



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

December 26, 2019

Letter to Ecology File

RE: No Further Action (NFA) Determination for:

- **Site Name:** Tiger Oil Summitview
- **Site Address:** 5511 Summitview Avenue, Yakima
- **Facility/Site Number:** 58425191
- **Cleanup Site ID Number:** 6338

To Whom it May Concern:

The Department of Ecology (Ecology) would like to clarify the no further action (NFA) determination for the above-referenced Site. Although the previously issued NFA determination was contingent upon additional groundwater monitoring, that is no longer necessary.

An environmental covenant was recorded for the Site in June of 2016, which required monitoring wells be protected and maintained at the Site. Per the NFA determination, groundwater monitoring was conducted by Ecology on an annual basis from 2016 through 2018. Monitoring was required only in well SVMW-2, which is located on the south side of Summitview Avenue on an adjacent property. Results from the monitoring events in 2016-2018 were below Model Toxics Control Act (MTCA) Method A cleanup levels. In 2019, SVMW-2 was destroyed during development and construction activities on that property.

Ecology has determined that **no additional groundwater monitoring is necessary at the Site.** The three sampling events conducted from SVMW-2 in 2016-2018 are sufficient to demonstrate that any residual soil contamination remaining at the Site does not pose a threat to groundwater quality. In addition, it is no longer necessary to maintain or protect any groundwater monitoring wells remaining at the Site. Ecology will not require any additional groundwater monitoring at the Site related to the known release of petroleum hydrocarbons. If necessary, Ecology will approve amending the existing environmental covenant to eliminate the requirement to maintain and protect monitoring wells at the Site.

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.



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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).

Contact Information

If you have any questions about this opinion, please contact me by e-mail at jeff.newschwander@ecy.wa.gov or by phone at (509) 454-7842.

Sincerely,



Jeff Newschwander
Site Manager
Toxics Cleanup Program
Central Region Office