



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

June 27, 2011

Mr. Dan Carrier  
Chevron Environmental Mgmt. Co.  
145 S. State College Blvd., Room 408  
Brea, CA 92821

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

- **Site Name:** Wondrack Ellensburg (Former Chevron Terminal #100-1157)
- **Site Address:** W 15th Avenue and N Water Street, Ellensburg
- **Facility/Site No.:** 25139
- **VCP Project No.:** CE0336

Dear Mr. Carrier and Ms. Wondrack:

The Washington State Department of Ecology (Ecology) received your request for an opinion of your independent cleanup of the Wondrack Ellensburg (aka Former Chevron Terminal # 100-157) 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 dependent on the continued performance and effectiveness of the post-cleanup controls and monitoring specified below.**

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 releases:



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- Gasoline into the soil and groundwater
- Diesel into the soil and groundwater
- Benzene into the soil and groundwater
- Ethylbenzene, toluene, and total xylenes into the soil

**Enclosure A** includes a detailed description and diagram of the Site. Enclosure A is Figure 1 in the SAIC February 2, 2011 submittal to Ecology with copies to Ms. Carol Wondrack and Mr. Dan Carrier (Chevron).

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

### **Basis for the Opinion**

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

1. SAIC, Addendum to Soil Management Plan, Former Standard Oil Bulk Plant #100-1157, West 15th Avenue and North Water Street, Ellensburg, WA, March 25, 2011.
2. SAIC, Request for No Further Action for Former Standard Oil Bulk Facility #100-1157, West 15th Avenue and North Water Street, Ellensburg, WA, February 2, 2011.
3. SAIC, Draft Final Remediation Excavation Report, Chevron facility #100-1157, West 15th Avenue and North Water Street, Ellensburg, WA, June 8, 2005.

Those documents are kept in the Central Files of the Central Regional Office of Ecology (CRO) for review by appointment only. You can make an appointment by calling the CRO resource contact, Roger Johnson, at (509) 454-7658.

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 has been described previously and also in **Enclosure A**.

**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.

**a. Cleanup levels.**

Confirmation samples for gasoline, diesel, lube oil, and BTEX in soil and groundwater on the entire Wondrack property were below MTCA Method A cleanup levels for soil and groundwater. See below for soil contamination issues south of the Wondrack property under 15th Avenue.

**3. Selection of cleanup action.**

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

January 2005, a total of 4,850 tons of petroleum impacted soils from ground surface to the groundwater table were excavated from the  $\frac{3}{4}$  acre Wondrack property north of 15th Avenue. The excavated area included about 200 square feet of Washington State Parks and Recreation Commission land west of the Wondrack property. The contaminated soils were hauled to the Greater East Wenatchee Regional Landfill. The excavated area was backfilled with clean fill and seeded.

In 2002, during Site investigation and concurrent resurfacing of 15th Avenue, 20 test pits were dug in 15th Avenue to delineate the contaminated petroleum plume. Contaminated soils were removed and properly disposed of. This section of 15th Avenue and sidewalks has six utilities beneath it. Because of the utilities, it was impractical and economically unfeasible to excavate the entire 250 feet of street and sidewalks.

After the excavation, four groundwater monitoring wells were installed hydrologically downgradient of the Wondrack property. They were sampled for four consecutive quarters until the groundwater contamination for all petroleum constituents were below MTCA Method A groundwater cleanup levels.

Soil contamination may still exist south of the Wondrack property under 250 feet of 15th Avenue and adjacent sidewalks. The 2011 SAIC Soil Management Plan and Addendum (references 1 and 2 above) obligates the Chevron Environmental Management Company

to have a consultant present at any ground disturbing activity in this 250 feet of 15th Avenue and sidewalks. If contaminated soils are encountered during these disturbances, the consultant shall have to address and properly dispose of any gasoline, diesel, lube oil, or BTEX contaminated soils encountered above MTCA Method A cleanup levels.

**4. Cleanup.**

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

**Post-Cleanup Controls and Monitoring**

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Post-cleanup controls and monitoring are remedial actions performed after the cleanup to maintain compliance with cleanup standards. This opinion is dependent on the continued performance and effectiveness of the following:

**1. Compliance with institutional controls.**

Institutional controls prohibit or limit activities that may interfere with the integrity of engineered controls or result in exposure to hazardous substances. The following institutional control is necessary at the Site:

- The City of Ellensburg will maintain a right-of-way (ROW) map. This ROW map will identify contaminated soils beneath 15th Avenue adjacent to the Wondrack property to the north. The ROW map will be consulted prior to any construction activities within the Ellensburg City limits.
- Should any subsurface construction be planned in this area, the City of Ellensburg will contact Chevron Environmental Management Company who will provide a consultant during any ground disturbing activity in this area. If contaminated soils are encountered during these disturbances, the consultant shall address and properly dispose of any gasoline, diesel, lube oil, or BTEX contaminated soils encountered above MTCA Method A cleanup levels.

**Periodic Review of Post-Cleanup Conditions**

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Ecology will conduct periodic reviews of post-cleanup conditions at the Site to ensure that they remain protective of human health and the environment. If Ecology determines, based on a periodic review, that further remedial action is necessary at the Site, then Ecology will withdraw this opinion.

### **De-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 contaminated 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 proposed will be 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).

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### **Contact Information**

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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 (#CE0336).

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) 454-7839 or e-mail at [Richard.Bassett@ecy.wa.gov](mailto:Richard.Bassett@ecy.wa.gov).


Sincerely,




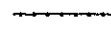
Richard Bassett  
Site Manager  
CRO Toxics Cleanup Program


cc: Estate of Joseph Wondrack, c/o Ms. Carol Wondrack, Wondrack Distributing  
Don Wyll, SAIC  
John Akers, Kittitas County Public Works  
George A. Rapozo, WA Parks and Recreation  
Dolores Mitchell, VCP Financial Manager


**LEGEND**


MW-13  GROUNDWATER MONITORING WELL  
LOCATION AND IDENTIFICATION

MW-3  ABANDONED MONITORING WELL  
LOCATION AND IDENTIFICATION

 FENCE

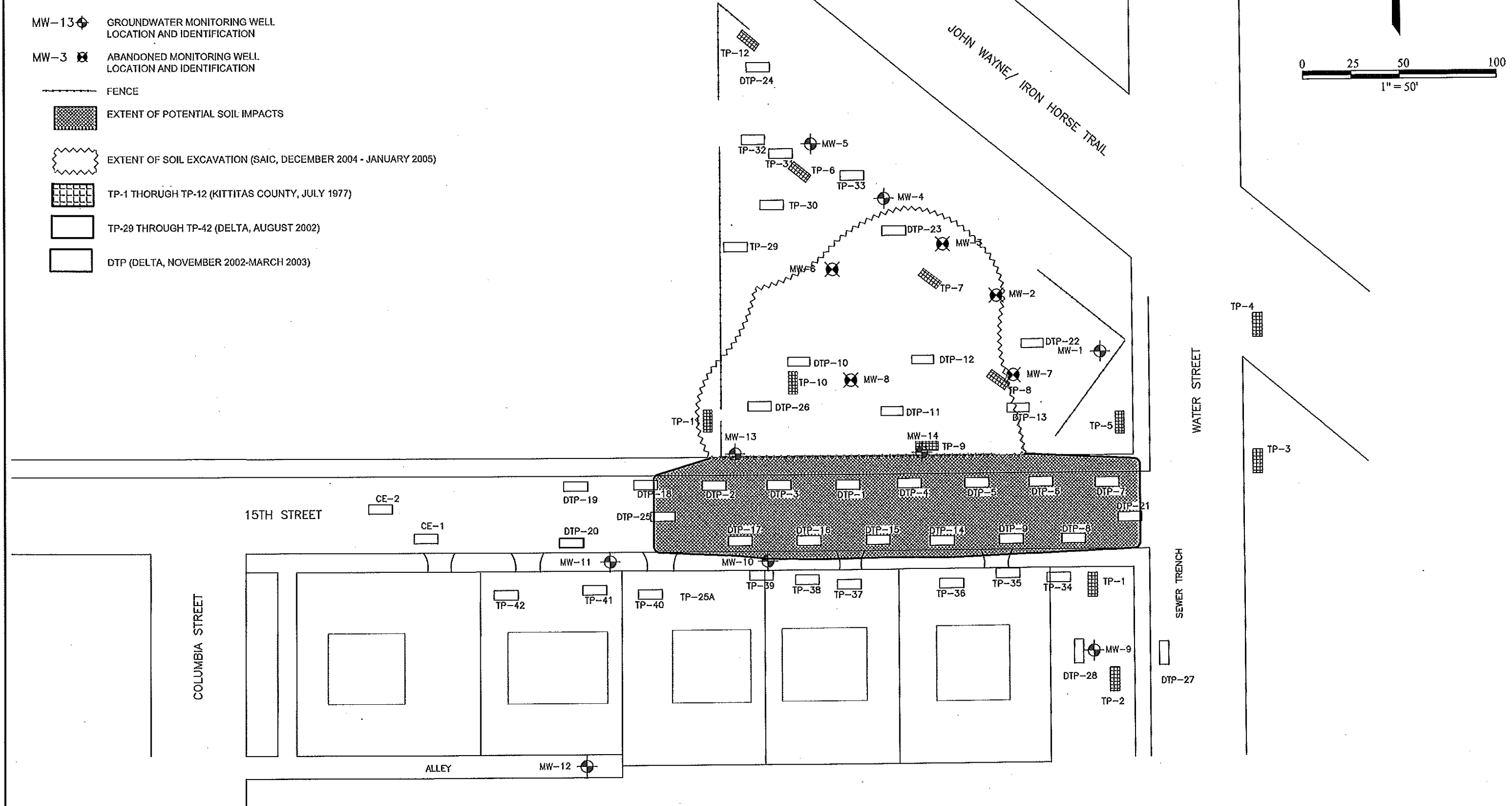
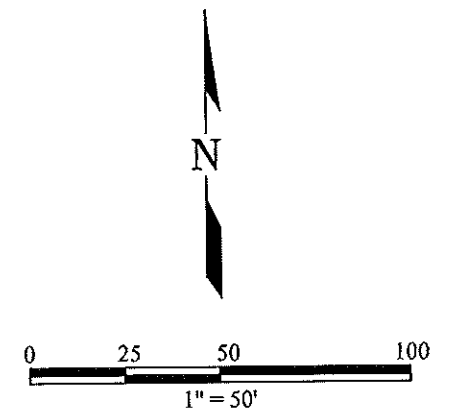
 EXTENT OF POTENTIAL SOIL IMPACTS

 EXTENT OF SOIL EXCAVATION (SAIC, DECEMBER 2004 - JANUARY 2005)

 TP-1 THOROUGH TP-12 (KITITAS COUNTY, JULY 1977)

 TP-29 THROUGH TP-42 (DELTA, AUGUST 2002)

 DTP (DELTA, NOVEMBER 2002-MARCH 2003)



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<p>FORMER CHEVRON BULK PLANT NO. 1001157 WEST 15TH AVENUE &amp; NORTH WATER STREET ELLENSBURG, WASHINGTON</p>		<p><b>FIGURE 1</b> EXTENT OF POTENTIAL SOIL IMPACTS</p>	
FILE NAME:	100-1157-ExtSoilContam.dwg	DATE:	02/03/2011