



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 25, 2006

Mr. Terry Crotwell
Cambria Environmental Technology, Inc.
8620 Holly Drive, Suite 210
Everett, WA 98208

**Re: Further Action Determination under WAC 173-340-515(5) for the following
Hazardous Waste Site:**

- Name: Chevron Station #9-8944
- Address: 1323 Lee Boulevard, Richland, Washington
- Facility/Site No.: 27223439
- VCP No.: CE0238

Dear Mr. Crotwell:

Thank you for submitting your independent remedial action report for the Chevron Station # 9-8944 facility (Site) for review by the State of Washington Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

1. *Groundwater Monitoring & Sampling Report, Event of January 5, 2005*, Gettler-Ryan, Inc.
2. *Site Conceptual Model Report*, KHM Environmental Management, December 1, 2000.
3. *Geoprobe Assessment*, AGRA Earth & Environmental, September 30, 1996.
4. *Environmental Site Assessment*, AGRA Earth & Environmental, October 25, 1994.
5. *Phase I and Phase II Environmental Assessment*, Technico Environmental Services, July 8, 1994.

The documents listed above will be kept in the Central Files of the Central Regional Office of Ecology (CRO) for review by appointment only. Appointments can be made by calling Roger Johnson at (509) 454-7658.

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Based on a review of the independent remedial action report and supporting documentation listed above, Ecology has determined that the independent remedial action(s) performed at the Site are not sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing contamination at the Site. Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that further remedial action is necessary at the Site under MTCA.

Groundwater

According to documentation in the file, the inferred groundwater migration at the Site is from the SW towards the NE. Given that the former tank pit and former pump island are the most likely source of contamination on the Site, effective monitoring of groundwater would require sampling of wells downgradient, or to the NE of these features. Monitoring well MW-1 and MW-3 are both downgradient of these features and would be most likely to exhibit contamination associated with the Site. Monitoring well MW-2 is upgradient of the former tank pit and former pump island.

MW-1 and MW-3, the two downgradient wells, have not been sampled for several years. When last sampled, both wells contained contaminants at concentrations above the MTCA Method A cleanup levels. According to the monitoring report, well MW-1 has not been sampled since August 21, 2003, because of insufficient water in the well. MW-3 has not been sampled since February 21, 2001, and is also reported as being dry. Analytic results of the last successful sampling of MW-3 (2/21/01) indicated TPH-G at a concentration of 6,090 ppb. The MTCA Method A cleanup level for TPH-G in groundwater with benzene present is 800 µg/L. Benzene was detected at 29.9 ppb. The MTCA Method A cleanup level for benzene in groundwater is 5 µg/L.

Contamination concentrations in all three wells dropped steadily from the time the wells were installed in 1994 until the time each was last sampled; however, Ecology can only make a determination for groundwater at this Site when contaminant concentrations fall below regulatory levels for a minimum of four consecutive quarters. In order to ensure that groundwater contamination at this Site is below regulatory levels for four consecutive quarters, a sufficient number of monitoring wells constructed to sufficient depths are necessary. Furthermore, the monitoring wells need to be located in such a way as to adequately define the horizontal and vertical extent of groundwater contamination at the Site.

Please note that any new construction or decommissioning of monitoring wells must be done in accordance with Washington State Well Construction Regulations, Washington Administrative Code (WAC) 173-160. If the monitoring wells are dry and can no longer be used, they must be abandoned in accordance with WAC 173-160-460.

Soil

Three separate subsurface assessments have been completed at the Site, none of which has detected contaminants present at concentrations above MTCA Method A cleanup levels. A Phase II

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assessment was completed by Technico Environmental Services in 1994. Soil samples were collected from 16 soil borings and analyzed for TPH-O, TPH-G, and TPH-D. Petroleum hydrocarbons were not detected above laboratory reporting limits. Three soil borings were completed by AGRA Earth and Environmental in 1994. Soil samples were analyzed for TPH-G, TPH-D, and BTEX. All contaminants detected were below MTCA Method A cleanup levels. AGRA also performed a Geoprobe Assessment in 1996. Soil samples from twelve geoprobe borings were analyzed for TPH-G and BTEX. TPH-G and BTEX were not detected above laboratory reporting limits in any of the soil samples. The Phase I and II assessment completed by Technico attributed the relatively low levels of soil contamination on site to excavation and tank removal that was done when the old service station was demolished in 1976.

To receive a No Further Action determination for this Site, you must complete the following actions and provide Ecology with documentation.

1. Install or deepen a sufficient number of monitoring wells to a depth that will provide adequate groundwater samples that are representative of contamination at the Site.
2. Collect a minimum of four consecutive quarters of groundwater samples with contaminant concentrations below the MTCA Method A cleanup levels.

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in conducting independent remedial action and requesting technical consultation under the VCP. As the cleanup of the Site progresses, you may request additional consultative services under the VCP, including assistance in identifying applicable regulatory requirements and opinions regarding whether remedial actions proposed for or performed at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (509) 454-7836.

Sincerely,



Mark Dunbar
Environmental Specialist
Toxics Cleanup Program - CRO