



Second Periodic Review

Allens GTX Truck Stop
18724 East Cataldo Avenue
Spokane Valley, Washington 99016

Facility Site ID#: 63511172
Cleanup Site ID#: 7275

Prepared by:
Washington State Department of Ecology
Eastern Region Office
Toxics Cleanup Program

February 2016

1.0	INTRODUCTION.....	1
2.0	SUMMARY OF SITE CONDITIONS.....	3
2.1	Site History	3
2.2	Remedial Actions.....	3
2.3	Cleanup Levels and Points of Compliance	4
2.4	Restrictive Covenant.....	5
3.0	PERIODIC REVIEW	7
3.1	Effectiveness of completed cleanup actions	7
3.1.1	Direct Contact	7
3.1.2	Institutional Controls	7
3.2	New scientific information for individual hazardous substances for mixtures present at the Site	7
3.3	New applicable state and federal laws for hazardous substances present at the Site	7
3.4	Current and projected Site use	7
3.5	Availability and practicability of higher preference technologies	8
3.6	Availability of improved analytical techniques to evaluate compliance with cleanup levels 8	
4.0	CONCLUSIONS	9
4.1	NEXT REVIEW	9
5.0	REFERENCES.....	10
6.0	APPENDICIES	11
6.1	Vicinity Map	12
6.2	Site Plan	13
6.3	Restrictive Covenant.....	14
6.4	Photo Log.....	20

1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup site conditions and monitoring data to assure human health and the environment are being protected at the former Allens GTX Truck Stop site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). This is the second periodic review conducted for this Site. The first periodic review was completed in May 2010. This periodic review will evaluate the period from May 2010 through June 2015.

Cleanup activities at this Site were completed through the Voluntary Cleanup Program (VCP) under VCP No. EA0075. The cleanup actions resulted in residual concentrations of diesel-range petroleum hydrocarbons (TPH-D) that exceeded MTCA Method A cleanup levels for soil established under WAC 173-340-740(2). It was determined that institutional controls in the form of a restrictive covenant would be required for the site to be eligible for a No Further Action (NFA) determination. WAC 173-340-420(2) requires Ecology to conduct a periodic review of a site every five years under the following conditions:

1. Whenever Ecology conducts a cleanup action.
2. Whenever Ecology approves a cleanup action under an order, agreed order, or consent decree.
3. Or, as resources permit, whenever Ecology issues a No Further Action opinion.
4. And, one of the following conditions exists:
 - (a) Institutional controls or financial assurance are required as part of the cleanup.
 - (b) Where the cleanup level is based on a practical quantitation limit.
 - (c) Where, in the Department's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup, or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors Ecology shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions.
- (b) New scientific information for individual hazardous substances or mixtures present at the Site.
- (c) New applicable state and federal laws for hazardous substances present at the Site.
- (d) Current and projected Site use.
- (e) Availability and practicability of higher preference technologies.

- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

Ecology shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site History

The Site is located in the City of Spokane Valley in Spokane County, Washington. Barker Road and the I-90 interchange and overpass are located to the west and south of the Site. East Cataldo Avenue crosses North Barker Road northwest of the Site.

The Site is zoned commercial (B-3) and is currently developed as a truck stop facility that includes a convenience store, restaurant, and fuel facility. Surrounding land uses include mixed commercial and residential development. Multiple and single family residential development is located across Boone Avenue to the north. A HICO Mart convenience store with fueling services and a Wendy's restaurant are located to the northwest of the Site, across Barker Road. A mini-storage facility and motel are located to the west.

Texaco developed the property as a service station in 1971. Additions were constructed to the original metal building in 1980 and 1985. A gasoline service facility with canopy, two pump islands, and three underground storage tanks (USTs) were located on the west side of the existing building. A diesel UST system located on the northern portion of the Site was constructed in 1988.

A vicinity map is available as Appendix 6.1, and a Site plan is available as Appendix 6.2.

2.2 Remedial Actions

The diesel pump island area was renovated between December 2000 and March 2001. The renovation included installation of new pump islands and barriers, re-arrangement of the dispensing units, placement of containment sumps beneath the dispensing units and piping connections, and pouring a new concrete pad with a storm water and spill containment system.

Diesel-impacted soil was discovered beneath several dispensing units and in various locations beneath the former concrete pad at seams or cracks during the renovation work. The affected soil appeared to be the result of leaks from various piping connections or from connections below the dispensers, and from minor spills during refueling operations. Remedial excavation activities were conducted between December 2000 and January 2001 in areas of obvious petroleum hydrocarbon contamination beneath the canopy. Additional Site characterization was conducted in October 2001 using soil borings and sampling to define the extent of contamination.

The remedial excavation of affected soil consisted of removing obvious stained soils beneath the former structures and concrete slab. Soil appeared to be affected to a depth of 2.5 to 5 feet below

ground surface (bgs). The pipe and dispensing unit's releases appeared to have affected soil to a depth up to 12 to 15 feet bgs.

The excavation depth ranged from 2.5 to 15 feet bgs; the lateral limits consisted of the area immediately beneath the former concrete pad, within the canopy footprint. Thirty-six soil samples were collected from the excavation following removal of affected soil. TPH-D concentrations ranged from non-detect up to 18,900 milligrams per kilogram (mg/kg). Of the 36 samples, 18 were non-detect, and 15 were below the cleanup level. The remaining 3 samples were above the cleanup level, ranging from 2,420 to 18,900 mg/kg. Three soil borings (B4 through B6) were completed in October 2001, beneath the canopy. Soil sample results from the pump island borings were either non-detect for petroleum hydrocarbons or below cleanup levels.

Remedial activities were conducted at the diesel tanks in June 2001. Based on visual observations, a pressure line leak was detected at an elbow in the pipe run immediately adjacent to Turbine No. 2, associated with the middle 10,000-gallon tank. Soil beneath the turbine area appeared to be impacted with TPH-D as a result of the leak. A minor intermittent leak was also detected at Turbine No.3, associated with the southern-most 12,000-gallon tank. Obvious stained soil around Turbines No. 2 and 3 and over the west ends of Tanks No. 2 and 3 was excavated to depths of 2.5 to 5 feet bgs. Five soil samples were collected from between the three USTs at the diesel tank bed and from within the excavation. Residual diesel concentrations ranged from 21.6 to 16,700 mg/kg. Only one sample, collected from between Tanks No. 2 and 3, was above MTCA Method A cleanup levels for TPH-D.

Based on these results, three soil borings (B1 through B3) were advanced in July 2001. Soil samples collected from the borings did not contain petroleum hydrocarbons at concentrations exceeding MTCA Method A cleanup levels.

Approximately 1,263 tons of diesel-impacted soils were transported to the Graham Road Landfill in Medical Lake, Washington, for disposal. The excavations were backfilled with pea gravel.

Three residual affected zones remain at the diesel pump islands. Residual affected soil remains beneath pump islands 1, 2, and 4 (between 12 and 15 feet bgs) and around the adjacent canopy support post footings. The affected soil could not be completely removed due to the presence of the canopy post footings. Residual affected soil also remains in the diesel tank bed between Tanks No. 2 and 3.

2.3 Cleanup Levels and Points of Compliance

WAC 173-340-704 states MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used.

MTCA Method A cleanup levels for unrestricted land use were determined to be appropriate for contaminants at this Site. The cleanup actions conducted at the Site were determined to be routine, few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance.

For soil, the point of compliance is the area where the soil cleanup levels shall be attained. For soil cleanup levels based on the protection of groundwater, as they are for this Site, the point of compliance is established as soils throughout the Site.

2.4 Restrictive Covenant

It was determined the Site would be eligible for an NFA determination if institutional controls were used to document and prevent exposure to remaining contamination. In 2005, institutional controls in the form of a restrictive covenant (Covenant) were recorded for the Site, and an NFA letter was sent to the property owner. The Site status was changed to reflect an NFA determination.

The Covenant recorded for the Site in 2005 imposes the following limitations:

1. A portion of the Property contains diesel-range petroleum hydrocarbon contaminated soil located specifically as delineated in "EXHIBIT A" attached to and an integral portion of this Restrictive Covenant. The Owner Shall not alter, modify, or remove the existing structure(s) in any manner that may result in the release of exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.
2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.
4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.
5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.
6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.
7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take

samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

A copy of the Covenant is available as Appendix 6.3.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

During the Site visit conducted on June 17, 2015, there were no indications that the integrity of the remedial action has been compromised. There was no evidence of undocumented Site excavation or disturbance activities, and no visual indications of disturbance of the Site surface. The Site continues to be occupied by a retail petroleum station, and is surrounded by a mix of commercial and residential properties. A photo log is available as Appendix 6.4.

3.1.1 Direct Contact

Cleanup actions at the Site were intended to eliminate human exposure to contaminated soils and groundwater at the Site. Exposure pathways to contaminated soils (ingestion, direct contact) were reduced by remedial excavation and by the presence of protective Site surfaces, including asphalt, building foundations, roadways and landscaped areas.

3.1.2 Institutional Controls

Institutional controls in the form of a Covenant were implemented at the Site in 2005. The Covenant remains active and discoverable through the Spokane County Auditor's Office. There is no evidence a new instrument has been recorded that limits the effectiveness or applicability of the Covenant. This Covenant prohibits activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This Covenant serves to assure the long-term integrity of the surface cover and the remedial action.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

There is no new relevant scientific information for the hazardous substances remaining at the Site.

3.3 New applicable state and federal laws for hazardous substances present at the Site

There are no new applicable or relevant state or federal laws for hazardous substances remaining at the Site.

3.4 Current and projected Site use

The Site is currently used for commercial purposes. There have been no changes in current or projected future Site or resource uses. The vacant property to the north and west is for sale but remains undeveloped.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection below MTCA Method A cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

- The cleanup actions completed at the Site appear to be protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however, the cleanup action for the Site is determined to comply with cleanup standards under WAC 173-340-740(6)(f), since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The Covenant for the property is in place and will be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, Ecology has determined the requirements of the Covenant are being followed. No additional remedial actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure the integrity of the cap is maintained.

4.1 NEXT REVIEW

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

Ecology. *VCP Review*. April 17, 2001.

Leppo Consultants, Inc. *Remedial Investigation and Cleanup Action Report*. January 2002.

Ecology. *No Further Action Determination Letter*. January 20, 2005.

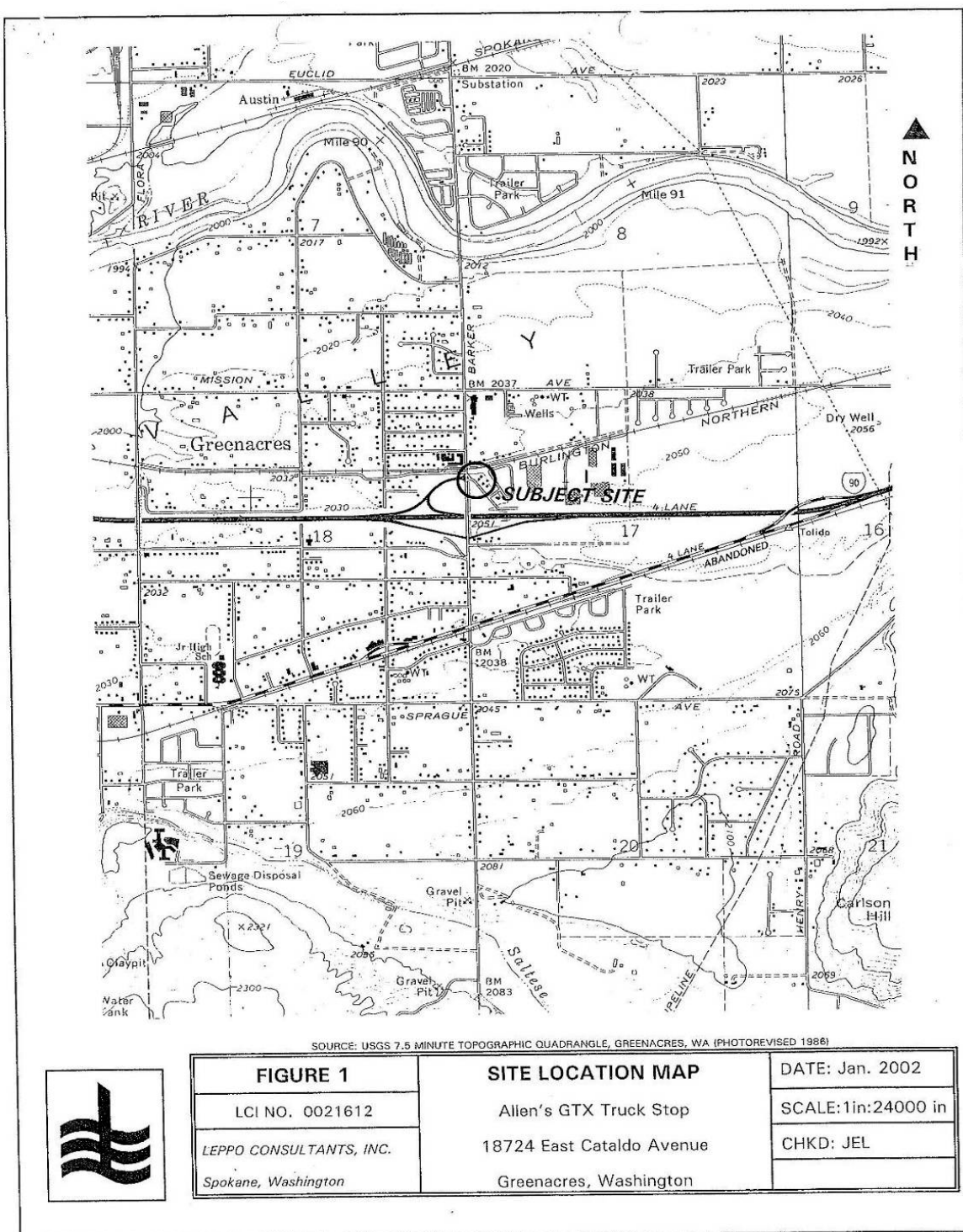
Spokane County Auditor's Office. *Restrictive Covenant*, January 18, 2005.

Ecology. *Periodic Review*. May 2010.

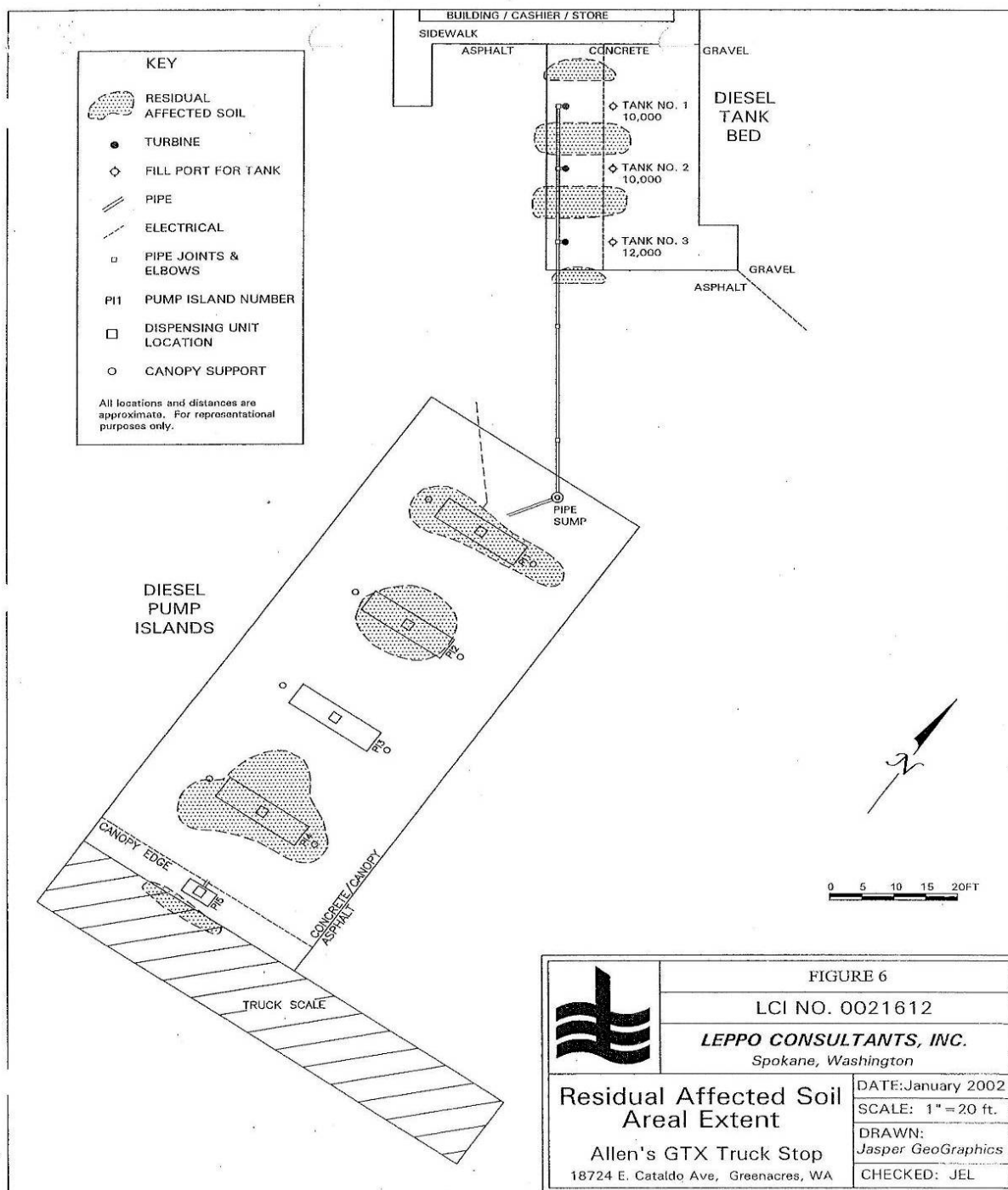
Ecology. *Site Visit*. June 17, 2015.

6.0 APPENDICIES

6.1 Vicinity Map



6.2 Site Plan



6.3 Restrictive Covenant

01/19/2005 11:35 5099266115

ROECKS: LAW!

PAGE 02

When Recorded, Please return to:

Roecks Law Firm, P.C.
103 N. Locust Rd., Suite B
Spokane, WA 99206

COPY
ORIGINAL FILED OR RECORDED

JAN 18 2005

COUNTY AUDITOR
SPOKANE COUNTY WA

2:47pm

#5170266

RESTRICTIVE COVENANT

189-254

Property Owner: Puran Singh

Name of Property: Allen's GTX Truck Stop

This Declaration of Restrictive Covenant is made Pursuant to RCW 70.105D.030 (1)(f) and (g) and WAC 173-340-440 by Puran Singh, his successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

An independent remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Restrictive Covenant. The Remedial Action conducted at the property is described in the following document: Remedial Investigation and Cleanup Action Report, Independent Remedial Actions, Characterization and Documentation of Diesel Affected Soil, Diesel Tank Bed and Pump Island, Allen's GTX Truck Stop, 18724 East Cataldo Avenue, Greenacres, Washington, Leppo Consultants, Inc., January 2002.

This Restrictive Covenant is required because the Remedial Action resulted in Residual concentrations of diesel range petroleum hydrocarbons which exceed the Model Toxics Control Act Method A Residential Cleanup Level for Soil established under WAC 173-340-740.

The undersigned, Puran Singh, is the fee owner of real property (hereafter "Property") in the County of Spokane, State of Washington, that is subject to this Restrictive Covenant. This property is legally described as follows:

55172-0222

Parcel A:

That portion of the Greenacres Irrigation Ditch and Lots 5 and Lot 6, Block 2, Corbin Addition to Greenacres, according to Plats recorded in Volume "S" of Plats, page 30, in Spokane County, Washington, More Particularly described as follows:
Beginning at the Northwest corner of said Lot 6:
Thence South 00°17'30" East, along the Westerly Boundary of said Block 2, A distant of 58.17 feet to point on the southwesterly line of said Greenacres Irrigation Ditch;

Restrictive Covenant

Page 16

That portion of the Greenacres Irrigation Ditch and Lot 5, Block 2, Corbin Addition to Greenacres;

Beginning at the Northwest corner of Lot 6, Block 2, Corbin Addition to Greenacres;
Thence South $00^{\circ}17'30''$ East along the Westerly boundary of said Block 2, a distance of 58.17 feet to a point on the Southwesterly line of Greenacres Irrigation ditch;
Thence along said southwesterly line south $85^{\circ}03'$ East, 50.4 feet of the point of curve on a 32.07 foot radius curve right whose central angle is $48^{\circ}21'$;
Thence along the arc of said curve right a distance of 27.06 feet to the point of Tangent;
Thence South $36^{\circ}42'$ East, 164.40 feet;
Thence South $36^{\circ}21'$ East, 42.79 feet to the point of beginning;
Thence North $53^{\circ}39'$ East, 200 feet;
Thence South $36^{\circ}21'$ East, 240 feet;
Thence South $53^{\circ}21'$ West, 200 feet;
Thence North $36^{\circ}21'$ West, 240 feet to the true point of beginning;
Except that portion deeded to the State of Washington for State Route 90 under Auditor's File No. 4639619.

Spokane County Parcel # 55172.0222

Puran Singh makes the following declaration as to limitations, restrictions, and uses to which the property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property

Restrictive Covenant

Page 2

01/19/2005 11:35 5099266115

RDECKS:LAWI

PAGE 03

(hereafter "Owner").

Section 1. A portion of the Property contains diesel range petroleum hydrocarbon contaminated soil located specifically as delineated in "EXHIBIT A" attached to and an integral portion of this Restrictive Covenant. The Owner Shall not alter, modify, or remove the existing structure(s) in any manner that may result in the release of exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology."

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

01/19/2005 11:35 5099266115

ROECKS:LAU!

PAGE 04

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of th Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

Dated: 10-25-2004

Puran Singh

Puran Singh

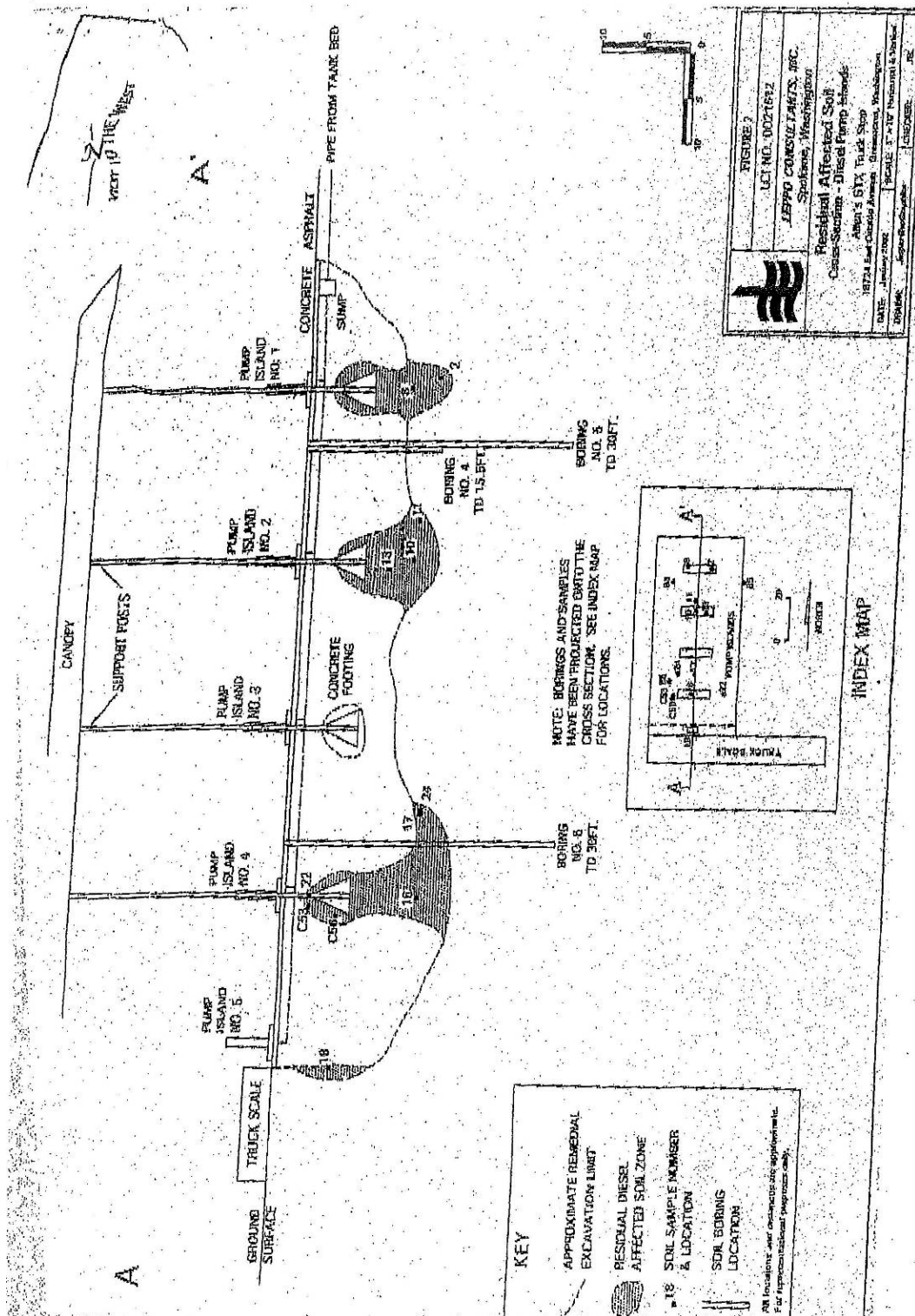
State of ~~Washington~~ ^{Idaho})
County of ~~Spokane~~ ^{Kootenai}) ss.

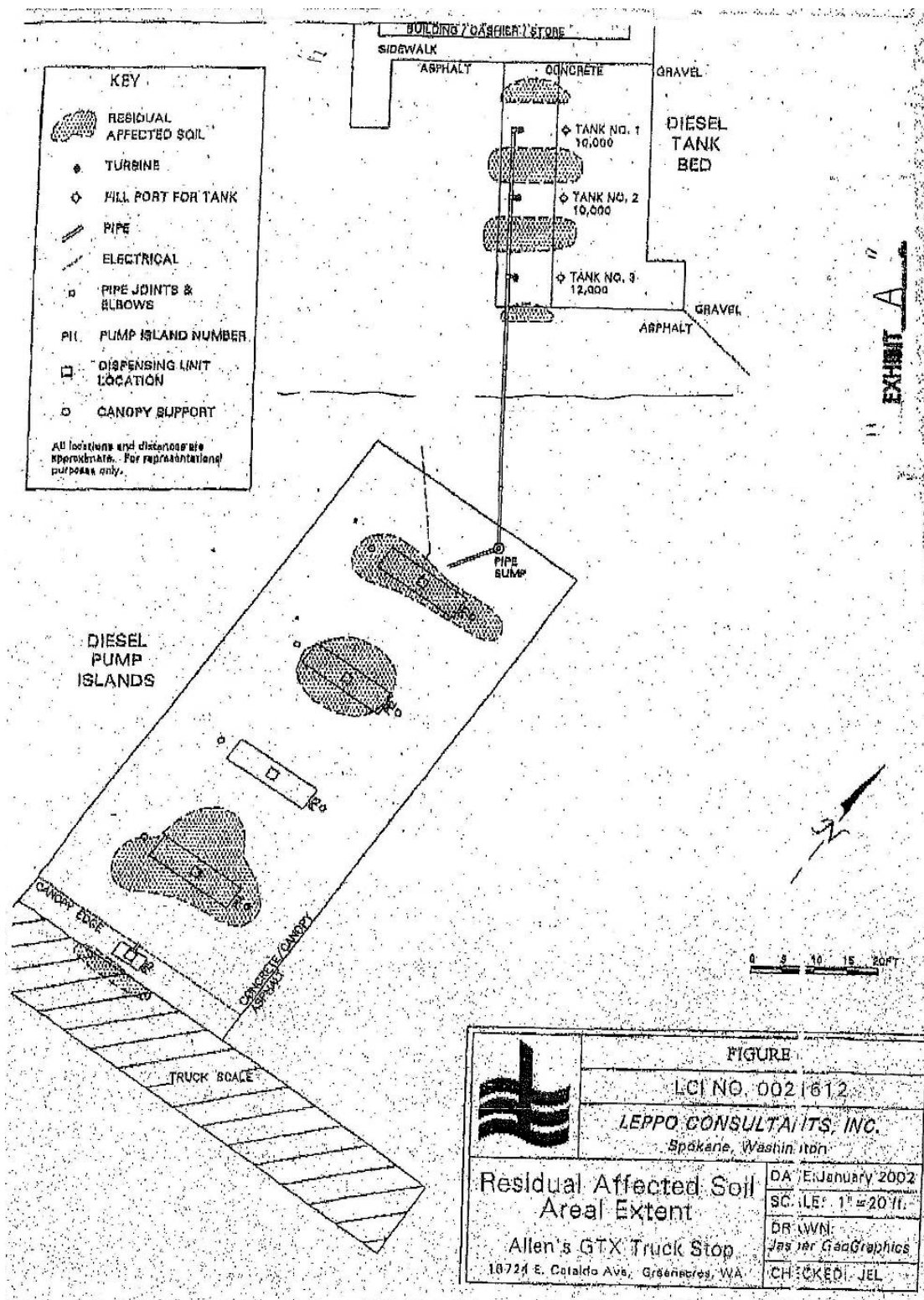
I certify that I know or have satisfactory evidence that **Puran Singh** signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned.

²⁵
Dated October 25, 2004



Mary Bonestud
Notary Public in and for
the State of ~~Washington~~ ^{Idaho}
Residing at: ~~Spokane~~ ^{Bozeman}
My appointment expires ~~September 1, 2007~~ ^{Oct 30}





6.4 Photo Log

Photo 1: Allens GTX Truck Stop Site - from the south



Photo 2: Dispenser Island - from the southeast



Photo 3: Dispenser Island - from the north



Photo 4: Paved Site Parking – from the northeast

