



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 5, 2020

Maninder Kaur
Registered Agent
THIND PMR Enterprises Inc.
301 S 1st St
Selah WA 98942

RE: No Further Action at the following Site – Groundwater Model Remedy No. 5:

- **Site Name:** Washington Beef Inc. Yakima
- **Site Address:** 2709 Goodman Road, Union Gap
- **Cleanup Site ID:** 9349
- **Facility/Site ID:** 47121794
- **Parcel No:** 19120632402

Dear Maninder Kaur:

The Washington State Department of Ecology (Ecology) has been reviewing some older cleanup sites, including the above-referenced site. This letter provides our opinion regarding Washington Beef Inc. Yakima (Site) based on this review. 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:



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The Site is defined by the nature and extent of contamination associated with the following release:

- Petroleum (Gasoline and Diesel) into soil and groundwater.

The Site is located at 2709 Goodman Road in Union Gap. The property historically consisted of a feed lot and beef processing. In more recent years, the property has been vacant and is currently under redevelopment with warehouse structures.

Basis for the Opinion

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

1. *"Closure Site Assessment Report for two 1,000 Gallon Gas Underground Storage Tanks and clean up of petroleum contaminated soil at Washington Beef, Union Gap facility,"* prepared by Cayuse Environmental, dated January 7, 1994.
2. *"Site Assessment and Intermediate Cleanup Engineering Report on Underground Storage Tank Removal for Washington Beef,"* prepared by PLSA Engineering & Surveying, dated March 1994.
3. Email from Ecology (Norm Hepner) to Daniel Tilley regarding Washington Beef Ecology Voluntary Cleanup Program, dated April 9, 2012.

Those documents are kept in the Central Regional Office (CRO) of Ecology for review by appointment only. You can make an appointment by calling the CRO public records coordinator at 509-454-7658. 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. A Site Plan map is presented in **Enclosure A**.

Petroleum (gasoline and diesel) contamination was identified in soil at the Site in 1993. The soil contamination was associated with one aboveground storage tank that contained diesel and two underground storage tanks (USTs) that contained gasoline. The gasoline release was reportedly associated with an improperly tightened dispenser fitting (the USTs were removed and found to be in good condition).

Characterization of contaminated soils was done concurrently with cleanup. Soil samples were collected from excavation floor and sidewalls and from test pits. Groundwater samples were collected from excavation (pit) water samples.

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	Soil Cleanup Level (mg/kg)	Method A Groundwater Cleanup Level (µg/L)
Gasoline Range Organics (no benzene present)	1500 mg/kg total TPH**	1,000*
Diesel Range Organics		500
Heavy Oil Range Organics		500
Benzene	0.03***	5
Toluene	7***	1,000
Ethylbenzene	6***	700
Xylenes	9***	1,000

*No benzene present.

**Model remedy total TPH cleanup level.

***Method A cleanup level.

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 light industrial land uses to the south and west. To the north and east is Ahtanum Creek, a riparian corridor. The north boundary of the Site south of Ahtanum Creek is a pedestrian trail. Beyond Ahtanum Creek to the north is a vacant lot on the south site of Ahtanum Road.

Beyond Ahtanum Creek to the east is a medical clinic. The Ahtanum Creek riparian corridor likely serves as habitat for wildlife; however, risk to ecological receptors due to the subsurface contamination at the Site is considered by Ecology to be low. Hence, Ecology has eliminated the TEE pathway for further consideration at this Site.

3. Cleanup.

Ecology has determined the cleanup meets the cleanup standards established for the Site. Site cleanup consisted of excavation and offsite disposal of contaminated soil at Andersons Rocky Top facility in Yakima. The excavation included both the gasoline and diesel impacted areas. Excavation extended several feet below the water table to a depth of approximately 10 ft bgs.

During excavation, dewatering reportedly took place, with dewatered water routed through an oil-water separator. The excavation water was reportedly slightly above Method A cleanup levels when cleanup work began but below Method A cleanup levels at the completion of the cleanup. Since that time, additional attenuation of any remaining contamination in soil and groundwater has likely occurred via biodegradation.

Sufficiency of the soil cleanup was demonstrated through confirmation soil sampling, with all results well Method A below cleanup levels except for one soil sample at the western edge of the excavation with 1,100 mg/kg gasoline range organics. The results from that sampler were flagged by the laboratory as “aged gas, light diesel, or heavier oil.” The excavation did not proceed further west due to a pump station at that location.

The one remaining soil exceedance, although above the Method A cleanup level, was below the Model Remedy generic TPH concentration of 1,500 mg/kg.

The cleanup conducted at the Site constitutes Groundwater Model Remedy #5.

Listing of the Site

Based on this opinion, Ecology will initiate the process of removing the Site from our Confirmed and Suspected Contaminated Sites List.

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.

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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. 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.

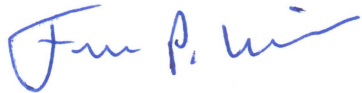
The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. *See* RCW 70.105D.030(1)(i).

Thank you for cleaning up this site.

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

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

Sincerely,

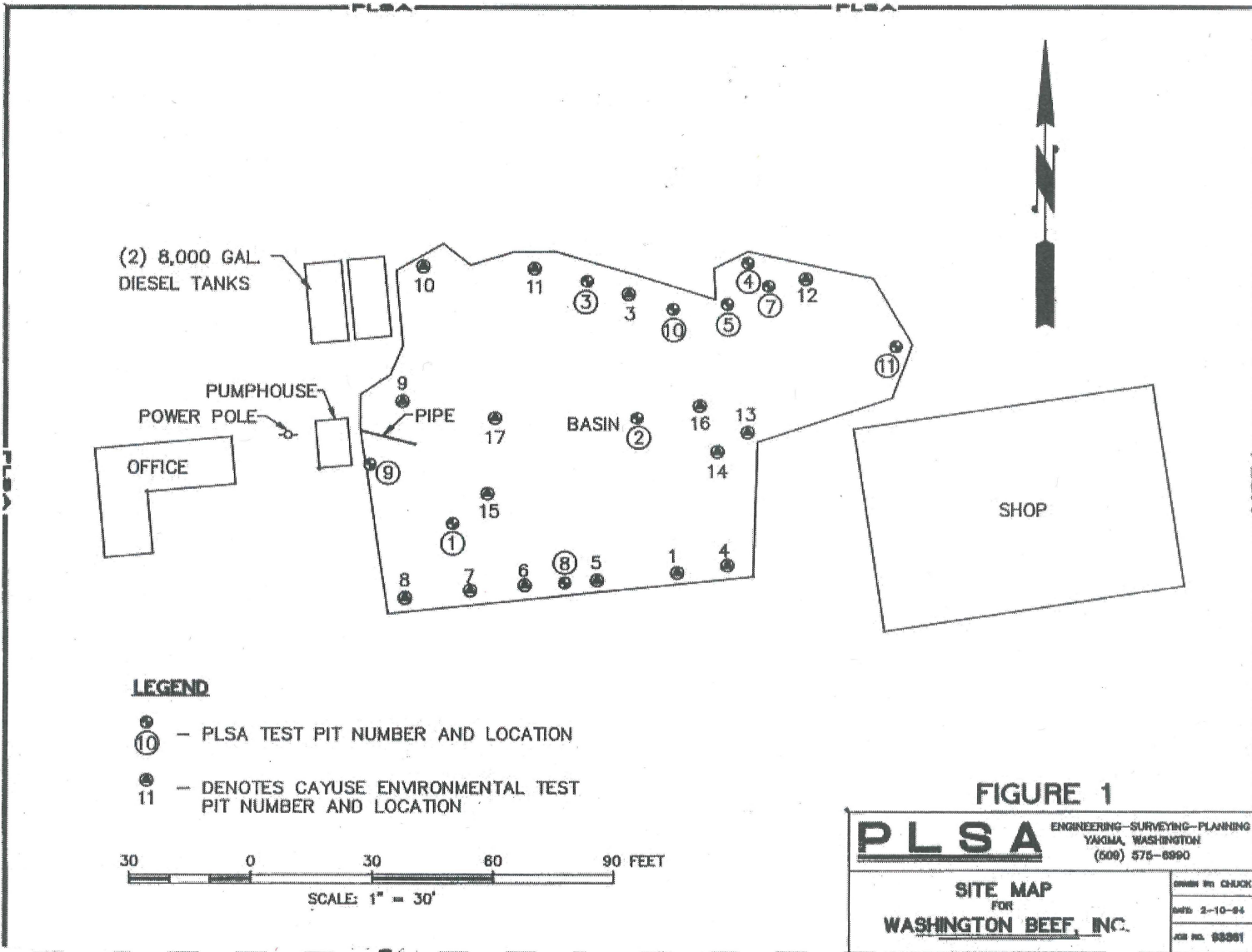


Frank P. Winslow, L.H.G.
Toxics Cleanup Program
Central Regional Office

Enclosure: A – Site Plans

Enclosure A

Site Plan



LEGEND

- ⑩ - PLSA TEST PIT NUMBER AND LOCATION
- - DENOTES CAYUSE ENVIRONMENTAL TEST PIT NUMBER AND LOCATION

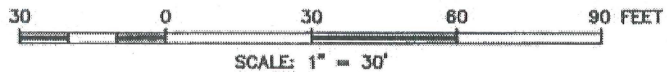


FIGURE 1

PLSA ENGINEERING—SURVEYING—PLANNING YAKIMA, WASHINGTON (509) 575-6990	DRAWN BY: CHUCK
	DATE: 2-10-84
SITE MAP FOR WASHINGTON BEEF, INC.	
JOB NO. 88801	

