



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

May 23, 2017

Laura B. Skow, LG
ES Engineering Services, LLC
1036 West Taft Avenue
Orange, CA 92865

Dear Ms. Skow:

Re: No Further Action at the following Site:

- **Site Name:** PDG 058
- **Site Address:** 720 Humorist Road, Burbank, WA
- **Facility/Site No.:** 86884472
- **VCP Project No.:** EA0213

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the PDG 058 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

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 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

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release:

- Petroleum hydrocarbons into the soil and groundwater.
- Lead into the soil and groundwater.

Enclosure A includes a detailed description and diagram of the Site, as currently known to Ecology.

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

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

1. GeoEngineers, Inc., Site Assessment Report, Time Oil Property No. 01-058, Jackpot Food Mart, Burbank, Washington, July 1, 1999.
2. GeoEngineers, Inc., Request for Site Closure, Burbank Jackpot Food Mart, (Property 01-058) Burbank, Washington, July 7, 2007.
3. ES Engineering Services, LLC, Additional Site Assessment Workplan, Site No. 0580, 119 East Humorist Road, Burbank, Washington, July 5, 2016.
4. ES Engineering Services, LLC, Third Quarter 2016 Groundwater Monitoring Report, Site No. 0580, 119 East Humorist Road, Burbank, Washington, November 3, 2016.
5. ES Engineering Services, LLC, Site Assessment Report and Request for No Further Action, Site No. 0580, 119 East Humorist Road, Burbank, Washington, December 13, 2016.

Those documents are kept in the Central Files of the Eastern Regional Office of Ecology (ERO) for review by appointment only. You can make an appointment by calling the ERO resource contact at (509) 329-3415.

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

Analysis of the Cleanup

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 is described above and in **Enclosure A**.

The Site entered the Voluntary Cleanup Program in January 2011 and Ecology issued an opinion letter in January 2011 requesting additional soil and groundwater sampling. Groundwater sampling began in December 2015 and continued for four quarters. Groundwater results from the four monitoring wells indicated samples were below the MTCA Method A cleanup levels for total petroleum hydrocarbons (TPH), benzene, toluene, ethylbenzene, and xylene (BTEX), and total lead.

As part of the additional soil sampling effort, three soil boring were completed to about 45 feet below ground surface (bgs) adjacent to the existing tank cavity. The borings were drilled using a Sonic drill rig utilizing a 10 foot core barrel. The soil was extruded from the core barrel into plastic bags for the purpose of lithologic description and sample selection. The soil consisted of silty sand with gravel and gravel with sand. The soil was screened with a photoionization detector and samples were collected on five-foot intervals for submission to the analytical laboratory.

A total of 23 soil samples were submitted to ESN Northwest, Inc. for analysis and were analyzed for total petroleum hydrocarbons as gasoline, diesel, and heavy oil, total volatile organics (VOCs – Method 8260), naphthalenes (Method 8270), 1,2-dibromoethane (Method 8260), and total lead (Method 6020). Laboratory results indicated the samples were well below the MTCA Method A Unrestricted Land Use cleanup values.

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.

- The cleanup levels proposed in the Cleanup Action Plan (CAP) for site contaminants of concern (COCs) are MTCA Method A unrestricted land use cleanup levels for soil.
- Cleanup levels for petroleum hydrocarbons and their constituents are based on protection of groundwater.
- Cleanup level for lead is based on preventing unacceptable blood lead levels.

- Four quarters of groundwater sampling results were compared to the MTCA Method A tables. The sample results were below the table values.

The cleanup standards meet the substantive requirements of MTCA because they provide for protection of human health and the environment through the direct contact pathway and the protection of groundwater.

3. Cleanup.

Ecology has determined the cleanup performed meets the cleanup standards established for the Site. The contamination identified during the 1997 UST upgrade appears to have been removed through excavation or has attenuated.

The four quarters of groundwater monitoring indicated groundwater samples were below the laboratory detection limits for the petroleum products and below cleanup levels for total lead.

The soil samples collected from borings in the former UST location indicated sample results were below the applicable MTCA Method A Unrestricted Land Use cleanup levels for soil

Listing of the Site

Based on this opinion, Ecology will remove the Site from our Confirmed and Suspected Contaminated Sites List and Leaking Underground Storage Tank List.

Limitations of the Opinion

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 performed is substantially equivalent. Courts make that determination. *See* RCW 70.105D.080 and WAC 173-340-545.

3. State is immune from liability.

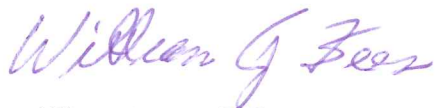
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (#EA0213).

For more information about the VCP and the cleanup process, please visit our web site: 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) 329-3589 or e-mail at wfee461@ecy.wa.gov.

Sincerely,



William J. Fees, P.E.
ERO Toxics Cleanup Program

wjf:mk

Enclosures (3): A – Description and Diagrams of the Site

cc: Matt Alexander – Ecology (without enclosures)

