



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 11, 2018

Don Wyll
Leidos Engineering, LLC
18912 North Creek Parkway, Suite 101
Bothell, WA 98011

Re: Further Action at the following site:

- Site Name: Unocal Bulk Plant 0082
- Site Address: 1329 West Woodin Ave, Chelan, WA
- Cleanup Site ID: 4415
- Facility/Site ID: 345
- VCP Project ID: CE0428

Dear Mr. Wyll:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Unocal Bulk Plant 0082 (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.

Issues Presented and Opinions

1. Is further remedial action necessary to clean up contamination at the Site?

YES. Ecology has determined that further remedial action is necessary to verify that remedial actions have been sufficient to clean up contamination at the Site.

Summary of Opinion

Site Summary Report, Former Unocal Bulk Plant Facility No. 306562, prepared by Leidos Engineering and dated August 31, 2015 was submitted for review by the Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). This document presented the case for a No Further Action determination at the Site. Ecology requested additional information in a letter dated March 30, 2018. Ecology has not yet received that additional information. This letter is intended to close the opinion request dated September 24, 2015. When the requested additional information is available, this information can be submitted to Ecology with a new opinion request.



Mr. Don Wyll
Leidos Engineering
July 11, 2018
Page 2

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 releases:

- Petroleum hydrocarbons (gasoline, diesel, and heavy oil) into Soil and Groundwater.

The Site is located at 1329 West Woodin Avenue, in Chelan, Washington. The Site is a former bulk fuel facility.

Basis for the Opinion

This opinion and analysis was based on the information contained in the following documents:

1. *Site Summary Report, Former Unocal Bulk Plant Facility No. 306562* prepared by Leidos Engineering and dated August 31, 2015.
2. Letter from Ecology to Leidos Engineering re Request for Additional Information to Provide Opinion on Cleanup under the VCP dated March 30, 2018.

Those documents are kept in the Central Regional Office (CRO) of Ecology for review by appointment only. You can make an appointment by calling the Ecology public records officer at 360-407-6040 or emailing PublicRecordsOfficer@ecy.wa.gov. 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 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.**

Extent of Soil Contamination

Please see the comments in the March 30, 2018 letter from Ecology. Additional information is needed to verify that vadose zone soil contamination is no longer present at concentrations above cleanup levels.

Extent of Groundwater Contamination

The data presented to date appears to support the assertion that groundwater contamination is no longer present at the Site above cleanup levels. Additional information is needed to verify that the cleanup performed has resulted in all contaminated groundwater being treated to below cleanup levels.

2. Establishment of cleanup standards.

Potential cleanup levels to be applied at the Site are discussed in the March 30, 2018 letter from Ecology.

3. Selection of cleanup action.

Cleanup actions conducted at the Site included soil excavation and offsite disposal of contaminated soil.

4. Cleanup.

Ecology has determined the cleanup performed has potential to meet the cleanup standards at the Site. Responses to the comments discussed in the March 30, 2018 letter are needed to verify that cleanup activities have resulted in remaining soil contamination being all below cleanup levels.

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).

Mr. Don Wyll
Leidos Engineering
July 11, 2018
Page 4

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). 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, please contact me by phone at (509) 454-7835 or e-mail at frank.winslow@ecy.wa.gov.

Sincerely,



Frank P. Winslow
Site Manager
CRO Toxics Cleanup Program

cc: Eric Roehl, Chevron Environmental Management Company
Ecology Site File