



FILE COPY

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

June 5, 2008

Mr. Steven Johnston  
1036 Post Street  
Goldendale, WA 98620

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

- Name: Jack's Grocery
- Address: 706 South Columbus Avenue, Goldendale, WA
- Facility/Site No.: 89542539
- VCP No.: CE0248

Dear Mr. Johnston:

Thank you for submitting your independent remedial action report for the Jack's Grocery 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 Revised Code of Washington (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 Washington Administrative Code (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. *UST Site Assessment*, July 27, 1992, Robert D. Miller Consulting
2. *Corrective Action Progress Report*, October 7, 1992, Robert D. Miller Consulting
3. *Site Check*, June 5, 1995, Robert D. Miller Consulting
4. *Site Check*, June 12, 1995, Robert D. Miller Consulting
5. *Monitor Wells and Compliance Testing*, November 14, 2007, Robert D. Miller Consulting (Addendum received December 13, 2007)
6. Site Correspondence File, Ecology's Central Regional Office



Mr. Steve Johnston  
June 5, 2008  
Page 2

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, our files manager, at (509) 454-7658.

The Site is defined by the extent of contamination caused by the following release(s):

- Gasoline range petroleum hydrocarbons in soil;
- Gasoline range petroleum hydrocarbons, associated constituents (BTEX), and lead in groundwater.

The Site is more particularly described in the *UST Site Assessment* report. The description of the Site is based solely on the information contained in the documents listed above.

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 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 the following release(s):**

- Gasoline range petroleum hydrocarbons in soil.

**However, the independent remedial action(s) performed at the Site are not sufficient to meet MTCA's substantive requirements for characterizing and addressing the following release(s):**

- Gasoline range hydrocarbons and associated constituents in groundwater.

Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **further remedial action is necessary** at this Site under MTCA. At a minimum, four consecutive quarters of groundwater monitoring showing contamination below MTCA AND evidence that all monitoring wells are decommissioned in accordance with WAC 173-160 is required.

Ecology recommends the following:

1. Installation of a minimum of two monitoring wells down gradient of the historic contamination source to define the extent of contamination.
2. Groundwater flow direction should be re-established and indicated on all future site maps.

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.

Mr. Steve Johnston  
June 5, 2008  
Page 3

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 conducted at the Site meet those requirements.

If you have any questions regarding this opinion, please contact me at (509) 454-7835 or [brha461@ecy.wa.gov](mailto:brha461@ecy.wa.gov).

Sincerely,



Brienne Plath  
Site Manager  
CRO Toxics Cleanup Program

cc: Donald Anthony, site owner

