



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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TO: Jim's BP Site File

FROM: Matt Morris, Stacy Galleher

CC: Rebecca Lawson, Nick Acklam

DATE: July 7, 2017

RE: Hazardous Sites List Delisting at the Jim's BP Voluntary Cleanup Program Site (FSID: 1051)

The following memorandum to file summarizes the history of the Union 76 (aka Jim's BP) Cleanup Site (Site) and Ecology's decision to remove the Site from the Hazardous Sites List (HSL) without conducting a second public comment period.

Background Information

The Jim's BP property was developed as a gasoline station in the early 1980s. A UST was removed from the property in 1991, and in doing so, discovered a release had occurred from that UST. The property owner applied for financial assistance via mixed funding (WAC 173-340-560) and Ecology approved the request in order to expedite the cleanup process. Ecology entered into Consent Decree No. DE 91TC-S266 (see attachment) becoming the lead party for remediation. Ecology would conduct the cleanup and the property owner would reimburse the costs of cleanup (though monthly payments) up to a maximum of \$50,000.

Ecology conducted remedial investigation and cleanup action throughout the 1990s.

On April 6, 2000 the former site manager issued a letter indicating that no further remedial action was necessary at the Site. Ecology conducted a public comment period and removed the Site from the HSL on January 31, 2001.

In 2011, during a property transaction investigation, additional petroleum contamination was discovered. Once the contamination was reported to Ecology (May 2014), the site was relisted to the Confirmed and Suspected Contaminated Sites List and the Leaking Underground Storage Tank List. The site was also re-added to the HSL with its old hazard ranking rather than conducting a new Site Hazard Assessment (SHA). At this time, the property owner enrolled in the Voluntary Cleanup Program (VCP). The VCP applicant conducted additional remedial

investigation and cleanup actions from 2014 to 2017. On April 10, 2017, Ecology determined that cleanup standards have been met, and a No Further Action (NFA) letter was issued for the Site.

HSL Delisting

We believe the 2014 HSL relisting was a mistake which occurred due to unclear internal communication when relisting the site to the Confirmed and Suspected Contaminated Sites List and the Leaking Underground Storage Tank List. Because this site was moving forward with the VCP, there was no need to rank the Site or conduct an additional SHA. Therefore, the site should not have been placed on the HSL.

The site manager (Matt Morris), unit supervisor (Nick Acklam), public involvement coordinator (Stacy Galleher), and section manager (Rebecca Lawson) all had a discussion and decided since it was a clerical error that the Site was listed that there was no need to run another public comment period for the delisting. However, a site register notice was placed in the June 8, 2017 site register and the website was updated to reflect that the site will be removed from the next publishing (August 2017) of the HSL.