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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 3, 2008

CERTIFIED MAIL

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Mr. Bill Hammett
Superior Asphalt and Concrete
2000 East Beech
PO Box 10268
Yakima, WA 98909

RE: Superior Asphalt Beech Street, Facility Site ID # 488, Order No. 91TC-C444 Has Been Satisfied

Dear Mr. Hammett:

On October 31, 1991, Ecology issued Order No. 91TC-C444 to Superior Asphalt and Concrete Company ("Superior") regarding clean up of the site at 2000 East Beech Street in Yakima following discovery of a petroleum seep into an adjacent park pond. On October 20, 1997, Ecology issued Amendment No. 1 to Order No. 91TC-C444. On June 6, 2000, Ecology issued Amendment No. 2 to Order No. DE 91TC-C444.

Section VI. of Order No. 91TC-C444 states: "The provisions of this Order shall be deemed satisfied upon Superior Asphalt's receipt of written notification from Ecology that Superior Asphalt has completed the remedial activity required by this Order, as amended by any modifications, and that all other provisions of this Enforcement Order have been complied with."

The Department of Ecology hereby determines that Superior Asphalt and Concrete Company has satisfied the requirements of Order No. 91TC-C444 and its two amendments. Superior Asphalt and Concrete Company has completed the remedial activity required by the Order. All other provisions of the Order also have been complied with.

Background

Superior completed an interim action in 1994 by placing a liner and product collection system downgradient of the affected area. From 1998 through 2002, Superior conducted cleanup activities that included removal of equipment from the site associated with asphalt batch plant operation, excavation of petroleum contaminated soil down to and below seasonal low groundwater elevation, removal of petroleum product floating on ground water, and restoration of the site to surrounding grade while maintaining the liner and product recovery system installed in the interim action. The excavated petroleum contaminated soil was transported to the location of the new Superior plant



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near Selah, where it was incorporated into new asphalt being produced. At the Beech Street site, a small amount of petroleum contaminated soil remains east of the lined interception trench. The contaminated soil from this small area was not excavated in order to minimize damage to the existing wetlands and ponds and to maintain the integrity of the trench liner.

In a June 24, 2003, letter, Site Manager Norm Hepner of Ecology approved a modification of the "Alternate Ground Water Monitoring Plan, Superior Asphalt Enforcement Order DE 91TC-C444" submitted by Herrera Environmental Consultants on behalf of Superior.

On June 7, 2006, Ecology received "2005 Annual Ground Water Monitoring Report" submitted by Herrera Environmental Consultants on behalf of Superior Asphalt and Concrete Company on monitoring conducted in accordance with the alternate monitoring plan. The document reports on sampling events for diesel and heavy oil-range hydrocarbons on eight dates from 4/18/03 to 1/9/06. In 49 of the 50 individual results, the constituent analyzed for was not found above the reported detection limit. The one instance in which a constituent was detected showed a diesel concentration of 0.37 mg/kg, which is below the MTCA Method A cleanup level of 0.5 mg/kg. That sample came from the earliest (4/18/03) round of sampling covered in the report.

The last remaining requirement from Order DE 91TC-C444 was satisfied when a restrictive covenant was recorded placing conditions on the property for the purpose of prohibiting activities that may interfere with the integrity of the cleanup or result in exposure to hazardous substances.

Ecology again thanks Superior Asphalt and Concrete Company for pursuing this cleanup. Please call Bob Swackhamer at (509) 454-7840 if you have questions or comments on matters contained in this letter.

Sincerely,



Donald W. Abbott
Section Manager
Toxics Cleanup Program
Central Regional Office

cc: Randy Baer, Baer Testing and Consulting
Al Brown, Yakima Greenway
Aaron Davis, Superior Asphalt and Concrete
Charles Flower, Flower & Andreotti
Peter Jowise, Herrera Environmental Consultants
Pete Matheson, Granite Northwest, Inc.
Ray Paoletta, City of Yakima