described in 1.) Phase III Environmental Site Assessment Report, Cummins Northwest, Inc., 3904 East Trent Avenue, Spokane, WA: SECOR, January 7, 1994, 2.) Remedial Stabilization Fieldwork, Cummins Northwest, Inc., 3904 E. Trent Avenue, Spokane, WA: SECOR, December 13, 1994, 3.) Confirmation Soil Sample Data: Oil/Water Separator Excavation, Cummins Northwest, Inc. Facility, 3904 E. Trent Avenue, Spokane, WA: SECOR, July 4, 1996, 4.) response to Initial Screening Comments for the former Cummins Northwest site at 3904 E. Trent Avenue in Spokane, WA: SECOR, September 16, 1996, 5.) Groundwater Monitoring Events dated as follows: March, 1995, August, 1995, December, 1995, December 1996, March, 1997: SECOR. These documents are on file at the State of Washington Department of Ecology ("Ecology") Eastern Regional Office. This Restrictive Covenant is required under the Department of Ecology's (Ecology) rule WAC 173-340-440 because the cleanup action on the Site resulted in residual concentrations of Petroleum Hydrocarbons contaminated

soil which exceed Ecology's method A cleanup levels for soil established under WAC 173-340-740.

The undersigned, Darrell L. Siria, is the fee owner of real property in Spokane County, State of Washington, hereinafter referred to as the "Site". The property owner makes the following declaration as to limitation, restrictions, and uses to which the Site may be put, and specifies that such declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under, including all current and future owners of any portion of or interest in the Site.

Section 1. A portion of the property shown on Phase III Environmental Site Assessment Report contains Petroleum Hydrocarbons contaminated soil, located just East of the building noted on the Phase III Environmental Site Assessment Report as "Cummins Building" approximately at the MW-2 area on the Groundwater Gradient Map, Figure 4. Remediation or removal of the contaminated soil must be addressed before the owner or a successor owner alters, modifies or removes the existing structures or buildings. Any plans for alteration, modification or removal shall be submitted to Ecology for approval.

Section 2. The owner or successor owner of the Site must give written notice to Ecology, or to a successor agency, of the owner's or successor owner's intent to convey any interest in the Site, and shall, prior to conveyance of title, easement, lease or other interest in the Site, provide to the new owner or lessee of any interest in the Site a copy of the Phase III Environmental Site Assessment Report as referenced before, this covenant. No conveyance of title, easement, lease, or other interest in the property shall be consummated by the owner with adequate and complete provision for continued compliance with this restrictive covenant. Copies of this Restrictive Covenant shall be furnished to any transferee of such real property.


Section 3. The owner or successor owner must notify and obtain approval from Ecology, or from a successor agency, prior to any use of the Site that is inconsistent with the terms of this restrictive covenant. Ecology or its successor agency may approve such a use only after public notice and comment.

Section 4. The owner or successor owner shall grant Ecology, or successor agency, and its designated representatives the right to enter the site at reasonable times for the purpose of carrying out its duties under Chapter 70.105D RCW, including the right to take samples, inspect records.

Section 5. The owner of the Site and any successor owners reserve the right under WAC 173-340-640 to record an instrument which provides that this restrictive covenant shall no longer

limit use of the Site or be of any further force or effect. However, such an instrument may be recorded only with the consent of Ecology, or of a successor agency. Ecology, or a successor agency may consent to the recording of such an instrument only after public notice and comment, and only if a restrictive covenant is no longer required by law at this site.

Carroll L. Siria
12023 N. Hemlock Ct.
Spokane, WA 99218-3501


Carroll L. Siria

5-9-97
Date

STATE OF WASHINGTON


199

COUNTY OF SPOKANE

On this 9th day of May, 1997, before me personally appeared DARRELL L. SIRIA to me known to the individual described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their own free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL the day and year in this certificate first above written.




NOTARY PUBLIC IN AND FOR THE STATE
OF WASHINGTON, residing in Spokane.

6.4 Photo log

Photo 1: Southwest corner of the building - from the southwest



Photo 2: East Side of building - from the northeast



Photo 3: North Side of Building - from the southeast



Photo 4: West Parking Area – from the south

