



Periodic Review

Storey Gas Station
Facility/Site ID #: 401
Cleanup Site ID #: 4064
1310 East First Street
Cle Elum, Washington 98922

Prepared by:
Washington State Department of Ecology
Central Regional Office
Toxics Cleanup Program

August 2018

1.0	INTRODUCTION.....	1
2.0	SUMMARY OF SITE CONDITIONS.....	2
2.1	Site History	2
2.2	Site Investigations and Remedial Actions	2
2.2.1	Site Investigations	2
2.2.2	Remedial Actions.....	3
2.3	Cleanup Levels and Point of Compliance.....	4
2.4	Institutional Controls	4
3.0	PERIODIC REVIEW	6
3.1	Effectiveness of completed cleanup actions	6
3.1.1	Direct Contact	6
3.1.2	Protection of Groundwater.....	6
3.1.3	Institutional Controls	6
3.2	New scientific information for individual hazardous substances for mixtures present at the Site	6
3.3	New applicable state and federal laws for hazardous substances present at the Site	7
3.4	Current and projected Site use	7
3.5	Availability and practicability of higher preference technologies	7
3.6	Availability of improved analytical techniques to evaluate compliance with cleanup levels	7
4.0	CONCLUSIONS	8
5.0	REFERENCES.....	9
6.0	APPENDICIES	10
6.1	Vicinity Map	11
6.2	Site Plan	12
6.3	Environmental Covenant	13
6.4	Photo log	21

1.0 INTRODUCTION

This document is the Washington State Department of Ecology's periodic review of post-cleanup site conditions and monitoring data to assure that human health and the environment are being protected at the Storey Gas Station site (Site). The Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA), Chapter 173-340 of the Washington Administrative Code (WAC).

Cleanup actions at this Site were completed under Agreed Order No. DE 97TC-C172 entered into with Ecology in October 1997. The cleanup actions resulted in residual concentrations of diesel-range petroleum hydrocarbons (TPH-D) exceeding MTCA Method A cleanup levels for soil established under WAC 173-340-740(2). As a result of residual contamination, institutional controls were required for the Site to be eligible for a no further action (NFA) determination. WAC 173-340-420(2) requires that Ecology conduct a periodic review of a site every five years under the following conditions:

- (a) Whenever the department conducts a cleanup action
- (b) Whenever the department approves a cleanup action under an order, agreed order or consent decree
- (c) Or, as resources permit, whenever the department issues a no further action opinion
- (d) And one of the following conditions exists:
 - 1. Institutional controls or financial assurance are required as part of the cleanup
 - 2. Where the cleanup level is based on a practical quantitation limit
 - 3. Where, in the department's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions;
- (b) New scientific information for individual hazardous substances or mixtures present at the Site;
- (c) New applicable state and federal laws for hazardous substances present at the Site;
- (d) Current and projected Site use;
- (e) Availability and practicability of higher preference technologies; and
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site History

The Storey Gas Station Facility is located in the City of Cle Elum, Washington, between First Street and State Route 903. The Site address is currently identified as 1310 East First Street. The Site vicinity is commercial and it is located on the eastern end of the main commercial “strip” of downtown Cle Elum. The Site is bounded on the north by East First Street and on the south by State Route 903. Residential homes and various commercial retail establishments border the property on the east and west and across First Street to the north. A Burlington Northern mainline extends from east to west along the south side of State Route 903.

A vicinity map is available as Appendix 6.1 and a Site plan is available as Appendix 6.2.

Mr. Earl Storey purchased the property in 1949. At that time, there was a single residence on the Site, which has since been moved to the northern portion of the property and is currently being used for storage of personal goods. The service station building (recently demolished), the Storey residence (located on-site), and three aboveground storage tanks (ASTs) were installed in 1949, at which time the service station began operating.

Storey operated the service station concurrently with a logging business from 1949 until 1968, at which time the logging business was discontinued. The cement-block shop building was used for repair and maintenance of Storey’s logging equipment. The service station building was destroyed by fire in 1959, but was subsequently replaced. Three aboveground tanks were installed during the reconstruction of the service station building. Three underground storage tanks (USTs) were installed south of the service station building in 1964. Three 10,000-gallon aboveground tanks were installed in 1953 and were replaced by four other aboveground tanks in 1982. Five additional aboveground tanks were installed in approximately 1989.

2.2 Site Investigations and Remedial Actions

2.2.1 Site Investigations

In November 1995, Ecology responded to a reported release of petroleum product into Younger Creek, located at the southeastern portion of the Site. Ecology personnel observed petroleum product along the banks of the creek for approximately 1,000 feet downstream of the Site. In response to the release, Ecology investigated 24 service station/bulk fuel storage

facilities in Cle Elum to determine the source of the spill. The Storey Site was included in the investigation.

Ecology completed thirteen soil vapor borings, three soil borings, and three groundwater-monitoring wells at the subject property. The results of the testing indicated that two monitoring wells exhibited concentrations of gasoline compounds exceeding the MTCA Method A Cleanup level.

Ecology issued an Agreed Order to the owners of the Site in October 1997. Attached to the Agreed Order was a Statement of Work for the Remedial Design/Feasibility Study (RI/FS) of the station Site. The Statement was amended to allow for a phased approach to the remediation of the known Site conditions to accommodate the proposed upgrading of the facility by Storey.

GEI completed the RI/FS for the subject property in April 2000. The results of this RI/FS confirmed that petroleum impacts were present onsite. The Storeys have removed and replaced all of the former fuel storage tanks on the property since beginning the Facility upgrades in 1998. Currently, there are no underground storage tanks known to be onsite. Seven aboveground tanks provide fuel for the retail fueling business still in operation.

2.2.2 Remedial Actions

An interim remedial action was conducted at the Storey Site in September of 1999. This action consisted of the removal of approximately 600 cubic yards of petroleum-impacted soils, following the removal of the pre-existing ASTs, USTs, and fuel pump islands.

Impacted soil was removed from these source areas until: 1) remaining petroleum concentrations in the soil were within Ecology's Method A Cleanup Levels for residential soil; or 2) continued excavation may have jeopardized the structural integrity of the concrete secondary containment housing the ASTs. The excavated soil was stockpiled onsite in a lined, secure stockpile area awaiting remediation. Remaining petroleum hydrocarbon concentrations remaining belowground at the Site are summarized as follows:

- 1) Source area clearance samples have confirmed that petroleum concentrations in soil are less than the MTCA Method A Cleanup Level in the upper eight feet of the ground surface, with one exception - 1,900 milligrams per kilogram (mg/kg) diesel-range petroleum hydrocarbons at six feet below the ground surface (bgs) beneath the previous location of the Station office.
- 2) Diesel-range petroleum hydrocarbons are confirmed in soil - up to 8,100 mg/kg at depths greater than eight feet bgs (approximately 20 feet west of the previous location of the Station office building).

- 3) Gasoline-range petroleum hydrocarbons in the soil are less than the MICA Method A Cleanup Level in all areas tested, with one exception - 480 mg/kg at 9.5 feet bgs beneath the previous location of the facilities AST pumps; and
- 4) Petroleum hydrocarbon concentrations are within MTCA Method A limits in the area of the previous fueling island locations at depths less than 9.5 feet bgs; however, diesel-range petroleum hydrocarbon are present at depths greater than 9.5 feet bgs at concentrations up to 2,800 mg/kg.

Following the independent remedial action, the stockpiles of impacted soil were tilled and monitored for attenuation. Stockpiled soils were sampled at three different times, including the October 2001 event when all results were below MTCA Method A cleanup levels. Prior sampling events indicated the presence of diesel- and oil-range petroleum hydrocarbons at less than 500 mg/kg, which was above MTCA cleanup levels at the time, but is below current MTCA Method A cleanup levels for soil.

Groundwater monitoring was conducted at MW-1, MW-2, MW-3 and MW-4 in nine events from 1998 through 2002. Contamination was not detected above laboratory detection limits with the exception of one event from MW-2 in June 1998. Subsequent events did not detect contamination in MW-2.

2.3 Cleanup Levels and Point of Compliance

WAC 173-340-704 states that MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used.

MTCA Method A cleanup levels for unrestricted land use were determined to be appropriate for contaminants at this Site. The cleanup actions conducted at the Site were determined to be 'routine', few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance; however, the MTCA Method A cleanup levels for both diesel- and oil-range petroleum hydrocarbons is 2000 mg/kg. At the time of the cleanup action, the cleanup level for TPH-D was 200 mg/kg.

For soil, the point of compliance is the area where the soil cleanup levels must be attained. For this Site, the point of compliance is established as soils throughout the Site.

2.4 Institutional Controls

It was determined that no additional remedial actions were necessary if institutional controls were implemented at the Site in the form of an environmental covenant. An environmental covenant would serve to notify future property owners of soil contamination remaining at the Site, and it would restrict property uses that create an exposure pathway to those contaminated

soils. A covenant was recorded for the property in 2013, and a Notice of Satisfaction of the Agreed Order was issued.

The restrictions in the environmental covenant are available below:

1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.
2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without properly written approval from Ecology.
4. The Owner of the Property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation and maintenance of the Remedial Action.
5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.
6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.
7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect Remedial Actions conducted at the Property, and to inspect records that are related to the Remedial Action.
8. The Owner of the Property reserves the right under WAC I 73-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

A copy of the environmental covenant is available as Appendix 6.3.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

During the Site visit conducted on June 21, 2018, there were no indications that the integrity of the remedial action has been compromised. There was no evidence of undocumented Site excavation or disturbance activities, and no visual indications of disturbance of the Site surface. The Site continues to be occupied by a retail petroleum station. All petroleum storage tanks are now located above ground within secondary containment. A photo log is available as Appendix 6.5.

3.1.1 Direct Contact

Exposure pathways to contaminated soils (ingestion, direct contact) continue to be eliminated by the presence of protective Site surfaces including building foundations, asphalt, and concrete. Remaining contaminated soil is contained beneath permanent, impermeable surfaces.

3.1.2 Protection of Groundwater

Soils with petroleum hydrocarbon concentrations exceeding MTCA Method A cleanup levels remain at the Site. Groundwater monitoring was completed in 2002. Monitoring results did not detect contamination at concentrations exceeding MTCA Method A cleanup levels and groundwater as not impacted.

The majority of petroleum-impacted source material at the Site was removed by remedial excavation. Based on the age of the release, the lack of significant remaining source material, and the shallow depth to groundwater; the groundwater data collected in 1998-2002 represents an adequate empirical demonstration that groundwater is not likely to be impacted by residual petroleum hydrocarbon concentrations in soil at the Site.

3.1.3 Institutional Controls

Institutional controls in the form of an environmental covenant were implemented at the Site in 2013. The covenant remains active and discoverable through the Kittitas County Auditor's Office. There is no evidence a new instrument has been recorded which limits the effectiveness or applicability of the covenant. This covenant prohibits activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the covenant. This covenant serves to assure the long-term integrity of the surface cover and the remedial action.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

There is no new scientific information for the petroleum contaminants related to the Site.

3.3 New applicable state and federal laws for hazardous substances present at the Site

The cleanup at the Site was governed by Chapter 173-340 WAC (1996 ed.). WAC 173-340-702(12)(c) [2001 ed.] provides that,

“A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment.”

Although cleanup levels changed for diesel-, and heavy oil-range petroleum hydrocarbons as a result of modifications to MTCA in 2001, contamination remains at the Site above MTCA Method A cleanup levels and the cleanup action is still protective of human health and the environment.

3.4 Current and projected Site use

The Site is currently used for commercial purposes. There have been no changes in current or projected future Site or resource uses.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included removal/recycling of hazardous substances as well as containment, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection well below MTCA Method A cleanup levels for the contaminants of concern. The presence of improved analytical techniques would not effect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

- The cleanup actions completed at the Site remain protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however, the cleanup action is determined to comply with cleanup standards under WAC 173-340-740(6)(f), since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The environmental covenant for the property is in place and will be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, the Department of Ecology has determined that the requirements of the environmental covenant are being followed. No additional remedial actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the surface cover is maintained.

5.0 REFERENCES

Ecology. *Agreed Order No. DE 97TC-C172*. October 8, 1997.

Galloway Environmental, Inc. *Cleanup Action Plan*. April 2000.

Galloway Environmental, Inc. *Final Cleanup Report*. August 2002.

Ecology. *Comments Re: Final Cleanup Action Report*. February 12, 2003.

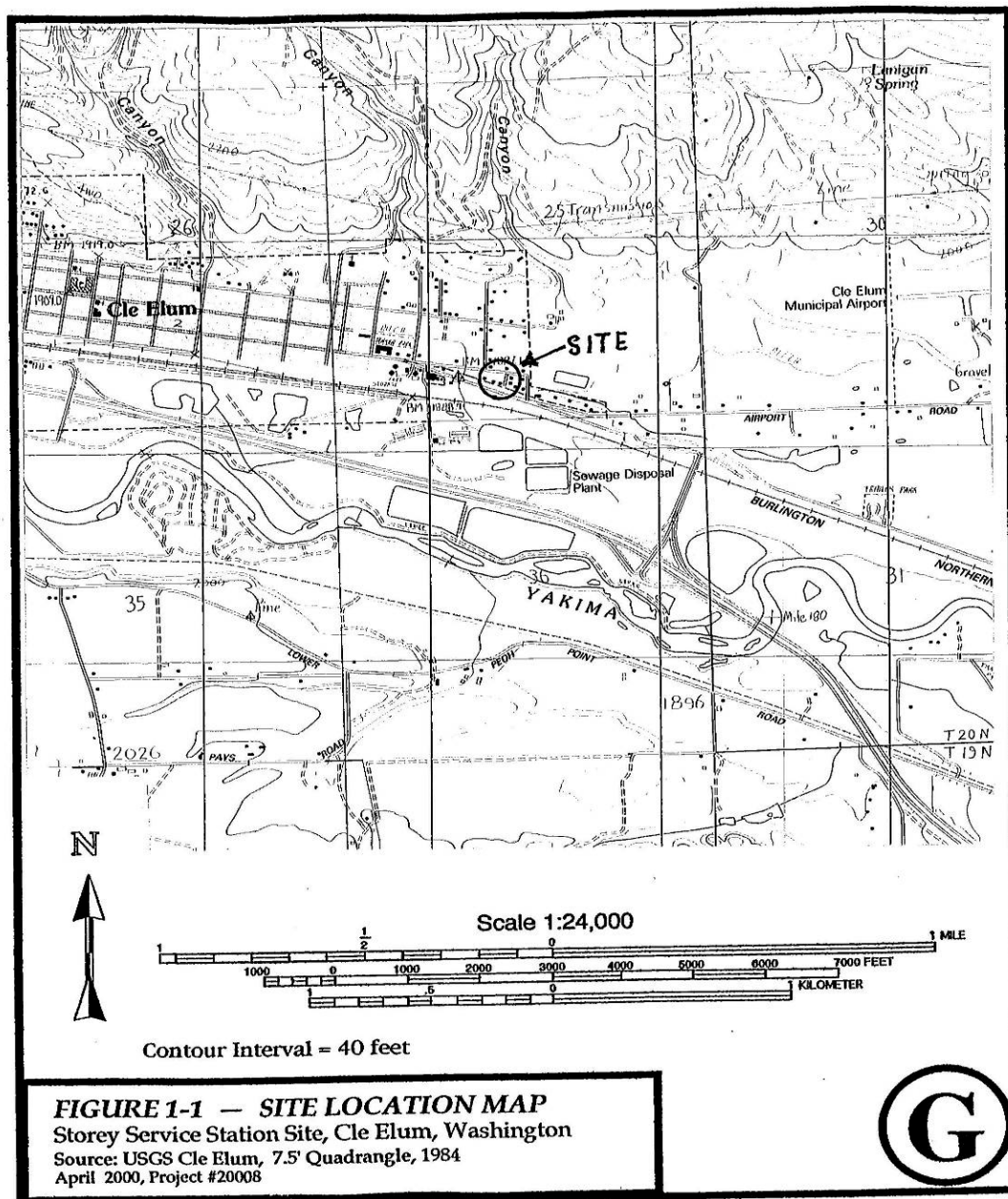
Galloway Environmental, Inc. *Groundwater Quality Monitoring Report*. September 12, 2003.

Susanne Storey. *Environmental Covenant*. July 15, 2013.

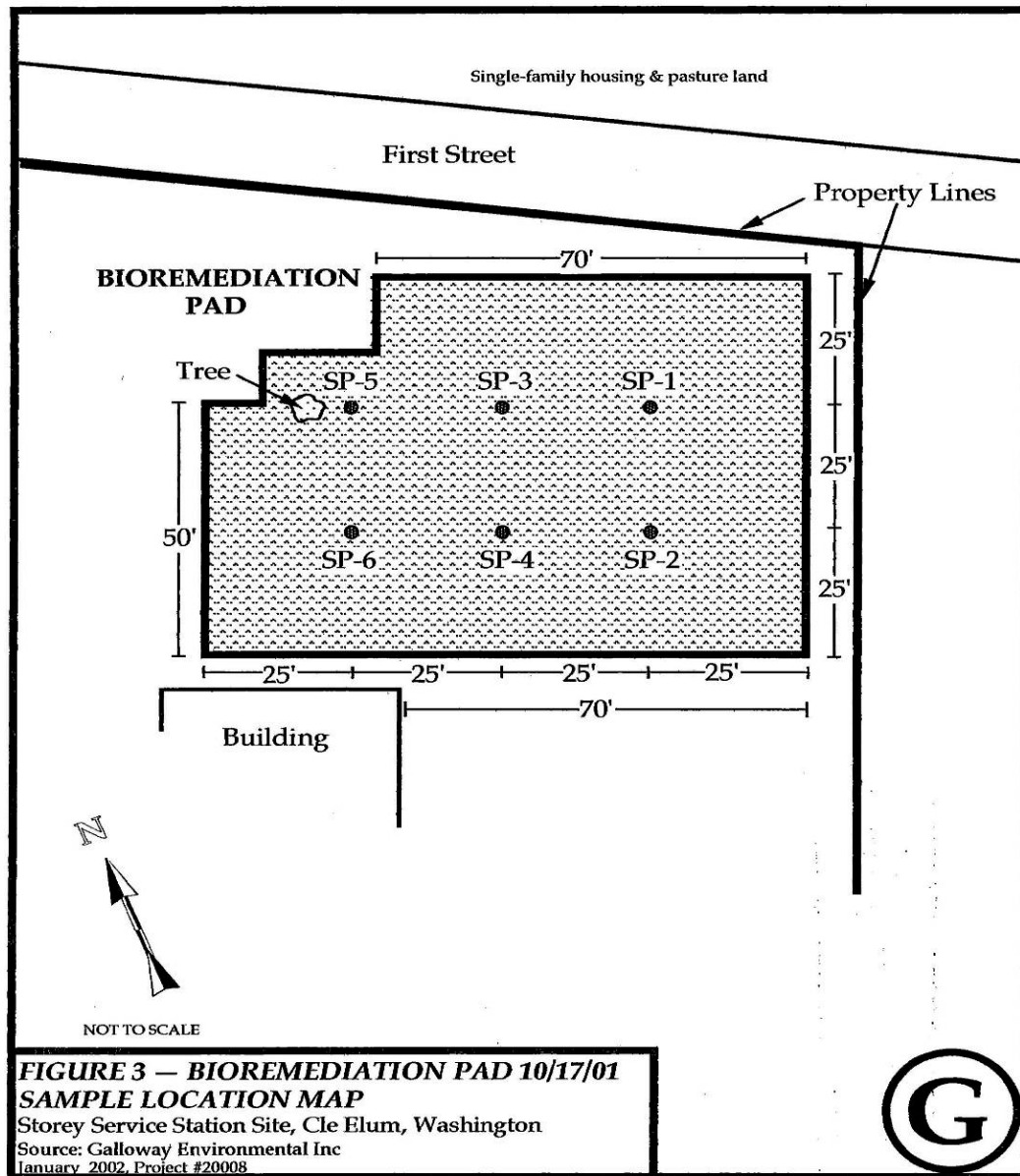
Ecology. *Site Visit*. June 21, 2018.

6.0 APPENDICIES

6.1 Vicinity Map



6.2 Site Plan



6.3 Environmental Covenant

07/15/2013 01:38:44 PM
\$82.00 DEPARTMENT ECOLOGY
Covenants Kittitas County Auditor

201307150052
Page 1 of 11



Restrictive (Environmental) Covenant

After Recording Return to:
John Mefford
Department of Ecology
15 W. Yakima Avenue, Suite 200
Yakima, WA 98902-3452



Environmental Covenant

Grantors: Susanne Storey, Marilyn Storey, Joanne Storey Mankus

Grantee: State of Washington, Department of Ecology

Legal: CD. 4240; CLE ELUM; STEINER'S GARDEN TRACTS #2; E. 20' OF LOT 28; LOT 29; CD. 4231; CLE ELUM, STEINER'S GARDEN TRACTS #2; LOT 21 & E 20' LOT 22

Tax Parcel Nos.: 373134 (tax map no. 20-15-25052-0029); 741434 (tax map no. 20-15-25052-0021)

Grantors Susanne Storey, Marilyn Storey, Joanne Storey Mankus, hereby bind Grantors, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") this 27th day of March, 2013 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Susanne Storey, Marilyn Storey, Joanne Storey Mankus, its successors and assigns (hereafter "Storey"), and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

A remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following documents:

- *Remedial Investigation/Feasibility Study at the Storey Gas Station Facility, 1310 East First Street, Cle Elum, Washington, Galloway Environmental, Inc., March 2000.*
- *Cleanup Action Plan at the Storey Gas Station Facility, 1310 East First Street, Cle Elum, Washington, Galloway Environmental, Inc., April 2000.*
- *Final Cleanup Action Report at the Storey Gas Station Facility, 1310 East First Street, Cle Elum, Washington, Galloway Environmental, Inc., August 2002.*
- *Final Cleanup Action Report at the Storey Gas Station Facility, 1310 East First Street, Cle Elum, Washington, Galloway Environmental, Inc., January 2003.*

These documents are on file at Ecology's Central Region Office.

This Covenant is required because the Remedial Action resulted in residual concentrations of gasoline- and diesel-range petroleum hydrocarbons which exceed the Model Toxics Control Act Method A Cleanup Level for soil established under WAC 173-340-740.

The undersigned, Storey, is the fee owner of real property (hereafter "Property") in the County of Kittitas, State of Washington, that is subject to this Covenant. The Property is legally described as follows:

- CD. 4240; CLE ELUM; STEINER'S GARDEN TRACTS #2; E. 20' OF LOT 28; LOT 29;
- CD. 4231 CLE ELUM, STEINER'S GARDEN TRACTS #2; LOT 21 & E 20' LOT 22

Storey makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. Any activity on the Property that may result in the release or exposure to the environment of the contaminated soil that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

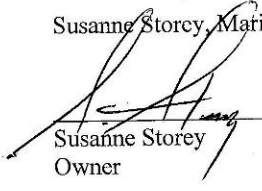
Section 5. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

Susanne Storey, Matilyn Storey, Joanne Storey Mankus



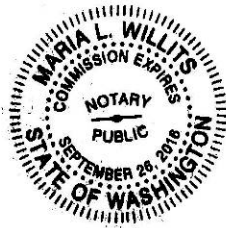
Susanne Storey
Owner

Dated: 6-27-13

STATE OF Washington
COUNTY OF Kittitas

[INDIVIDUAL ACKNOWLEDGMENT]

On this 27th day of June, 2013 I certify that Susanne Kay Storey
personally appeared before me, and acknowledged that he/she is the individual described
herein and who executed the within and foregoing instrument and signed the same at his/her
free and voluntary act and deed for the uses and purposes therein mentioned.



Maria L. Willits
Notary Public in and for the State of
Washington, residing at 803 W 1st ST Cle Elum
My appointment expires 09-26-2016

Marilyn P. Storey-Uribe
Marilyn Storey
Owner

Dated: 6.27.13

Joanne Storey Mankus
Owner

Dated: _____

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

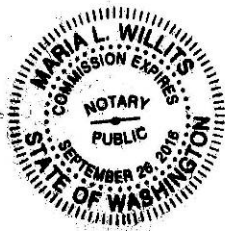
Valerie Bound
Section Manager, Toxics Cleanup Program
Central Regional Office

Dated: _____

[INDIVIDUAL ACKNOWLEDGMENT]

STATE OF Washington
COUNTY OF Kittitas

On this 27th day of June, 2018, I certify that Marilyn P. Storey-Prize
personally appeared before me, and acknowledged that he/she is the individual described
herein and who executed the within and foregoing instrument and signed the same at his/her
free and voluntary act and deed for the uses and purposes therein mentioned.



Maria L. Willis
Notary Public in and for the State of
Washington, residing at 803 W 1st St Jeckm
My appointment expires 09, 26, 2018

Marilyn Storey
Owner

Dated: _____

x Joanne Storey Mankus
Joanne Storey Mankus
Owner

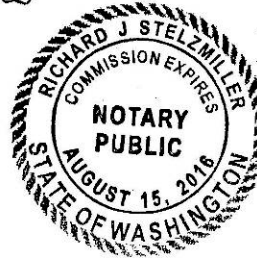
Dated: 6-27-2013

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

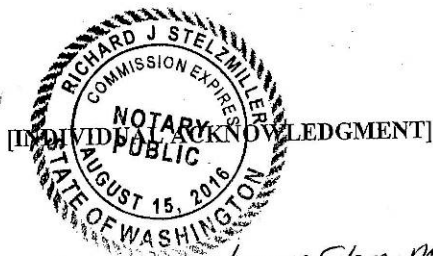
Valerie Bound

Valerie Bound
Section Manager, Toxics Cleanup Program
Central Regional Office

Dated: 7-15-13



STATE OF Washington
COUNTY OF Yakima



On this 27th day of June, 2013, I certify that Joanne Storey Mankas personally appeared before me, and acknowledged that he/she is the individual described herein and who executed the within and foregoing instrument and signed the same at his/her free and voluntary act and deed for the uses and purposes therein mentioned.

Richard J. Stelmiller

Notary Public in and for the State of
Washington, residing at Yakima
My appointment expires August 15, 2016

6.4 Photo log

Photo 1: Storey Service Station – from the west



Photo 2: Service Station and Above Ground Tanks – from the southwest



Photo 3: Former Stockpile Area – from the northwest



Photo 4: North Side of Station – from the east

