



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

April 9, 2020

Angie Goodwin  
Hart Crowser  
3131 Elliott Avenue, Suite 600  
Seattle, WA 98121

**RE: No Further Action with use of Groundwater Model Remedy No. 5 at the following Site:**

- **Site Name:** Kens Auto Wash II
- **Site Address:** 1013 East University Way, Ellensburg
- **Facility/Site ID No.:** 3892
- **Cleanup Site ID No.:** 5208
- **VCP Project No.:** CE0414

Dear Angie Goodwin:

The Washington State Department of Ecology (Ecology) received your request for an opinion on your independent cleanup of the Kens Auto Wash II facility (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**

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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**

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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:

- Gasoline Range Organics into the soil, groundwater, and/or air.
- Benzene, Toluene, Ethylbenzene, Xylenes (BTEX) into the soil, groundwater, and/or air.

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

## **Basis for the Opinion**

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

1. *“Soil Vapor Monitoring Results Summary,”* prepared by Hart Crowser dated March 3, 2020.
2. *“Site Characterization Report, Ken’s Auto Wash, 1013 East University Way, Ellensburg, Washington,”* prepared by Hart Crowser dated September 24, 2019.
3. *“Sampling and Analysis Plan, Ken’s Auto Wash, 1013 East University Way, Ellensburg, Washington,”* prepared by Hart Crowser dated December 17, 2018.
4. *“Groundwater Monitoring Report, Ken’s Auto Wash, 2013 – 2014 Annual Report,”* prepared by Hart Crowser dated January 14, 2015.
5. *Bioremediation Work Plan In Situ Enhanced Natural Attenuation of Petroleum, Ken’s Auto Wash, Ellensburg, Washington,* prepared by Hart Crowser dated October 14, 2013.
6. *“Interim Action Plan In Situ Enhanced Attenuation of Petroleum Hydrocarbons, Ken’s Auto Wash, Ellensburg, Washington,”* prepared by Hart Crowser dated June 13, 2013.
7. *“Remedial Investigation and Feasibility Study, Ken’s Auto Wash 1013 East University Way, Ellensburg, Washington,”* prepared by Hart Crowser dated November 14, 2006.

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**

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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 is sufficient to establish cleanup standards and select a cleanup action. The Site is described above and in **Enclosure A**.

Characterization consisted of the establishment of the contaminants of concern (COCs) at the Site and the investigation of the nature and extent of the COCs.

Site characterization consisted of data obtained from soil borings, test pits, soil vapor sampling and monitoring wells. This data defined the spatial extent, both lateral and vertical, of contamination by petroleum and associated chemicals. Based on this information, the exposure pathways were determined to consist of soil direct contact, vapor intrusion, and groundwater.

#### **2. Establishment of cleanup standards.**

Establishment of cleanup standards consisted of a determination of the appropriate cleanup levels for the COCs as well as a determination of the appropriate points of compliance where the cleanup levels must be met. Ecology has determined that the cleanup levels and points of compliance you have established for the Site meet the substantive requirements of MTCA. The following exposure pathways and associated cleanup standards were evaluated.

The cleanup standards consist of the evaluation of the contaminants of concern at the standard points of compliance. This included the evaluation of MTCA Method A groundwater cleanup levels, Method B soil direct contact cleanup levels and generic Method B screening levels for assessment of vapor intrusion.

The groundwater at the Site was assessed for compliance with MTCA Method A cleanup levels. Furthermore, the soil cleanup levels were determined to be compliant with applicable cleanup standards based on the use of Groundwater Model Remedy No. 5. This included an empirical demonstration for evaluation of the soil to groundwater leaching pathway. The period from product release to compliance monitoring was determined to be sufficient to account for the contaminant to leach from the vadose zone to the saturated zone. Thus, groundwater protection was demonstrated by the empirical demonstration.

Consequently, the cleanup levels for soil direct contact are based on MTCA Method B and fractionation analysis. Vapor intrusion was assessed based on criteria provided in the Toxic Cleanup Program's Policy guidance and through soil gas sampling.

Standard points of compliance are established for the soil and the groundwater media. The cleanup standard for soil is based on direct contact rather than the soil leaching to groundwater pathway. For soil cleanup levels based on direct contact, the point of compliance is defined as throughout the site from the ground surface to 15 feet below the ground surface. For groundwater, the point of compliance is defined as throughout the site from the uppermost level of the saturated zone extending vertically to the lowest depth that could potentially be affected by the site.

Potential impacts to terrestrial ecology were also assessed. The determination is that the Site qualifies for an exclusion under the Terrestrial Ecological Evaluation (TEE) process as described in Chapter 173-340-7491(c) WAC.

The additional investigation showed that the cleanup standards for the soil and groundwater have been met after previous remedial work that included source control, source mass removal and in-situ treatment of contaminated mass.

### **Listing of the Site**

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

That process includes public notice and opportunity to comment.

## **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).

## **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 (#CE0414).

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 [John.Mefford@ecy.wa.gov](mailto:John.Mefford@ecy.wa.gov) or (509) 454-7836.

Angie Goodwin  
Hart Crowser  
April 9, 2020  
Page 6

Sincerely,



John Mefford  
Toxics Cleanup Program  
Central Regional Office

Enclosure:           A – Site Description and Diagrams

cc:     Secret Assets University Way Property LLC  
       Robert Moon and Krista Moon  
       Lyndsay Gordon, Financial Services Unit, Ecology

## **Enclosure A**

### **Site Description and Diagrams**



# Site Description

- **Source of the releases at the Site.**

The source of the release is the fuel distribution system. In 1996, a leak was discovered during a tank tightness test on a product line from an unleaded gasoline underground storage tank (UST #1).

- **Hazardous substances released at the Site.**

Gasoline Range Organics (GRO)  
Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX)

- **The horizontal and vertical extent of contamination located at the Site.**

The extent of the contamination is shown in the attached diagrams.

- **The media affected by the releases at the Site.**

Initial investigation showed that the soil and groundwater media were impacted. After remediation, the groundwater was demonstrated to be compliant with the cleanup standards.

- **The pathways of exposure at the Site.**

The exposure pathways that were assessed included groundwater ingestion (drinking water standard) and direct contact, the soil direct contact and vapor intrusion, and the soil leaching to groundwater pathway.

- **The human or ecological receptors affected by the releases at the Site.**

Human and ecological receptors are not affected by Site releases, based on the most current available information.

- **The geology and hydrology of the Site.**

The characteristics of the soils encountered at the Site are associated with depositional processes found in an alluvial environment. These soils primarily consist of silty, sandy Gravel with occasional cobbles. A shallow unit of sandy Silt was also encountered localized to the vicinity of the hot spot excavation in 2000.

Groundwater flow is generally towards the southwest. The calculated hydraulic gradient is typically between 0.015 and 0.025. This hydraulic gradient does not appear to significantly fluctuate seasonally throughout a given year. However, the groundwater elevations measured in the monitoring wells fluctuate approximately one to two feet seasonally with

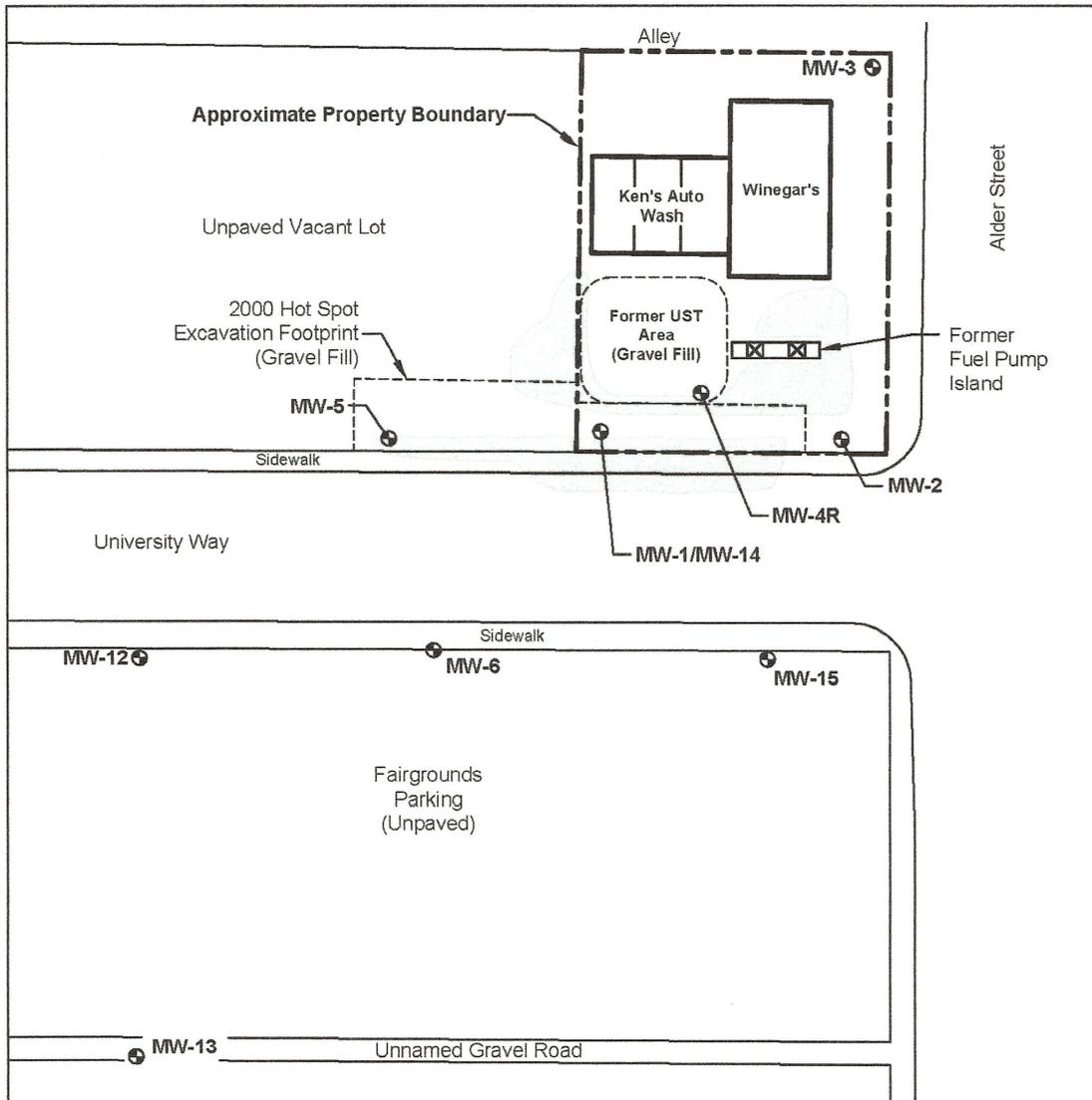
highs in late spring and lows in late fall.

See Appendix A of the Remedial Investigation Report (2006 for more detail on the geology and hydrogeology.

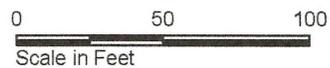
The source material for completion of this Site Description includes the references cited in the body of this opinion.

# Site Diagrams





**Note:** Base map prepared from drawing provided by Sage Earth Sciences titled "Proposed Additional Monitoring Well and ORC Injections Locations," dated January 1998.



**MW-6** Hart Crowser Monitoring Well Location and Number

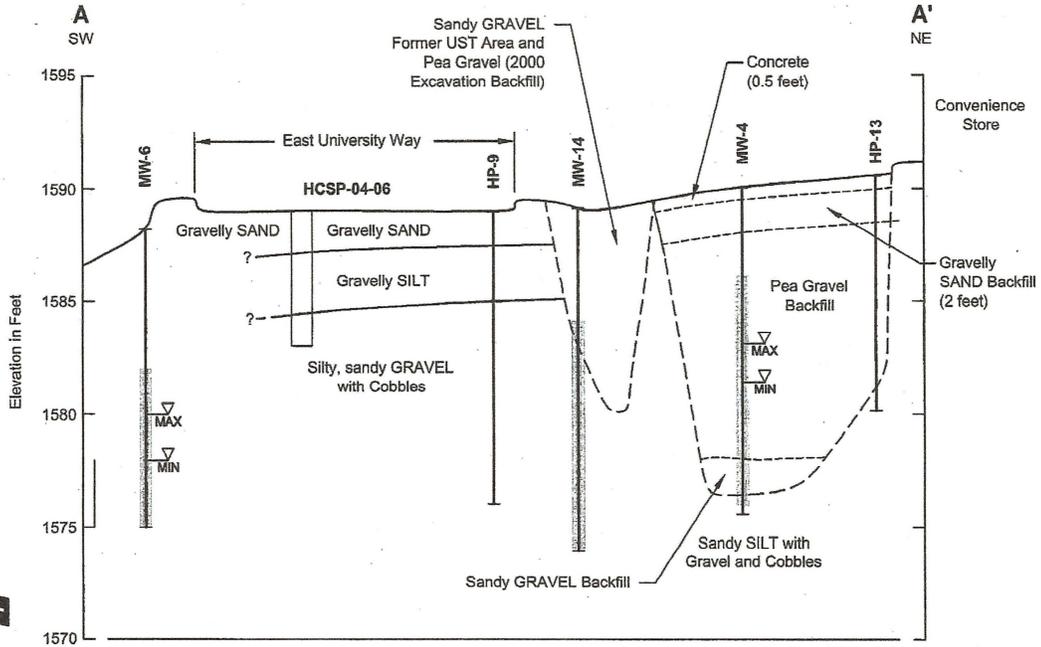
 Estimated Remaining Area with TPH-G and/or BTEX Concentrations above MTCA Method A Soil Cleanup Levels (2000-2005 Data)



Ken's Auto Wash Ellensburg, Washington	
<b>Site and Well Location Plan</b>	
7168-11	3/13
	Figure <b>2</b>

EAL\_02/17/13\_716811-002.dwg

**Generalized Geologic Cross Section A-A'**



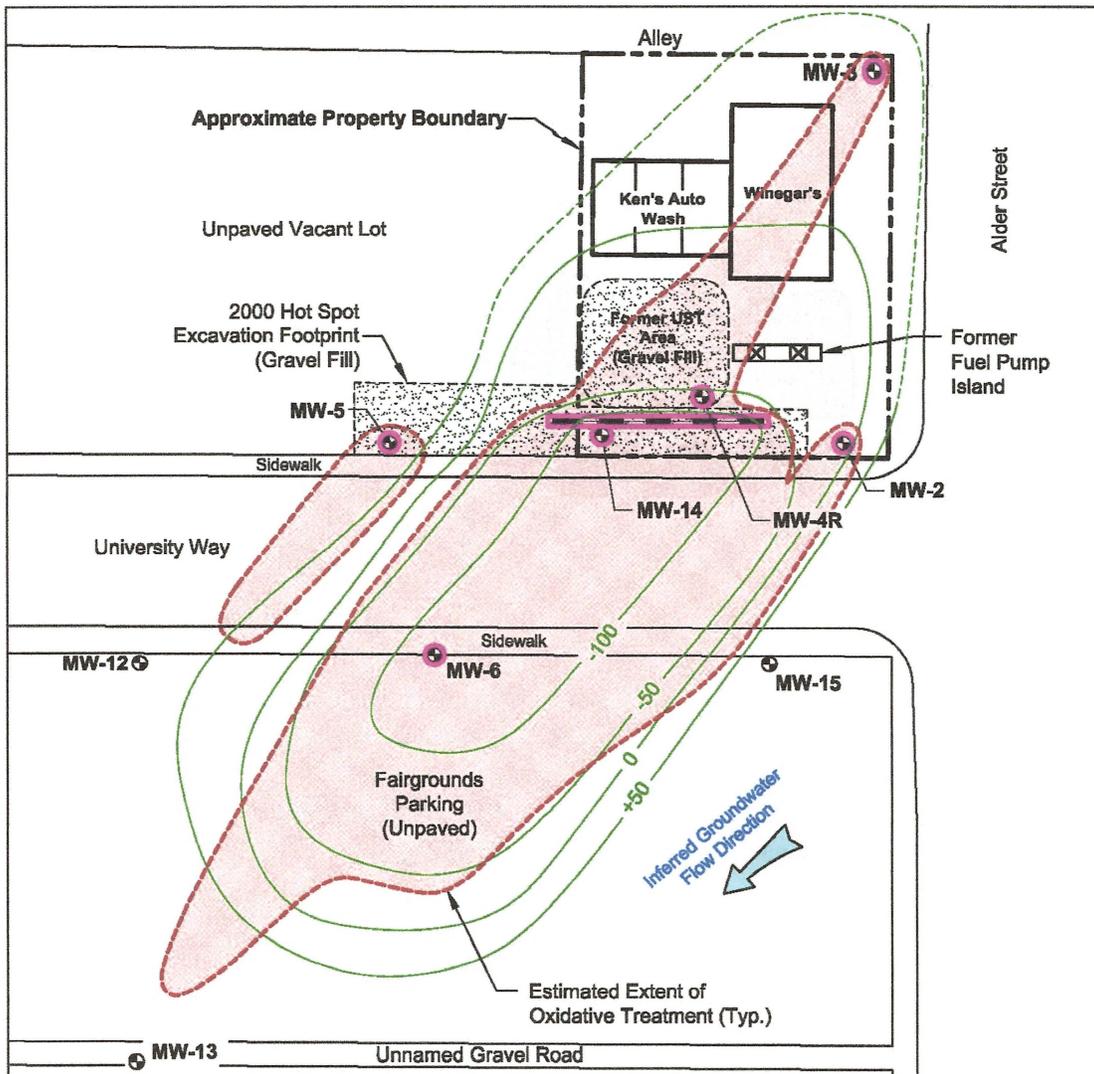
HART CROWNSER  
7163-04  
10106  
Figure 3

MW-6 Exploration Number  
 Exploration Location  
 Minimum or Maximum Observed Groundwater Elevation at Well  
 Screened Interval  
 Bottom of Boring

---? Geologic Contact (Approximate)  
 Horizontal Scale in Feet  
 0 25 50  
 Vertical Scale in Feet  
 0 5 10  
 Vertical Exaggeration x 5

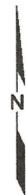
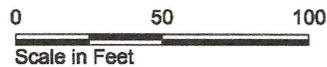
Note: Groundwater elevation at MW-14 not indicated because of potential interferences from product.

EAL 11/14/06 716304-001.dwg



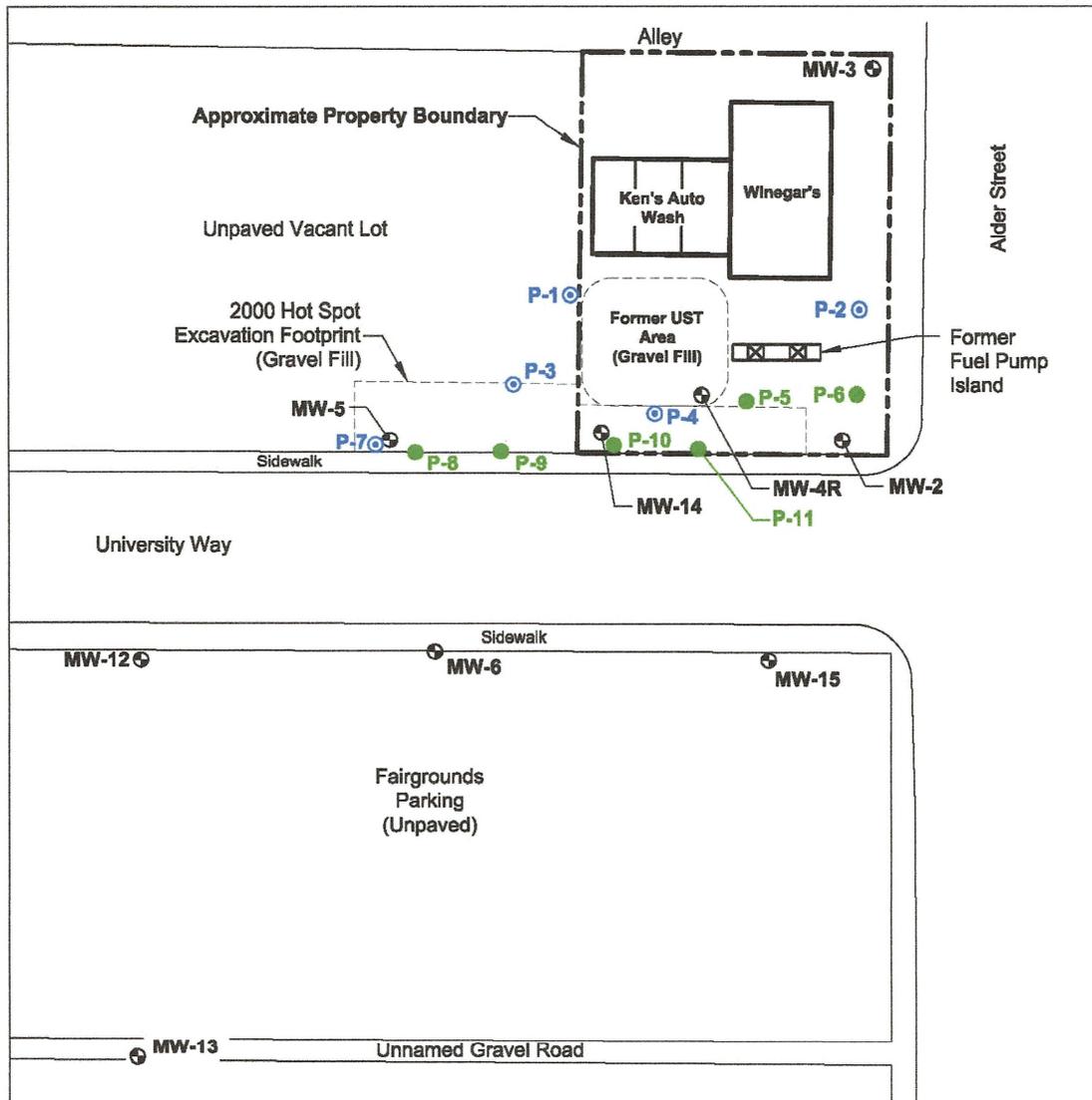
- Injection Location
- MW-6 Hart Crowser Monitoring Well Location and Number
- Estimated Remaining Area with TPH-G and/or BTEX Concentrations above MTCA Method A Soil Cleanup Levels
- Contingency Air Sparging Pipe
- Not Detected at Specified Detection Limit
- +50 2008 Oxidative-Reductive Potential (millivolts)

**Note:** Base map prepared from drawing provided by Sage Earth Sciences titled "Proposed Additional Monitoring Well and ORC Injections Locations," dated January 1998.

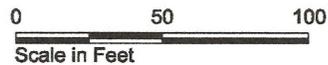


Ken's Auto Wash Ellensburg, Washington	
<b>Estimated Extent of Treatment</b>	
7168-09	11/10
HARTCROWSER	Figure <b>8</b>

JAS 11/22/10 716809-008 (Extent-Treat-Ble-vp).dwg



Note: Base map prepared from drawing provided by Sage Earth Sciences titled "Proposed Additional Monitoring Well and ORC Injections Locations," dated January 1998.



- P-5** ● 2019 Push Probe
- P-1** ⊕ 2019 Push Probe and Temporary Soil Vapor Well
- MW-6** ⊕ Hart Crowser Monitoring Well



Ken's Auto Wash Ellensburg, Washington	
<b>Site and Exploration Plan</b>	
7168-10	4/19
	Figure <b>2</b>

EDF 04/29/18 716810-02B (SPlan).dwg