



Second Periodic Review

Loon Lake Self Service
3937 Gardenspot Road
Loon Lake, Washington 99148

Facility Site ID#: 6676385
Cleanup Site ID#: 5414

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

December 2016

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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 Loon Lake Self Service 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 April 2012. This periodic review will evaluate the period from April 2012 through November 2016.

Cleanup activities at this Site were completed under the Voluntary Cleanup Program (VCP) with VCP No. EA0101. The cleanup actions resulted in residual concentrations of petroleum hydrocarbons 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.

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- (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 Loon Lake Self Service Site is located at 3937 Gardenspot Road in Loon Lake, Washington. Site development includes several buildings occupied by both commercial businesses and multi-family residential apartments. The main commercial building contains retail fuel services, a small grocery store, and a restaurant. The western building includes commercial and residential lease spaces. Four apartments are located on the second floor of this mixed-use structure. A well house is located approximately 20 feet northeast of the Loon Lake Self Service commercial building.

The original three-tank underground storage tank (UST) system was reportedly installed along with a previous service station structure in 1977. The original service station building was reportedly located south of the existing tank bed. A fourth 3,000-gallon premium unleaded UST was reportedly installed 1992. A service station demolition and re-development was completed from 1994–1995. The older service station building was demolished and replaced by the existing grocery store/restaurant building on the north side of the tank bed. The improvements reportedly included new pump islands, dispensing units, canopy, and the UST system upgrades.

The current Loon Lake Self Service UST system is located in the central portion of the subject Site. The facility includes four tanks in a single tank bed, each with different fuel products. Five pump islands with pressurized dispensing units are located south of the tank bed. The pump islands are covered by an overhead canopy.

In November 1997, the Site owner/operator notified Ecology of a potential product release. Based on a reconciliation of product delivery, sales, and daily loss, the Site owner/operator estimated that 2,320 gallons of mid-grade gasoline was released from October 13 through November 5 from a 10,000-gallon UST located between the building and the canopy. The tank was inspected and the cause of the leak was identified and repaired.

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

2.2 Site Investigations

An initial Site investigation was conducted by Leppo Consultants, Inc. (LCI) during November and December 1997. Seven soil borings were drilled and three groundwater monitoring wells were installed (wells MW-1, MW-2, and MW-3). Concentrations of benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected at concentrations above MTCA Method A cleanup levels in the three groundwater monitoring wells during the December 10, 1997, sampling event. Phase-separated product was detected in well MW-3 at a thickness of 18 inches.

LCI installed additional groundwater monitoring wells MW-4 and MW-5 during January 1998, wells MW-6 and MW-7 during February 1998, and well MW-8 during October 1998 to further delineate the groundwater impacts, evaluate groundwater flow direction, and locate phase-separated product.

The Site characterization conducted by LCI revealed soil and groundwater impacts associated with phase-separated product localized in an area beneath the UST and extending laterally southward beneath the fuel service area toward well MW-3. A layer of very fine sand/silt beneath the tank appeared to be contributing to the apparent upgradient movement of the product to the south from the release point. Dissolved hydrocarbon compounds were also detected in downgradient monitoring wells MW-1, MW-2, MW-5, MW-6, and MW-8 and upgradient monitoring well MW-7.

2.3 Groundwater Monitoring

The eight wells were monitored as part of a groundwater compliance monitoring program from December 1997 through March 2006. The monitoring program was scaled back for the March 2004 monitoring event to include only those monitoring wells with continuing or intermittent water quality concerns around the original gasoline release point and which were situated at intercept locations between the contaminant source area and the nearby public drinking water well. Monitoring wells MW-2, MW-4, and MW-6 through MW-8 were decommissioned and abandoned in July 2004 under Ecology's approval. In January 2005, well MW-3 was abandoned and replaced with a deeper well (MW-3a).

The three remaining monitoring wells (MW-1, MW-3a, and MW-5) continued to be monitored from June 2005 to March 2006, for gasoline-range total petroleum hydrocarbons (TPH-G), along with the public drinking water well (both from the well and from a residential tap). A summary of the analytical results from groundwater monitoring events conducted for wells MW-1, MW-3a, and MW-5 is below:

- MW-1 was sampled eleven times after the June 22, 2000, groundwater monitoring event. Analytical results from the June 2000 event indicated concentrations of TPH-G and BTEX were detected above the MTCA Method A cleanup levels. Concentrations of these constituents in each subsequent sampling event after June 22, 2000, through March 29, 2006, were below cleanup levels.
- MW-3a was sampled for four consecutive quarters beginning in June 2005. Analytical results from the four monitoring events (June 20, 2005; September 9, 2005; December 19, 2005; and March 29, 2006) indicated that TPH-G and BTEX concentrations were below laboratory method reporting levels, and hence below cleanup levels.

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- MW-5 was sampled eleven times following the October 19, 1998, groundwater monitoring event. Analytical results from the October 19, 1998, event indicated concentrations of TPH-G and BTEX were detected above the MTCA Method A cleanup levels. Concentrations of these constituents during the monitoring events between October 19, 1998, and September 30, 2003, were below cleanup levels.
 - The public drinking water well DW1 was sampled 30 times following the December 10, 1997, sampling event, and the tap water well DW2 was sampled 29 times following the January 7, 1998, sampling event. Analytical results from these sampling events indicate that TPH-G and BTEX concentrations were either below laboratory method reporting limits or below the cleanup levels.

Analytical results of the groundwater monitoring program, including the eight monitoring wells and the public drinking water well, indicate TPH-G and BTEX concentrations in the groundwater beneath the Site were below MTCA cleanup levels for a period of four consecutive quarters or greater.

2.4 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. The current MTCA Method A cleanup level for TPH-G in soil is 30 milligrams per kilogram (mg/kg) when benzene is present and the MTCA Method A cleanup level for diesel- and heavy oil-range petroleum hydrocarbons is 2,000 mg/kg.

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

For groundwater, the point of compliance is the point or points where the groundwater cleanup levels must be attained for a site to be in compliance with the cleanup standards. The standard point of compliance shall be established throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth that could potentially be affected by the Site.

2.5 Restrictive Covenant

Due to the presence of residual contaminated soils at the Site, it was determined that the final cleanup action should incorporate engineering controls and institutional controls to prevent exposure.

Engineering controls included asphalt and concrete pavements, as well as an overhead canopy covering the tank bed and pump islands. These impervious surfaces are designed to prevent outdoor human exposure pathways, surface water (precipitation) infiltration through the affected areas, and potential vertical/horizontal migration of any residual gasoline product in soil underlying the tank bed and pump islands.

Institutional controls were implemented in the form of a restrictive covenant. The covenant is intended to prohibit activities that may interfere with the integrity of the cleanup action, or result in exposure of hazardous substances remaining at the Site. A restrictive covenant was recorded for the Site in 2006 that imposes the following limitations:

1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited, without prior written approval from Ecology. Some examples of activities that are prohibited in the Capped Areas include: drilling, digging, placement of any objects or use of any equipment that deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork or any activities that may cause migration of the hazardous substances. Attached as Exhibit "A" of the restrictive covenant is a drawing of the Property depicting the estimated Areal Extent of Residual Gasoline Affected Soil on the Property and the location of the capped area beneath the tank bed, pump islands, and canopy. Notwithstanding the foregoing prohibition in this Paragraph 1, digging, landscaping and piercing the surface is permitted in areas of the Property that are outside the area of estimated Areal Extent of Residual Gasoline Affected Soil depicted on Exhibit "A".
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) days 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.

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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 Restrictive Covenant for the Site is available as Appendix 6.3.

3.0 Periodic Review

3.1 Effectiveness of Completed Cleanup Actions

During the Site visit conducted October 27, 2016, 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 distributor and food mart and is surrounded by a mix of residential and commercial use 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 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, and concrete. The Site is fenced and has restricted access, further reducing the possibility of public exposure to residual contamination at the Site.

3.1.2 Protection of Groundwater

Soils with TPH at concentrations exceeding MTCA Method A cleanup levels remain at the Site; however, the majority of the contaminated soil source material has been removed. Groundwater samples collected from the Site contained TPH-G contamination in the late 1990s. A combination of groundwater treatment technologies was implemented to reduce free product and dissolved-phase contamination. By 2006, none of the groundwater monitoring wells at the Site had contained TPH concentrations exceeding MTCA Method A cleanup levels for at least four consecutive quarters. This groundwater monitoring data serves as an empirical demonstration that residual soil contamination is not degrading groundwater quality.

3.1.3 Institutional Controls

Institutional controls in the form of a restrictive covenant were implemented at the Site in 2006. The covenant remains active and discoverable through the Stevens 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 current Site use is not likely to have a negative impact on the protectiveness of the remedy.

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 property 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

Leppo Consultants, Inc. *Interim Remedial Investigation*. April 1998.

IT Corporation. *Summary of Site Activities*. May 25, 2000.

IT Corporation. *Summary of Remediation Activities*. May 17, 2001.

SLR International Corp. *Cleanup Action Plan*. May 3, 2004.

AIG Consultants, Inc. *Independent Remedial Action Report*. April 28, 2006.

AIG Consultants, Inc. *Final Closure Report*. September 12, 2006.

Ecology. *Loon Lake Self Service VCP Review*. December 7, 2006.

Ecology. *Restrictive Covenant*. December 21, 2006.

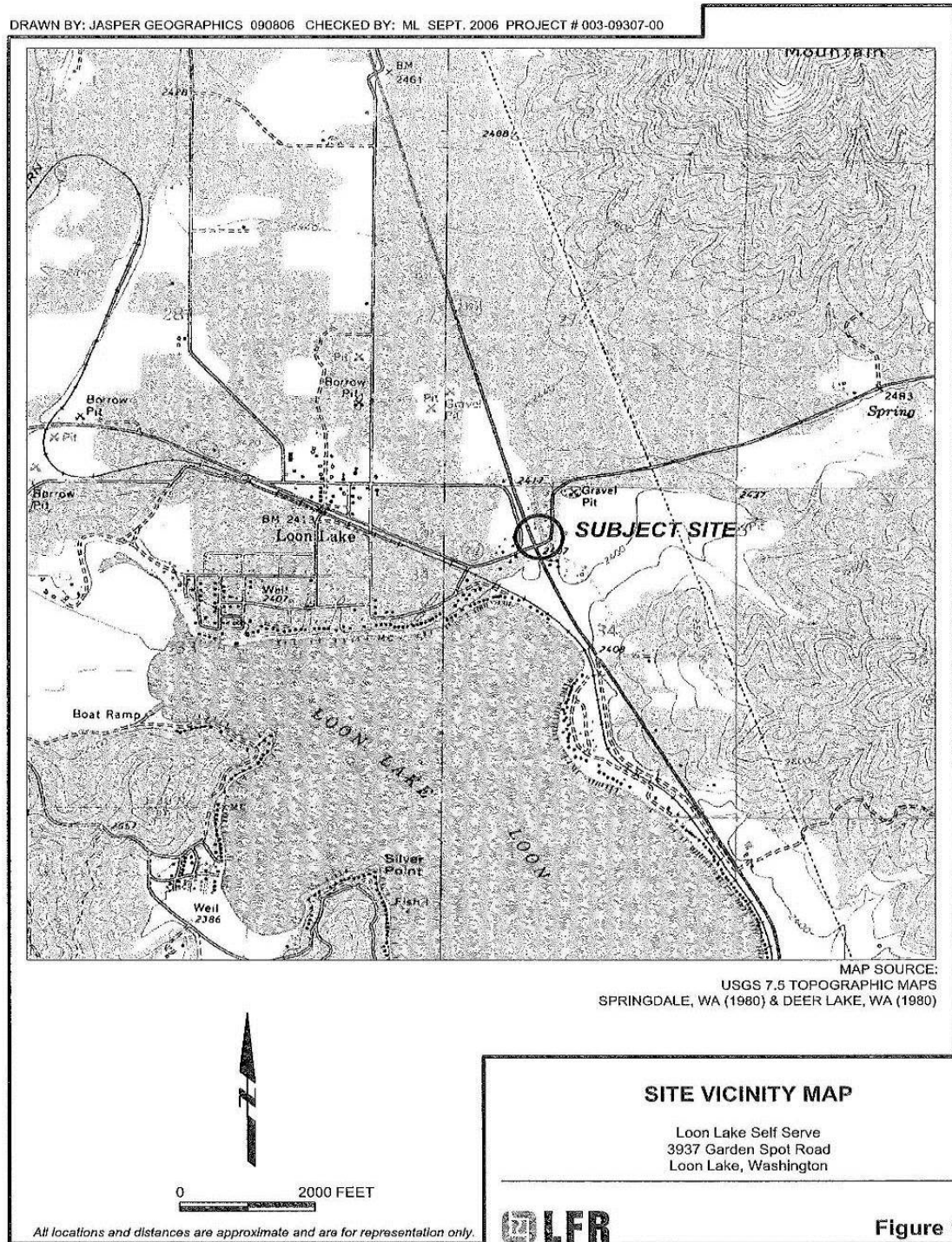
Ecology. *No Further Action Determination*. January 9, 2007.

Ecology. *Periodic Review*. April 27, 2012.

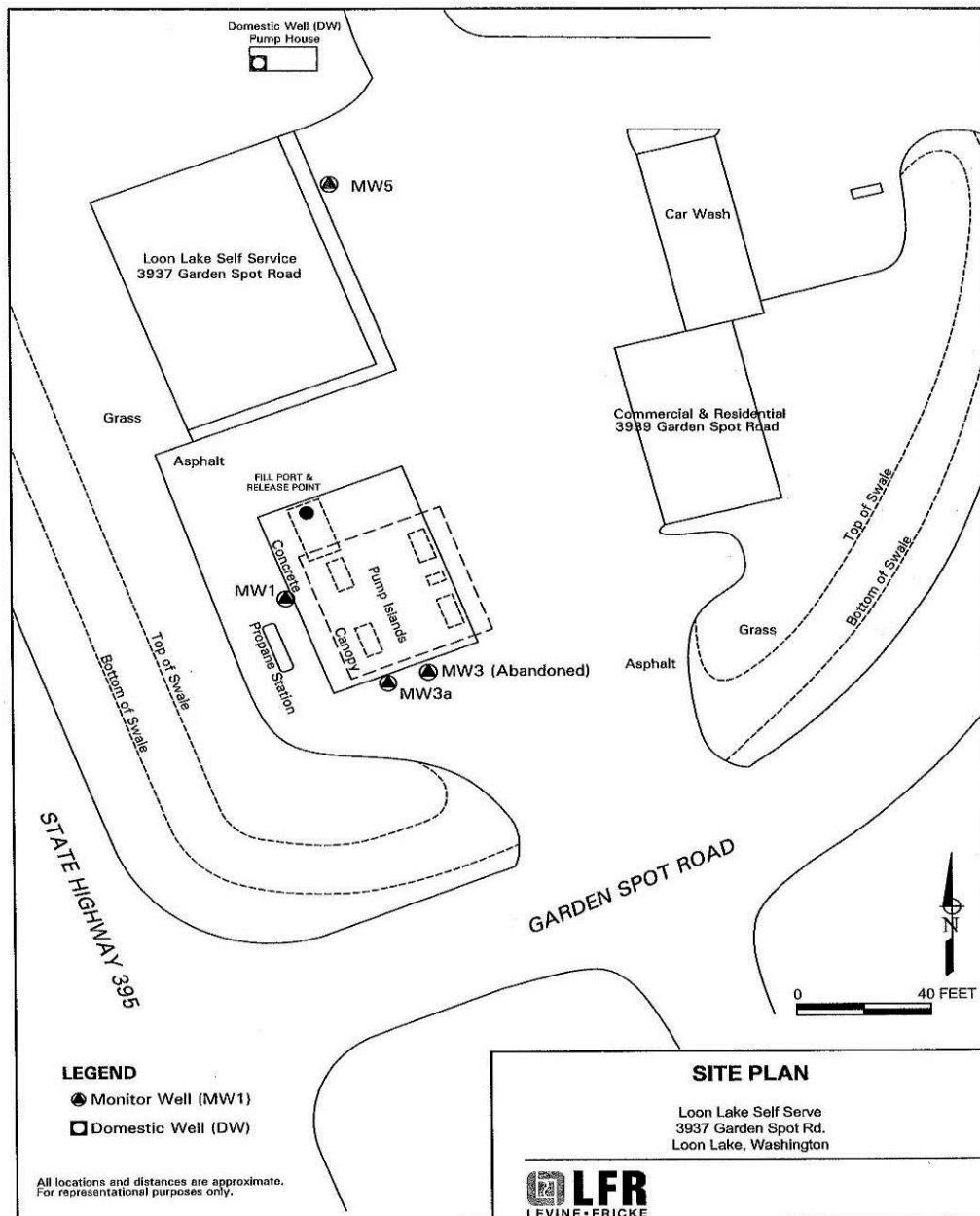
Ecology. *Site Visit*. October 27, 2016.

6.0 Appendices

6.1 Vicinity Map



6.2 Site Plan



6.3 Restrictive Covenant

RECEIVED
JAN - 9 2007
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE
Stevens Co
Loon Lake Self
Serv
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RETURN ADDRESS:
ALROY CHRISTENSEN
PO BOX 45
LOON LAKE WA 99148-0045

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on 12/21/2006 **at** 16:01
Total of 6 **page(s)** **Paid: \$** 37.00
STEVENS COUNTY, WASHINGTON
TIM GRAY, AUDITOR

DOCUMENT TITLE(S) RESTRICTIVE COVENANT

GRANTOR(S):
Last, First, Middle Initial

1. ALROY H. CHRISTENSEN TRUST
2. CHRISTENSEN, DORTHY E.
3. ECOLOGY, DEPT OF
etc. additional names on page _____ of document

GRANTEE(S):
Last, First, Middle Initial

1. PUBLIC, THE
2. _____
3. _____
etc. additional names on page _____ of document

LEGAL DESCRIPTION:
Abbreviated form (lot, block, plat name, section-township-range)

1. LOT 8, BLOCK 2
2. CHRISTENSEN SUBDIVISION
Additional legal description is on page _____ of document

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(S):

1. 630700

REFERENCE NUMBERS OF RELATED DOCUMENTS:
(IF APPLICABLE)

1. **AUDITOR'S FILE NUMBER(S):** _____
2. **BOOK(S) AND PAGE(S):** _____

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RESTRICTIVE COVENANT

Property Owner: Alroy H. Christensen Trust and Dorthy E. Christensen

Property Name: Loon Lake Self Serve (Commercial)

Property Address: 3937 Garden Spot Road, Loon Lake, WA 99148

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Alroy H. Christensen Trust and Dorthy E. Christensen, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereinafter "Ecology").

An independent remedial action (hereinafter "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(s):

- Interim Remedial Investigation, Loon Lake Self Service, Leppo Consultants, Inc. (LCI), dated April 1998
- Interim Remedial Action Reports, Ground Water Monitoring Events No. 1 (June 3, 1998) through 14 (May 30, 2002), Loon Lake Self Service, LCI
- Interim Remedial Action Reports, Ground Water Monitoring Events No. 15 (October 31, 2002) through 22 (January 2005), Loon Lake Self Service, SLR International Corp. (SLR)
- Summary of Remediation Activities, January 12, 2000 through January 10, 2001, Loon Lake Self Serve Site, IT Corporation, dated May 17, 2001
- Independent Remedial Action Report, Cleanup Action Plan, Loon Lake Self Serve, SLR, dated May 3, 2004
- Independent Remedial Action Reports, Ground Water Monitoring Events from June 2005 through March 2006, Loon Lake Self Serve, LFR, Inc. (LFR)
- Final Closure Report, Independent Remedial Actions, Loon Lake Self Serve, LFR, dated September 12, 2006

These documents are on file at Ecology's Eastern Regional Office ("ERO").

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This Restrictive Covenant is required because the Remedial Action resulted in residual concentrations of gasoline-range petroleum hydrocarbons that exceed the Model Toxics Control Act Method A Residential Cleanup Levels for soil established under WAC 173-340-740.

The undersigned Alroy H. Christensen Trust and Dorthy E. Christensen, is the fee owner of real property (hereinafter "Property") in the County of Stevens, State of Washington, that is subject to this Restrictive Covenant. According to the Stevens County Auditor's Office the Property is legally described as follows:

Lot 8, Block 2, Christensen Subdivision, according to plat recorded under Auditor's File No. 337459, in Stevens County, Washington

Alroy H. Christensen Trust and Dorthy E. Christensen make 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 (hereinafter "Owner").

1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited, without prior written approval from Ecology. Some examples of activities that are prohibited in the Capped Areas include: drilling, digging, placement of any objects or use of any equipment that deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork or any activities that may cause migration of the hazardous substances. Attached as Exhibit "A" is a drawing of the Property depicting the estimated Areal Extent of Residual Gasoline Affected Soil on the Property and the location of the capped area beneath the tank bed, pump islands, and canopy. Notwithstanding the foregoing prohibition in this Paragraph 1, digging, landscaping and piercing the surface is permitted in areas of the Property that are outside the area of estimated Areal Extent of Residual Gasoline Affected Soil depicted on Exhibit "A".

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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, without prior written approval from Ecology.

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) days advance written notice to Ecology of the Owner's intent to convey any interest in the Property, except that the Owner need not give advance written notice to Ecology if the Owner leases a subunit of a building on the Property, when such lease expressly prohibits any activity that is inconsistent with the terms of this Restrictive Covenant pursuant to Section 5. 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 use 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.

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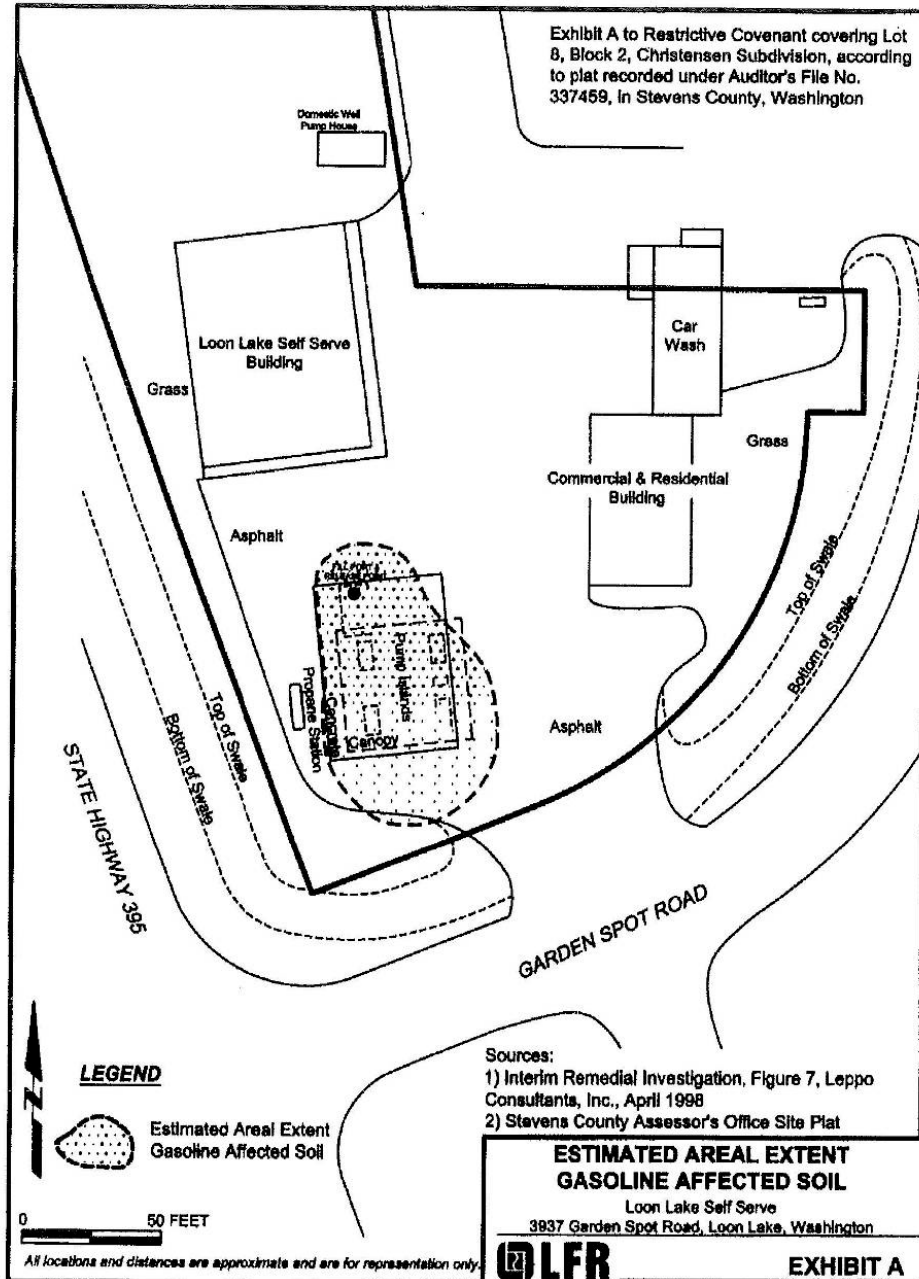
Date: 12-21-06

Alroy H. Christensen
Dorothy E. Christensen
Alroy H. Christensen Trust
Dorothy E. Christensen

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6.4 Photo Log

Photo 1: Loon Lake Self Service Site - from the southeast



Photo 2: Former Well and Treatment Trench - from the south



Photo 3: North Side of Site and Former Treatment System Pad - from the north



Photo 4: Former Wells and Treatment System Trench – from the south

