



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 20, 2020

Joan Davenport  
City of Yakima  
129 North Second Street  
Yakima, WA 98901

**RE: Comments on Site Management Plan for Tiger Oil Site at 24<sup>th</sup> Avenue & West Nob Hill Boulevard Site:**

- **Site Name:** Tiger Oil 24<sup>th</sup> Avenue & West Nob Hill
- **Site Address:** 2312 West Nob Hill Boulevard, Yakima
- **Facility/Site ID No.:** 469
- **Cleanup Site ID No.:** 4919
- **Amended Consent Decree:** 02-2-00956-2

Dear Joan,

The Department of Ecology (Ecology) has reviewed the DRAFT Site Management Plan, dated October 28, 2019 for the site referenced above. Our comments are enclosed. Once the edits are made and approved, we can move forward and finalize the report.

Ecology understands how difficult it can be to work on projects that are under Agreed Order and Consent Decree, and we appreciate all the work you have done on this project. If you have additional questions or concerns, please contact me at (509) 571-6661 (cell), (509) 454-7840 (desk) or [Mary.Monahan@ecy.wa.gov](mailto:Mary.Monahan@ecy.wa.gov) (email).

Sincerely,

Mary Monahan  
Toxics Cleanup Program  
Central Regional Office

By certified mail: 7014 3490 0001 5526 4632

Enclosure

cc: Yen-Vy Van, Maul Foster and Alonghi, Inc.





**Ecology Comments on the Tiger Oil 24<sup>th</sup> Avenue & West Nob Hill Draft Site Management Plan, dated October 28, 2019:**

**Section 1.1 - Purpose of Site Management Plan**

Please add soil vapors to "...interactions with the petroleum hydrocarbons impacted groundwater, soils and VAPORS..."

**Section 1.2 - Site Description**

The paragraph written describes the Property. Please add additional narrative discussing the Site boundaries. Please emphasize the distinction between Property and Site (the Site being where a hazardous substance has come to be located under the Model Toxics Control Act (MTCA) and the Site being made up of various parcels of property, including "the Property")

**Section 2.1 - Distribution and Extent of Indicator Hazardous Substances**

Paragraph 1: All soils to 15 feet below ground surface should be managed as impacted soils. Please replace the verbiage in the underlined statement that says "Soil below 6 feet bgs...."

Paragraph 2: The extent of the impacted groundwater is throughout the entire Site, including the property. Please make this clear on ALL of the figures included with this management plan.

**Section 2.1.1 - Soil**

All soils up to 15 feet bgs at the Property and the Site are considered impacted by petroleum contamination, and should be managed according to MTCA and Ecology guidance. (See "*Guidance for Remediation of Petroleum Contaminated Soils*," Washington State Department of Ecology Toxics Cleanup Program Publication No. 10-09-057, September 2011). Please remove all references to 6 feet bgs within the boundary of the dissolved phase plume and replace with all soils up to 15 feet bgs throughout the Site.

Paragraph 6: Construction workers can potentially be exposed to soils up to 15 feet bgs. Please replace 6 bgs with 15 bgs in the first sentence.

**Section 2.1.3 - Soil Gases**

It has already been shown that gasoline and benzene are vapor intrusion (VI) risks at this Site. Please amend this paragraph by including Total Petroleum Hydrocarbons with benzene, and remove references to benzene isoconcentration contours in Figure 2-5. Ecology assumes vapor intrusion risk exists across the entire Site.

### **Section 3: Introduction**

Please replace 6 feet with 15 feet bgs. Please reiterate that this Site is under a Consent Decree and subject to the Decree, as well as MTCA, and any environmental covenants required for this Site. For example, the recorded Environmental Covenant requires Yakima to notify Ecology at least 60 days in advance of any proposed activity. In addition, the recorded Environmental Covenant requires Yakima to notify Ecology at least 60 days in advance of any proposed activity that may be inconsistent with the Covenant

#### **Section 3.1 - Potentially Contaminated Soil**

All soil activities at the Property and the Site must be conducted in accordance with MTCA and Ecology guidance documents (Guidance for Petroleum-Contaminated Sites, Vapor Intrusion Guidance, etc.) In order to make certain that this Site Management document is compliant with MTCA and various Ecology guidance's, please refer to the Ecology documents for the following sections:

- 3.1.1 Excavation and Handling
- 3.1.2 Stockpiling
- 3.1.3 Off-site Disposal

##### **Section 3.1.1 - Excavation and Handling**

Please change the second sentence to read: All soil excavated from this Site must be analyzed to determine the concentration of contamination. Please note that all transportation of soils from the Site is subject to WAC 173-350-300 as well.

##### **Section 3.1.2 - Stockpiling**

Please replace 6 feet bgs with 15 feet bgs, and instead of referring to Figure 2-7, emphasize that this is true throughout the entire Site. Use Ecology's Guidance for Remediation of Petroleum Contaminated Sites for specific guidance regarding stockpiling of soils on Site.

It is not permissible to stockpile soils directly on asphalt or soil surfaces without use of a bermed storage area, lined and covered with a reinforced geomembrane or geotextile; not every plastic liner meets the specifications for stockpiling of soils. Temporary stockpiles must be removed within 90 days, unless Ecology gives written approval.

##### **Section 3.1.3 - Off-site Disposal**

All soils (not just those near the groundwater) should be assumed to contain contaminants above risk levels. Please change this in the text. All volumes of soil removed from the Site must be accounted for through trip tickets, weights, etc. All loads must be covered before they leave the Site, and the bed of the truck should remain covered until it has been thoroughly cleaned.

Please refer to Ecology's Petroleum Guidance for Remediation of Petroleum Contaminated Sites for stockpile and analytical requirements, and remove Appendix C of this document.

#### **Section 4 - Vapor Intrusion**

Benzene is not the primary indicator hazardous substance (IHS) for indoor air at this Site. Ecology's Vapor Intrusion Guidance and CLARC both provide preliminary cleanup levels for benzene and total petroleum hydrocarbons. Please revise throughout Section 4 to reflect this knowledge. Any new building at the entire Site will require vapor intrusion controls. Please emphasize that Ecology must approve any and all vapor mitigation systems before they are installed.

#### **Section 4.1 - Soil Vapor Mitigation Methodology**

Soil (and groundwater) vapor mitigation must be investigated before any new buildings are constructed on the Property and the Site. Please strike the paragraph that begins with "MFA's recommendation...." as Ecology will provide guidance and oversight.

#### **Section 4.1.1 - Vapor Barrier and Venting System**

Since all of this work must be conducted with Ecology's oversight and approval, please revise Section 4, 4.1.1.1, 4.1.2, 4.1.3 and 4.1.4 from this document.

#### **Section 5.1 - Stormwater**

Ecology also has Eastern Washington Storm Water guidance. Please assure that the text referring to the Yakima County Regional Stormwater Manual is compatible with Ecology's Storm Water guidance manual.

#### **Section 5.2 - Groundwater**

Please remove the second sentence. Depending on the season, there is a possibility that groundwater could be encountered during any construction work at the site.

#### **Section 5.2.1 - Infiltration Gallery**

Please include a figure with the locations and depths of the infiltration gallery system.

#### **Section 6.1 - Worker Health and Safety**

Please revise. Ecology must review all Health and Safety Plans for work conducted on the Property and Site.

#### **Section 6.4 - Soil Gas**

Please revise. Any vapor mitigation system will need at least annual inspections, with reports to Ecology.

### **Section 6.5 - Groundwater Use Restrictions**

Please revise. No wells for any water supply purpose (not just potable) are allowed on the Property of Site without prior approval from Ecology.

### **Section 6.5.1 - Groundwater Compliance Monitoring**

Please revise. This will take place at both the Property and the Site.

### **Section 6.7 - Use of Property**

Please revise. Pursuant to section XXVI (Periodic Review) of the Consent Decree, Ecology conducts five-year review at this Site. Five-year reviews will be conducted by Ecology. The City will provide any documentation required to complete the review.

### **Section 7.1 - Notification and Reporting**

Please revise. As noted above, the Environmental Covenant for the Site requires Yakima to notify and obtain approval from Ecology of any proposed activity or use of the Property in a manner that is inconsistent with the Covenant. In addition, Yakima must notify Ecology of any sampling or remedial work activities (not just substantial development) at the Site and Property as long as the Consent Decree is in place.

### **Section 7.2 - Recordkeeping**

Please revise. Record keeping requirements are contained in the Consent Decree. *See* XII of the Consent Decree.