



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 27, 2017

Mr. Mark Lewis
234 Southwest 43rd Suite MB
Renton, WA 98055

Re: No Further Action (NFA) Determination for:

- **Site Name:** Texaco Bulk Plant
- **Site Address:** 606 Wagon Road, Dayton, WA
- **Facility/Site Number:** 95362668
- **Cleanup Site ID Number:** 11198

Dear Mr. Lewis:

In April 2017, the Washington State Department of Ecology's (Ecology) contractor, GeoEngineers, Inc. (GeoEngineers), completed additional site investigation activities at your property located at 606 Wagon Road, Dayton, WA (Site). The results of this work are summarized in the report titled: *Soil and Groundwater Assessment* dated June 14, 2017. A copy of this report has been attached for your records. Further information regarding Ecology's determination, Site background and summary of the recent investigation activities performed at the Site are presented below.

Determination

Ecology is issuing a No Further Action (NFA) determination for the Site using Model Remedy Number 1, as identified in Ecology's *Model Remedies for Sites with Petroleum Impacts to Groundwater* (Publication No. 16-09-057, August 2016). Under this option, it has been determined that the historic excavation and removal of the underground storage tank (UST) has achieved Model Toxics Control Act (MTCA) Method A cleanup levels for soil and groundwater at the Site. Additionally, an environmental covenant will not be necessary to ensure the continued protection of human health and the environment associated with the historical release



of petroleum hydrocarbons. This determination only applies to Cleanup Site Number 11198. Ecology will update our site database to reflect this NFA determination.

Background and Results of Recent Investigation Activities

The Texaco Bulk Plant removed one UST and piping in March 1992. The UST was a 6,000-gallon tank that was used to store unleaded gasoline. A site assessment was completed during the tank removal, and the assessment documented the tank removal and the excavation soil and water sample results. Two soil samples were collected above the groundwater table, one from the northeast excavation wall and the second from the southeast excavation wall. One water sample was collected from the water at the bottom of excavation. The soil sample concentrations did not exceed MTCA Method A cleanup levels, but the water sample concentrations did exceed the MTCA Method A cleanup levels for gasoline-range total petroleum hydrocarbons and benzene. As a result, the Site was added to Ecology's Confirmed and Suspected Contaminated Sites List as an active Leaking Underground Storage Tank (LUST) Site and has been awaiting further characterization and potential cleanup before an NFA determination could be granted.

Ecology received funding through the Model Remedies Grant Program to provide additional site characterization to assist a limited number of LUST sites towards closure. The intent of these proposed activities was to further characterize previously identified petroleum impacts at LUST sites still awaiting receipt of an NFA determination from Ecology. As a result, the Texaco Bulk Plant Site was selected to receive a portion of these funds.

To perform the proposed site characterization activities funded by the Model Remedies Grant Program, Ecology retained GeoEngineers of Spokane, Washington. GeoEngineers subsequently coordinated and directed the advancement of four soil borings and three monitoring wells at the Site on April 6 and 7, 2017. Soil and grab groundwater samples were collected from the borings and wells to evaluate for the presence of residual hydrocarbons near the former UST location. Groundwater samples were also collected from the three monitoring wells on April 11, 2017. Laboratory analyses of these samples did not detect concentrations of petroleum hydrocarbons or associated constituents above the MTCA Method A cleanup levels. A more detailed summary of the site assessment is provided in the attached *Soil and Groundwater Assessment* report.

Additional documents related to the reported historical release of petroleum hydrocarbons from the Site UST are kept in the Central Files of the Eastern Regional Office of Ecology (ERO). You can make an appointment by calling the ERO resource contact at (509) 329-3415, or visit the Public Records Disclosure webpage at <http://www.ecy.wa.gov/services/disclosure/disclose.html> for more information.

Limitations

1. This 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 resources damages resulting from the release or releases of hazardous substances at the site. This opinion does not:

- Change the boundaries of the site.
- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

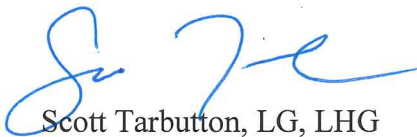
To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under Revised Code of Washington (RCW) 70.105D.040(4).

2. This 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 address whether the actions taken at this site are substantially equivalent. Courts make that determination. See RCW 70.105D080 and Washington Administrative Code 173-340-545.
3. 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

If you have any questions about this opinion, please contact me by e-mail at scott.tarbutton@ecy.wa.gov or by phone at (509) 329-3440.

Sincerely,



Scott Tarbutton, LG, LHG
Toxics Cleanup Program
Eastern Regional Office

Enclosures (1)

1. GeoEngineers, Inc. *Soil and Groundwater Assessment*. June 14, 2017.

By certified mail: [7016 1970 0000 9925 1274]

cc: Mark Gordon, Ecology

