



Periodic Review

Appleway Chevrolet Inc.
8500 East Sprague Avenue
Spokane Valley, Washington 99212

Facility Site ID No. 28314355
Cleanup Site ID No. 356

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

August 2019

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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 Appleway Chevrolet site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

Cleanup activities at this Site were completed through the Voluntary Cleanup Program. Following the cleanup actions, residual concentrations of arsenic, cadmium, lead, and total petroleum hydrocarbons (TPH) in soil still 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 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 Site is located in the 8500 block of East First Avenue in a commercial area of Spokane Valley. The Site is owned by Appleway Chevrolet, Inc., and consists of four parcels. The Site consists of approximately five acres of land and is used as an auto dealership sales lot and parking area (Sales Lot Site). Surrounding land use consists of commercial properties (auto dealerships), undeveloped land, and single-family housing.

The Site is a portion of a larger parcel (Original Site) that has been the subject of environmental reviews. The Original Site included all or a portion of a construction and demolition debris landfill. Beginning in October 1997, through various conveyances, the Sales Lot Site was separated from the Original Site. Part of these conveyances included Spokane County condemning a portion of the Original Site for use as a public roadway (Valley Couplet), and the owner donating the portion of the Original Site lying south of the Valley Couplet to Spokane County. As part of the condemnation and donation negotiations, Spokane County assumed responsibility for any remediation of the Original Site. In 2000, Spokane County began the Valley Couplet project, which included implementing engineering and institutional controls to construct a portion of the new Appleway Boulevard. The engineering and institutional controls were also implemented on the Sales Lot Site.

A vicinity map is available as Appendix 6.1, and a Site plan is available as Appendix 6.2.

2.2 Site Investigations and Characterization

In June 1997, EMCON conducted a geophysical study to delineate the Original Site dimensions. They excavated 75 test pits, advanced eight soil borings, and completed four of the borings as monitoring wells (MW-1 through MW-4). Subsequent monitoring indicated that groundwater fluctuation beneath the Site is great enough to leave three wells (MW-1, MW-2, and MW-3) dry during seasonal low groundwater periods.

Soil samples collected from the test pits and borings indicated concentrations of TPH, arsenic, cadmium, and lead above cleanup levels. In addition, one sample collected at 20 feet below ground surface (bgs) from boring B-3 contained polychlorinated biphenyls (PCBs) at a concentration exceeding the cleanup level. A deeper sample collected from the same boring was non-detect for PCBs. TPH as diesel, arsenic, and chromium were detected in groundwater at concentrations exceeding the cleanup levels.

Monitoring well MW-5 was installed in 1998 to a depth of 101 feet bgs. The well is located hydraulically downgradient of the affected area of the Original Site and was advanced to monitor groundwater year-round, as seasonal variations were encountered in the previous wells (MW-1 through MW-3).

In 2001, a Management Plan was generated for Spokane County to comply with long-term environmental management and document the engineering and institutional controls implemented during the Valley Couplet construction right-of-way. After the Valley Couplet construction was complete, the Original Site consisted of the following four areas: the Valley Couplet and associated right-of-way; the south landfill area donated to Spokane County; a portion of Dishman Hills Natural Area; and the Sales Lot Site owned by Appleway Chevrolet, Inc.

The Valley Couplet roadway has an asphalt surface with Portland concrete gutter, curb, and sidewalk. The roadway surface and sidewalk slope to the curb and gutter that drain toward a detention/infiltration basin located west of the landfill area. The roadway section has a 6-inch lift of asphalt over 12-inches of compacted gravel overlying a compacted sub-grade layer. Ongoing maintenance activities associated with the couplet alignment and stormwater control systems include:

- Routine inspection and maintenance of the roadway surface.
- Routine inspection and maintenance of the stormwater control system.
- Specific criteria and requirements associated with utility work in the couplet alignment.

Excavation materials from the roadway construction were placed in the south landfill cap area, compacted, and graded to the north. Drainage is north toward the couplet and west via the drainage ditch to the detention basin. Topsoil was added and surface soils were seeded to promote vegetative cover.

The Site has an asphalt surface. Surface water drains into a stormwater control system, which conveys stormwater to the infiltration basin located west of the landfill. Remediation included replacing dry wells located on the Site with catch basins and installing a drain/pump system to prevent infiltration of water into the landfill.

Since January 1998, groundwater monitoring has been conducted at various intervals, including on a quarterly basis initially through January 1999, then on a semi-annual basis through May 2003. From January 1998 through April 2000, samples were collected from all five monitoring wells by Leppo Consultants. The Spokane County Public Works Department conducted the monitoring from May 2002 through May 2003 for all five wells. SLR Corp completed the monitoring program for wells MW-1, MW-2, MW-3, and MW-5 from September 2002 through December 2004. Well MW-4 is located on Spokane County property and is sampled separately by Spokane County.

The contaminants of concern (COCs) analyzed in groundwater samples included total and dissolved metals (arsenic, cadmium, chromium, lead, and mercury); volatile organic compounds; TPH for gasoline-, diesel-, and oil-range organics; and benzene, toluene, ethylbenzene, and xylenes (BTEX).

Due to seasonal groundwater fluctuations, groundwater elevations and samples were periodically not collected from wells MW-1, MW-2, and MW-3.

Analytical results for the groundwater monitoring events from 1998 to December 2005 for wells MW-1, MW-2, MW-3, and MW-5 are in Table 3 and summarized below:

- MW-1 was sampled two times (May 2002 and May 2004) since the March 2000 sampling event. Prior to March 2000, various COCs were detected above cleanup levels including total and dissolved arsenic, lead, and chromium, and diesel- and oil-range hydrocarbons. No COCs were detected above cleanup levels since March 2000.
- No water was available from MW-2 since May 2004. Prior to the May 2004 event, various COCs were detected above cleanup levels including total arsenic, cadmium, and lead. No COCs were detected above cleanup levels for the May 2004 event.
- MW-3 was sampled three times (May 2002, May 2004, and June 2005) since the March 2000 sampling event. Prior to March 2000, various COCs were detected above cleanup levels including total and dissolved arsenic and lead, total chromium, and diesel- and oil-range hydrocarbons. With the exception of total arsenic, no COCs were detected above cleanup levels since March 2000. Total arsenic concentrations exceeded cleanup levels in May 2002 and June 2005.
- MW-5 was sampled 12 times since August 1999. Prior to August 1999, various COCs were detected above cleanup levels including total and dissolved arsenic, total chromium and lead, and xylenes. No COCs were detected above cleanup levels since August 1999.

Ecology issued an opinion letter in September 2007 with the following recommendations:

- Groundwater samples should be collected until results from four consecutive quarters are below cleanup levels.
- An environmental covenant will be required if contaminated soil remains at the Site after all remedial actions are complete.
- All environmental data should be submitted to the Environmental Information Management (EIM) database.

Groundwater samples were collected semi-annually in 2008, 2010, and 2011 and were analyzed for diesel, heavy oil, BTEX, arsenic, cadmium, chromium, lead, polycyclic aromatic hydrocarbons (PAHs), and PCBs. Groundwater data is available as Appendix 6.3. The final four quarters of samples were collected in July and November 2012 and February and May 2013. Results from the final four quarters of samples were below cleanup levels (tables 4 and 5). Samples were analyzed for arsenic, cadmium, chromium, and lead. Diesel, heavy oil, BTEX, PAHs, and PCBs were not analyzed because no results were above cleanup levels in previous sampling events.

2.3 Institutional Controls

Ecology determined the Site would be eligible for an NFA determination if institutional controls were implemented in the form of an environmental covenant. A covenant was recorded on February 5, 2014, and on April 23, 2014, we issued an NFA determination.

The restrictions implemented in the covenant are listed below.

1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas Include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond Its load bearing capability, piercing the surface with a rod, spike or similar Item, bulldozing or earthwork.
2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
3. Any activity on the Property that may result In the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.
4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continues monitoring, operation, and maintenance of the Remedial Action.
5. The Owner must restrict leases to uses and activities consistent with the Environmental Covenant and notify all lessees of the use of Property.
6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Environmental Covenant, Ecology may approve and Inconsistent use only after public notice and comment.
7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to Inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.
8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Environmental Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

A copy of the covenant is available as Appendix 6.4.

3.0 PERIODIC REVIEW

3.1 Effectiveness of Completed Cleanup Actions

3.1.1 Soil and Direct Contact

Based upon Ecology's May 22, 2019 Site visit, the building and asphalt cover 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 Site continues to operate as an automotive dealership. A photo log is available as Appendix 6.4.

A variety of contaminants were detected in soil at the Site, including TPH, arsenic, cadmium, and lead. The impermeable surface, combined with the property use limitations in the environmental covenant, effectively eliminate the direct-contact exposure pathway.

3.1.2 Groundwater

Groundwater is located relatively deep at the Site; wells completed at 85 feet bgs were seasonally dry. Soil contamination does not appear to extend beyond 20 feet bgs, or greater than 60 feet above the groundwater elevation at the Site. The impermeable Site surface combined with a stormwater collection system prevents significant stormwater infiltration and leaching. These factors, combined with empirical groundwater monitoring data, indicate that contamination remaining at the Site does not appear to pose a threat to groundwater quality.

3.1.3 Institutional Controls

Institutional controls were implemented at the Site in the form of an environmental covenant. A review of Spokane County records indicates that the covenant remains active; additionally, 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 remedial action.

3.1.4 Summary

Contaminated soils containing TPH, arsenic, cadmium, and lead remain beneath the Site. Groundwater is estimated to be approximately 80 feet bgs at the Site or 60 feet below the remaining contamination. It is important to note that this groundwater is part of the Spokane-Valley Rathdrum-Prairie Aquifer, a sole-source aquifer in the area. Since the remaining contamination is present at relatively low concentrations, contained below an asphalt surface, and there is no apparent threat to groundwater, no additional remedial action is necessary as long as institutional controls are implemented at the Site.

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. There are no new relevant state or federal laws that impact the cleanup decisions made for this Site.

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 affect 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 environmental 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 remedial 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

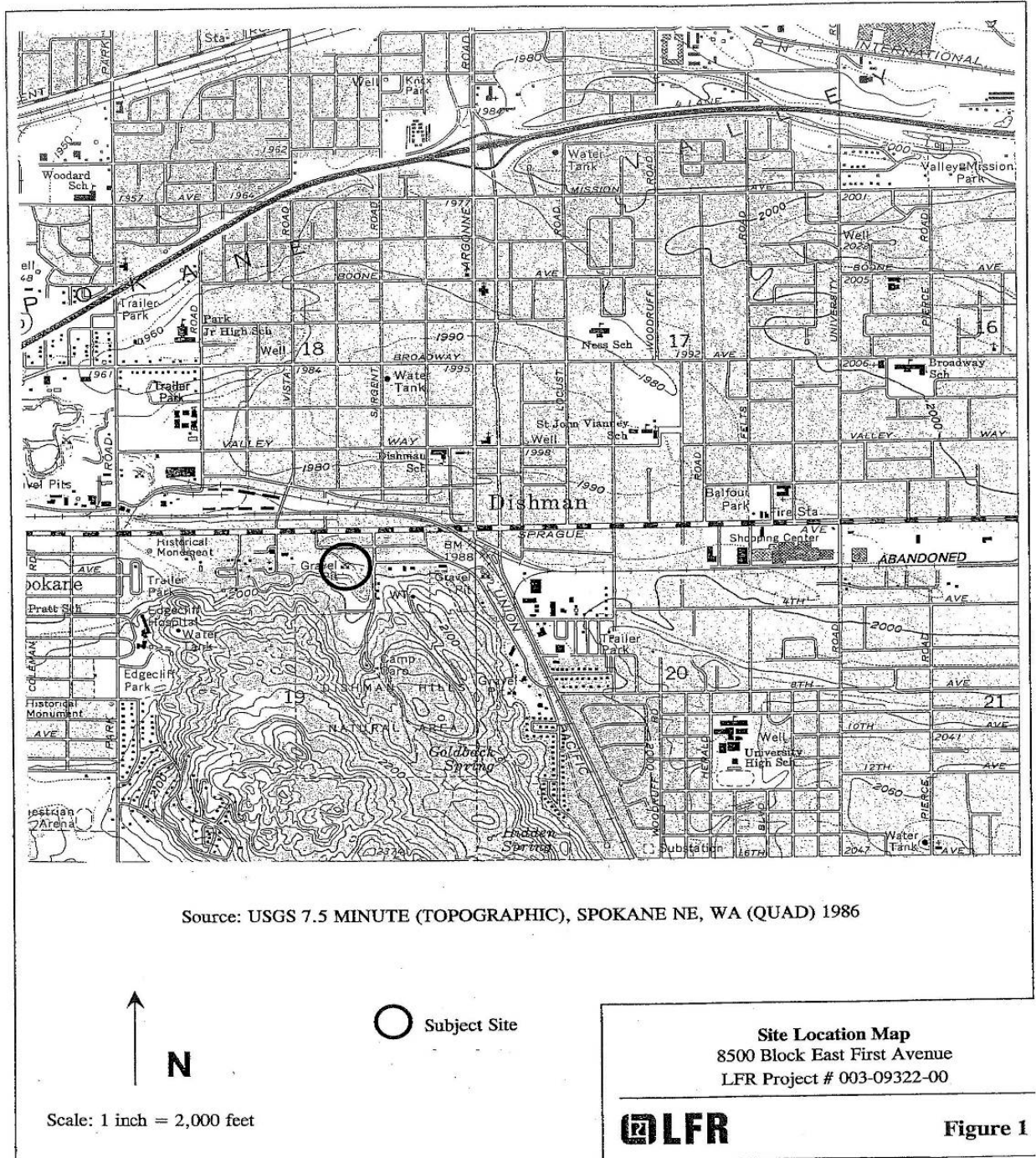
The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

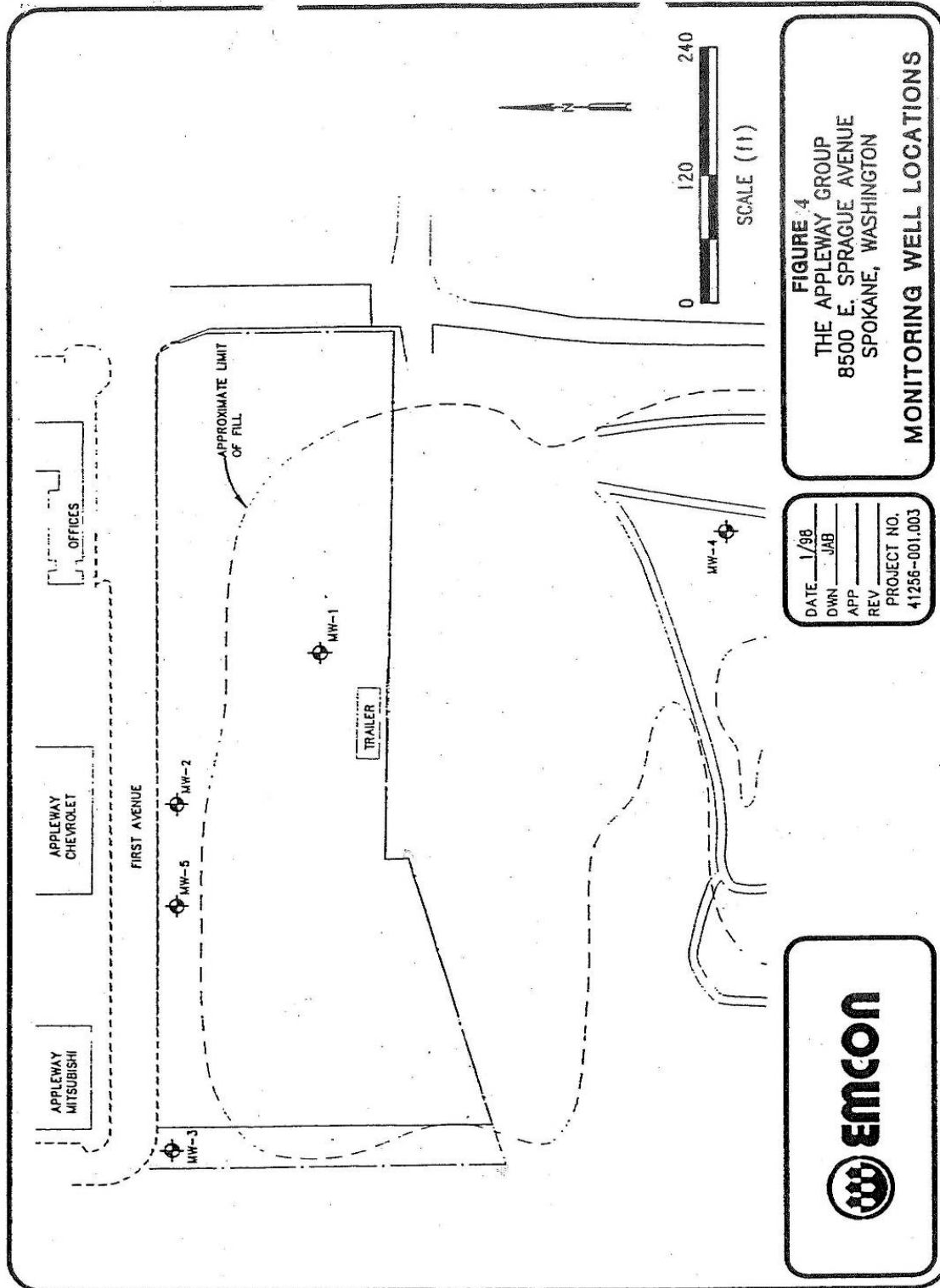
- EMCON. *Phase II Environmental Site Assessment, 8500 Block East First Avenue, Spokane County, Washington*. June 30, 1997.
- EMCON. *Site Reporting and Conceptual Closure Plan, Appleway Automotive Group*. September 23, 1997.
- LFR. *Independent Remedial Action Report, Groundwater Monitoring Event Appleway Chevrolet, Inc.* August 23, 2006.
- ARCADIS. *Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, May 2013 Quarterly Monitoring Event*. June 26, 2013.
- Ecology. *Environmental Covenant*. February 5, 2014.
- Ecology. *No Further Action Determination Letter*. April 23, 2014.
- Ecology. *Site Visit*. May 22, 2019.

6.0 APPENDICES

6.1 Vicinity Map



6.2 Site Plan



6.3 Groundwater Data Tables

Table 4

Summary of Groundwater Analytical Data
Petroleum Hydrocarbons, VOCs, Total Metals, and PCBs
Appleway Chevrolet, Inc. Sales Lot
8500 Block East 1st Avenue, Spokane Valley, WA

Sample Name	Date	Metals		VOCs		EPA		Total Metals		Disposal Metals		PCBs
		Pb	Cd	Benzene	Toluene	Ethylbenzene	Total Xylenes	Acetone	Chloroform	Chromium	Lead	
MW5A	6/10/2008	nd ⁽¹⁾	nd	nd	nd	nd	nd	16.1	nd	8.96	na	nd
	9/11/2008	nd	nd	nd	nd	nd	nd	22.3	nd	104	na	nd
	8/30/2010	nd	nd	nd	nd	nd	nd	86	nd	30.3	na	nd
	12/9/2010	na	na	na	na	na	na	194	na	81.8	na	na
	7/20/2011	na	na	na	na	na	na	444	na	188	na	na
	10/21/2011	na	na	na	na	na	na	nd	nd	1.18	na	na
	7/29/2012	na	na	na	na	na	na	nd	nd	1.34	na	na
	1/12/2012	na	na	na	na	na	na	nd	nd	nd	na	na
	2/27/2013	na	na	na	na	na	na	nd	nd	nd	na	na
	5/9/2013	na	na	na	na	na	na	nd	nd	nd	na	na
MW5	6/10/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	9/11/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	8/30/2010	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	12/9/2010	na	na	na	na	na	na	nd	nd	nd	na	na
	7/20/2011	na	na	na	na	na	na	31.5	na	22.1	na	na
	10/21/2011	na	na	na	na	na	na	nd	nd	4.39	na	na
	7/29/2012	na	na	na	na	na	na	nd	nd	nd	na	na
	1/12/2012	na	na	na	na	na	na	nd	nd	33.3	na	na
	2/27/2013	na	na	na	na	na	na	nd	nd	nd	na	na
	5/9/2013	na	na	na	na	na	na	nd	nd	nd	na	na
MW6	6/10/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	9/11/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	8/30/2010	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	12/9/2010	na	na	na	na	na	na	nd	nd	nd	na	na
	7/20/2011	na	na	na	na	na	na	35.6	na	26.8	na	na
	10/21/2011	na	na	na	na	na	na	nd	nd	10.4	na	na
	7/29/2012	na	na	na	na	na	na	nd	nd	47.4	na	na
	1/12/2012	na	na	na	na	na	na	nd	nd	16.6	na	na
	2/27/2013	na	na	na	na	na	na	nd	nd	29.8	na	na
	5/9/2013	na	na	na	na	na	na	nd	nd	nd	na	na
MW7	6/10/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	9/11/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	8/30/2010	nd	nd	nd	nd	nd	nd	nd	nd	nd	na	nd
	12/9/2010	na	na	na	na	na	na	4.77	na	34.9	na	na
	7/20/2011	na	na	na	na	na	na	nd	nd	nd	na	na
	10/21/2011	na	na	na	na	na	na	nd	nd	nd	na	na
	7/29/2012	na	na	na	na	na	na	nd	nd	nd	na	na
	1/12/2012	na	na	na	na	na	na	nd	nd	nd	na	na
	2/27/2013	na	na	na	na	na	na	nd	nd	nd	na	na
	5/9/2013	na	na	na	na	na	na	nd	nd	nd	na	na
MTCA (Method A)	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15
	500	na	na	na	na	na	na	5	5	50	5	15

Notes:
 (1) NMTPE-DA = Semi-volatile Petroleum Products analyzed by MDOE analytical protocols
 (2) VOCs = Petroleum Hydrocarbon related Volatile Organic Compounds analyzed by EPA Method 8021B
 (3) Total and Dissolved Metals analyzed by EPA 200 Series
 (4) PCBs = Polychlorinated Biphenyls analyzed by EPA Method 8082
 (5) DRO = Diesel Range Organics
 (6) HFO = Heavy Oil
 (7) nd = not detected above laboratory method reporting limit
 (8) MTCA Method A = Method A Groundwater Cleanup Levels, Model Toxics Control Act, Chapter 173-340-900 WAC
 (9) na=Not analyzed for during the sampling event
 All concentrations reported in micrograms per liter (µg/L) or parts per billion (ppb)
 Concentrations shown in Bold indicated exceedance of cleanup level

Prepared By: MP Date: 6/18/2019
 Checked By: TFM Date: 6/19/2013

Table 5.
Summary of Groundwater Analytical Data
Polycyclic Aromatic Hydrocarbons
Appleway Chevrolet, Inc. Sales Lot
8500 East 1st Avenue, Spokane Valley, WA

Sample Name	Sample Date	PAHs ⁽¹⁾										cPAHs ⁽²⁾						TEF Total cPAHs ⁽⁴⁾
		acenaaphthylene	acenaaphthylene	anthracene	benzo(a)perylene	fluoranthene	fluorene	naphthalene	phenanthrene	pyrene	benzo(a)anthracene ⁽³⁾	benzo(a)pyrene ⁽³⁾	benzo(b)fluoranthene ⁽³⁾	benzo(k)fluoranthene ⁽³⁾	chrysene ⁽³⁾	dibenz(a,h)anthracene ⁽³⁾	indeno(1,2,3-cd)pyrene ⁽³⁾	
MW3A	6/10/2008	nd ⁽⁵⁾	nd	nd	nd	nd	nd	nd	nd	nd	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.0071
	9/12/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.0071
	8/30/2010	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.0023	0.0018	0.0025	0.0023	0.001	0.0017	0.0019	0.0029
	12/9/2010	nd	nd	nd	nd	0.012	nd	J 0.037	nd	nd	0.00145	0.00145	0.0029	0.00145	0.00145	0.00145	0.00145	0.0023
	7/20/2011	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.00475	0.0095	0.00475	0.00475	0.00475	0.00335	0.00475	0.0118
	10/21/2011	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.0481	0.0481	0.0481	0.0481	0.0481	0.0481	0.0481	0.0726
	11/2/2012	na ⁽¹⁰⁾	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	2/27/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	5/9/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
MW5	6/10/2008	nd	nd	nd	nd	0.0207	nd	nd	nd	0.0208	0.00943	0.00472	0.00943	0.00472	0.00943	0.00472	0.00472	0.0081
	9/12/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.0071
	8/30/2010	nd	nd	nd	0.0210	0.06	nd	nd	0.02	0.0430	0.019	0.024	0.037	0.016	0.027	0.0018	0.02	0.0337
	12/9/2010	nd	nd	nd	0.041	0.13	nd	J nd	0.044	0.1	0.046	0.043	0.084	0.026	0.064	0.0028	0.038	0.0633
	7/20/2011	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.038	0.035	0.078	0.024	0.055	0.0090	0.035	0.0540
	10/21/2011	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.00957	0.04785	0.04785	0.04785	0.04785	0.0479	0.04785	0.0684
	11/2/2012	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	2/27/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	5/9/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
MW6	6/10/2008	nd	nd	nd	0.0240	0.0526	nd	nd	0.0197	0.0464	0.0232	0.0244	0.0336	0.0279	0.0349	0.00472	0.022	0.0359
	9/12/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.0071
	8/30/2010	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.0024	0.0019	0.0025	0.0024	0.00105	0.0018	0.002	0.0030
	12/9/2010	nd	nd	nd	nd	0.035	nd	J nd	nd (6)	0.027	0.010	0.0028	0.017	0.0028	0.014	0.0028	0.0028	0.0065
	7/20/2011	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.003	0.0029	0.011	0.0029	0.010	0.00345	0.0032	0.0053
	10/21/2011	nd	nd	nd	nd	nd	nd	nd	nd	0.051	0.286	0.051	0.051	0.051	0.051	0.0408	0.0408	0.0985
	11/2/2012	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	2/27/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	5/9/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
MW7	6/10/2008	nd	nd	0.0528	0.287	0.963	0.0205	nd	0.478	0.782	0.359	0.367	0.395	0.326	0.464	0.0893	0.267	0.5153
	9/12/2008	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.00472	0.0071
	8/30/2010	nd	nd	nd	nd	0.0110	nd	nd	nd	nd	0.0024	0.0019	0.0025	0.0024	0.00105	0.0018	0.002	0.0030
	12/9/2010	nd	nd	nd	0.011	0.042	nd	J 0.015	nd (6)	0.031	0.0029	0.0029	0.020	0.0029	0.016	0.00145	0.0029	0.0061
	7/20/2011	nd	nd	nd	nd	nd	nd	nd	nd	nd	0.0055	0.0105	0.006	0.0055	0.0055	0.0037	0.0055	0.0131
	10/21/2011	nd	nd	0.049	nd	nd	nd	nd	0.049	nd	0.0493	0.04925	0.049	0.04925	0.04925	0.04925	0.04925	0.0744
	11/2/2012	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	2/27/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
	5/9/2013	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
MTCA Method A ⁽⁷⁾		NS ⁽⁸⁾	NS	NS	NS	NS	NS	160	NS	NS	NS	0.100	NS	NS	NS	NS	NS	0.100

Notes:
 (1) PAHs = polycyclic aromatic hydrocarbons analyzed by EPA 8270-SIM
 (2) cPAHs = carcinogenic PAHs
 (3) cPAH concentrations below the MRL are shown in *italics* and assigned a value equal to the MDL (or equal to 1/2 the MDL if there is no detection above the MDL, assuming <15% of the dataset are non-detect)
 (4) TEF Total cPAHs = Toxicity Equivalency Factor for cPAHs.
 (5) nd = not detected above laboratory method reporting limit (MRL)
 (6) MRL was revised based on detections of analyte within the associated lab blank.
 (7) MTCA Method A = Method A Groundwater Cleanup Levels, Model Toxics Control Act, Chapter 173-340-900 WAC.
 (8) NS = No Method A groundwater cleanup standard established
 (9) J = qualifier indicating that the result is an estimate.
 (10) na = sample not analyzed for constituent.

All concentrations reported in micrograms per liter (µg/L) or parts per billion (ppb)
Concentrations shown in Bold indicate an exceedance of cleanup level

Prepared By: MP 8/18/2013
Checked By: TFM 6/18/2013

6.4 Environmental Covenant

02/05/2014 02:18:07 PM
Recording Fee \$79.00 Page 1 of 8
Covenant DEPARTMENT OF ECOLOGY
Spokane County Washington

6282610

After Recording Return to:
Patti Carter
Department of Ecology
4601 N. Monroe Street
Spokane, WA 99205



Environmental Covenant

Grantor: Appleway Chevrolet, Inc., a Washington corporation
Grantee: State of Washington, Department of Ecology
Legal: Parcels "D", "F" and "K" on the attached Exhibit A (the "Property")
Tax Parcel Nos.: 45191.0502, 45191.0503, 45191.0601 and 45191.9187
WEST DISHMAN, BLOCKS 5-6 (see attached legal)

Appleway Chevrolet, Inc., a Delaware corporation ("Grantor"), hereby binds itself and its successors and assigns to the land use restrictions identified herein and grants such other rights described in this Environmental Covenant (hereafter "Covenant") made this 13th day of January, 2014 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Grantor and its successors and assigns and Ecology and its successors and assigns.

The Property was used as a landfill during the 1960's and 1970's. During that time subsurface contamination occurred at the Property. A remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following documents:

See attached Exhibit B

These documents are on file at Ecology's Eastern Regional Office, 4601 North Monroe, Spokane, WA 99205-1295.

This Covenant is required because the Remedial Action resulted in residual concentrations of petroleum hydrocarbons, PCBs, and metals which exceed the Model Toxics Control Act Method A Cleanup Levels for SOIL established under WAC 173-340-740.

Grantor is the fee owner of real property (hereafter "Property") in the County of Spokane, State of Washington, that is subject to this Covenant. The Property is legally described IN ATTACHMENT A OF THIS COVENANT AND MADE A PART HEREOF BY REFERENCE.

Grantor agrees to the following limitations, restrictions, and uses to which the Property may be put and specifies that such limitations and restrictions shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

[The remainder of this page is intentionally left blank.

Grantor's Signature and Acknowledgement are on the following page.]

Signature Page to Environmental Covenant

In witness whereof, Grantor has caused this Covenant to be executed and delivered as of the day and year first above written.

Witnesses:

Grantor:

Appleway Chevrolet, Inc., a Delaware corporation

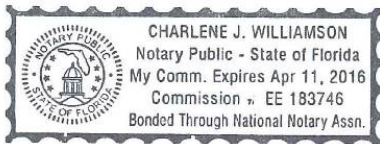
Carol J. Halpin
Steph Sevens

By: *[Signature]*
Jeffrey Shupert, Authorized Agent MTA

STATE OF FLORIDA)
) SS
COUNTY OF BROWARD)

On this the 9TH day of JANUARY, 2014 *(CJW)*, before me, the undersigned, personally appeared Jeffrey Shupert, who acknowledged himself to be the Authorized Agent of Appleway Chevrolet, Inc., a Delaware corporation, and that he, as such officer, being authorized to do so, acknowledged and executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as the Authorized Agent. The undersigned is personally known to me.

In witness whereof, I hereunto set my hand and official seal.



Charlene J. Williamson
My Commission Expires: 4/11/2016
NOTARY PUBLIC, STATE OF FLORIDA

[NOTARIAL SEAL]

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY



Michael A. Hibbler
Section Manager, Toxics Cleanup Program

Dated: 13 January 2014

ATTACHMENT A

PARCEL "D":

BLOCK 6, EXCEPT THE EAST 7 FEET, AND THE EAST 90 FEET OF BLOCK 5 OF WEST DISHMAN AS PER PLAT THEREOF RECORDED IN BOOK 3 OF PLATS, PAGE 77;

TOGETHER WITH THE VACATED SOUTH 14 FEET OF FIRST VENUE ADJOINING, PURSUANT TO RESOLUTION NO. 86-0806 RECORDED AUGUST 10, 1990 AS RECORDING NO. 9008100275;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON

PARCEL "F":

THE WEST 285 FEET OF BLOCK 5 OF WEST DISHMAN, AS PER PLAT THEREOF RECORDED IN VOLUME 3 OF PLATS, PAGE 77;

TOGETHER WITH THE VACATED SOUTH 14 FEET OF FIRST AVENUE ADJOINING, PURSUANT TO RESOLUTION NO. 86-0806 RECORDED AUGUST 10, 1990 AS RECORDING NO. 9008100275;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

PARCEL "K":

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 25 NORTH, RANGE 44 EAST, W.M., IN SPOKANE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 6 OF WEST DISHMAN, AS PER PLAT THEREOF RECORDED IN VOLUME 3 OF PLATS, PAGE 77;

THENCE WEST ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 46.81 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH LINE OF APPLEWAY BOULEVARD RIGHT OF WAY, AS PER RESOLUTION NO. 0-0969 RECORDED UNDER SPOKANE COUNTY AUDITOR'S NO. 4532728; THENCE WESTERLY ALONG SAID NORTH LINE TO THE EAST LINE OF PARCEL NO. 4, AS DESCRIBED IN THAT CERTAIN STATUTORY WARRANTY DEED RECORDED UNDER SPOKANE COUNTY AUDITOR'S NO. 4238478;

THENCE NORTH ALONG SAID EAST LINE, WHICH IS ALSO THE WEST LINE OF SIPLE ROAD, TO A POINT BEING 14.00 FEET NORTH, MEASURED AT RIGHT ANGLES, FROM THE WESTERLY PROLONGATION OF THE NORTH LINE OF BLOCK 5 OF THE SAID PLAT OF WEST DISHMAN; THENCE EAST, PARALLEL WITH SAID WESTERLY PROLONGATION LINE, TO THE INTERSECTION OF THE NORTHERLY PROLONGATION OF THE WEST LINE OF SAID BLOCK 5; THENCE SOUTHERLY ALONG SAID PROLONGATION LINE AND THE WEST LINE OF SAID BLOCK 5 TO THE SOUTHWEST CORNER OF SAID BLOCK 5; THENCE EAST ALONG THE SOUTH LINE OF SAID BLOCK 5 AND THE SOUTH LINE OF SAID BLOCK 6 TO THE POINT OF BEGINNING.

Exhibit B
Remedial Action Documents

Phase II Environmental Site Assessment, 8500 Block East First Avenue, Spokane County, Washington: EMCON, June 30, 1997.

Site Reporting and Conceptual Closure Plan, Appleway Automotive Group: EMCON, September 23, 1997.

Monitoring Well MW-5 Installation: EMCON, February 2, 1998.

Interim Remedial Action Report, Quarterly Groundwater Monitoring Report, 8500 Block East First Avenue, Spokane, Washington, February 1998 through November 2000 (seven reports): Leppo Consultants, Inc., 1998-2000.

Appleway Landfill Management Plan, Valley Couplet Project No. 2396: Sheila Pachernegg & Randy Knight, February 19, 2001.

Interim Remedial Action Report, Ninth Groundwater Monitoring Event, 8500 Block East First Avenue, (Former Construction Waste and Demolition Landfill), Spokane, Washington: Leppo Consultants, Inc., April, 2001.

Appleway Landfill Semi-Annual Report, First Half 2002: Spokane County, May 2002.

Interim Remedial Action Report, Groundwater Monitoring Event – January 30 and September 28, 2004, Appleway Chevrolet, Former Construction Waste and Demolition Landfill, SLR International Corp., 2004.

Interim Remedial Action Report, Groundwater Monitoring Event – May 26, 2004, Appleway Chevrolet, Former Construction Waste and Demolition Landfill, 8500 Block East First Avenue, Spokane, Washington: SLR International Corp., June 30, 2004.

Independent Remedial Action Report, Groundwater Monitoring Events – March 22 and April 11, 2005, Appleway Chevrolet, Inc., Former Construction Waste and Demolition Landfill, 8500 Block First Avenue, Spokane, Washington: LFR, Inc., May 26, 2005.

Independent Remedial Action Report, Groundwater Monitoring Event – June 1, 2005, Appleway Chevrolet, Inc., Former Construction Waste and Demolition Landfill, 8500 Block East First Avenue, Spokane, Washington: LFR, Inc., July 2005.

Independent Remedial Action Report, Groundwater Monitoring Event – September 7, 2005, Appleway Chevrolet, Inc., Former Construction Waste and Demolition Landfill, 8500 Block East First Avenue, Spokane, Washington: LFR, Inc., October 2005.

Independent Remedial Action Report, Groundwater Monitoring Event (December 16, 2005), Appleway Chevrolet, Inc., Former Construction Waste and Demolition Landfill, 8500 Block East First Avenue, Spokane, Washington: LFR, Inc., January 13, 2006.

Independent Remedial Action Report, Groundwater Monitoring Event (March 30, 2006), Appleway Chevrolet, Inc., - Sales Lot Site, Former Construction Waste and Demolition Landfill, 8500 Block East First Avenue, Spokane, Washington: LFR, Inc., May 5, 2006.

Independent Remedial Action Report, Groundwater Monitoring Event (March 30, 2006), Appleway Chevrolet, Inc., - Sales Lot Site, Former Construction Waste and Demolition Landfill, 8500 Block East First Avenue, Spokane, Washington: LFR, Inc., May 5, 2006.

Independent Remedial Action Report, Groundwater Monitoring Event (July 21, 2006), Appleway Chevrolet, Inc., - Sales Lot Site, Former Construction Waste and Demolition Landfill, 8500 Block East First Avenue, Spokane, Washington: LFR, Inc., August 23, 2006.

Quarterly Groundwater Monitoring Report, June 10, 2008, Appleway Chevrolet, Inc. Sales Lot, 8500 Block East First Avenue, Spokane Valley Washington: LFR, Inc. July 22, 2008.

Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, August 2010
Quarterly Monitoring Event: ARCADIS, November 17, 2010.

Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, December 2010
Quarterly Monitoring Event: ARCADIS, March 11, 2011.

Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, July 2011
Quarterly Monitoring Event: ARCADIS, September 29, 2011.

Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, October 2011
Quarterly Monitoring Event: ARCADIS, December 5, 2011.

Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, November 2012
Quarterly Monitoring Event: ARCADIS, December 4, 2012.

Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, February 2013
Quarterly Monitoring Event: ARCADIS, March 18, 2013.

Groundwater Monitoring Report, Appleway Chevrolet, Spokane Valley, Washington, May 2013
Quarterly Monitoring Event: ARCADIS, June 26, 2013.

6.5 Photo Log

Photo 1: Appleway Chevrolet - from the east



Photo 2: East Side of Building - from the northeast



Photo 3: Catchbasin and Stormwater Collection System - from the north



Photo 4: First Street and Surrounding Properties – from the north

