



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

April 5, 2017

Brandon Christensen  
RE Powell  
1060 Jadwin Ave., Suite 225  
Richland, WA 99352

Re: Further Action at the following Site:

Site Name:	Gearjammer Truck Plaza
Site Address:	2310 Rudkin Road, Union Gap
Facility Site No.:	26981244
Cleanup Site No.:	7073
VCP Project No.:	CE0452

Dear Mr. Christensen:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Gearjammer Truck Plaza 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?

**YES. Ecology has determined that further remedial action is necessary to clean up contamination at the Site.**

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:

- Petroleum hydrocarbons into soil.
- Petroleum hydrocarbons into groundwater.



Please note 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:

- White Shield Environmental; *Groundwater Assessment Report, Gearjammer Site, 2310 Rudkin Road, Union Gap, WA*; March 1999
- Sage Earth Sciences, Inc. (Sage); *Limited Groundwater Sampling & Analysis Report, Gearjammer Truck Plaza, 2310 Rudkin Road, Union Gap, WA*; June 2000
- Sage; *Limited Phase II Environmental Site Assessment Report, Gearjammer PCS Treatment Facility, Yakima, WA*; August 2004
- Northwest Environmental Solutions, Inc.; *Compliance Test for 2004, Leak Detector & Cathodic Protection Certifications; Gearjammer Truck Plaza, 2310 Rudkin Road, Union Gap, WA*; August 2004
- GeoPro Geologic Services, LLC; Groundwater Monitoring Reports dated 8/2009, 3/2010, & 5/2010
- Blue Mountain Environmental Consulting; Groundwater Monitoring Report dated 11/2009
- Sage; Groundwater Monitoring Reports dated 10/2014, 3/2015, 6/2015, & 9/2015
- Aerotech Environmental Consulting, Inc. (Aerotech); *Phase II Limited and Targeted Subsurface Investigation, Gearjammer Travel Plaza, 2310 Rudkin Road, Union Gap, WA*; September 2016
- Aerotech; *Phase III Limited and Targeted Subsurface Investigation, Gearjammer Travel Plaza, 2310 Rudkin Road, Union Gap, WA*; January 5, 2017
- Department of Ecology Correspondence File

These documents are kept at the Central Regional Office (CRO) of Ecology for review by appointment only. You can make an appointment by calling the CRO resource contact at 509-575-2027.

This opinion is void if any of the information contained in those documents is materially false or misleading.

### **Analysis of the Phase III Limited and Targeted Subsurface Investigation**

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Ecology was asked to provide an opinion on the January 2017 Phase III Limited and Targeted Subsurface Investigation report prepared by Aerotech.

The stated objective of the investigation was to define the extent of diesel contamination in soil and groundwater in the vicinity of the diesel fuel dispenser island.

The investigation concluded:

1. The extent of soil contamination has not been defined, and
2. Petroleum contamination in groundwater does not appear to extend under the main building adjacent to the pump island.

The report recommends further action, but does not propose future remedial investigation activities.

Ecology has concluded that the lateral extent of Diesel Range Petroleum Hydrocarbons (DRPH) in both soil and groundwater, as related to a release in the vicinity of the diesel fuel dispenser island, has not been sufficiently characterized. Additionally, not enough data has been collected to determine the groundwater contaminant plume does not extend under the main building.

### **Future Considerations**

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1. The source of the release in the vicinity of the diesel fuel dispenser does not appear to have been identified, and the release is presumed to be on-going. Characterization activities are premature if the release source continues to contribute to the contaminant mass.
2. Two (2) other petroleum releases are known to have occurred at the Gearjammer property. If the releases are determined to be co-mingled, characterization and cleanup of all releases will be necessary before a No Further Action opinion letter can be issued.
  - In 1996, a 1,100 gallon waste oil UST (Tank #1), and an 8,000 gallon new oil UST (Tank #2) were decommissioned and removed along the western side of the Gearjammer servicing garage.

The tanks appeared to be in good condition, but an undisclosed amount of oil was spilled into the tank basin from Tank #2 during cleaning activities. The heavy oil impacted soil was excavated to the extent practicable (120 cubic yards) and stockpiled off-site. Samples collected from the stockpile in 2004 showed no COC concentrations above CULs.

- In 1999, three (3) groundwater monitoring wells were installed and sampled for a total of five (5) events. Free product diesel fuel was discovered in MW-3 and determined to be unrelated to the 1996 release. In 2000, a Product Recovery Canister (PRC) was installed in MW-3, and about 34 ounces of petroleum was removed from the well.

## **Additional Requirements**

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### **1. Data Submittal**

TCP Policy 840: Data Submittal Requirements (Pub. No. 16-09-050, revised April 2016) requires site-specific environmental sampling data be entered into the Environmental Information Management System (EIM) database at the time any report is submitted requesting an opinion on the sufficiency of the action under the VCP, and before Ecology will review independent remedial action reports under the VCP.

Future document reviews and opinions will be postponed until Site data has been entered into EIM.

### **2. Licensed Professional**

Geologic, hydrogeologic, or engineering work, when submitted to Ecology for review, must be under the seal of an appropriately licensed professional as required by Chapters 18.43 and 18.220 RCW.

The report submitted was not stamped by a Washington State licensed hydrogeologist.

### **3. Terrestrial Ecological Evaluation**

For soil contamination, the potential impact of hazardous substances on terrestrial ecological receptors must be evaluated. If it is determined that a simplified or site-specific terrestrial ecological evaluation is not required under WAC 173-340-7491, the basis for the exclusion shall be included in the remedial investigation report.

## **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).

Brandon Christensen  
RE Powell  
April 5, 2017  
Page 5

**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 performed is 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).


**Contact Information**

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Thank you for choosing to clean up the Site under the Voluntary Cleanup Program (VCP). After you have addressed our concerns, you may request another review of your cleanup. Please do not hesitate to request additional services as your cleanup progresses. We look forward to working with you.

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, please contact me by phone at (509) 454-7839 or e-mail at [Jennifer.Lind@ecy.wa.gov](mailto:Jennifer.Lind@ecy.wa.gov).

Sincerely,

  
Jennifer Lind  
Toxics Cleanup Program, CRO

cc: Alan Blotch, Aerotech  
Chuck Hinckley, Gearjammer  
Matt Alexander, VCP Financial Manager