



FILE COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

February 12, 2003

Ms. Suzanne Storey
Ms. Marilyn Storey
Ms. Joanne Storey Mankus
c/o Story Gas Station Facility
1310 East First Street
Cle Elum, WA 98922

Re: Final Cleanup Action Report, Storey Service Station, Cle Elum, Washington

Dear Ms. Storey:

The Washington State Department of Ecology (Ecology) appreciates the cooperation of Storey Gas Station and the extensive efforts undertaken in investigating and remediating the site to date. Ecology has reviewed the above referenced document received in this office on January 8, 2001. Ecology has also reviewed the file for this site, which includes the Agreed Order and the Cleanup Action Plan, in response to your consultants request for a "No Further Action" letter. Ecology has made the following determinations:

1. Ecology has determined that cleanup levels have been met for stockpiled soil at the site. Review of the Cleanup Action Plan and results of the December 2002 sampling and analysis of the stockpiled soils at the bioremediation pad show that the soils are below cleanup levels stipulated in the Cleanup Action Plan. Therefore sampling of the stockpiled soils at the bioremediation pad may be discontinued.
2. Ecology has determined that although Mr. Yee failed to include a requirement for Operations and Maintenance of the remedy selected in the Cleanup Action Plan these functions are required and must be conducted at the site. WAC 173-340-400 specifies that Operation and Maintenance of the selected remedy shall contain compliance monitoring of the selected remedy under WAC 173-340-410. Mr. Yee's omission does not prevent Ecology from requiring compliance with the Model Toxics Cleanup Act rules.
3. In addition, periodic review of this site is required since a Restrictive Covenant allowing soil contamination above the cleanup levels, specified in the Cleanup Action Plan, is in place at this site. WAC 173-340-440 and WAC 173-340-420 state that periodic reviews of sites with contamination remaining on the site shall occur at least every 5 years.



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In order to implement compliance monitoring and periodic review Ecology proposes the following:

- Storey Gas Station discontinue bi-annual groundwater monitoring and conduct one groundwater monitoring event during each 5-year periodic review to show that the asphalt and concrete cap over residual contamination at the site is protective of human health and the environment. This groundwater monitoring event will occur during the high water portion of the year. The first 5-year review will be scheduled for the year 2005 (WAC 173-340-420).
- Storey Gas Station conduct operations and maintenance of the engineered and institutional controls at the site. The operations and maintenance will include, at a minimum, periodic visual inspection of the site to ensure that the engineered and institutional controls have not been compromised by activities on or near the site. Every five (5) years a records review will be conducted to ensure the Restrictive Covenant is still attached to the property title and that the site has not been rezoned for uses the Restrictive Covenant prohibits.
- Storey Gas Station will prepare a 5-year periodic review report to fulfill requirements set forth in WAC 173-340-420 for review by Ecology. The report will contain the groundwater monitoring results, records review, a discussion of the Review Criteria as stated in WAC 173-340-420(4), and conclusions based upon the Review Criteria with a determination of whether future periodic reviews are required as stipulated in WAC 173-340-420(7).

These actions can be implemented by either a mutual amendment to the Agreed Order or through an enforcement order.

Please respond within thirty (30) days from the receipt of this letter as to how you would like to implement these changes.

If you have questions feel free to call me at (509) 454-7836.

Sincerely,



Brian T. Deeken
Site Manager
Toxics Cleanup Program

cc: Gary Galloway, Galloway Environmental, Inc.