



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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October 22, 2014

MR. MIKE ZIRKLE
WSCO PETROLEUM CORPORATION
2929 NW 29TH AVENUE
PORTLAND, OR 97210

Re: No Further Action at the following Site:

- **Name:** Brookside Deli & Gas 619
- **Address:** 32201 Auburn Black Diamond Rd., Auburn, WA
- **Facility/Site No.:** 93565538
- **CS ID:** 11973
- **VCP No.:** NW2706

Dear Mr. Zirkle:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Brookside Deli & Gas 619 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 information and data provided in the Updated Soil Sampling Report dated March 19, 2014. In response to Ecology's Further Action determination in an opinion letter issued July 9, 2013, the report documents the remedial activities that have addressed Ecology's concern regarding contamination in the soil at the Site.

This opinion is also 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:

- Total petroleum hydrocarbons – gasoline (TPH-G), benzene, toluene, ethylbenzene, and xylenes (BTEX) into the soil.

Basis for the Opinion

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

1. White Shield, Inc., Updated Soil Sampling Report for WSCO Brookside Deli & Gas-619, 32201 Auburn-Black Diamond Road, Washington, March 19, 2014.
2. White Shield, Inc., Soil Sampling Report for WSCO Brookside Deli & Gas-619, 32201 Auburn-Black Diamond Road, Washington, December 19, 2012.
3. White Shield, Inc., Underground Storage Tank Site Check Report, Brookside Deli & Gas-619, 32201 Auburn-Black Diamond Road, Washington, November 11, 2010.

Those documents listed above are kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. You can make an appointment by calling the NWRO resource contact at (425) 649-7235, or sending an email to nwro_public_request@ecy.wa.gov.

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 **no further remedial action** is necessary to further clean up the contaminated soil at the Site. That conclusion is based on the following analysis:

1. Characterization of the Site.

Ecology has determined characterization of the Site is sufficient to establish cleanup standards, and select cleanup actions for removal of the contaminated soil exceeding MTCA Method A cleanup levels and confirmation of the soil remediation.

- a. On September 8, 2010, a fuel distribution pipe connecting with a gasoline underground storage tank (UST) was punctured during a routine maintenance at this Site. The accident resulted in approximately 10 gallons of gasoline leaking to soil near the UST. On September 21 and 22, 2010, follow-up remedial actions were conducted to remove approximately 24 tons of the impacted soil, dispose the soil off-Site, and analyze soil samples from the bottom and sidewalls of the excavation located in the spill area. The soil samples analyzed for TPH-G and BTEX confirmed the COCs were below MTCA Method A cleanup levels.
- b. After reviewing the Soil Sampling Report dated December 19, 2013, Ecology indicated in an opinion letter dated July 9, 2013 that additional soil samples were needed at or near the excavation to confirm that the soil remediation was completed. The letter also stated that an No Further Action (NFA) letter could be issued if the analytical results demonstrated that contamination in the soil was at or below MTCA Method A cleanup levels.
- c. In response to Ecology's opinion, in January 2014, six soil samples were collected up to depths of 18 feet below ground surface (bgs) at two soil boring locations, including the southern wall and approximately 10 feet south-west of the excavation. The analytical results revealed that no contaminants were detected in the soil samples.
- d. The deepest soil boring installed to characterize this Site was 25 feet bgs. No ground water was encountered during the cleanup activities, which implied that no ground water existed at this Site to a depth of 25 feet bgs.

2. Establishment of cleanup standards.

a. Substance-specific standards.

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

Cleanup levels for soil contamination at this Site are defined as the MTCA Method A cleanup levels, which are classified for unrestricted land use.

There is no terrestrial habitat within 500 feet of the Site. Therefore, protection for terrestrial habitat is not applied for this Site in accordance with MTCA.

b. Action and location-specific requirements.

The requirements to clean up this Site included removal and disposal of contaminated soil exceeding MTCA Method A cleanup levels for unrestricted land use.

3. Selection of cleanup action.

Ecology has determined the cleanup action you selected to confirm completion of the soil remediation for the Site meets the substantive requirements of MTCA.

4. Cleanup.

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site at MTCA Method A cleanup levels for all the COCs listed aforementioned. This determination is based on the performances specified below.

- a. Remediation was conducted to remove contamination in soil and to dispose of that material at an appropriate facility. The contaminated soil was removed and appropriately disposed off-Site.
- b. Confirmation soil samples were collected for laboratory analysis at bottoms and sidewalls of the excavation. The results indicated the contaminant concentrations were undetectable, or below the MTCA Method A cleanup levels for unrestricted land use.
- c. The damaged gasoline distribution pipe connecting the UST was repaired and has appropriately been maintained.
- d. Laboratory results demonstrated the remaining soil does not exceed Ecology's cleanup levels following soil removal activities.
- e. Ground water had not been encountered to 25 feet bgs during the site characterization and soil cleanup activities. Therefore, it is unlikely ground water had been impacted due to the surface spill at this Site.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- Confirmed and Suspected Contaminated Sites List.
- Leaking Underground Storage Tank 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 #NW2706.

Mike Zirkle
October 22, 2014
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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 (425) 649-7126 or
e-mail at gyan461@ecy.wa.gov.

Sincerely,

A handwritten signature in cursive script, reading "Grant Yang". The signature is written in dark ink and is positioned above the printed name.

Grant Yang
NWRO/Toxics Cleanup Program
Enclosures (2) A - Site Description
B - Site Diagrams

cc: Stuart Fricke, White Shield, Inc., 320 N. 20th Avenue, Pasco, WA 99301
Sonia Fernandez, VCP Coordinator, Ecology, TCP/NWRO
Dolores Mitchell, VCP Financial Manager, Ecology

Enclosure A

Site Description

This enclosure provides Ecology's understanding and interpretation of Site conditions and forms part of the basis for the opinion expressed in the letter.

Site: The VCP Site is located at 32201 Auburn-Black Diamond Road, Auburn, Washington (Property), and consists of mixed commercial and residential properties. The Property covers King County tax parcel number 1821069085 and is approximately 0.5 acre in size.

Area and Property Description: There is one major structure on the Property, which is occupied by a convenience store, a deli/restaurant, and a dog grooming business. Three USTs are installed on the gasoline/diesel gas service station at this Site. The tanks are single wall steel in construction with a cathodic protection system.

Property History and Current Use: The USTs and the fuel service system installed at this Site have been present since 1987, when the convenience store was constructed. The record indicates that the system includes one diesel and two gasoline tanks.

Source of Contamination: Based on the site investigation, contamination of gasoline was discovered in soil and was determined to be the result of a release in September 2010, when the pipeline connecting with a gasoline UTS was accidentally punctured during a routine maintenance activity.

Physiographic Setting: The Site is located in the Puget Sound Lowland physiographic province. The Puget Sound Lowland is characterized as a broad, low-lying region situated between the Cascade Range to the east and the Olympic Mountains and Willapa Hills to the west. The Property, at an elevation of approximately 390 feet above mean sea level, is generally flat but slopes slightly to the south-southwest.

Surface/Storm Water System: The closest surface water to the Site is the Green River, which is approximately two miles to the south.

Ecological Setting: There is no terrestrial habitat within 500 feet of any part of the Site, which is surrounded by residential and commercial land uses.

Geology: The Site and vicinity are characterized by geomorphologic features related to the last continental glacier that covered the region approximately 10,000 years ago. As the glacier receded, large quantities of meltwater were discharged to leave poorly sorted outwash deposits overlying the Vashon till at this Site.

Ground Water: In April 2014, five direct push soil borings were advanced up to depths of 25 feet bgs to collect confirmative soil samples. There was no ground water encountered in the borings. In addition, no water was encountered in the soil excavation. According to Ecology's Well Log Database, the first encounter of ground water in the region, approximately 2,000 feet

from the Site, could occur at depths greater than 50 feet bgs.

Water Supply: Public water supply is currently provided to the Site by the City of Auburn. There are no private wells located within approximately 1,000 feet from the Property.

Releases and Extent of Soil and Ground Water Contamination: Soil was contaminated due to a release of 10 gallons of gasoline from a broken pipe on September 8, 2010. While the pipe was repaired immediately, various cleanup efforts were conducted to over-excavate the contaminated soil, dispose the soil off-Site, and collect soil samples for confirmative analysis. Results of the analysis showing contamination in the soil at the bottom and walls of the excavation were at concentrations below MTCA Method A cleanup levels.

Remedial activities performed at this Site indicate that no ground water was present to 25 bgs. Local ground water exists at approximately 50 feet bgs. The ground water has not been impacted by the surface spill. Therefore, Ecology has determined that the cleanup at this Site is complete.

Enclosure B

Figure 1 Location of the Site

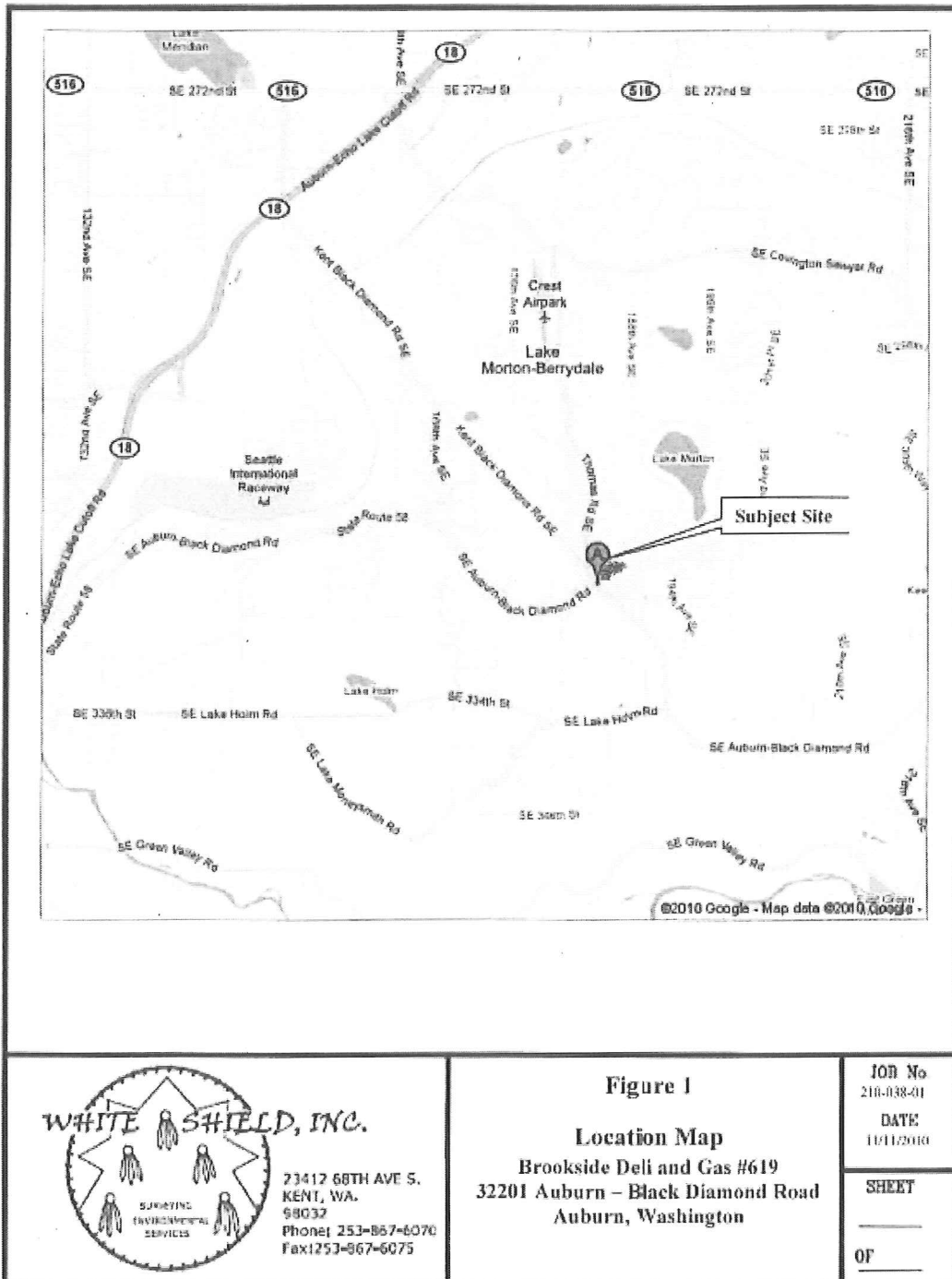


Figure 2
Map Showing Remedial Excavation and Confirmation Soil Sampling
Locations

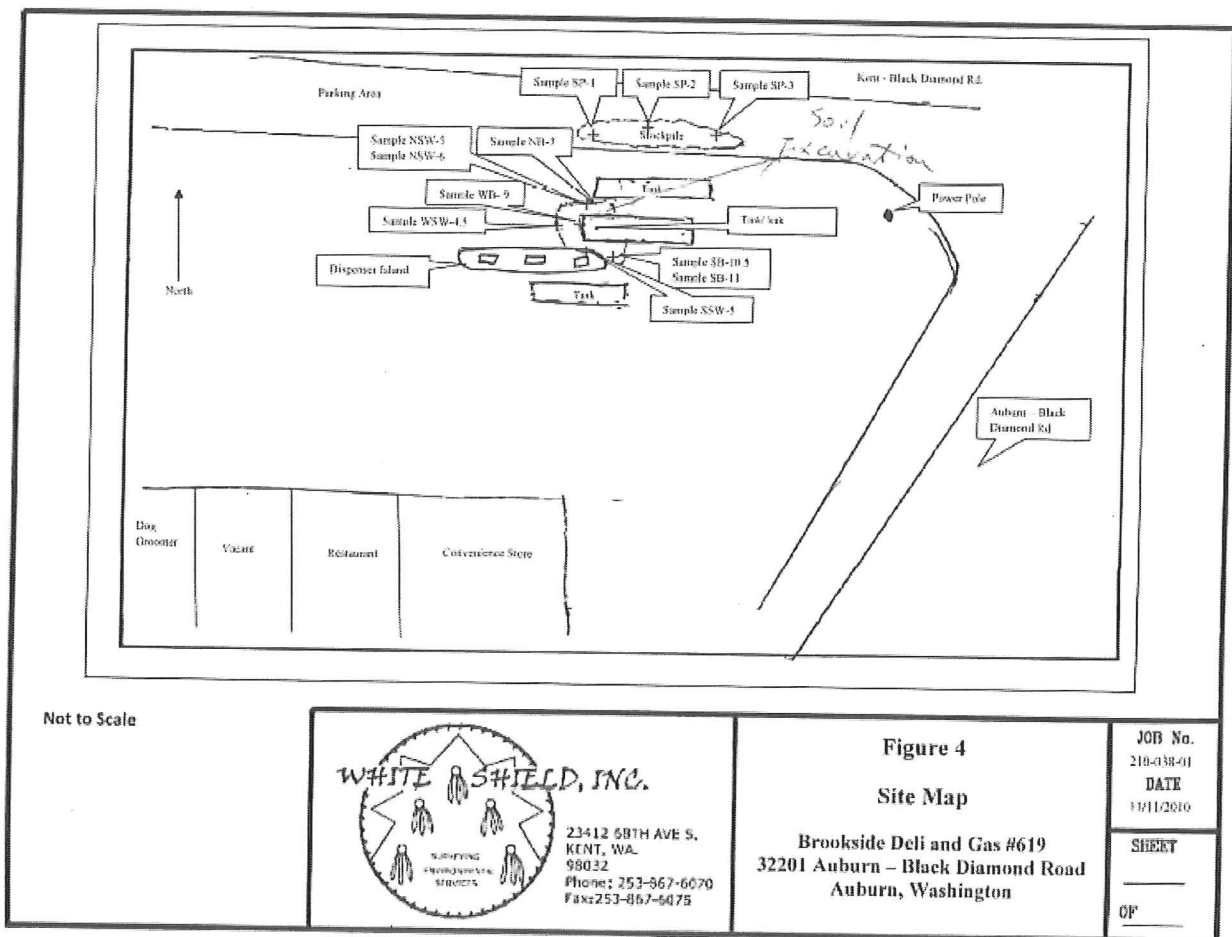
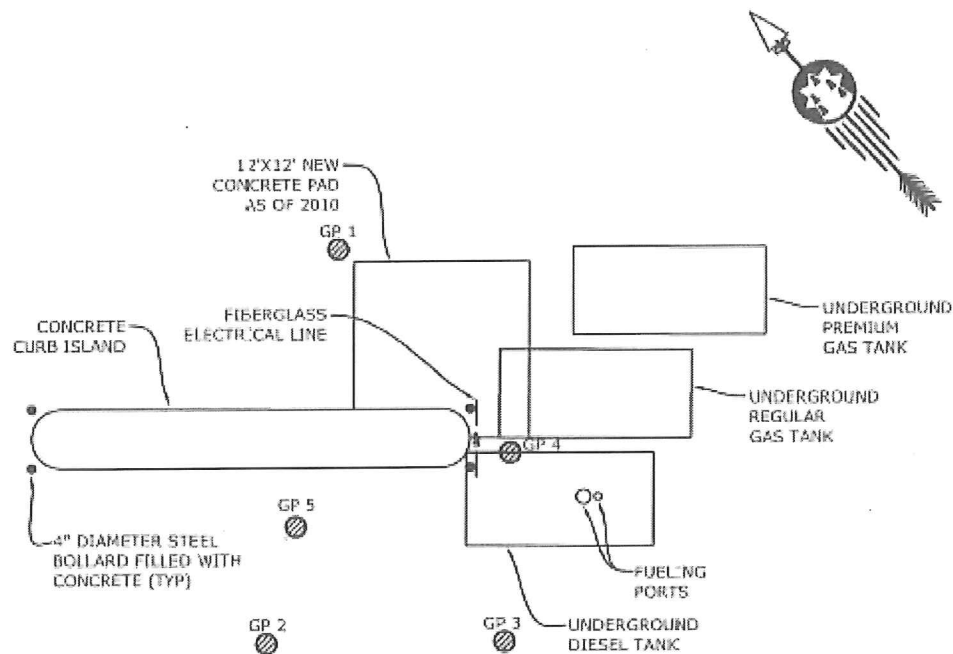


Figure 3 Map Showing Confirmative Soil Boring Locations

GEOPROBE LOCATIONS

WASHINGTON STATE PLANE NORTH, NAD83/91, NAVD88, US SURVEY FEET

WSI ID	NORTH	EAST	DESCRIPTION
GP1	116564.10	1327331.02	GEOPROBE 1 LOCATION
GP2	116547.86	1327309.10	GEOPROBE 2 LOCATION
GP3	116536.77	1327321.14	GEOPROBE 3 LOCATION
GP4	116545.92	1327330.20	GEOPROBE 4 LOCATION
GP5	116552.33	1327316.03	GEOPROBE 5 LOCATION



White Shield Inc.
320 North 20th Avenue
Pasco, WA 99301
Phone: 509.547.0100 Fax: 509.547.8291

FIGURE 4 SITE MAP
BROOKSIDE DELI AND GAS #619
32201 AUBURN-BLACK DIAMOND ROAD
AUBURN, WASHINGTON

GRAPHIC SCALE 1" = 10'
Scale: 1" = 10'
Sheet: 1 OF 1
Project: 210-038-04
Date: APRIL 28, 2014