



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

May 9, 2011

Ms. Jody Cada  
United Parcel Service  
13035 Gateway Drive, Suite #149  
Seattle, WA 98168

**Re: No Further Action at the following Site:**

- **Site Name:** United Parcel Service Spokane
- **Site Address:** 1016 N Bradley Road, Spokane, WA
- **Facility/Site No.:** 672
- **VCP Project No.:** EA0209

Dear Ms. Cada:

The WA Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the United Parcel Service Spokane 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**

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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 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**

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This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release:

- Petroleum hydrocarbons into the Soil.



Please note a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel associated with this Site is affected by other sites.

### **Basis for the Opinion**

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

Site Characterization Report: Raviv & Patricio Associates, Inc., February 13, 1991.

Limited Subsurface Investigation at UPS-Spokane, 1016 N. Bradley Road, Spokane, Washington: Sierra Piedmont, Inc., October 7, 2010.

Those documents are kept in the Central Files of the Eastern Regional Office of Ecology (ERO) for review by appointment only. You can make an appointment by calling Kari Johnson at 509/329-3415.

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

### **Analysis of the Cleanup**

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Ecology has concluded that **no 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 sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A**.

The lateral and vertical extent of petroleum hydrocarbons in soil was defined in the reports listed above.

#### **2. Establishment of cleanup standards.**

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

For soil, the cleanup levels were established using MTCA Method A and are based on the protection of groundwater. The land use is classified as Unrestricted. The cleanup levels are as follows:

- Gasoline-range hydrocarbons: 100 mg/kg
- Diesel-range hydrocarbons: 2,000 mg/kg
- Oil-range hydrocarbons: 2,000 mg/kg

The point of compliance for soil is throughout the soils at the Site. This is the standard point of compliance.

**3. Selection of cleanup action.**

Ecology has determined the cleanup action you selected for the Site meets the substantive requirements of MTCA.

The selected cleanup includes the following:

**SOIL**

- Removal of source (underground storage tanks).
- Excavation and removal of contaminated soil.

**4. Cleanup.**

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

The sources were removed and contaminated soil was excavated. Soil borings indicated current soil concentrations are below cleanup levels.

**Listing of the Site**

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

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.

That process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdraw this opinion.

**Limitations of the Opinion**

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**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**

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Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (#EA0209).

For more information about the VCP and the cleanup process, please visit our web site: [www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm](http://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 509/329-3522 or e-mail at [patti.carter@ecy.wa.gov](mailto:patti.carter@ecy.wa.gov).

Sincerely,



Patti Carter  
ERO Toxics Cleanup Program

Enclosures (1): A – Description and Diagram of the Site

cc: Tax Department, BT Property, LLC  
Scott Pate, Sierra Piedmont  
Dolores Mitchell, VCP Financial Manager (without enclosures)

## **Enclosure A**

### **Description and Diagram of the Site**



## Site Description

- Five USTs were removed from the Site in 1990 and petroleum impacted soils were detected during the site characterization.
- Contaminated soils were excavated from the diesel, gasoline, and used oil/new oil tank locations. Results indicated contaminated soils remained in the area of the used oil/new oil excavation.
- Two soil borings were installed in the former used oil/new oil location in 2010. All results were non-detect or below cleanup levels.





# Site Diagram



