



Oregon

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May 15, 2007

Ronald and Nicki Coil
Valdez Corporation
159 E. 15th Ave. #1
Eugene, OR 97401

Re: USTC #20-89-4010
UST #6106
Arco-Franko #2
1520 Pearl Street, Eugene
Lane County
Conditional Risk-Based Closure: *No Further Action*

Dear Mr. and Mrs. Coil:

The Department of Environmental Quality (DEQ or the Department) has received a report documenting the July 2006 groundwater monitoring activities for the above referenced leaking underground storage tank site. The report was submitted on your behalf July 27, 2006 by Environmental Management Services (EMS). A review of the report, as well as a comprehensive review of the petroleum cleanup file, has been completed.

The Department has determined the investigation, cleanup, and risk evaluation of the petroleum release meet the requirements of the Oregon Administrative Rules 340-122-0205 through 340-122-0360 and for site closure pursuant to Risk-based Cleanups in accordance with OAR¹ 340-122-0244 and 340-122-0250, and that **no further action** is required at this time. This determination is a result of our evaluation and judgment based on the regulations and facts as we now understand them, including the following.

Background

The subject property was previously utilized for a retail gasoline facility known as Franko Oil Service Station. In February 1989, four gasoline USTs² (one 12,000-gallon, one 6,000-gallon, and two 4,000-gallon tanks) were decommissioned by removal. Petroleum impacts were identified in soil and groundwater within the tank excavation. A waste oil UST of unknown capacity was also located to the southwest of the site building.

The site is located within the City of Eugene at 1520 Pearl Street. The subject property is zoned as community commercial, which allows commercial and residential uses. The subject property

¹ OAR: Oregon Administrative Rule

² UST: Underground Storage Tank

is utilized for commercial purposes. Urban residential and commercial uses currently exist at properties adjacent to the site. The reasonably likely future use of the subject property is to remain commercial. EMS included urban residential, occupational, ³ construction, and excavation workers as potential receptors to remaining contamination at the subject property. These potential receptors were used for the risk-based evaluation of the site.

In April 1995, Neil Shaw Consulting was hired to complete groundwater monitoring at the site on behalf of the responsible party. Mr. Shaw installed a remediation system, collected soil samples, and conducted groundwater monitoring intermittently from 1995 through 2004, but the results of his work have been declared invalid by the DEQ. All soil and groundwater data accumulated through Mr. Shaw's work was not utilized by the Department in review of this site for closure.

Observations from boring installation activities at the site in 2005 indicate that the subsurface material primarily consists of clay up to 6.5 feet bgs⁴. Groundwater has been measured in monitoring wells between 2.38 and 6.51 feet bgs since 2005. The inferred groundwater flow direction is towards the east/southeast. Free product had been identified in a site monitoring well in 1993. Borings to greater depths for monitoring well installation are not available.

The subject and surrounding properties are connected to a municipal water supply. EMS conducted a water supply well survey within one-half mile of the site that was submitted to the DEQ in the referenced report. Four domestic supply wells were identified within one-half mile of the site, and no domestic wells were found within one-quarter mile of the subject property.

Tank Decommissioning

Four gasoline USTs were decommissioned by removal in February 1989 by Petroleum Construction. The tanks consisted of one 12,000-gallon, one 6,000-gallon, and two 4,000-gallon USTs located at the northern portion of the subject property. On February 15, 1989, Petroleum Construction contacted the DEQ after the USTs floated to the surface due to pressure from high groundwater.

Following decommissioning activities, 1,030 cubic yards of petroleum contaminated soil was removed from the gasoline tank cavity in July 1989. The PCS⁵ was taken to a landfill in Lane County for final disposal.

Based on a field notation from a DEQ staffperson at the time of the decommissioning, sheen was present on the water that collected in the tank pit. Approximately 1,000 gallons of water was pumped from the excavation and disposed of by Roberts Environmental.

⁴ bgs: below ground surface

⁵ PCS: petroleum contaminated soil

There is no documentation that confirmation soil samples were collected from the tank excavation. Monitoring wells B-1, B-2, B-3, and B-6 were destroyed due to excavation activities.

Site Characterization

Site assessment activities were initiated at the site in April 1989 by Northwest Testing, who installed six borings (B-1 to B-6) to a depth of 15 to 17 feet bgs. Five of the borings were converted to monitoring wells (B-1, B-2, B-3, B-5, and B-6).

A soil sample obtained from B-5 at 5 to 6.5 feet bgs measured the highest concentration of contaminants, including gasoline-range hydrocarbons at 1,900 parts per million and benzene at 24 ppm⁶. As for groundwater, a sample collected from B-2 north of the UST cavity contained benzene at 65 micrograms per liter.

Century West Engineering Corporation (Century) completed site assessment activities in the 1990's. In January 1993, Century identified free product in the remaining site monitoring well, B-5. Century then installed five monitoring wells (MW-1 to MW-5) at the site in May 1993, and designated well B-5 as "MW-6". Groundwater samples were collected from each monitoring well and analyzed for BTEX constituents in May 1993 and June 1994. At the May 21, 1993 sampling event, MW-6 contained benzene at 20,000 µg/L⁷, toluene at 10,000 µg/L, ethylbenzene at 1,700 µg/L, and xylenes at 12,000 µg/L. The direction of groundwater flow was to the northeast during at that time. A heavy sheen was noted in MW-6 as concentrations of BTEX constituents increased in each well at the June 24, 1994 sampling event.

During the completion of site work by Neil Shaw Consulting, the DEQ conducted a groundwater sampling event in December 1999. Groundwater samples were collected from MW-1, MW-3, and MW-5, with analysis completed for BTEX, MTBE, and PAH constituents. Results identified benzene at concentrations at 461 µg/L in MW-1, 671 µg/L in MW-3, and 697 µg/L at MW-5 using the EPA 8260 analytical method. In addition, trichloroethylene was measured at 31.8 µg/L at MW-1.

Remedial Action

In addition to the removal of over 1,000 cubic yards of PCS and 1,000 gallons of contaminated water following decommissioning activities, an air sparging system was installed by Neil Shaw in September 1995 to treat contaminated soil and groundwater. The system operated from the time of installation to at least November 1995. No further documentation of the air sparging system operation is available in DEQ records.

⁶ ppm: parts per million

⁷ µg/L: micrograms per liter

Post-Remedial Assessment and Groundwater Monitoring

In 2005, EMS was contracted to complete site assessment activities, including groundwater monitoring and soil sampling. Five hand-auger borings (B-101 to B-105) were installed to assess soil at the former dispensers, gasoline USTs, and waste oil UST in December 2005. Soil samples were analyzed for gasoline and diesel-range hydrocarbons, gasoline-related VOCs, and lead at select locations. The most significant concentrations of petroleum compounds were at B-101 located north of the former UST basin. At this boring, gasoline measured 8.2 ppm, with benzene at 0.16 ppm, ethylbenzene at 0.01 ppm, xylenes at 0.02 ppm, 1,2,4-trimethylbenzene at 0.025 ppm, iso-propylbenzene at 0.008 ppm, and n-propylbenzene at 0.024 ppm. All other VOCs and diesel-range hydrocarbons were below laboratory detection levels at B-101.

Compliance groundwater monitoring was initiated in September 2005 by the responsible party, with subsequent sampling events performed by EMS. Water samples from remaining wells MW-1, MW-3, and MW-5 were analyzed for gasoline-range hydrocarbons, gasoline-related VOCs, and lead. The highest concentrations of petroleum compounds were identified at MW-3 in April 2006, including gasoline at 3,200 µg/L, benzene at 720 µg/L, toluene at 11 µg/L, ethylbenzene at 9 µg/L, and xylenes at 107 µg/L. Previous sampling events indicated relatively low to non-detect levels of other gasoline-related VOCs at site monitoring wells. A final sampling event at MW-3 occurred on July 6, 2006, which identified concentrations of gasoline and BTEX constituents below laboratory detection levels.

Risk-Based Site Evaluation and Public Participation

Records for four wells within one-half mile of the site were identified through a search of the Oregon Water Resources Department well records. None of these wells were located within one-quarter mile of the site. No wells were identified within the "locality of facility" for the site. The subject and surrounding properties are served by the City of Eugene municipal water supply.

A risk-based evaluation was conducted to determine any potential human health impacts from the site. Urban residential, occupational, construction, and excavation workers were considered appropriate receptors for the site based on the "locality of the facility", or contact point for receptors. All of the DEQ generic exposure pathways for urban residential, occupational, construction and excavation workers from the guidance document *Risk-Based Decision Making for the Remediation of Petroleum-Contaminated Sites* (RBDM) dated September 22, 2003 were considered appropriate for the site with the exception of the following.

Contaminants in soil leaching to groundwater – No water supply wells used for domestic use currently exist at or within one-quarter mile of the site. The site and surrounding area are supplied with municipal water and will continue to be in the future.

Contaminants in groundwater being ingested and/or inhaled – No water supply wells used for domestic use currently exist at or within one-quarter mile of the site. The site and surrounding area are supplied with municipal water and will continue to be in the future.

Soil samples collected above the groundwater fluctuation zone indicate that gasoline-range hydrocarbons and constituents were below applicable generic risk-based concentrations for the site. The most recent groundwater sample results were compared to the risk-based concentrations listed in the 2003 RBDM guidance document, and all were detected below the generic risk-based concentrations applicable to the site.

To be protective of human health for future activities, an Easement and Equitable Servitudes document was recorded on the deed for the subject property, disallowing domestic use of the groundwater, residential use of the property, and requiring a site-specific safety plan for future construction or excavation work at the site.

As part of the public participation process under OAR 340-122-0260, the Department sent letters to adjacent property owners on November 7, 2006, asking for any comments on the proposed risk-based closure of the site by December 7, 2006. One comment objecting to site closure was received from the property owner of 1501 Pearl Street. In response, EMS provided additional documentation to the DEQ and this property owner regarding the low probability of petroleum contamination originating from the site migrating to 1501 Pearl Street. In a phone conversation on February 1, 2007, the property owner of 1501 Pearl Street indicated no further objection to site closure.

Regulatory Site Closure

All conditions for site closure pursuant to Generic Risk-Based Cleanups have been met.

An Easement and Equitable Servitudes (EES) has been required as a component of the conditional closure determination for this site and includes the following:

- **Restricts future groundwater usage;**
- **Restricts the use of the property for residential purposes; and**
- **Restricts construction or excavation work without implementing and proceeding in accordance with a site-specific health and safety plan developed for the site that protects the worker from exposure to residual groundwater contamination.**

The EES document has been signed, notarized, and recorded on the property title with Lane County. This No Further Action determination will be revoked should any of the site restrictions described in the EES be compromised.

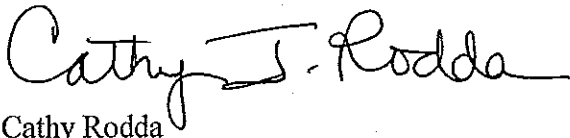
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The Department's current determination will not be applicable if new or undisclosed facts show that the cleanup does not comply with the referenced rules. The DEQ's determination also does not apply to any other conditions at the site, other than the release of the petroleum product specifically addressed in your reports.

Please note that pursuant to OAR 340-122-360 (2), a copy of your reports must be retained until ten (10) years after the first transfer of the property.

Your efforts to comply with the regulations to ensure that this property has been adequately cleaned up have been appreciated. If you have any questions regarding this matter, please feel free to contact me at (541) 687-7325.

Sincerely,



Cathy Rodda
Natural Resource Specialist



Dave R. Belyea
Regional Tanks Program Manager

Cc: Dan Landry
EMS
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Eugene, OR 97402