



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

January 29, 2020

Ed Ralston
Program Manager – Remediation Management
Phillips 66 Company
76 Broadway
Sacramento, CA 95818

RE: No Further Action at the following Site – Groundwater Model Remedy No. 1:

- **Site Name:** Unocal Bulk Plant 0853
- **Site Address:** 6 North 5th Street, Wenatchee
- **Facility/Site No.:** 346
- **Cleanup Site ID No:** 4713
- **VCP Site:** CE0466

Dear Ed Ralston:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Unocal Bulk Plant 0853 site (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.

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:

- Petroleum (Gasoline, Diesel, and Heavy Oil) into soil and groundwater.



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The site is located at 6 North 5th Street in Wenatchee. The property consists of an operating bulk fuel facility, currently operating as Apple Valley Petroleum, Inc.

Basis for the Opinion

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

1. *“Revised Site Assessment Work Plan, Former Unocal Bulk Plant 0853, Phillips 66 Site 0979, 6 North 5th Street, Wenatchee, Washington,”* prepared by GHD and dated February 8, 2018.
2. Letter from Ecology to GHD dated February 16, 2018, re Voluntary Cleanup Program – Revised Work Plan Review Comments.
3. *“Site Investigation Summary Report, Former Unocal Bulk Plant 0853, Phillips 66 Site 0979, 6 North 5th Street, Wenatchee, Washington,”* prepared by GHD and dated December 21, 2018.
4. *“Cleanup Action Report, Former Unocal Bulk Plant 0853, Phillips 66 Site 0979, 6 North Fifth Street, Wenatchee,”* prepared by GHD, received by Ecology December 3, 2019.

Those documents are kept at the Central Regional Office of Ecology (CRO) for review by appointment only. You can make an appointment by calling Ecology’s Records Officer at 360-407-6040 or emailing RecordsOfficer@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 **no further remedial action** is necessary to clean up contamination at the Site.

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

1. Characterization of the Site.

Ecology has determined your characterization of the Site is sufficient to establish cleanup standards and select a cleanup action for the identified release. Site Plans are presented in **Enclosure A**.

Petroleum (gasoline and diesel) contamination was identified in soil and groundwater in 1990. Soil sampling were conducted at 60 locations in 1990-1991.

Eight of the 60 locations had soil with cleanup level exceedances, and all eight locations were later over-excavated. Additional soil sampling was conducted at eleven locations in 1997, at five locations in 2013, and at seven locations in 2018. No cleanup level exceedances were found in the 1997-2018 soil samples.

Groundwater sampling was conducted at the Site between 1990 and 2018. Groundwater sampling was conducted at 14 monitoring wells between 1990 and 2018, and groundwater sampling was also attempted at three temporary groundwater sampling locations in 2018. Groundwater monitoring data has demonstrated that petroleum in groundwater has attenuated. All of the most recent groundwater sampling events have had results below detections limits.

2. Establishment of cleanup standards.

Soil Cleanup Levels

The following Method A Cleanup Levels for unrestricted land uses have been used at the Site:

Constituent	Method A Soil Cleanup Level (mg/kg)	Method A Groundwater Cleanup Level (µg/L)
Gasoline Range Organics (benzene present)	30	800
Diesel Range Organics	2,000	500
Heavy Oil Range Organics	2,000	500
Benzene	0.03	5
Toluene	7	1,000
Ethylbenzene	6	700
Xylenes	9	1,000

Point of Compliance (POC): Standard, throughout the Site extending from the surface to 15 feet below ground surface (ft bgs).

Terrestrial Ecological Evaluation (TEE): The Site is surrounded by commercial properties to the north, south, east, and west.

Most of the surrounding area is covered with structures and pavement. No open space is located with 500 ft of any area of the Site that would trigger a TEE.

3. Cleanup.

Ecology has determined the cleanup meets the cleanup standards established for the Site. Site cleanup consisted of excavation and onsite treatment or offsite disposal of approximately 745 cubic yards of contaminated soil in 1990. Groundwater contamination has apparently naturally attenuated, based on the extensive groundwater data collected between 1990 and 2018. The cleanup at this site was consistent with Model Remedy No. 1 from Ecology's "Model Remedies for Sites with Petroleum Impacts to Groundwater," dated December 2017.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our lists of hazardous waste sites, including:

- Hazardous Sites List.
- Confirmed and Suspected Contaminated Sites List.

That process includes public notice and opportunity to comment. Based on the comments received, Ecology will either remove the Site from the applicable lists or withdraw this opinion.

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.

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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).

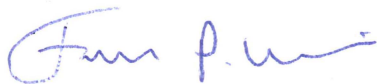
Termination of Agreement

Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (#CE0466).

For more information about the VCP and the cleanup process, please visit our web site:
<https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process/Cleanup-options/Voluntary-cleanup-program>.

If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (509) 454-7835 or e-mail at frank.winslow@ecy.wa.gov.

Sincerely,



Frank P. Winslow, L.H.G.
Toxics Cleanup Program
Central Regional Office

FPW:rl1

Enclosure: A – Site Plans

cc: John Files, Apple Valley Petroleum
 Mathew Davis, GHD Services Inc.
 VCP Financial Manager, Ecology

Enclosure A

Site Plans

