



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 28, 2019

Josh Thompson, P.E.
County Engineer
Okanogan County Department of Public Works
1234A 2nd Ave South
Okanogan, WA 98840

Re: No Further Action (NFA) Determination for:

- **Site Name:** Molson Dump Site
- **Site Address:** Nine Mile Road, Molson
- **Facility/Site No.:** 422
- **Cleanup Site ID No.:** 4354

Dear Josh Thompson:

The Department of Ecology (Ecology) has reviewed existing file documents for the above-referenced cleanup site. The following is our opinion, based on that review.

Issue Presented and Opinion

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

NO. Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

This opinion is based on an analysis of whether the remedial action meets the substantive requirements of MTCA, Chapter 70.105D RCW, and its implementing regulations, Chapter 173-340 WAC (collectively "substantive requirements of MTCA"). The analysis is provided below.

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 release:

- Pesticides into the soil.

Josh Thompson, P.E.
Okanogan County Department of Public Works
June 28, 2019
Page 2

The Molson Dump Site was investigated in 1990 in "Molson Dump Site Hazard Assessment" prepared by PTI Environmental Services for Washington Department of Ecology and dated December 1990. The Site was identified in 1989 when "household garbage, appliances, several old car bodies, pesticide containers, burned 55 gallon drums, and other garbage" were observed within a ditch on the south side of Nine Mile Road, approximately 2.8 miles northwest of Molson, Washington.

During the summer of 1990, Okanogan County Public Works reportedly closed the dump and covered it with 5 to 6 feet of sand and gravel. A dumpster was placed in the town of Molson to replace the dump. **Enclosure A** presents a map showing the location of the site.

Basis for the Opinion

This opinion is based on the information contained in the following document:

1. "Molson Dump Site Hazard Assessment" prepared by PTI Environmental Services for Washington Department of Ecology, dated December 1990.

This document is kept at the Central Regional Office of Ecology (CRO) for review by appointment only. You can make an appointment by calling the CRO resource contact at (509) 575-2490 or emailing RecordsOfficer@ecy.wa.gov.

This opinion is void if any of the information contained in that document is materially false or misleading.

Analysis of the Cleanup

Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site.

The conclusion that no further remedial action is necessary is based on the following analysis:

1. Characterization of the Site.

Ecology has determined that characterization of the Site is sufficient to establish cleanup standards and determine appropriate cleanup actions. Soil samples and one water sample from surface ponding were collected during the Site Hazard Assessment (SHA) and analyzed for organophosphorus pesticides, organochlorine pesticides, chlorinated herbicides, volatile organic compound, and total metals.

Detections of two chlorinated herbicides were as follows:

- 2,4-D was detected in two soil samples at 0.009 mg/kg and 0.014 mg/kg, below the MTCA Method B non-carcinogenic direct contact cleanup level of 800 mg/kg.
- Dicamba was detected in one soil sample at 0.008 mg/kg, below the MTCA Method B non-carcinogenic direct contact cleanup level of 2,400 mg/kg.
- 2,4-D was detected in a ponded surface water sample at 1.53 µg/L, below the drinking water maximum contaminant level (MCL) of 70 µg/L, and below the MTCA Method B cleanup level for groundwater of 16 µg/L. No surface water cleanup level has been developed for this compound.

During a review of the site file by Ecology, it was found that the Site Hazard Assessment had applied a concentration of 1.53 mg/L rather than 1.53 µg/L for 2,4-D. This erroneous concentration was due to an error in Table 2 within the 1990 Site Hazard Assessment Report, which was annotated in Ecology's file with a correction. No contaminants were found to exceed MTCA cleanup levels.

2. Establishment of cleanup standards.

Cleanup Levels

As discussed above, Method B cleanup levels were applied for 2,4-D and Dicamba in soil, and the MCL for 2,4-D was applied for the 2,4-D detected in the ponded water sample.

Point of Compliance (POC): Standard, throughout the Site.

Ecology has determined the cleanup levels and points of compliance established for the Site meet the substantive requirements of MTCA.

3. Cleanup.

Because no contaminants were found at concentrations above applicable cleanup levels, no cleanup of the site is considered to be warranted.

Listing of the Site

Based on this opinion, Ecology will remove the Site from the Hazardous Sites List and the Confirmed and Suspected Contaminated Sites List. This process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdrawal this opinion.

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 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 WAC 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).

If you have any questions about this opinion, please contact me phone at (509) 454-7835 or by email at Frank.Winslow@ecy.wa.gov.

Sincerely,



Frank P. Winslow, P.G.
Site Manager
Toxics Cleanup Program
Central Regional Office

Enclosure (1): A - Site Location

Enclosure A

Site Location

