



Third Periodic Review

Cummins Northwest Inc Spokane
3904 East Trent Avenue
Spokane, Washington 99202

Facility Site ID No. 682
Cleanup Site ID No. 1151

Completed by:
Washington State Department of Ecology
Eastern Regional Office
Toxics Cleanup Program

August 2018

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1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup site conditions and monitoring data to assure human health and the environment are being protected at the Cummins Northwest Inc site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). This is the third periodic review completed for the Site. This review will evaluate the period from August 2013 to August 2018.

Cleanup activities at this Site were completed as an independent remedial action. The cleanup actions resulted in residual concentrations of total petroleum hydrocarbons (TPH) in soil that exceed MTCA Method A cleanup levels established under WAC 173-340-740(2). As a result of residual contamination, institutional controls were required for the Site to be eligible for a no further action (NFA) determination. WAC 173-340-420(2) requires Ecology to conduct a periodic review of a site every five years under the following conditions:

1. Whenever Ecology conducts a cleanup action.
2. Whenever Ecology approves a cleanup action under an order, agreed order or consent decree.
3. Or, as resources permit, whenever Ecology issues a no further action opinion
4. And one of the following conditions exists:
 - (a) Institutional controls or financial assurance are required as part of the cleanup.
 - (b) Where the cleanup level is based on a practical quantitation limit.
 - (c) Where, in Ecology's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors Ecology shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions.
- (b) New scientific information for individual hazardous substances of mixtures present at the Site.
- (c) New applicable state and federal laws for hazardous substances present at the Site.
- (d) Current and projected Site use.
- (e) Availability and practicability of higher preference technologies.
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

Ecology shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site History

The former Cummins Northwest facility is located at 3904 East Trent Avenue in an industrialized portion of the City of Spokane in Spokane County, Washington. General Fire Protection Systems, Inc., a fire safety equipment and alarm manufacturing facility, now occupies the former Cummins Northwest facility. When Cummins Northwest occupied the facility, it was used for heavy truck maintenance and repair. A vicinity map is available as Appendix 6.1, and a Site plan is available as Appendix 6.2.

2.2 Site Investigations and Remedial Actions

In 1990, a Phase II Site investigation was conducted at the Site. The investigation included the installation of three groundwater monitoring wells, the advancement of 16 soil borings, and soil and groundwater sample collection and analysis. The investigation revealed no detectable petroleum hydrocarbon contamination in groundwater. Four areas of petroleum-contaminated soils (PCS) were identified. The locations were not contiguous and were remediated as individual areas. They include:

1. The former oil/water separator (OWS) area.
2. The former fuel underground storage tank (UST) area.
3. The used oil above-ground storage tank (AST) area.
4. The eastern dry well area.

Impacted soil was removed to a depth of 4 feet in the area of the used oil AST. Confirmational soil sampling in the excavation indicated all impacted soil had been removed.

In November 1993, an additional investigation was conducted that included drilling, soil sampling, monitoring well construction, and groundwater sampling. Twenty soil borings were advanced to depths between 20 and 90 feet below ground surface (bgs). Soil samples were collected at 5-foot intervals and field screened using a portable photoionization detector (PID). Samples with the highest PID reading or visual indication of contamination were analyzed to identify the type of petroleum hydrocarbons. Based on the results, additional quantitative analyses were performed for TPH as gasoline and diesel, and for volatile organic compounds (VOCs). In addition, samples collected in the vicinity of the former OWS were analyzed for total metals. Three monitoring wells were installed in the vicinity of the former OWS location and the former UST location. Groundwater samples were analyzed for TPH and VOCs. Samples collected from MW-4 were also analyzed for total metals.

Petroleum hydrocarbons as diesel and VOCs were detected in soil samples collected from the former UST area and the former OWS area. Both areas are adjacent to the building, making excavation difficult without risking damage to the structure. Contamination was not detected lower than 30 feet bgs. VOCs were not detected in any groundwater samples. Samples collected

from MW-4 contained TPH at 0.62 milligrams per liter (mg/L), arsenic at 0.024 mg/L, and lead at 0.062 mg/L.

In 1996, the OWS was cleaned and removed along with all floor vaults, drains, and sumps in the building. In addition, approximately 25 cubic yards of contaminated soils were removed from the OWS excavation. Additional soil removal could not be completed below 12 feet bgs due to potential damage to the building.

Several groundwater monitoring events were conducted between 1993 and 1997. By December 1995, all monitoring wells onsite had four consecutive quarters without detection of TPH or VOCs. By March 1997, all monitoring wells had four consecutive quarters without arsenic or lead exceeding MTCA Method A cleanup levels.

2.3 Institutional Controls

Limited amounts of PCS remain in the former UST and OWS areas. Since the extent of the contamination was limited, Site structures risked damage by additional excavation, and there was no apparent threat to groundwater, no additional remedial action was taken. Ecology determined that the Site would be eligible for an NFA determination if institutional controls were implemented in the form of a restrictive covenant (covenant). A covenant was recorded for the Site on May 9, 1997, and on May 15, 1997, Ecology issued an NFA determination.

The restrictions implemented in the covenant are listed below.

1. A portion of the property shown on Phase III Environmental Site Assessment Report contains Petroleum Hydrocarbons contaminated soil, located just east of the building noted on the Phase III Environment Site Assessment Report as "Cummins Building" approximately at the MW-2 area on the Groundwater Gradient Map, Figure 4. Remediation or removal of the contaminated soil must be addressed before the owner or a successor owner alters, modifies or removes the existing structures or buildings. Any plans for alteration, modification or removal shall be submitted to Ecology for approval.
2. The owner or successor owner of the Site must give written notice to Ecology, or to a successor agency, of the owner's or successor owner's intent to convey any interest in the Site, and shall, prior to conveyance of title, easement, lease or other interest in the Site, provide to the new owner or lessee of any interest in the Site a copy of the Phase III Environmental Site Assessment Report as referenced before, this covenant. No conveyance of title, easement, lease, or other interest in the property shall be consummated by the owner with adequate and complete provision for continued compliance with this covenant. Copies of this covenant shall be furnished to any transferee of such real property.
3. The owner or successive owner must notify and obtain approval from Ecology, or from a successor agency, prior to any use of the Site that is inconsistent with the terms of this covenant. Ecology or its successor agency may approve such a use only after public notice and comment.

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4. The owner or successor owner shall grant Ecology, or successor agency, and its designated representatives the right to enter the Site at reasonable times for the purpose of carrying out its duties under Chapter 70.1050 RCW, including the right to take samples, inspect records.
 5. The owner of the Site and any successor owners reserve the right under WAC 173-340-440 to record an instrument which provides that this covenant shall no longer limit use of the Site or be of any further force or effect. However, such an instrument may be recorded only with the consent of Ecology, or of a successor agency. Ecology or a successor agency may consent to the recording of such an instrument only after public notice and comment, and only if a covenant is no longer required by law at this Site.

A copy of the covenant is available as Appendix 6.3.

3.0 PERIODIC REVIEW

3.1 Effectiveness of Completed Cleanup Actions

3.1.1 Soil

Based upon the Site visit conducted on July 29, 2018, the building and asphalt cover at the Site continue to eliminate direct exposure pathways (ingestion, contact) to contaminated soils. The asphalt appears in satisfactory condition, and no repair, maintenance, or contingency actions have been required. The former Cummins Northwest facility continues to be occupied by General Fire Protection Systems, Inc., a fire safety equipment and alarm manufacturing facility. A photo log is available as Appendix 6.4.

3.1.2 Groundwater

Groundwater contamination was detected at the Site in 1993. Groundwater monitoring was conducted through 1997, when four consecutive quarters of clean monitoring results were obtained for each well. Contaminated groundwater does not remain at the Site, and groundwater does not pose a threat to human health or the environment.

A groundwater monitoring well remains on the west side of the building. It would be in the best interest of the property owner to hire a licensed well driller or engineer to decommission this well and remove the potential conduit from surface to groundwater.

3.1.3 Institutional Controls

The recorded covenant for the Site remains active. There is no evidence a new instrument has been recorded that limits the effectiveness or applicability of the covenant. This covenant prohibits activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the covenant. This covenant serves to assure the long-term integrity of the cap and warn any future owners of the remaining PCS.

3.1.4 Summary

Soils with TPH concentrations higher than MTCA Method A cleanup levels are still present at the Site. However, the structures and asphalt cap prevent human exposure to this contamination by ingestion and direct contact with soils. The covenant for the property will ensure the integrity of the cap will be protected through property use restrictions.

3.2 New Scientific Information for Individual Hazardous Substances for Mixtures Present at the Site

There is no new relevant scientific information for the petroleum contaminants related to the Site.

3.3 New Applicable State and Federal Laws for Hazardous Substances Present at the Site

The cleanup at the Site was governed by Chapter 173-340 WAC (1996 ed.). WAC 173-340-702(12) (c) [2001 ed.] provides that,

“A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment.”

Although cleanup levels changed for gasoline, diesel, and VOCs as a result of modifications to MTCA in 2001, contamination remains at the Site above MTCA Method A cleanup levels, and the cleanup action is still protective of human health and the environment.

3.4 Current and Projected Site Use

The Site is currently used for commercial and industrial purposes. There have been no changes in current or projected future Site or resource uses.

3.5 Availability and Practicability of Higher Preference Technologies

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of Improved Analytical Techniques to Evaluate Compliance with Cleanup Levels

The analytical methods used at the time of the remedial action were capable of detection below MTCA Method A cleanup levels. The presence of improved analytical techniques would not effect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

- The cleanup actions completed at the Site appear to be protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however, the cleanup action is determined to comply with cleanup standards under WAC 173-340-740(6)(f), since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The covenant for the property is in place and will be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, Ecology has determined the restrictions in the covenant are being followed. No additional actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the cap is maintained.

4.1 Next Review

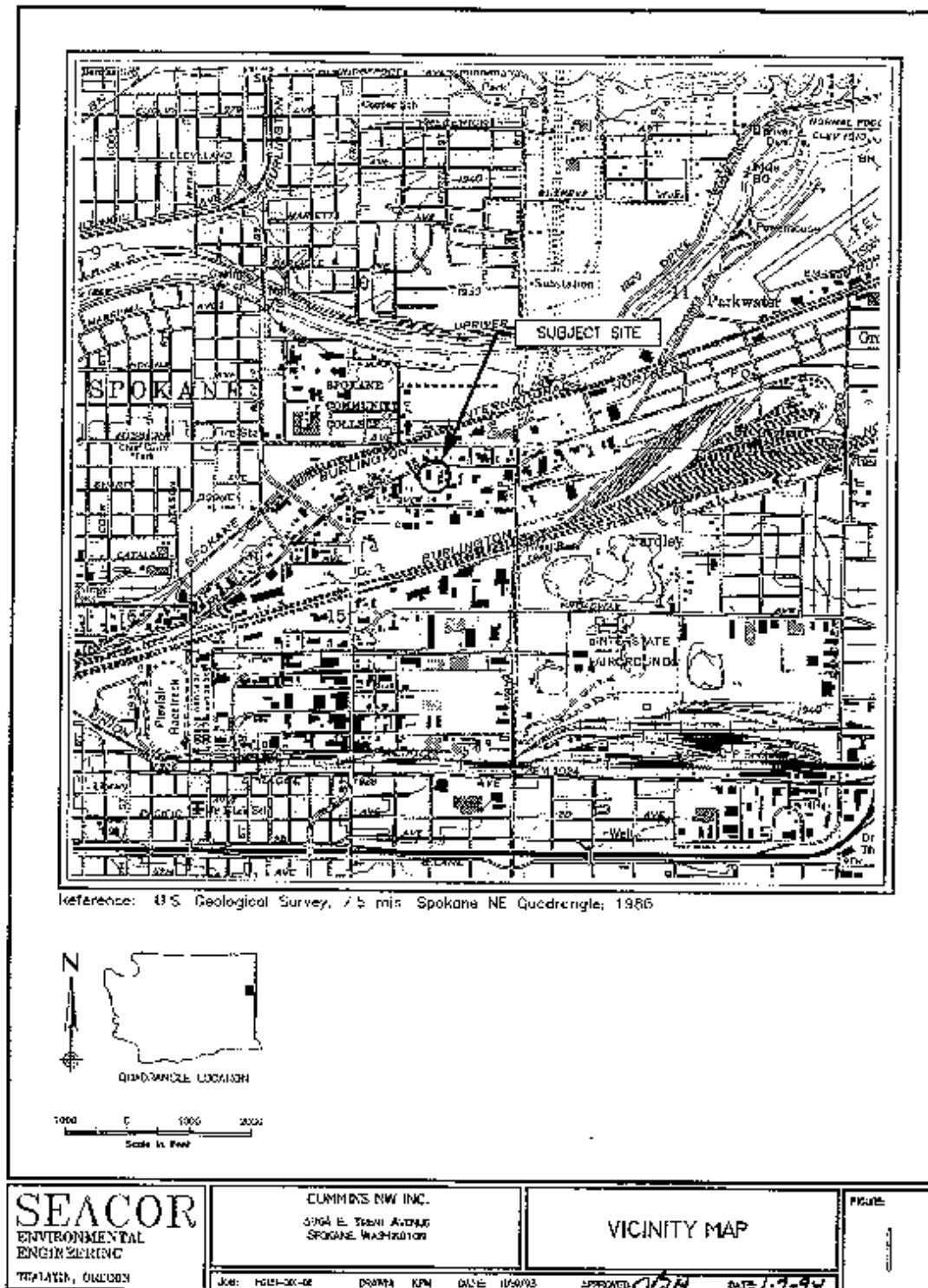
The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

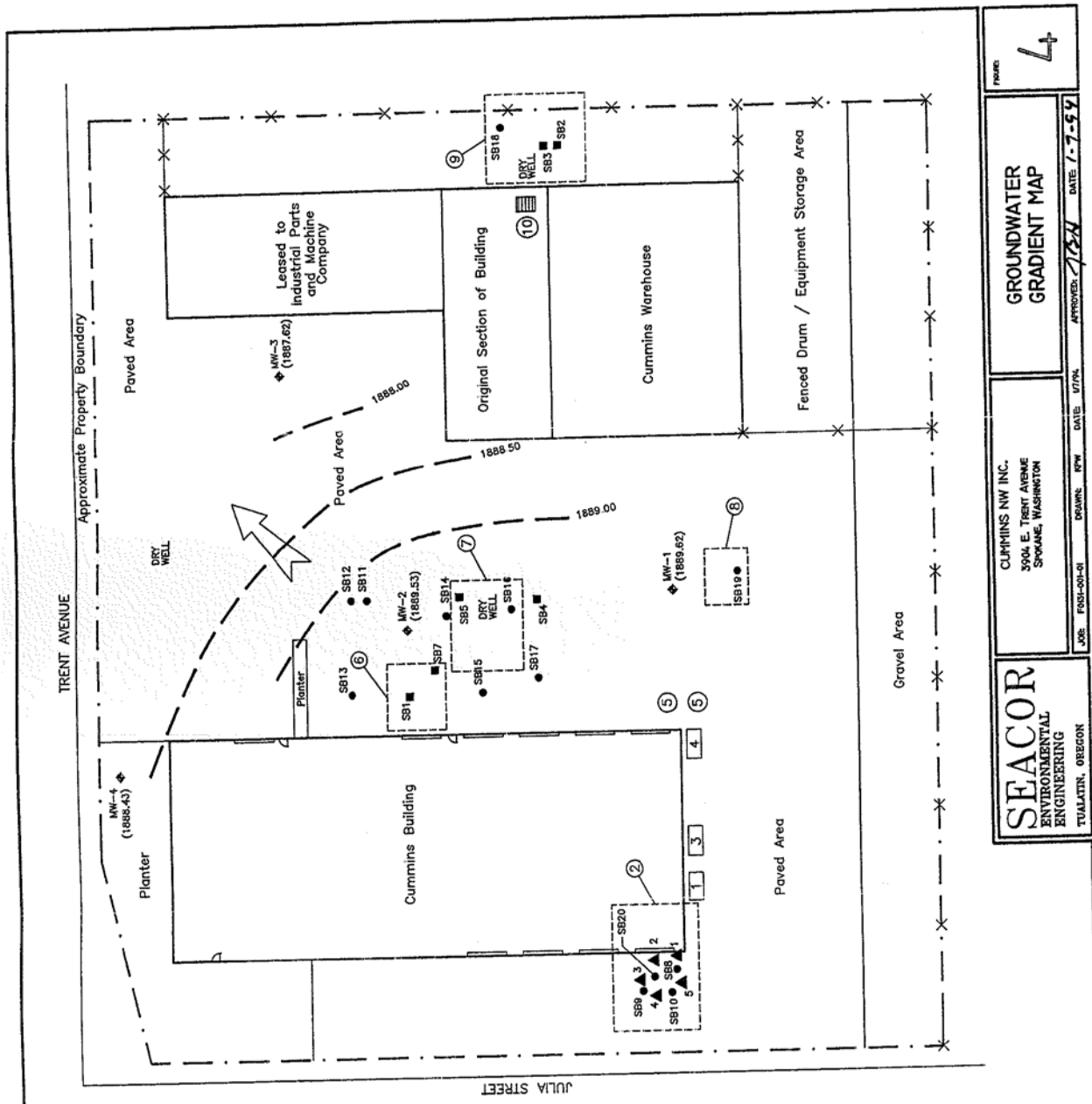
- SECOR. *Phase III Environmental Assessment Report*. 1994.
- SECOR. *Remedial Stabilization Field Work*. 1994.
- SECOR. *Second Quarter Groundwater Monitoring – March 1995*. 1995.
- SECOR. *August 1995 Groundwater Monitoring Event*. 1995.
- SECOR. *December 1995 Groundwater Monitoring Event*. 1996.
- SECOR. *Confirmation Soil Sample Data: Oil/Water Separator Excavation*. 1996.
- SECOR. *Response to Initial Screening Questions for the former Cummins Northwest Site*. 1996.
- SECOR. *December 1996 Groundwater Monitoring Event*. 1997.
- SECOR. *March 1997 Groundwater Monitoring Event*. 1997.
- Ecology. *No Further Action Letter*. 1997.
- Ecology. *Restrictive Covenant*. May 9, 1997.
- Ecology. *Periodic Review Report*. September 30, 2008.
- Ecology. *Periodic Review Report*. September 19, 2013.
- Ecology. *Site Visit*. July 29, 2018.

6.0 APPENDICIES

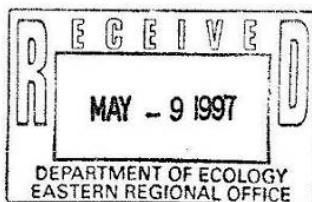
6.1 Vicinity Map



6.2 Site Plan



6.3 Restrictive Covenant



COPY
ORIGINAL FILED OR RECORDED

MAY 09 1997

COUNTY AUDITOR
SPOKANE COUNTY WN

Recording File # 4101372

RESTRICTIVE COVENANT
on the GENERAL FIRE APPARATUS PROPERTY at
3904 E. Trent Avenue
Spokane, WA 99202

I, the Grantor,

Darrell L. Siria
12023 N. Hemlock Ct.
Spokane, WA 99218-3501

owner of the property that is the subject of this restrictive covenant here state that it has been the subject of remedial action under Chapter 70.105RCW and is legally described as follows:

Spokane County Real Estate Parcel Number 35151.1001
East Side Syndicate Lltol2 Bl95 INC VAC 37.5FT STP
E OF&ADJ Ll&l2 INC VAC 37.5FT STP S OF&ADJ L7Tol2
&ADJ STP

The remedial actions undertaken to clean up the property (hereafter the "Cleanup Action") are described in 1.) Phase III Environmental Site Assessment Report, Cummins Northwest, Inc., 3904 East Trent Avenue, Spokane, WA: SECOR, January 7, 1994, 2.) Remedial Stabilization Fieldwork, Cummins Northwest, INC., 3904 E. Trent Avenue, Spokane, WA: SECOR, December 13, 1994, 3.) Confirmation Soil Sample Data: Oil/Water Separator Excavation, Cummins Northwest, Inc. Facility, 3904 E. Trent Avenue, Spokane, WA: SECOR, July 4, 1996, 4.) Response to Initial Screening Comments for the former Cummins Northwest site at 3904 E. Trent Avenue in Spokane, WA: SECOR, September 16, 1996, 5.) Groundwater Monitoring Events dated as follows: March, 1995, August, 1995, December, 1995, December 1996, March, 1997: SECOR. These documents are on file at the State of Washington Department of Ecology ("Ecology") Eastern Regional Office. This Restrictive Covenant is required under the Department of Ecology's (Ecology) rule WAC 173-340-440 because the cleanup action on the Site resulted in residual concentrations of Petroleum Hydrocarbons contaminated

soil which exceed Ecology's method A cleanup levels for soil established under WAC 173-340-740.

The undersigned, Darrell L. Siria, is the fee owner of real property in Spokane County, State of Washington, hereinafter referred to as the "Site". The property owner makes the following declaration as to limitation, restrictions, and uses to which the Site may be put, and specifies that such declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under, including all current and future owners of any portion of or interest in the Site.

Section 1. A portion of the property shown on Phase III Environmental Site Assessment Report contains Petroleum Hydrocarbons contaminated soil, located just East of the building noted on the Phase III Environment Site Assessment Report as "Cummins Building" approximately at the MW-2 area on the Groundwater Gradient Map, Figure 4. Remediation or removal of the contaminated soil must be addressed before the owner or a successor owner alters, modifies or removes the existing structures or buildings. Any plans for alteration, modification or removal shall be submitted to Ecology for approval.

Section 2. The owner or successor owner of the Site must give written notice to Ecology, or to a successor agency, of the owner's or successor owner's intent to convey any interest in the Site, and shall, prior to conveyance of title, easement, lease or other interest in the Site, provide to the new owner or lessee of any interest in the Site a copy of the Phase III Environmental Site Assessment Report as referenced before, this covenant. No conveyance of title, easement, lease, or other interest in the property shall be consummated by the owner with adequate and complete provision for continued compliance with this restrictive covenant. Copies of this Restrictive Covenant shall be furnished to any transferee of such real property.

Section 3. The owner or successor owner must notify and obtain approval from Ecology, or from a successor agency, prior to any use of the Site that is inconsistent with the terms of this restrictive dovenant. Ecology or its successor agency may approve such a use only after public notice and comment.

Section 4. The owner or successor owner shall grant Ecology, or successor agency, and its designated representatives the right to enter the site at reasonable times for the purpose of carrying out its duties under Chapter 70.105D RCW, including the right to take samples, inspect records.

Section 5. The owner of the Site and any successor owners reserve the right under WAC 173-340-440 to record an instrument which provides that this restrictive Covenant shall no longer

limit use of the Site or be of any further force or effect. However, such an instrument may be recorded only with the consent of Ecology, or of a successor agency. Ecology, or a successor agency may consent to the recording of such an instrument only after public notice and comment, and only if a restrictive covenant is no longer required by law at this site.

Darrell L. Siria
12023 N. Hemlock Ct.
Spokane, WA 99218-3501



Darrell L. Siria

5-9-97
Date

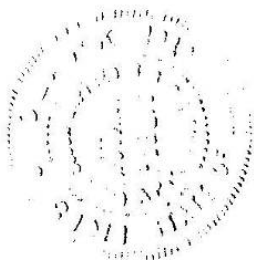
STATE OF WASHINGTON


:ss

COUNTY OF SPOKANE

On this 9th day of May, 1997, before me personally appeared DARRELL L. SIRIA to me known to the individual described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their own free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL the day and year in this certificate first above written.




NOTARY PUBLIC IN AND FOR THE STATE
OF WASHINGTON, residing in Spokane.

6.4 Photo Log

Photo 1: General Fire Apparatus Storefront - from the east



Photo 2: East Side of Building and Excavation Area - from the northeast



Photo 3: East Side of Building and Excavation Area - from the south



Photo 4: West Side of Building and Remaining Monitoring Well – from the northwest

