

NORTH MARKET STREET SITE

CONSENT DECREE

PHILLIPS PETROLEUM COMPANY AND TOSCO REFINING COMPANY



The Washington State Department of Ecology (Ecology) is proposing to enter into a Consent Decree settlement to implement a Cleanup Action Plan (CAP) at the North Market Street Superfund Site (Site). The Site is located approximately one-mile north of the City of Spokane corporate limits in the Hillyard area of Spokane County, Washington.

A Consent Decree is a legal document which formalizes an agreement between Ecology and the potentially liable persons (PLPs) for the Site and is entered and approved by a court. The Consent Decree is being issued under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. The PLPs for the North Market Street Site are Phillips Petroleum Company (Phillips), and Tosco Refining Company (Tosco), a division of the Tosco Corporation.

Another PLP for the Site is the Chevron Pipeline Company (Chevron). Ecology and Chevron are concurrently proposing to enter into a De Minimis Consent Decree settlement for the Site. See fact sheet publication number 00-09-059 for details of the settlement.

Petroleum hydrocarbons and associated chemicals are the

contaminants of concern at the Site. The Site is defined as the area of soil contamination and the groundwater contaminant plume. This definition includes the fuel terminal currently operated by Tosco (Facility) and the groundwater plume where contaminants above background have been detected

In November 1999, Ecology authored the Cleanup Action Plan (CAP), which sets cleanup levels for each contaminant in soil and groundwater and selects the cleanup actions. The soil cleanup action for shallow soil is excavation and thermal treatment of the excavated soil. Bioventing was selected to address deep soil contamination by enhancing biodegradation in the subsurface. A line of air sparging wells coupled with natural attenuation was chosen as the cleanup action for the groundwater plume.

Ecology invites the public to review and comment on the Consent Decree. **Public comments will be accepted October 11, 2000 through November 10, 2000.** The shaded box on the right indicates where documents may be reviewed and comments submitted. **A combined Public Hearing will be held to receive public comment on**

**FACT SHEET:
OCTOBER 2000**

REPOSITORIES:
Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295

Spokane Public Library
Hillyard Branch
4005 N. Cook Street
Spokane, WA 99207-5879

**Questions and submission of
written comments contact:**

Mr. William J. Fees, P.E.
Department of Ecology
Toxics Cleanup Program
4601 N. Monroe, Suite 202
Spokane, WA 99205-1295
E-mail wfee461@ecy.wa.gov
(509) 625-5190 or
1-800-826-7716

Mailing List Contact:
Carol Bergin at Ecology toll
free at 1-800-826-7716 or in
Spokane at (509) 456-6360
E-mail cabe461@ecy.wa.gov

PUBLIC COMMENT
PERIOD: October 11, 2000
through November 10, 2000.

PUBLIC HEARING:
Tuesday, October 24, 2000
Department of Ecology
4601 N. Monroe
Spokane, WA 99205
7-9 p.m.

the following:

- ◆ **Consent Decree for Phillips and Tosco**
- ◆ **De Minimis Consent Decree for Chevron (see fact sheet publication number 00-090-059 for details)**

**The hearing will be held at the Department of Ecology
4601 North Monroe
Spokane, Washington
October 24, 2000 7-9 p.m.**

SITE BACKGROUND

The Site is bounded by Lincoln Road on the South and Freya Street to the east. A private roadway on the Kaiser south property borders the Site to the north. The western boundary roughly parallels North Market St. (Figure 1).

Several of the properties which comprise the North Market Street Site were developed as industrial or commercial facilities that were involved in or related to the refinement, recycling, and sale of petroleum products. In the late 1930s, properties including the current Tosco Spokane Terminal tank farm and distribution center were developed as part of an oil refinery complex. Waste management practices common during that era resulted in releases of liquid refinery-related petroleum wastes into the environment.

Refinery operations were discontinued in 1953. The facility continued operations as a petroleum tank farm after refinery decommissioning. Today the Tosco Spokane Terminal continues to operate as a petroleum fuels storage and distribution center with an estimated cumulative capacity of approximately 391,500 barrels or

16,443,000 gallons of primarily automotive fuels. Since 1976 at least two major product spills have occurred at the Tosco Terminal Facility. The Facility and properties that comprise the Site are primarily zoned for commercial and industrial purposes.

As early as 1978 local land owners and businesses located north of the present day Tosco tank terminal reported the presence of petroleum-laden soils on lands immediately north of the decommissioned oil refinery complex. In 1984 state officials confirmed the presence of petroleum contamination to groundwater from samples collected at three private water supply wells in the area. Use of those wells was discontinued and Ecology began supplying bottled water to users at that time. In 1991, the North Spokane Irrigation District No. 8 completed a 16-inch water line loop as far north as Magnesium Road to provide a potable water supply to users previously requiring alternate supplies.

In 1990 the US Environmental Protection Agency (EPA) listed the North Market Street Site on the federal Superfund National Priorities List (NPL) of hazardous waste sites requiring cleanup. After the Site was listed, Ecology assumed the lead to direct cleanup under the authority of the Model Toxics Control Act (MTCA) (Chapter 70.105D RCW).

PHASE I REMEDIAL INVESTIGATION (RI) FINDINGS

The Phase I RI was completed in 1993. The investigative work resulted in: the installation of ten groundwater monitoring wells; an

assessment of groundwater and soil quality; an evaluation of hydrogeologic conditions; a preliminary evaluation of soil conditions above the water table; and, an increased understanding of the extent and sources of groundwater contamination.

Results from the Phase I RI indicated that petroleum hydrocarbon contaminants were present in the Spokane Aquifer beneath the Site above the Washington State cleanup level of 1 part per million (ppm). Soil contamination in the surface and near-surface was delineated and characterized at the Site.

PHASE II REMEDIAL INVESTIGATION FINDINGS

Agreed Order amendments signed by Chevron, Phillips, and Tosco provided for performance and completion of the North Market Street Site Phase II RI and Feasibility Study (FS). The Phase II RI fieldwork has been completed. The Phase II program was developed to further characterize and define the soil and groundwater information. The Phase II program was conducted in 1995 and was comprised of: installation and sampling of nine additional monitoring wells and two borings to bedrock; installation and sampling of thirteen vapor probes; excavation and soil sampling of 89 test pits; and treatability testing of select soil samples.

The Phase II RI showed that petroleum hydrocarbon contamination is present in Site near-surface soil (less than 15 feet); in deep soil to depths of 60 feet; and in soil at the water table (smear zone) about 150 to 170 feet below

ground surface. Petroleum hydrocarbon concentrations are also present in soil vapor at depths of 50, 100 feet and below, and continue to be present in groundwater. Petroleum chemicals in groundwater are detectable extending for about one-mile within the Spokane Regional Aquifer. The ground water flow direction beneath the Site is north-northwest.

The Phase I and II work is documented in a report titled Final-Draft Phase II Remedial Investigation Report – North Market Street Site Spokane, Washington, June 1996. The Phase II RI Report presents a summation of previous investigations conducted at the Site and the findings of the Phase II RI program.

SUPPLEMENTAL REMEDIAL INVESTIGATION FINDINGS

Additional RI work has been conducted at the Site since completion of the Phase II RI. The work began in July 1996 and consisted of installing five monitoring wells along with collecting two quarterly rounds of groundwater and soil vapor samples for analyses. Quarterly groundwater and vapor monitoring began again in May 1998 and has continued to present. Groundwater contamination continues to exist at the facility and beyond facility boundaries. Intermittent detections of free product have been observed during the quarterly monitoring.

In July 1998, four soil borings were drilled to the smear zone and the soil samples were collected for treatability testing. The sample testing indicated that microbes capable of biodegrading the petroleum hydrocarbon

contamination are present and a large reduction in contaminant mass is achievable.

After the thirty-day public comment period, Ecology finalized the Cleanup Action Plan (CAP) for the Site in January 2000.

WHAT HAPPENS NEXT?

Ecology will make the engineering design for the cleanup action available for a thirty-day public comment period. Following finalization of the engineering design report, cleanup work will begin at the Site.

ECOLOGY WANTS YOUR COMMENTS

The public comment period represents an opportunity to have your ideas and comments heard by Ecology. **You may review and comment on the Consent Decree October 11, 2000 through November 10, 2000.**

- ◆ Copies of the Consent Decree are available for public review at the repositories listed in the shaded box on page one of this fact sheet.

To review more detailed Site documents than those in the information repositories, contact Johnnie Harris of Ecology at (509) 456-2751 to schedule an appointment.

- ◆ Files may be reviewed at Ecology's Spokane office Monday through Thursday, 8-5 p.m. by appointment only.
- ◆ **Please submit written comments by November 10, 2000** to Mr. William J. Fees, P.E., Site Manager, at the

Ecology address listed in the shaded box on page one.