



Periodic Review

Becker Buick Sprague Avenue
636 East Sprague Avenue
Spokane, Washington 99202

Facility Site ID No. 6237923
Cleanup Site ID No. 5398

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

October 2014

1.0 INTRODUCTION.....	1
2.0 SUMMARY OF SITE CONDITIONS.....	2
2.1 Site History	2
2.2 Cleanup Levels and Point of Compliance.....	2
2.3 Site Investigations and Remedial Actions	2
2.4 Institutional Controls	4
3.0 PERIODIC REVIEW	6
3.1 Effectiveness of completed cleanup actions	6
3.1.1 Soil	6
3.1.2 Groundwater	6
3.1.3 Institutional Controls	6
3.1.4 Summary	6
3.2 New scientific information for individual hazardous substances for mixtures present at the Site	6
3.3 New applicable state and federal laws for hazardous substances present at the Site	7
3.4 Current and projected Site use	7
3.5 Availability and practicability of higher preference technologies	7
3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels	7
4.0 CONCLUSIONS	8
4.1 NEXT REVIEW	8
5.0 REFERENCES.....	9
6.0 APPENDICIES	10
6.1 Vicinity Map	11
6.2 Site Plan	12
6.3 Soil Boring Data	13
6.4 Environmental Covenant	14
6.5 Photo log	21

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 Becker Buick Sprague Avenue 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 Voluntary Cleanup Program (VCP). The VCP project number is EA0188. The cleanup actions resulted in residual concentrations of oil-range petroleum hydrocarbons (TPH-O) in soil that exceeded MTCA Method A and Site-specific MTCA Method B cleanup levels established under WAC 173-340-740(2) and WAC 173-340-740(3). 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 Becker Buick facility is located at 636 East Sprague Avenue in a commercial and industrial portion of the City of Spokane in Spokane County, Washington. The facility was originally constructed in about 1953 and has operated continuously as an automobile sales and service facility since that time. The Site is paved with concrete or asphalt with some landscaped areas. A sales and service building is located on the property. A vicinity map is available as Appendix 6.1 and a Site plan is available as Appendix 6.2.

2.2 Cleanup Levels and Point of Compliance

A Site-specific MTCA Method B cleanup value of 6,343 milligrams per kilogram (mg/kg) was calculated for TPH-O. The cleanup value was calculated using the chemical composition of the sample collected from DP-10, which had the highest petroleum hydrocarbon concentrations of the samples collected during the Phase II Environmental Site Assessment (ESA).

This Method B cleanup level was appropriate for the Site because it was determined that only the direct contact and ingestion pathways needed to be evaluated. Due to the depth of groundwater and the presence of shallow bedrock at the Site, it was determined that the soil cleanup standard did not need to consider the leaching pathway.

The extent of the Site includes the area containing soil and/or groundwater that have been impacted by the release of petroleum hydrocarbons from the Site. The point of compliance for soil is defined as the area affected by petroleum hydrocarbons released from the Site into soil at concentrations above MTCA Method A cleanup levels, to a depth of 15 feet below ground surface (bgs).

The groundwater point of compliance is throughout the Site from the uppermost level of the saturated zone to the lowest depth that could possibly be affected by the Site.

2.3 Site Investigations and Remedial Actions

A 300-gallon waste oil underground storage tank (UST) located south of the service garage was removed in December 1991. The tank was taken out of service in 1989 when a new aboveground waste oil tank was installed. The tank and associated piping was removed and inspected; the tank was slightly corroded but no holes were observed in the tank or piping. Stained soil was observed around and below the exterior fill tube.

Soil was excavated to basalt at about 8-9 feet bgs. Soil samples were collected from the bottom of the excavation, from the sidewalls, and from the stockpiled material. Sample results from the excavation were all below cleanup levels. Approximately 8 tons of soil were removed from the excavation and transported to Rem Tech for disposal. Ecology conducted an Initial Investigation in January 1992 and issued a No Further Action determination for the waste oil tank.

Two 550-gallon gasoline USTs were removed from the Site in February 2002. The tanks were moderately to severely corroded and some holes were observed in the tanks. The backfill material around the tanks (pea gravel) was excavated after the tanks were removed. Soil/backfill material was excavated to bedrock; basalt was encountered at 6 -7 feet bgs. One soil sample was collected from the north sidewall of the excavation and one from the stockpile. Since the tank pit was excavated to basalt, no sample was collected from the bottom of the excavation. Sample results from the excavation did not detect petroleum hydrocarbons. Approximately 12 tons of potentially contaminated soil was transported to Graham Road Landfill for disposal.

A Phase I ESA was conducted in June 2007. Based on the findings of that assessment, a Phase II ESA was conducted in October 2007 to evaluate subsurface soil conditions beneath hydraulic automotive hoists inside the service building. Fourteen soil borings were installed at the Site; four borings to assess the fill material in a former pond location and one boring for each hoist location. The pond was once located on the Site and filled with imported soil from an undetermined location. Results indicated that petroleum hydrocarbon concentrations in the four soil samples collected within the former pond (P-1 through P-4) were all non-detect or below cleanup levels. Results for samples collected from the hydraulic hoists indicated concentrations of oil-range hydrocarbons exceeded cleanup level in DP-1, DP-5, DP-8 and DP-10.

Based on analytical results from soil samples collected from the hydraulic hoist pits during the 2007 Phase II ESA, concentrations of oil-range petroleum hydrocarbons exceeded the cleanup level in five samples. A Site-specific Method B cleanup level of 6,343 mg/kg was calculated for the Site. The sample used for the evaluation (DP-10) had the highest concentration of the previous samples.

In October 2008, the hydraulic hoists and piping were removed. Fifteen soil samples were collected from the excavation. Where analytical results indicated that the Site-specific cleanup levels had been exceeded, additional contaminated soil was removed and a new confirmatory sample collected. Basalt was encountered at the bottom of each hoist pit.

Approximately 10 tons of petroleum contaminated soil was removed from the Site and transported to the Graham Road Landfill for disposal.

Samples from the hoist locations DP-7 and DP-8 exceeded the Site-specific cleanup level. No additional soil was removed due to unstable conditions in the excavation and proximity of the building foundation. Soil data from these borings is available as Appendix 6.3.

2.4 Institutional Controls

Limited amounts of petroleum hydrocarbon contaminated soils remain in the areas of the former hydraulic hoists in the service building. Since the extent of the contamination was limited; Site structures risked damage by additional excavation; and there was no apparent threat to groundwater, no additional remedial action was taken. It was determined the Site would be eligible for an NFA determination if institutional controls were implemented in the form of an Environmental Covenant (Covenant). A Covenant was recorded for the Site on May 26, 2009, and on December 29, 2009 an NFA determination was issued.

The restrictions implemented in the covenant are listed below.

1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.
2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.
4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.
5. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.
6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.
7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.
8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

A copy of the covenant is available as Appendix 6.4.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

3.1.1 Soil

Based upon the Site visit conducted on June 4, 2014, the building and concrete cover at the Site continue to eliminate direct exposure pathways (ingestion, contact) to contaminated soils. The concrete surface appears in excellent condition and no repair, maintenance or contingency actions have been required. The Site continues to be occupied by the Becker Buick Automotive Dealership, and provides automotive sales and service. A photo log is available as Appendix 6.5.

3.1.2 Groundwater

Groundwater is located at approximately 75 feet bgs at the Site. Excavation was completed to bedrock at approximately 6-7 feet bgs. Groundwater was not encountered during remedial actions. Residual soil contamination remaining beneath the building is not present at concentrations exceeding residual saturation screening levels, and contamination did not likely penetrate bedrock; therefore, soil contamination does not likely pose a threat to groundwater quality at the Site.

3.1.3 Institutional Controls

The Covenant for the Site was recorded and remains active. There is no evidence a new instrument has been recorded which limits the effectiveness or applicability of the Covenant. This 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 Covenant serves to assure the long term integrity of the cap.

3.1.4 Summary

Soils with TPH-O concentrations exceeding 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 Covenant for the property will ensure the integrity of the caps will be protected through property use restrictions.

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

There is no new relevant 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

There are no new applicable state or federal laws for contaminants of concern at the Site.

3.4 Current and projected Site use

The Site is currently used for commercial 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.
- 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.

Based on this periodic review, Ecology has determined the restrictions in the Covenant are being followed. No additional actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to ensure 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

Rob's Demolition. *Site Assessment Results on Underground Storage Tank System Closure*.
December 1991.

Rob's Demolition. *Independent Cleanup of Contaminated Soil*. May 2002.

GeoEngineers, Inc. *Phase II Environmental Site Assessment*. November 16, 2007.

Ecology. *VCP Review*. April 15, 2009.

Ecology. *Environmental Covenant*. May 26, 2009.

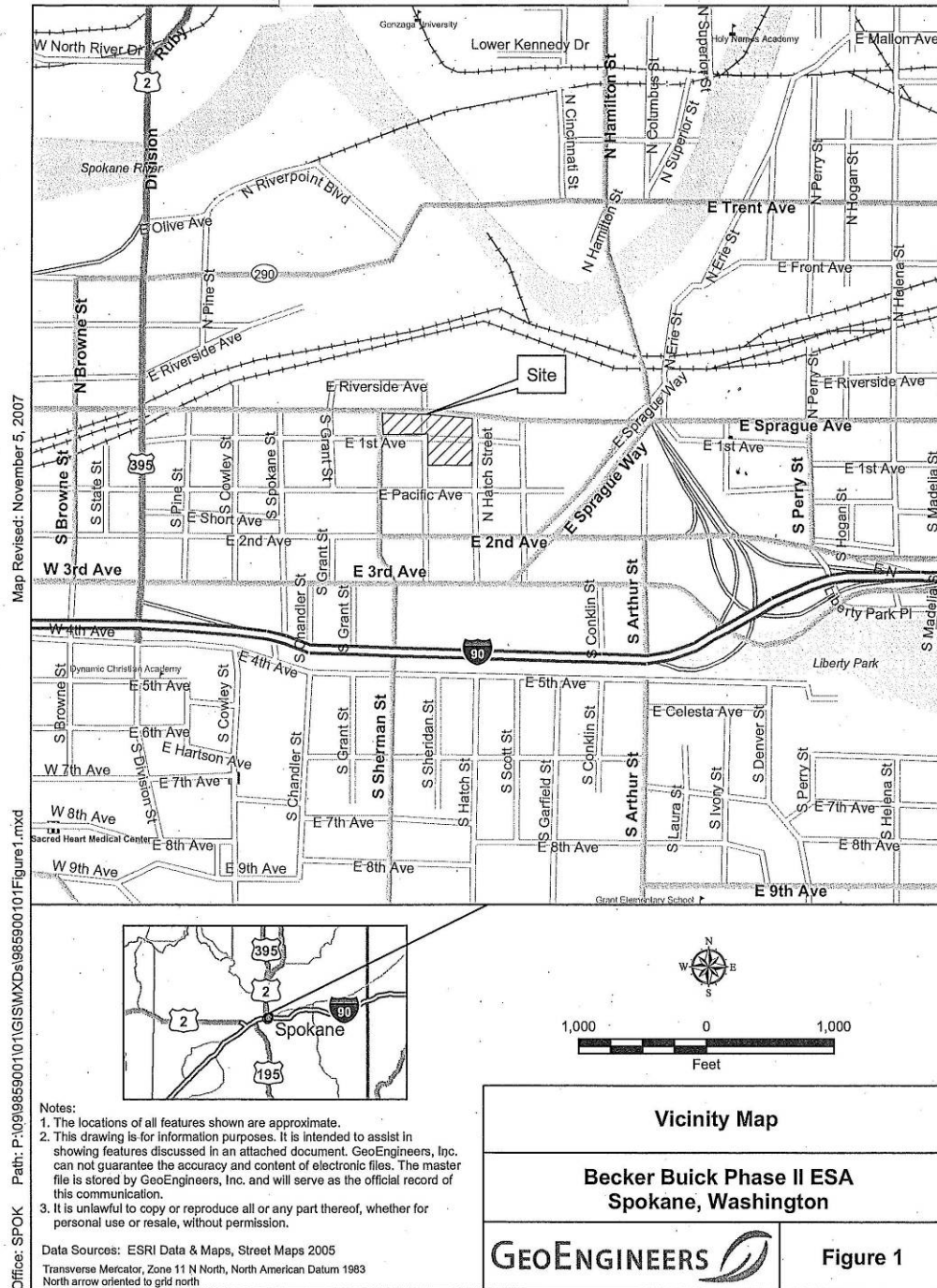
URS Corporation. *Underground Hoist Decommissioning and Soil Sampling Report*.
December 18, 2009.

Ecology. *No Further Action Determination Letter*. December 29, 2009.

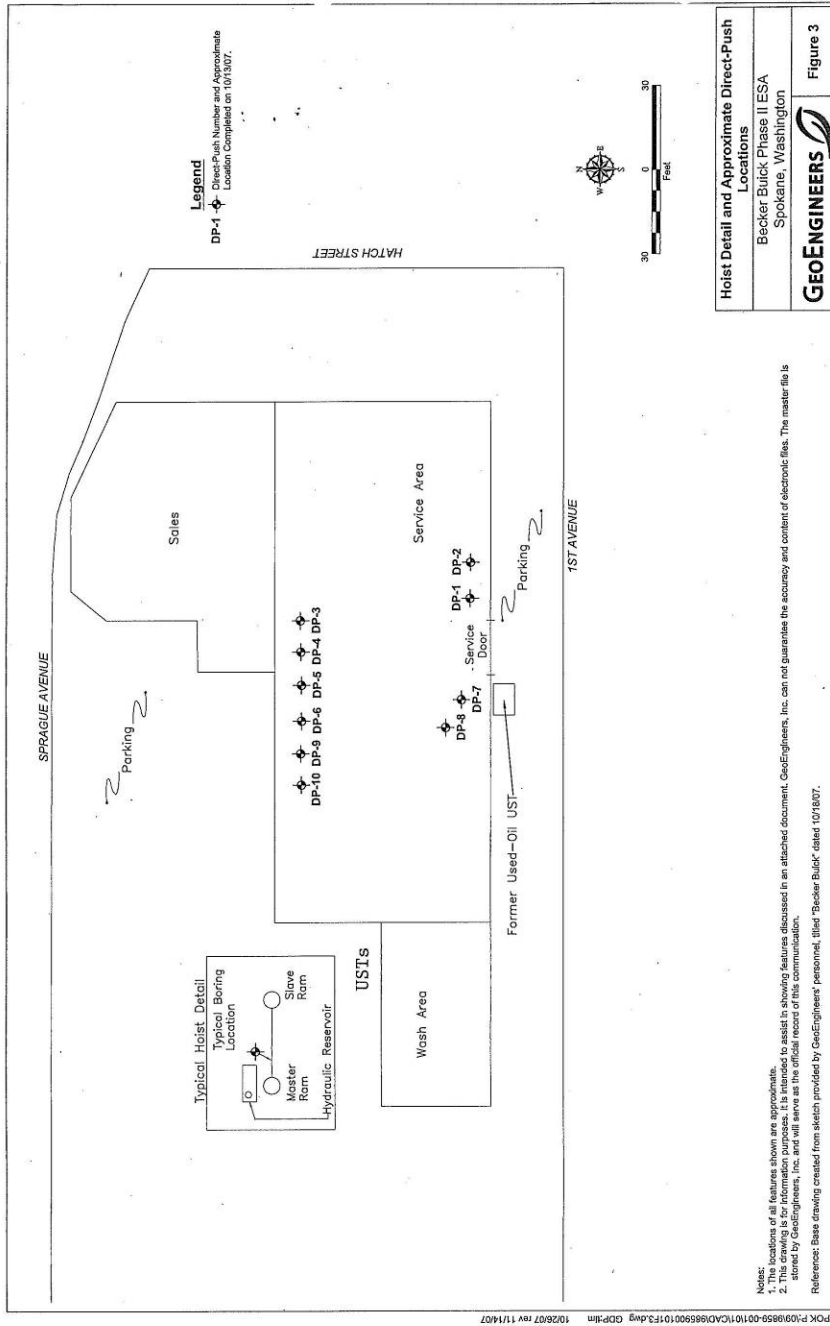
Ecology. *Site Visit*. June 4, 2014.

6.0 APPENDICIES

6.1 Vicinity Map



6.2 Site Plan



6.3 Soil Boring Data

Soil Analytical Results
 Becker Buick GMC, Inc.
 Spokane, Washington

Sample ID	Date	Depth (feet)	EPA 6010		NWTPH-Dx			EPA 8260B				
			Lead	26	TPH-D	TPH-O	TPH-Q	Benzene	Toluene	Ethylbenzene	Xylenes	MTBE
DP-9	11/03/08	8			1,820	3,170	<0.0156	<0.104	<0.104	<0.417	<0.0313	<0.209
DP-6	11/03/08	8			4,880	7,880						
DP-5	11/03/08	8			13,800	23,900						
DP-5R	11/05/08	8			1,580	3,640						
DP-6R	11/05/08	8			1,600	3,490						
DP-4	11/04/08	8			3,570	6,830						
DP-4R	11/07/08	8			1,670	3,800						
DP-10	11/04/08	8			1,740	4,380						
DP-3	11/04/08	8			2,330	4,000						
DP-1	11/26/08	8			89	213						
DP-2	11/26/08	8			32	84						
DP-7	11/26/08	8			2,380	6,780						
DP-8	11/26/08	8			1,480	5,230						
DP-7R	12/06/08	8			3,660	15,900						
DP-8R	12/06/08	8			1,150	4,030						
MTCA Cleanup Level (mg/kg)			250 ^a		6343 ^b	6343 ^b	0.03 ^a	7 ^a	6 ^a	9 ^a	0.1 ^a	5 ^a

Notes:
 Soil Samples Analyzed by TestAmerica, Spokane, Washington.
 Analytical results are presented in milligrams per kilograms (mg/kg)
 - = Not analyzed
Bold = Exceeds Cleanup Value
 MTCA - Model Toxics Control Act
^a MTCA Method A Cleanup Value - Unrestricted Land Use
^b Site-Specific MTCA Method B Soil Cleanup Levels for Unrestricted Land Use, Washington State Department of Ecology Toxics Cleanup Program/ GeoEngineers 2007
 R = Denotes Resampled after additional soil had been removed.

6.4 Environmental Covenant

05/26/2009 03:25:29 PM
Recording Fee \$47.00 Page 1 of 6
Covenant DEPARTMENT OF ECOLOGY
Spokane County Washington

5795244



After Recording Return to:

Patti Carter
Department of Ecology
4601 N. Monroe Street
Spokane, WA 99205

Environmental Covenant – Becker Buick (Sprague Ave)

Grantor: CORNWELL FAMILY, LLC
Grantee: STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY
Legal: NOSLER ADD AND ASSESSORS PLAT NO 2 LTS 1 THRU 6 BLK 3
NOSLER ADD AND VAC STP N OF AND ADJ AND TRS 2 THRU 6
ASSESSORS PLAT NO 2 EXC PTN DEEDED FOR ST TOG W/ E 1/2
OF VAC SHERIDAN ST LYG W OF & ADJ TO (ORD# C33476).
Tax Parcel No.: 35202.0101

Grantor, CORNWELL FAMILY, LLC, a Washington Limited Liability Company, hereby binds Grantor, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") made this 12th day of May, 2009 in favor of the State of Washington Department of Ecology ("Ecology"). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws Ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Cornwell Family, LLC, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

A remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following documents:

- Site Assessment Results on Underground Storage Tank System Closure, Becker Buick – GMC Trucks, E. 636 Sprague Avenue, Spokane, Washington: Rob's Demolition, December 1991.
- Independent Cleanup of Petroleum Contaminated Soil, Becker Buick, 636 E. Sprague Avenue, Spokane, WA: Rob's Demolition, May 2002.
- Phase II Environmental Site Assessment, Becker Buick, Inc., 636 East Sprague, Spokane, Washington: GeoEngineers, Inc., November 16, 2007.
- Underground Hoist Decommissioning and Soil Sampling Report, Becker Buick GMC, Inc., 636 East Sprague Avenue, Spokane, Washington: URS Corporation, December 19, 2008.

These documents are on file at Ecology's Eastern Regional Office.

This Covenant is required because the Remedial Action resulted in residual concentrations of Diesel- and Oil-range Petroleum Hydrocarbons which exceed the Model Toxics Control Act Method B Cleanup Levels for SOIL established under WAC 173-340-740.

The undersigned, Cornwell Family, LLC, is the fee owner of real property (hereafter "Property") in the County of Spokane, State of Washington that is subject to this Covenant. The Property is legally described on the Exhibit "A" attached hereto.

Cornwell Family, LLC makes the following declaration as to limitations, restrictions, and uses to which the Property 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 them, including

all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork."

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

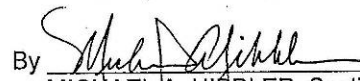
Dated: May 12, 2009

CORNWELL FAMILY, LLC

By 
DALE R. CORNWELL, Manager

By 
GEORGIA L. CORNWELL, Manager

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

By 
MICHAEL A. HIBBLER, Section Manager,
Toxics Cleanup Program

Dated: May 18, 2009

Exhibit A
Legal Description

Lots 1, 2, 3, 4, 5 and 6 in Block 3 of NOSLER'S ADDITION to Spokane, as per plat recorded in Volume "A" of Plats, Page 102, Records of Spokane County;

Also Tracts 3, 4, 5 and 6, Assessor's Plat No. 2, as per plat thereof recorded in Volume "C" of Plats, Page 90;

TOGETHER WITH a portion of a strip, as vacated by Spokane County Ordinance No. A-2915, Recorded August 6, 1907, under Auditor's File No. 178514, lying between lots 1, 2, 3, 4, 5 and 6 in Block 3 of said Nosler's Addition and Tracts 3, 4, 5 and 6 of said Assessor's Plat No. 2 and that portion of Tract 2 of said Assessor's Plat No. 2, described as follows:

BEGINNING at the Northeast corner of Lot 1 in Block 3 of said NOSLER'S ADDITION;

Thence West along the North line of said lots 1, 2, 3, 4, 5 and 6 in Block 3, to the Northwest corner of said Lot 6;

Thence North along the West line of said Lot 6, extended to the Southwest corner of Tract 6 of said ASSESSOR'S PLAT NO. 2;

Thence Easterly along the South line of Tracts 6, 5, 4 and 3 of said ASSESSOR'S PLAT NO. 2 to the Southeast corner of said Tract 3;

Thence North along East line of said Tract 3 to its intersection with the South line of Sprague Avenue as now located; thence Southeasterly along the Southerly line of Sprague Avenue to a point where same intersects the East line of Lot 1 in Block 3 of said NOSLER'S ADDITION, extended North;

Thence South along the said East line of Lot 1 Extended 17.7 feet, more or less, to Point of Beginning;

Situate in the City of Spokane, County of Spokane, State of Washington.

Together with the East half of vacated Sheridan Street from Sprague Avenue to 1st Avenue vacated by Ordinance No. C33476 and Recorded under Auditor's File No. 5373396 that would attach by operation of law.

6.5 Photo log

Photo 1: Becker Buick Service Building - from the southeast



Photo 2: Service Building Interior - from the west



Photo 3: Western Hoist Area - from the southeast



Photo 4: Eastern Hoist Area – from the northeast

