

# CORNER EXPRESS (TEXACO) ENFORCEMENT ORDER



The Washington State Department of Ecology has issued Enforcement Order No. 01TCPER-2689 to Mr. Marvin Bain, owner and operator of the Corner Express (Texaco) in the City of Davenport, Lincoln County, Washington. Mr. Bain has been identified as the Potentially Liable Person (PLP) for the Site. The Order was issued to him under the authority of the Model Toxics Control Act (MTCRA RCW 70.105D) and requires remedial actions to be taken at the Corner Express (Site).

Corner Express operated as a retail gasoline station until it was closed for business in July 2000. The Site is located at 1131 Morgan Street in Davenport, Washington on the southwest corner of Morgan Street (Highway 2) and 12<sup>th</sup> Street. It is bounded by Morgan Street on the north and 12<sup>th</sup> Street on the west.

Ecology has determined that the underground storage tank (UST) system at this Site was not properly closed as provided for under Chapter 90.76 RCW and Chapter 173-360 WAC. Ecology has also determined that the UST system is a likely source of gasoline, as free product, discovered in a groundwater monitoring well immediately downgradient of the Site.

The Order requires Marvin Bain to provide for the completion of

further investigation to identify the source of any site related release. The investigation will include soil and groundwater sampling. If a release from the UST system is confirmed, a Remedial Investigation and Feasibility Study (RI/FS) will be conducted. The purpose of the RI/FS will be to collect, develop and evaluate information, determine the nature and extent of contamination and suggest potential cleanup actions. A written report is to be provided to Ecology documenting the work completed under the Order.

Ecology invites the public to review and comment on the Enforcement Order from **April 12 through May 15, 2001**. The box at the right gives details regarding questions and submission of written comments.

## SITE BACKGROUND

There are five underground storage tanks at this Site. In certified letters dated June 26 and July 20, 2000, Ecology advised Marvin Bain of specific non-compliance issues regarding these tanks. In these letters Ecology provided a Notice of Correction and a Compliance Schedule for the tanks to be brought into compliance. Ecology received no response. Among the non-compliance issues, an Ecology inspector noted violations related to the leak

**FACT SHEET:  
APRIL 2001**

**PUBLIC COMMENT:  
April 12 through May 15,  
2001.**

**REPOSITORIES  
Where document may be  
reviewed:**

**Davenport Public Library  
411 Morgan  
Davenport, WA  
Mon & Wed 2-6 p.m.  
Thurs. 7-9 p.m.  
Sat. 11-5 p.m.**

**WA Department of Ecology  
Eastern Regional Office  
4601 N. Monroe  
Spokane, WA 99205-1295**

**Questions and Submission  
of Written Comments:**

**Mr. Michael Boatsman  
Site Manager  
Department of Ecology  
Toxics Cleanup Program  
4601 N. Monroe  
Spokane, WA 99205-1295  
email:mboa461@ecy.wa.gov  
Phone: (509) 456-4457**

**Mailing List Contact:  
Carol Bergin of Ecology toll  
free at 1-800-826-7716 or in  
Spokane at (509) 456-6360.  
email:cabe461@ecy.wa.gov**

detection systems for the piping and the tanks.

In December 2000 Ecology learned of the discovery of gasoline, as free product, in a groundwater monitoring well located less than 100 feet to the north and hydraulically downgradient of the Site. This well had been installed as part of a Remedial Investigation at a different retail gasoline station which formerly operated directly north of Corner Express. The characteristics of the gasoline discovered in the well led Ecology to determine the Corner Express Site as a likely source of the contamination.

Ecology issued Emergency Enforcement Order No. DE 00TCPER-1901, effective December 26, 2000. This Order directed Marvin Bain to address the potential threat of a continuing release from the UST system by removing all product from the tanks and distribution lines and inspecting the system for any obvious system failures. The limited investigation included a review of all inventory records and all service, repair and system testing records.

The investigation conducted under the December 2000 Order resolved the immediate threat posed by petroleum product remaining in the UST system, but it was inconclusive regarding any historical or recent release at the Site.

### **WHAT HAPPENS NEXT?**

Ecology will review the reports developed pursuant to the April 2001 Order. If it is determined that

a cleanup is required, a Cleanup Action Plan will be developed. The Cleanup Action Plan is a document which identifies the cleanup action and specifies cleanup standards and other requirements for a particular site. The plan will be consistent with the cleanup strategy selected from the Feasibility Study.

### **HOW TO BE INVOLVED:**

- ◆ **Review** the Enforcement Order for the Corner Express Site.

To review documents at Ecology's Spokane office, contact Johnnie Harris at (509) 456-2751 to schedule an appointment. Reviews may be scheduled Monday through Thursday, 8-5 p.m. by appointment.

You may review documents in the Davenport Library during regular hours listed in the box on page one.

- ◆ Send in your written comments **April 12 through May 15, 2001 to:**

Michael Boatsman (see box on page one for details).

- ◆ **Share this information with any individuals or groups you think should be informed about the Site.**

Ecology will review all written comments received on the Order. A Responsiveness Summary of the comments and answers to questions will be prepared, if appropriate, and made available at the information repositories listed in the shaded box on page one