STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

July 9, 2014

Bob Hall Holdings
c/o Mr. Robert Hall
1600 E. Yakima Avenue
Yakima, WA 98901

Re: Further Action at the following Site:

- Site Name: Sunfair Chevrolet
- Address: 1600 E. Yakima Avenue, Yakima
- Facility/Site ID No.: 49569148
- Cleanup ID No.: 6173
- VCP ID No.: CE0393

Dear Mr. Hall:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Sunfair Chevrolet 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?

YES. Ecology has determined that 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 its 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 releases:

- Petroleum hydrocarbons, methylene chloride and metals (arsenic and lead) into the Soil.

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

Please note 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. *Final Report on Underground Petroleum Spill Cleanup for Sunfair Chevrolet Corporation*, PLSA Engineering & Surveying, October 1990.

2. *Site Assessment Engineering Report, Underground Storage Tank Removal, Sunfair Chevrolet*, PLSA Engineering & Surveying, December 1998.

3. *Engineering Report, Ground Water Sampling, Sunfair Chevrolet*, PLSA Engineering & Surveying, October 2013 (draft work plan)

4. *Final Report, Site Assessment, Remedial Investigation and Conclusions, Sunfair Chevrolet*, PLSA Engineering & Surveying, May 2014.

Those documents are kept at the Central Regional Office (CRO) of Ecology for review by appointment only. You can make an appointment by calling the CRO resource contact at 509-454-7658.

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

Analysis of the Cleanup

Ecology has concluded that **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 <u>not sufficient</u> to establish cleanup standards and select a cleanup action.

Three groundwater monitoring wells (SF1 –SF3) were installed to characterize groundwater in the vicinity of a source area that included releases from two waste oil underground storage tanks (USTs) that were decommissioned in 1998.

Analysis of soil samples collected during monitoring well installation showed the presence of arsenic and lead above compliance levels at two well locations and sample depths as shown below:

BORING LOCATION	ARSENIC	
SF1A & SF3A*	**79.5** mg/kg	**71.3** mg/kg
SF1B & SF3B**	**63.2** mg/kg	17.7 mg/kg
MTCA Method A soil CUL	20 mg/kg	

*"A" designation = 1 to 2 feet below ground surface (bgs)
**"B" designation = 6 to 7 feet bgs

BORING LOCATION	LEAD	
SF1A & SF3A*	107.8 mg/kg	130.4 mg/kg
SF1B & SF3B**	**937.0** mg/kg	11.0 mg/kg
MTCA Method A soil CUL	250 mg/kg	

*"A" designation = 1 to 2 feet below ground surface (bgs)
**"B" designation = 6 to 7 feet bgs

The initial purpose of the soil sampling was to address residual petroleum contamination left in place under a concrete slab as well as rectify analytical deficiencies consequent of the 1998 site assessment.

Soil was collected from the three well locations at two different depths but the limited effort appears to have failed to locate the area of residual petroleum contamination. Although the presence of the arsenic and lead may be associated with residual waste oil contamination, the lack of detections of heavy-oil range organics may be indicative of a different source of release that accounts for the presence of these metals.

Groundwater sampling was also conducted to assess possible impact to that medium. Metals in groundwater were detected but at concentrations below MTCA Method A compliance limits. However, analysis for PCBs in groundwater was inconclusive since the laboratory's method reporting limit was higher than the compliance level.

2. Establishment of cleanup standards.

a. Substance-specific standards.

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

1) The Method A soil cleanup levels for unrestricted land uses at this site are:

- Diesel range organics 2,000 mg/kg
- Heavy oil range organics 2,000 mg/kg
- Arsenic 20 mg/kg
- Lead 250 mg/kg
- Methylene Chloride 0.02 mg/kg

Method A soil cleanup levels are based on protection of groundwater for drinking water purposes. The soil leaching to groundwater pathway appears to be incomplete since the groundwater was not shown to be impacted by the chemicals of concern. However, the analysis for PCBs in groundwater was inconclusive and full assessment of this pathway depends on an additional sampling and analysis event for PCBs.

For soil cleanup levels based on direct contact, the point of compliance is defined as throughout the site from the ground surface to 15 feet below the ground surface.

Additionally, soil samples were screened in accordance with MTCA Table 830-1 to include MTBE, EDB, EDC, PCBs and naphthalenes. These analytes of interest were not detected.

2) The Method A groundwater cleanup levels for unrestricted land use are:

- Diesel range organics 500 ug/liter
- Heavy oil range organics 500 ug/liter
- Arsenic 5 ug/liter
- Lead 15 ug/liter
- Methylene Chloride 5 ug/liter

For groundwater, the standard point of compliance is defined as 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.

Additionally, all of the groundwater samples were screened in accordance with MTCA Table 830-1 to include MTBE, EDB, EDC, PCBs and total lead.

b. Action and location-specific requirements.

1) Conduct additional sample and analysis event for groundwater characterization and analyze the groundwater sample for PCBs. Ensure that the laboratory reporting limit is below the compliance limit to properly assess groundwater.
2) Perform additional soil sampling to delineate the lateral and vertical extent of arsenic and lead contamination in soil.

c. Additional requirements.

1. Upload soil analytical data that shows levels above MTCA Method A soil cleanup levels into the Ecology Environmental Information Management (EIM) database.
2. Submit documentation of exclusion for the terrestrial ecological evaluation.

3. Selection of cleanup action.

Ecology has determined that the lack of a cleanup action for the Site does not meet the substantive requirements of MTCA. To comply with these requirements, one of the remedial action options below must be implemented:

1. Using the information from the further investigation listed in subsection b above, perform contaminated soil removal in the vicinity of the wells and collect confirmational samples to show compliance with Method A soil cleanup levels.

2. Ecology's preferred alternative for a final remedy typically involves active measures to include contaminated soil removal and/or treatment; however, an institutional control may be imposed provided that a disproportionate cost analysis, as outlined in WAC 173-340-360(3)(e), has been conducted. If the evaluation shows that the institutional control is justified and Ecology approves, then an environmental covenant should be filed with the appropriate county recording agency. This mechanism of institutional control will serve to mitigate

direct contact exposure hazard to contaminated soil. The requirement stated in subsection b above is also applicable in defining the area for land use restriction.

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).

Contact Information

Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

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, please contact me by phone at 509-454-7836 or e-mail at john.mefford @ecy.wa.gov.

Sincerely,

John Mefford

John Mefford
Site Manager
CRO Toxics Cleanup Program

cc: Mr. Brad Card, PLSA Engineering & Surveying
Dolores Mitchell, VCP Financial Manager