



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

September 19, 2012

Ms. Jody Cada  
UPS  
13035 Gateway Drive, Suite #149  
Seattle, WA 98168

Re: No Further Action at the following Site:

- Site Name: **UPS Yakima**
- Site Address: **501 W Valley Mall Blvd, Union Gap**
- Facility/Site No.: **14724678**
- VCP Project No.: **CE0324**

Dear Ms. Cada:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the UPS Yakima (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.**

**Also, Ecology strongly recommends decommissioning existing monitoring wells in accordance with WAC 173-160. This will prevent spills and runoff from inadvertently entering the groundwater.**

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

### **Description of the Site**

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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 hydrocarbons and their constituents/additives into the soil and groundwater.

**Enclosure A** includes a detailed description and diagram of the Site, as currently known to Ecology.

Please note that a parcel of real property can be affected by multiple sites. At this time, we have no information that the parcel(s) associated with this Site are affected by other sites.

### **Basis for the Opinion**

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

1. Black & Veatch Waste Science, Inc., *UST Site Check and Closure Report United Parcel Service Yakima Facility*, February 1996.
2. Environmental Resolutions, Inc., *Underground Storage Tank Removal and Laboratory Analysis*, March 2004.
3. Sierra Piedmont, Inc., *Work Plan Limited Subsurface Investigation Soil and Groundwater*, April 2010.
4. Sierra Piedmont, Inc., *Limited Subsurface Investigation at UPS - Union Gap*, October 2010.
5. Sierra Piedmont, Inc., *First Quarterly Groundwater Monitoring Report*, June 2011.
6. Sierra Piedmont, Inc., *Second Quarterly Groundwater Monitoring Report*, September 2011.
7. Sierra Piedmont, Inc., *Third Quarterly Groundwater Monitoring Report*, December 2011.
8. Sierra Piedmont, Inc., *Fourth Quarterly Groundwater Monitoring Report and Request for No Further Action*, April 2012.

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Those documents are 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, Roger Johnson, 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**

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Ecology has concluded that **no further remedial action** is necessary to clean up contamination at the Site. That conclusion is based on the following analysis:

**1. Characterization of the Site.**

Ecology has determined your characterization of the Site (described earlier and in Enclosure A) is sufficient to establish cleanup standards and select a cleanup action.

**2. Establishment of cleanup standards.**

Ecology has determined the cleanup levels you established for the Site meet the substantive requirements of MTCA.

**a. Cleanup levels.**

Soil cleanup levels are based on Method A for industrial/commercial use. The Method A cleanup levels for Total Petroleum Hydrocarbons (gasoline and diesel range organics), BTEX, Naphthalenes, MTBE, and EDB in soils were derived for the protection of groundwater for drinking water use.

Groundwater cleanup levels are based on Method A for groundwater. The Method A cleanup levels for Total Petroleum Hydrocarbons (gasoline and diesel range organics), BTEX, Naphthalenes, MTBE, EDC and EDB in groundwater were derived to protect against carcinogenic and noncarcinogenic effects from consumption of drinking water.

**3. Selection of cleanup action.**

Ecology has determined the excavation of contaminated soil to remediate the Site meets the substantive requirements of MTCA.

**4. Cleanup.**

Ecology has determined the cleanup you performed meets the cleanup standards established for the Site.

**Listing of the Site**

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

- Confirmed and Suspected Contaminated Sites List
- Leaking Underground Storage Tank List

**Limitations of the Opinion**

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**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. 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).

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### Termination of Agreement

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Thank you for cleaning up the Site under the Voluntary Cleanup Program (VCP). This opinion terminates the VCP Agreement governing this project (CE0324).

For more information about the VCP and the cleanup process, please visit our web site: [www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm](http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm). If you have any questions about this opinion or the termination of the Agreement, please contact me at (509) 454-7834.

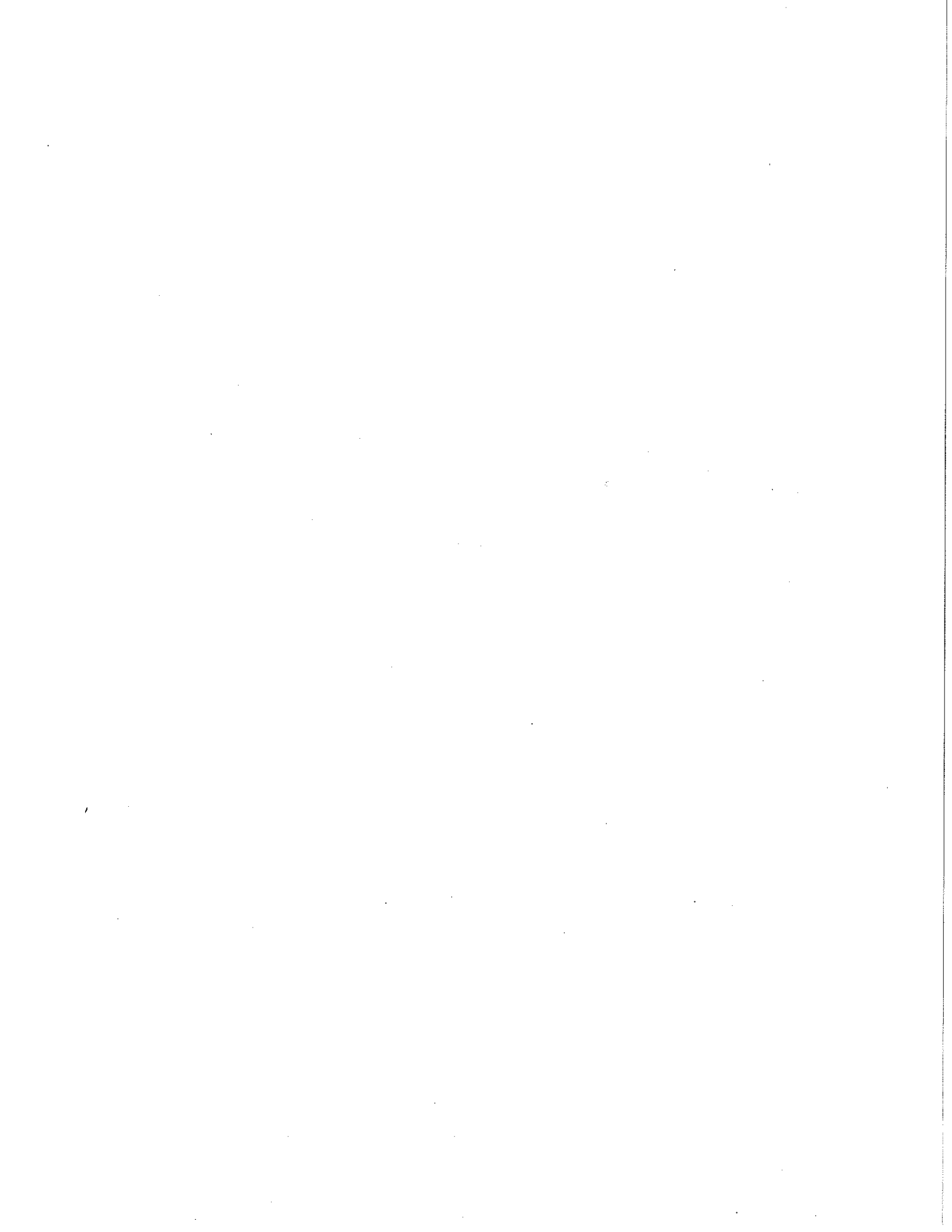
Sincerely,

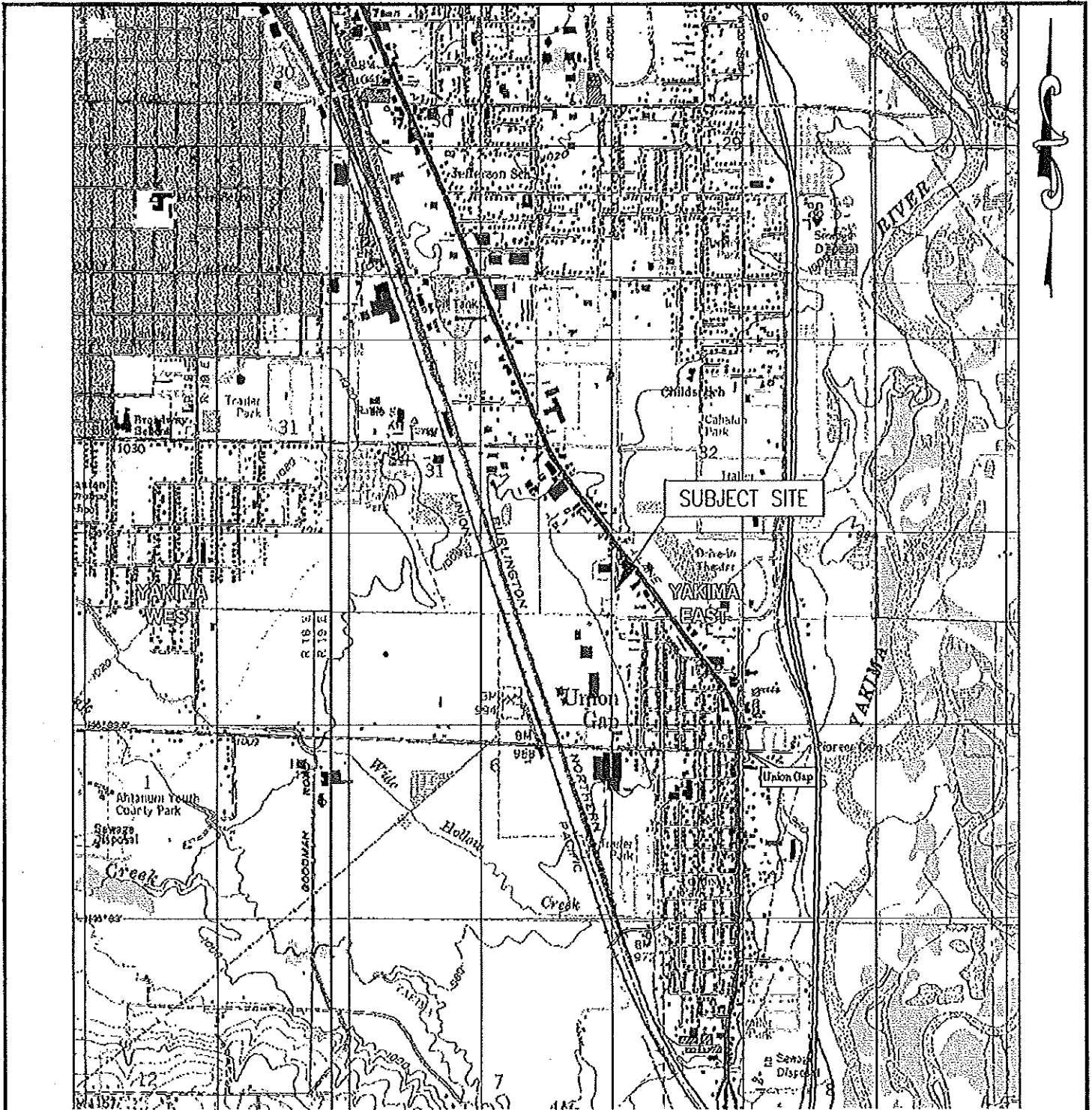


Jason Shira  
Site Manager  
CRO Toxics Cleanup Program

Enclosures (1): A – Description and Diagram of the Site

cc: Robert and Naomi M. Kuhns, property owner  
C. Scott Pate, Sierra Piedmont, Inc.  
Dolores Mitchell, VCP Financial Manager (without enclosures)





sierrapiedmont®

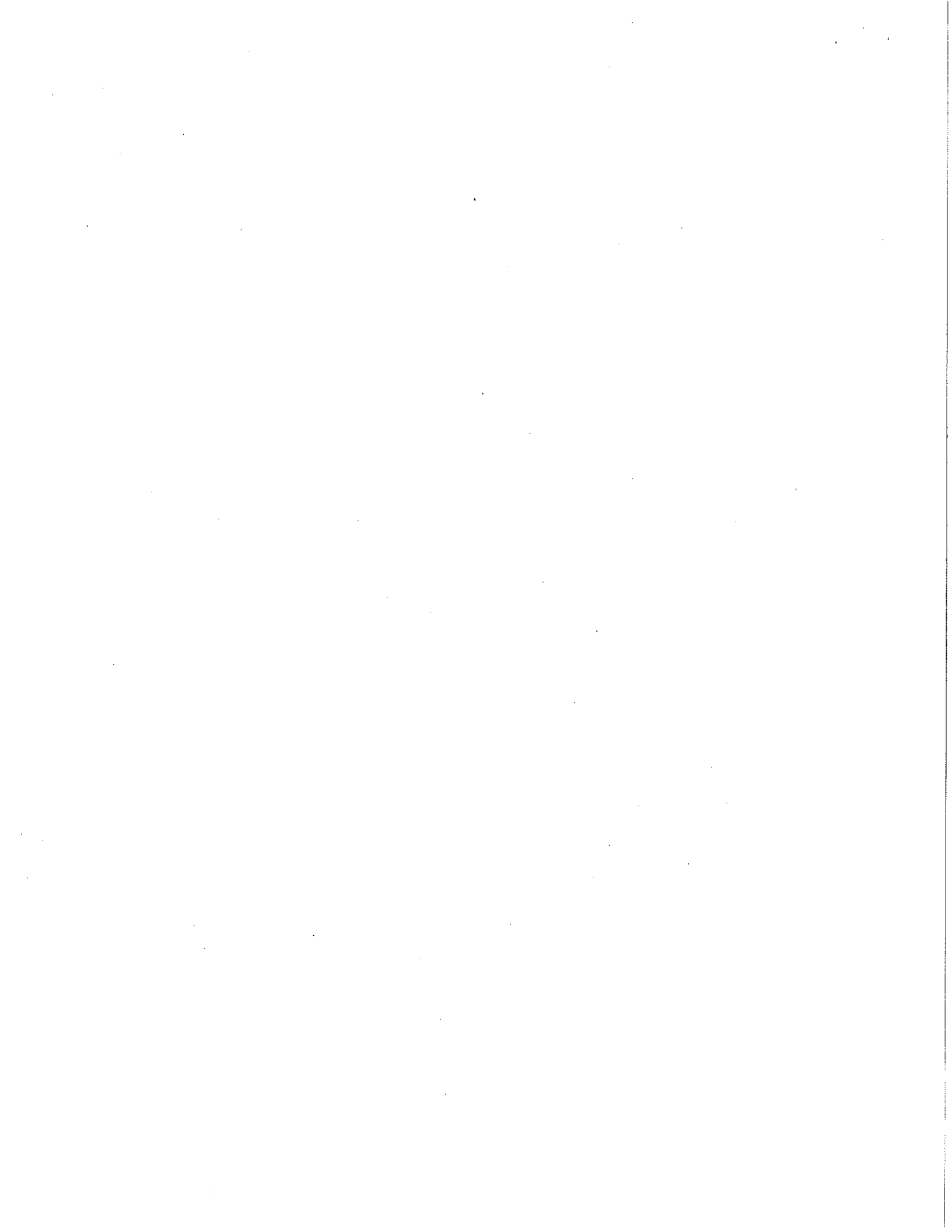
12045 Highway 92  
Woodstock, GA 30188  
www.sierrapiedmont.com

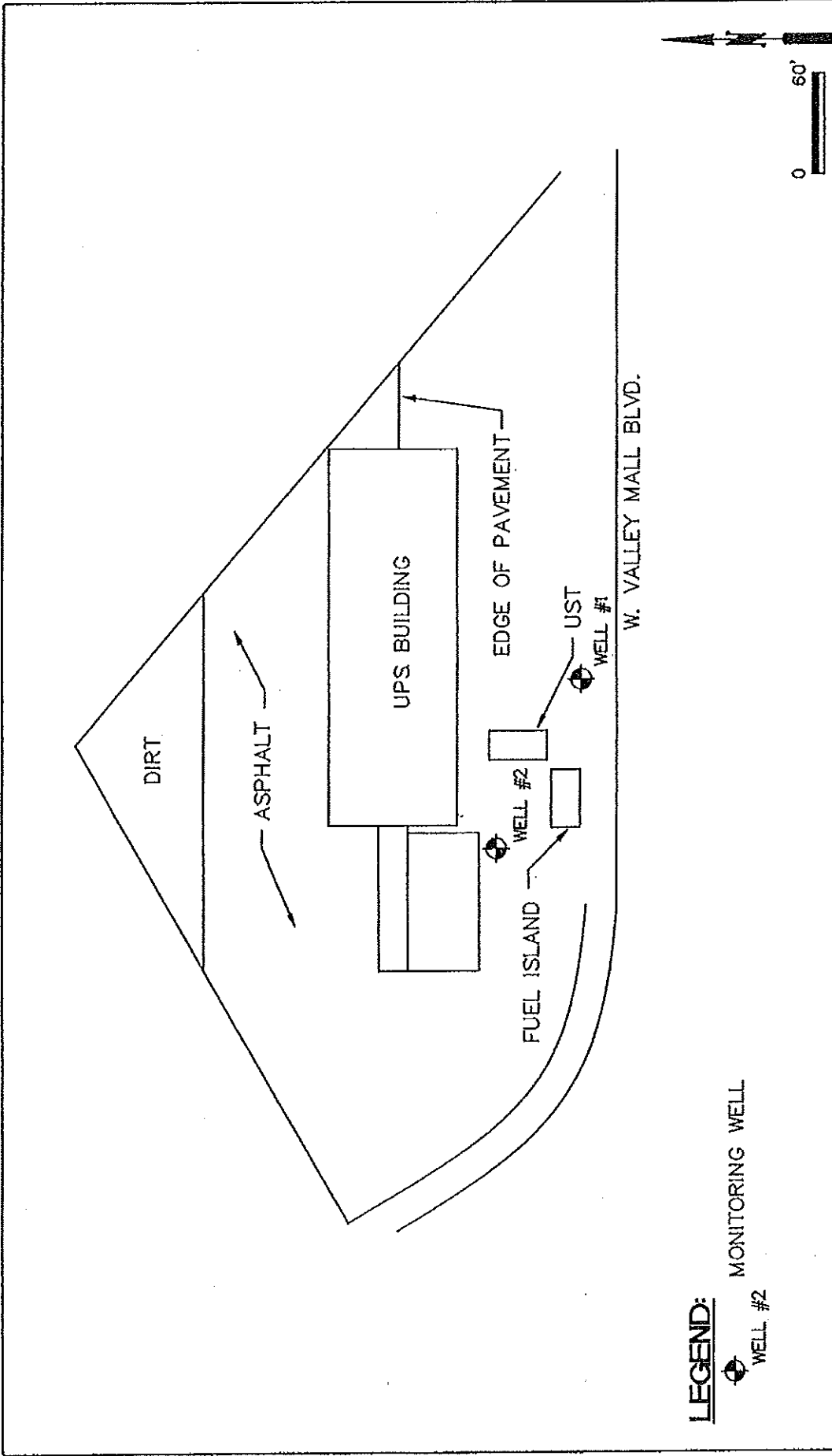
Office: 770-792-6200  
Fax: 770-792-6005

UPS UNION GAP  
501 WEST VALLEY MALL BOULEVARD  
UNION GAP, YAKIMA COUNTY, WASHINGTON 98903




AREA MAP  
YAKIMA EAST (WA) - ORIG. DATE 1985

SCALE	NTS	DRAWN BY:	JRG	DRAWING NO.	UPSS10118.02	REV. NO.
DATE	6/01/2012	CHECKED BY:	RLM	FIGURE 1		0
REVISION		APPROVED BY:	SLB			

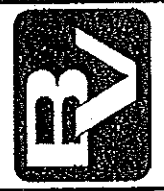




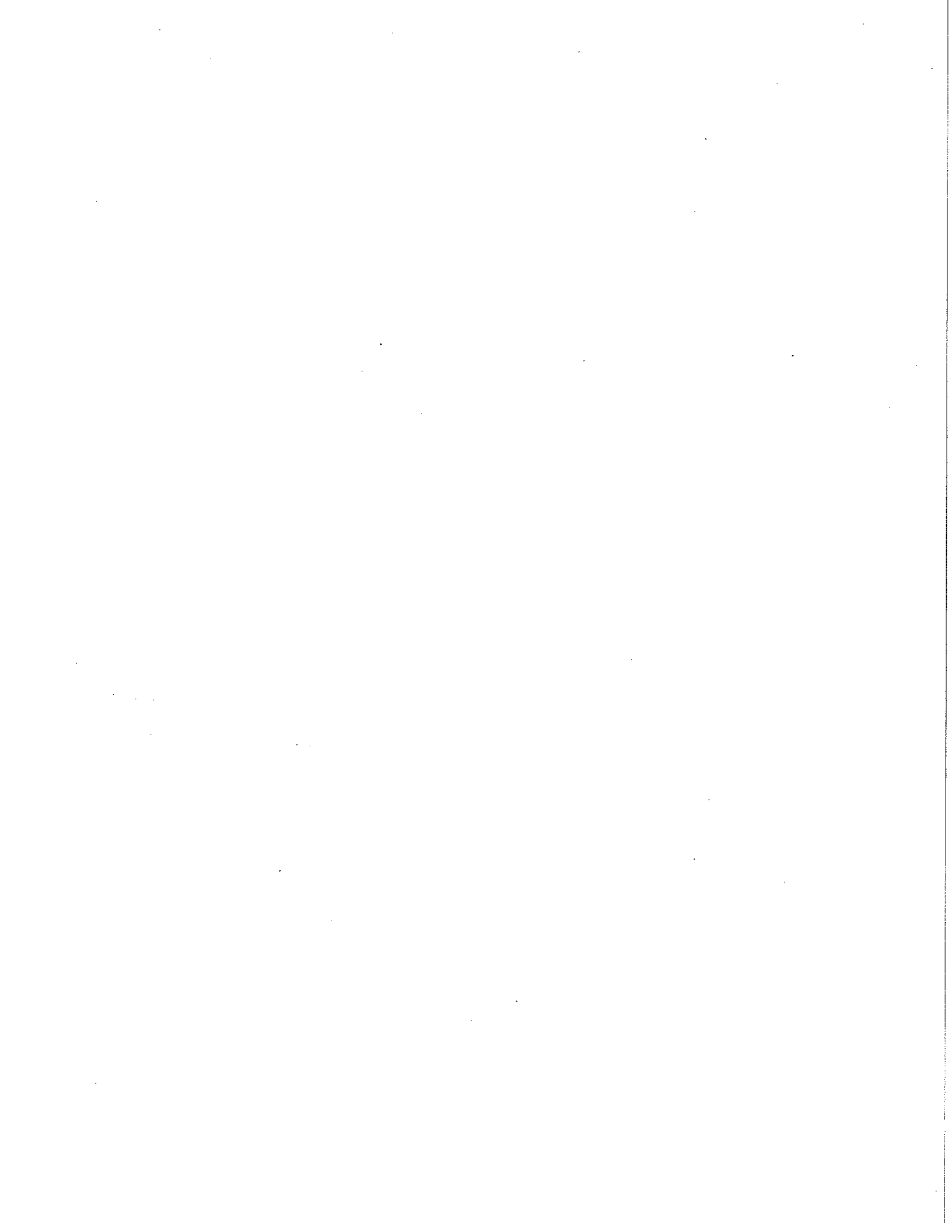
**LEGEND:**

-  MONITORING WELL
-  WELL #2
-  WELL #1

UPS UST CLOSURE  
 UNION GAP  
 SITE MAP  
 FIGURE 2

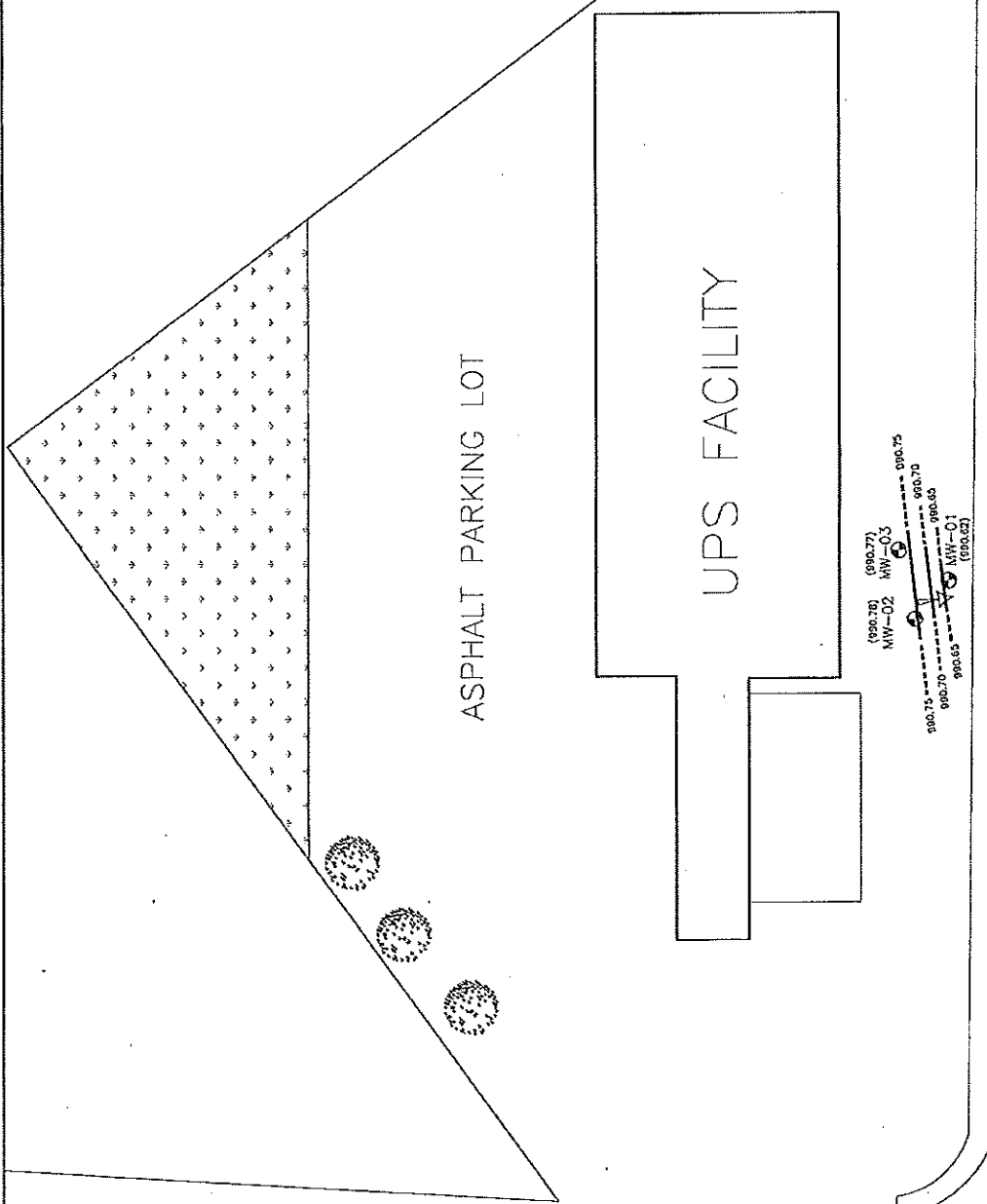


UNITED PARCEL SERVICE  
 UPS YAKIMA





SOUTH OLD TOWN ROAD



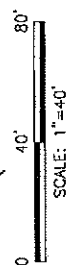
LEGEND:

- MW-01 GROUNDWATER MONITORING WELL
- CONCRETE SURFACE
- INTERPRETED GROUNDWATER CONTOUR
- INFERRERED GROUNDWATER CONTOUR
- INTERPRETED GROUNDWATER FLOW DIRECTION
- (990.78) GROUNDWATER ELEVATION, FT
- 990.75 GROUNDWATER CONTOUR ELEVATION, FT

ASPHALT PARKING LOT

UPS FACILITY

(990.77) MW-03 (990.77)  
 (990.70) MW-02 (990.70)  
 (990.75) MW-01 (990.75)  
 990.75 990.70 990.65 990.60 990.55 990.50 990.45 990.40 990.35 990.30 990.25 990.20 990.15 990.10 990.05 990.00



WEST VALLEY MALL BLVD

12045 Highway 82  
 Woodstock, GA 30188  
 www.sterrapidement.com

Office: 770-702-8200  
 Fax: 770-702-8005

UPS UNION GAP 501 WEST VALLEY MALL BOULEVARD UNION GAP, YAKIMA COUNTY, WASHINGTON		DRAWING NO. UPSS10118.02 REV. 18
DATE AS SHOWN DATE: 1/18/2012	DRAWN BY CHECKED BY APPROVED BY	FIGURE 2 1

POTENTIOMETRIC SURFACE MAP  
4/17/2012