

* PETROLEUM RELEASE FORM

Please Check All That Apply

10/15/97

INCIDENT INFORMATION

LOG NBR: 03-93-0008

RECEIVED BY: Julie Berndt

☒ REGULATED UST

UST FAC NBR: 1747

DATE REPORTED: 1 / 13 / 93

☐ NON-REGULATED UST☐ HEATING OIL TANK

SITE NAME: Flying J-Milwaukie #2

SITE ADDRESS: 17837 SE McLoughlin Blvd

SITE CITY: Milwaukie ZIP: 97267

SITE COUNTY: Clackamas PHONE:

FUNDING

☒ LUST☐ HSRAF☐ OHC☐ FINANCIAL ASST☐ INVOICE START☐ INVOICE STOP☐ NFA SENT

PROJECT MANAGER:

MAIL CONTACTS

REPORTED BY

NAME: Jim Lucky

COMPANY: Flying J

ADDRESS: 2134 Sparrow Ct.

CITY: W. Richland ZIP: 99352

STATE: WA PHONE: (509) 967-2580

RESPONSIBLE PARTY

NAME: Devinder Dhillon

COMPANY: Delco Petroleum

ADDRESS: 17873 SE McLoughlin Blvd.

CITY: Milwaukie ZIP: 97267

STATE: OR PHONE: (503) 654-9818

note: Delco has NJ HQ but wants info sent to ↑
OTHER CONTACT(S)

INVOICE CONTACT

NAME:

COMPANY:

ADDRESS:

CITY: ZIP:

STATE: PHONE:

NAME: Singh Sohi - Manager

COMPANY: Delco Petroleum

ADDRESS:

CITY: AS ABOVE ZIP:

STATE: PHONE:

SITE ASSESSMENT

DATE DISCOVERED: 1 / 13 / 93

☐ EMERGENCY RESP.☐ ENFORCEMENT☒ FURTHER CLEANUP REQ.☐ NO FURTHER CLEANUP REQ.☐ OFFSITE MIGRATION

L.I.P.S. SCORE (Region)

CONFIRMATION:

- ☐ SI) STAFF
☐ LD) LAB: DEQ
☐ LR) LAB: RP
☐ LO) LAB: OTHER
☒ RR) RP REPORT
☐ CN) CONTRACTOR
☐ OT) OTHER

DISCOVERY:

- ☐ RM) ROUTINE MONITORING
☐ DC) DECOMMISSIONING
☐ CP) COMPLAINT
☒ IC) INVENTORY CONTROL
☐ SA) SITE ASSESSMENT
☐ TT) TANK TEST
☒ OT) OTHER UPGRADE

CAUSE:

- ☐ TL) TANK LEAK
☒ PL) PIPE LEAK
☐ OF) OVERFILL
☐ SS) SURFACE SPILL
☐ PV) PUMP/VALVE LEAK
☐ OT) OTHER
☐ UN) UNKNOWN

Final Invoice 2/2/05 re
Closed 4/12/05 SR

-----CONTAMINANTS - IMPACTS-----

CONTAMINANTS:

- ☐ UG) UNLEADED GASOLINE
☐ LG) LEADED GASOLINE
☒ MG) MISC. GASOLINE
☐ DS) DIESEL
☐ FO) FUEL OIL
☐ WO) WASTE OIL
☐ LB) LUBRICANT

- ☐ SV) SOLVENT
☐ BF) BUNKER FUEL
☐ OP) OTHER PET. DIST.
☐ CH) CHEMICAL
☐ HO) HEATING OIL
☐ UN) UNKNOWN
☐ OT) OTHER _____

MEDIA/IMPACT:

- ☒ SL) SOIL
☒ GW) GROUNDWATER
☐ SW) SURFACE WATER
☐ DW) DRINKING WATER
☐ FV) FACILITY (VAPOR)
☐ FP) FACILITY (FREE PROD.)

-----SITE - MANAGEMENT-----

RELEASE STOPPED: _____/_____/_____

FINAL REQUEST INVOICE DATE: 01/02/09 11/10/08 20

CLEANUP STARTED: _____/_____/_____

NO FURTHER ACTION: _____/_____/_____

-----SOIL - MANAGEMENT-----

SWLA PERMIT NUMBER: _____

DATE ISSUED: _____/_____/_____

AMOUNT OF SOIL (yds 3) TREATED ON SITE: _____

TREATMENT METHOD:

- ☐ AREATION
☐ THERMAL
☐ BIOLOGICAL
☐ OTHER _____

AMOUNT OF SOIL (yds 3) TREATED OFF SITE: _____

AMOUNT OF SOIL (yds 3) DISPOSED OF: _____ ☐ TREATED

☐ UNTREATED

FINAL DISPOSITION OF SOIL:

- ☐ ONSITE
☐ LANDFILL

- ☐ ROAD BASE
☐ OTHER _____

NOTES/COMMENTS: _____

This Space Provided For Regional Use

Duplicate Agreement

COST RECOVERY AGREEMENT

This document serves as an agreement between the undersigned (hereinafter "you") and the Department of Environmental Quality (DEQ) regarding DEQ review and oversight of the investigation and /or cleanup of petroleum (hazardous substances) at the property located at:

Facility Name: DELCO
Address: 17873 SE MCLOUGHLIN BVD.
City, Zip: MILWAUKEE, OR 97267
File/Log #: 03930008

DEQ agrees to review environmental documents submitted by you or on your behalf regarding the investigation and/or cleanup of the above-referenced site. Additional details regarding DEQ oversight will be established upon review of the initial site data.

DEQ requires that persons requiring DEQ review and oversight of investigation and cleanup activities agree to the terms of this agreement and pay project oversight costs.

DEQ project oversight costs will include direct costs and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the DEQ and of the Environmental Cleanup Division (ECD) allocable to DEQ oversight of this agreement and not charged as direct personal services costs. Review and oversight costs shall not include any unreasonable costs or costs not otherwise recoverable by DEQ under ORS 465.255.

DEQ costs are payable within thirty (30) days of issuance of the monthly statement, by check made payable to the "Department of Environmental Quality."

If you elect not to enter into this agreement, it does not release you from any responsibility you might have from any reporting requirements, investigation and cleanup of petroleum (hazardous substances) at the above referenced facility. This does not preclude the DEQ from conducting audits or inspections of all or portions of the investigation and cleanup activities associated with this facility. Enforcement action may be initiated if violation of DEQ requirements is found.

Either DEQ or you may terminate this agreement by giving 15 days advanced written notice to the other. Only those costs incurred or obligated by DEQ prior to the effective date of any termination of the agreement shall be recoverable under this agreement. Termination of this agreement will not affect any other right DEQ may have for recovery of costs under any applicable law.

You will hold DEQ harmless for any claims (including but not limited to claims of property damage or personal injury) arising from activities reviewed or overseen under this agreement.

This agreement is not and shall not be construed as an admission by you of any liability under ORS 465.255 or any other law or as a waiver by you of any defense such as liability. This agreement is not and shall not be construed as a waiver, release or settlement of claims DEQ may have.

The DEQ Regional Office will be responsible for the review and oversight of the investigation and cleanup activities associated with the property. Please refer all site specific inquiries to that office.

Inquiries regarding Cost Recovery should be directed to the Underground Storage Tank Cleanup Program at (503) 229-5618. Questions regarding invoicing should be directed to Tina Leppaluoto at (503) 229-5812.

If the terms of this agreement are acceptable, please have it executed by an authorized officer in the space provided below. In order to more effectively schedule your project, please return this agreement within thirty (30) days of receipt to: UST Duty Officer, Department of Environmental Quality, Northwest Region Office, 2020 SW Fourth Avenue, Portland Oregon 97201.

Accepted and agreed to this 14 day of oct, 19 97

By: Darshan Shih
(signature)

Title: Owner

Please provide the following information on where the invoices should be sent.

Individual Name: DEVINDER DHILLON Title: OWNER

Company: DELCO PETROLEUM

Mail Address: 17873 SE MCLOUGHLIN BVD.

City, State, Zip: MILWAUKEE, OR 97267

Phone Number: 503 - 654 - 9812

* L U S T F O R M *

----- INCIDENT INFORMATION -----

LUST Incident Nbr: _____ LUST Log Nbr: 26-93-008 LUST Facility ID: 1747
 Date Received: 1/13/93 Received By: Julie Berndt Emergency Resp Taken: Y N
 Tank Identification: File Name: Flying J Milwaukee #2
 Street: 17473 SE McGloughlin Blvd
 City: Milwaukee Zip: 53222
 County: Clark Phone: (503) 654-9812

Incident Comments: found contamination on during installation of vapor recovery

----- CONTACT & MAIL TYPES -----

Reported By: Jim Luck LUST Contact: Jim Luck Responsible Party: Flying J Inc.
 Name: _____ Name: _____ Name: _____
 Company: Flying J Company: same Company: Don Ruckman
 Street: 2134 Sparrow Ct. Street: _____ Street: PO Box 678
 City: Wichland Zip: 99352 City: _____ Zip: _____ City: Brigham City Zip: 84302
 State: WA Phone: (509) 967-2980 State: _____ Phone: _____ State: UT Phone: (801) 734-6406

----- SITE ASSESSMENT -----

LUST Incident Nbr: (XXXXXXXXXXXX) (609) 584-8695
 Date Investigated: _____ Investigated By: fat
 Release Exists: Y N Confirmation Method: A) Staff B) Lab: DEQ C) Lab: RP D) Lab: Other E) RP F) Other
 (Circle) (Circle) (609) 584-8695
 Cleanup Necessary: Y N Regulated Tank: Y N Exposure Assessment: Y N
 (Circle) (Circle) (Circle) (Circle)
 Off-Site Migration: Y N ? Estimated Gallons Released: _____ Priority: _____
 (Circle) (Circle)
 Discovery Date: 1/13/93

How Discovered: A) Routine Monitoring B) Inventory Control C) Decommissioning D) Site Assessment
 (Circle) (Circle) (Circle) (Circle)
 E) Complaint F) Tank Test G) Other Installation of vapor recovery

Material Released: A) Unleaded Gasoline B) Leaded Gasoline C) Misc. Gasoline
 (Circle) (Circle) (Circle)
 D) Diesel E) Fuel Oil F) Waste Oil
 G) Lubricant H) Solvent I) Bunker Fuel
 J) Other Pet. Dist. K) Chemical L) Unknown

Source of Release: A) Tank Leak B) Pipe Leak C) Overfill D) Surface Spill
 (Circle) (Circle) (Circle) (Circle)
 E) Pump/Valve Leak F) Other G) Unknown

Impacts: Soil Y N % ?
 (Circle) (Circle) (Circle) (Circle)
 Groundwater Y N % ?
 Surface Water Y N % ?
 Drinking Water Y N % ?
 Facility (Vapor) Y N % ?
 Facility (Free Product) Y N % ?

Site Assessment Comments: Shallow contamination around Island's so far

----- SITE MANAGEMENT -----

LUST Incident Nbr: (XXXXXXXXXXXX)
 Date Released Stopped: _____
 Cleanup Activity: Start Date: _____ Under Control Date: _____
 End Date: _____ Contractor Name: _____
 Cleanup Guideline: Matrix C.A.P. Cleanup Lead: RP SLW/TF SLW/OTF
 (Circle) (Circle) (Circle)
 Free Product Disposal: _____ Soil Disposal: _____
 Est. Gallons: _____ Est. Cu/Yds: _____
 Resp. Party: _____ Resp. Party: _____
 Disposal Location: _____ Disposal Location: _____
 Removal Date: _____ Removal Date: _____

Enforcement Action: Y N
 (Circle) (Circle)
 Cost Recovery Initiated: Y N Source of Cost Recovery: Pct. R.P.: _____
 (Circle) (Circle) Pct. SLW/TF: _____
 Pct. SLW/OTF: _____

Estimations: Cost of Cleanup: _____ Staff Time On Project: _____

Site Management Comments: _____

NWR UST CLEANUP SITE CHECKLIST
(for regional use only)

This site is:

- ☐ <40 ppm Matrix
- ☒ Regulated Tank
- ☐ Exempt Tank
- ☐ Oil Heat Commission eligible
- ☐ Other _____
(surface spill, non-petroleum UST, etc.)

Assign site to:

- ☐ Staff (your initials or staff for major RP)
- ☐ Unassigned at this time
(matrix only, soil aeration not anticipated)
- ☐ Needs to be tracked (supervisor to assign)
Reason:

Action:

- ☒ Send Initial Letter (with rules)
- ☐ Send Modified Letter (without rules)
- ☐ Send <40 ppm Letter (without rules)
- ☐ No letter required _____
(sending other letter, etc.)

Regulated Tank Information (Y/N):

- ☐ Tanks registered ID No. _____
- ☐ Decommissioning notice (30 day) received
- ☐ 3 day notice received
- ☐ Fees current
- ☐ New tanks to be installed

Misc. Notes:

COST RECOVERY AGREEMENT

This document serves as an agreement between the undersigned (hereinafter "you") and the Department of Environmental Quality (DEQ) regarding DEQ review and oversight of the investigation and/or cleanup of petroleum (hazardous substances) at the property located at:

DEPT OF ENVIRONMENTAL QUALITY
RECEIVED

Facility Name: Flying J

FEB 19 1993

Address: 17873 S.E. McLoughlin Blvd.

Milwaukie, Or. 97222

NORTHWEST REGION

DEQ File No.: 03-93-008

DEQ agrees to review environmental documents submitted by you or on your behalf regarding the investigation and/or cleanup of the above-referenced site. Additional details regarding DEQ oversight will be established upon review of the initial site data.

DEQ requires that persons requesting DEQ review and oversight of investigation and cleanup activities agree to the terms of this agreement and pay project oversight costs.

DEQ project oversight costs will include direct costs and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the DEQ and of the Environmental Cleanup Division (ECD) allocable to DEQ oversight of this agreement and not charged as direct, site-specific costs. Indirect charges are based on a percentage of direct personal services costs. Review and oversight costs shall not include any unreasonable costs or costs not otherwise recoverable by DEQ under ORS 465.255.

DEQ costs are payable within thirty (30) days of issuance of the monthly statement, by check made payable to the "Department of Environmental Quality".

If you elect not to enter into this agreement, it does not release you from any responsibility you might have from any reporting requirements, investigation and/or cleanup of petroleum (hazardous substances) at the above referenced facility. This does not preclude the DEQ from conducting audits or inspections of all or portions of the investigation and cleanup activities associated with this facility. Enforcement action may be initiated if violation of DEQ requirements is found.

Either DEQ or you may terminate this agreement by giving 15 days advance written notice to the other. Only those costs incurred or obligated by DEQ prior to the effective date of any termination of the agreement shall be recoverable under this Agreement. Termination of this agreement will not affect any other right DEQ may have for recovery of costs under any applicable law.

Cost Recovery Agreement
Page Two

You will hold DEQ harmless for any claims (including but not limited to claims of property damage or personal injury) arising from activities reviewed or overseen under this agreement.

This agreement is not and shall not be construed as an admission by you of any liability under ORS 465.255 or any other law or as a waiver by you of any defense to such liability. This agreement is not and shall not be construed as a waiver, release, or settlement of claims DEQ may have against you or any other person or as a waiver of any enforcement authority DEQ may have.

The DEQ-Northwest Region UST Section will be responsible for the review and oversight of the investigation and cleanup activities associated with the property. Please refer all site-specific inquiries to them at (503) 229-5263, 1500 SW First, Suite 750, Portland, OR 97201.

All inquiries regarding cost recovery and/or invoices should be directed to Darby Bacon at (503) 229-6635.

If the terms of this agreement are acceptable, please have it executed by an authorized officer in the space provided below. In order to more effectively schedule your project, please return this agreement within 30 days of receipt to: Darby Bacon, Department of Environmental Quality, Environmental Cleanup Division, 811 SW Sixth Avenue, Portland, OR 97204.

Accepted and agreed to this 18th day of February, 1993

By: Lori H. Dutton

Title: Insurance/EPA Coordinator

Please provide the following information on where the invoices should be sent.

Individual Name: Lori H. Dutton

Title: Ins./EPA Coordinator

Company Name: Flying J. Inc.

Mail Address: P.O. Box 678

City, State, Zip: Brigham City, Ut. 84302

Phone Number: (801) 734-6414

*If we are able to land farm, we don't
anticipate submitting cost for recommendation.*

DAILY RECEIPTS

REPORT OF

Page 1

Customer Name: : ACT ENV/DELCO

Reporting FROM : 11-30-94 00:00 TO : 11-30-94 23:59

DATE : 11-30-94

TIME : 13:51:28

Date In	Manifest No.:	Net Tons	:	Remediation/Ton:	Total Remediation	Trucking/Ton:	Total Trucking	Analytical Charges:	Clean Soil/Ton:	Other Charges:	Total Other Charges	Total Bill
11-30-94	09-00863	13.28		55.00	738.40	0.0	.00	0.0	0.0	0.0	.00	738
11-30-94	09-00863	13.82		55.00	768.10	0.0	.00	0.0	0.0	0.0	.00	768
11-30-94	09-00863	13.94		55.00	766.70	0.0	.00	0.0	0.0	0.0	.00	766
TOTALS :		41.04		165.00	2257.20	.00	.00	.00	.00	.00	.00	2257.20

2257.
270.
2,527.

PAID

CR 1186

paid ch. no. 909
to ACT. ENVIRONMENTAL

FILE NAME: Flying J-Milwaukee #2 LOG NO. 03-93-0008

NWR'S NFA TRACKING CHECKLIST

ROUTE TO	ACTIVITY	RESPONSIBLE PERSON	DATE COMPLETED
	Sequent checked by project manager to make sure fees paid and tanks closed and that UST compliance issues have been resolved.	BNP	6/30/04
	OTIS updated with soil disposal, public notice, and other applicable information by project manager.	BNP	6/30/04
	Draft NFA prepared by Project Manager (PM) and submitted to NRS-4 Hydro or Manager for review	BNP	6/30/04
	Draft NFA approved by NRS-4 Hydro (or Manager, if necessary) and submitted for data entry	LDP w/ noted additions + comment letters to ODOT/Ed	8/9/04
	SEQUENT updated with final invoice request date and new green sheet information.	SR	2/2/05
	OPTIONAL STEP: Expedited payment request by responsible party (RP) is handled by =====>>	_____	
	OPTIONAL STEP: Estimated Expedited Payment Amount given to RP by =====>>	_____	
	To Administrative staff for cost recovery entries		
	Final invoice paid notice received from Business Office and PM informed by Manager	MM	4/11/05
	Final NFA drafted and signed by PM (and Manager, if necessary), and sent for data entry	BNP	4/11/05
	SEQUENT updated with filed closed information.	SR	4/12/05
	<u>Proofreading letter and file closure activities</u>	JMS SR	4/12/05
	Copies made and mailed	DB	4/15/05

NFA PROCESS COMPLETE



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Northwest Region Portland Office

2020 SW 4th Avenue, Suite 400

Portland, OR 97201-4987

(503) 229-5263

FAX (503) 229-6945

TTY (503) 229-5471

April 11, 2005

GURDEV SINGH SOHI
DELCO PETROLEUM COMPANY LLC
14 LONGLEAF DRIVE
HAMILTON SQUARE NJ 08690

Re: Flying J-Milwaukie # 2
DEQ File No. 03-93-0008
Facility No. 1747

Dear Mr. Sohi:

The Department of Environmental Quality (DEQ) has been overseeing the cleanup of petroleum contamination at the site of the Flying J- Milwaukie #2 located at 17837 SE McLoughlin Boulevard in Milwaukie, Oregon. Based on information contained in the file, the Department has determined the site appears to have been investigated and cleaned up to commercial standards in accordance with Oregon Administrative Rules (OAR) 340-122-205 through -360, 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:

1. The site is an approximate 0.7-acre commercial property currently used a Jiffy Lube and retail petroleum fueling facility. Prior to ownership by Delco, the site was owned and occupied by Flying J, Inc. and the Milwaukie Fuel Stop. Ed's Muffler & Brakes borders the site along its northern perimeter and Buster's Restaurant is located to the south. Residential properties are located on an apparent basalt bench approximately 30 feet higher in elevation than the site. The land use at and adjacent to the site is commercial.
2. In April 1988, a historical release involving approximately 81 gallon surface spill was reported and subsequently cleaned up.
3. In January 1993, a release and soil impact from a petroleum product line was discovered during installation of a Stage II vapor recovery system. Subsequent investigations in May 1993 included five soil borings (boring B-1 through B-5). Free product was observed in borings B-1 and B-5.
4. In June 1993, an additional six borings were drilled and completed as groundwater monitoring wells MW-1 through MW-6. Groundwater was encountered at approximately seven feet below ground surface (bgs). A maximum benzene concentration of 23,000 ppm was observed in a soil sample collected from boring MW-2.

Gurdev Singh Sohi

April 11, 2005

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5. In July 1994, approximately one inch of free product was observed in monitoring well MW-3. Free product was removed on a weekly basis from July through October 1994, and on a bi-weekly basis from November 1994 through January 1995.
6. During November and December 1994, five 1,500 gallon motor oil USTs were decommissioned by removal. Soil cleanup activities were not completed.
7. In January 1995, monitoring wells MW-7 through MW-9 were installed. During ground water sampling, free product was observed in MW-7 and was removed. Free product was not reported in any monitoring wells after September 1995. In 1996, onsite monitoring wells MW-10, MW-12, and MW-13 were installed. Also an off-site down-gradient well MW-11 was installed to the north of the Jiffy Lube facility and west of Ed' Muffler & Brakes.
8. In October 1999, four steel underground storage tanks (USTs), one 8,000 gallon diesel and three 12,000 gallon gasoline, were decommissioned by removal. Approximately 5,000 tons of petroleum-impacted soil were excavated and transported to TPS Technologies in Portland. An estimated 200,000 gallons of groundwater that accumulated in the excavation and was stored in onsite holding tanks was aerated and discharged into an onsite storm drain under a National pollutant Discharge Elimination System permit. The former UST cavity was extended east, southeast and west based on soil sample analytical results. At the western extent of the excavation, an unreported accumulation of building materials, auto parts and trash was uncovered, apparently dating from the early 1960s when a prior station had been demolished. Approximately 230 tons of soil and 10 truck tires were transported offsite for disposal.
9. In 2001, Wohlers Environmental Services calculated an estimated volume of an irregular shaped gasoline-impacted and benzene-impacted soil pocket left-in-place west, north and east of the former diesel and gasoline USTs extending southeast beneath the former dispense islands associated with historical petroleum releases at the facility. The pocket is predominantly between 10.5 feet and 15 feet bgs. The total estimated volume of the gasoline-impacted pocket is approximately 550 cubic yards. The total estimated volume of the remaining benzene-impacted soil is approximately 360 cubic yards. Benzene concentration in remaining soil ranged from 1.46 to 1.78 ppm along the northern excavation walls, and 2.35 ppm to 9.94 ppm along the southern excavation sidewalls. None of these soil samples containing benzene at concentrations above the current risk-based concentration (RBC) for vapor intrusion into buildings for occupational human receptors was located within 10 lateral feet of a current commercial building. A steel sheet pile retaining wall was installed approximately 52 inches from the southern edge of the adjacent Ed's Muffler and Brakes building to prevent erosion. The retaining wall was installed in 1999 to an approximate depth of 30 feet bgs.

10. In November 1999, onsite monitoring wells MW-14 and MW-15 were installed. In late 1999 and early 2000, four new USTs and associated systems were installed on the northern-central portion of the site. Quarterly groundwater monitoring was conducted during the years 2000 to 2001.
11. In February 2004, further site investigation was conducted that included completion of four drivepoint borings DP-1 through DP-4 to a depth of 10 feet bgs at and adjacent to the site north, west and east of the adjoining Ed's Muffler & Brakes Building. Only diesel constituents as oil were detected at a concentration of 1,150 ppm in a groundwater sample collected from boring DP-1. Follow up polynuclear aromatic hydrocarbons (PAHs) analysis indicated relatively low concentrations of six PAH constituents.
12. Review of community and domestic potable water well log files maintained by OWRD indicated that only one domestic potable water well is located within 0.25 mile of the site. This well has a casing depth of approximately 60 feet, is located approximately 0.2 mile southwest of the site and is separated from the site by a low ridge. Potable water for the site and nearby properties is supplied by the City of Milwaukie Oak Lodge Water District.
13. A risk assessment was conducted and a Conceptual Site Model was developed for the site. Investigations and analytical results indicated that remaining soil and groundwater concentrations of petroleum hydrocarbons whole products and individual constituents are below risk-based standards for occupational ingestion, dermal contact and inhalation, volatilization to outdoor and indoor air, and construction and excavation worker exposure pathways.
14. Public comment letters were sent to the Oregon Department of Transportation (ODOT), the City of Portland, and Ed's Mufflers. ODOT provided comments.
15. This determination is based on the following condition:
 - *There is contaminated soil remaining within the State right-of-way. Delco Petroleum Company and any subsequent responsible party are financially liable for any future costs should excavation of impacted soils or removal of contaminated groundwater become necessary in the public right-of-way. The liability includes proper management and disposal of contaminated material if removed; monitoring of any other actions taken to protect worker safety; and any engineering controls that may be required due to the fact that soil and groundwater are contaminated.*
 - *At such time as land use changes are planned whether by remodeling, replacement or any other manner, soil samples must be collected and analyzed, and a current risk assessment made, to ensure the adequate protection of human health related to the new uses of the property. Results of soil sample*

Gurdev Singh Sohi
April 11, 2005
Page 4

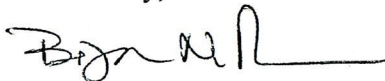
collection and analysis, and the risk assessment, must be provided to DEQ for review and approval before the new use of the property occurs.

This DEQ determination will not apply if new or undisclosed facts show the cleanup does not comply with referenced rules. This determination also does not apply to any conditions at the site other than the release of the petroleum product specifically addressed in the May 2, 2001 WGR site assessment report.

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

Your efforts to comply with the regulations to ensure that your property has been adequately cleaned up have been appreciated. If you have any questions, please feel free to contact me at (503) 229-5858.

Sincerely,



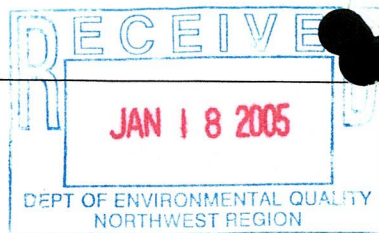
Bijan N. Pour
UST Cleanup and Compliance Section
NWR Tanks Program

cc: Christopher C. Wohlers
Wohlers Environmental Services, Inc.
7440 SW Hunziker St., Suite C
Tigard, OR 97223



Oregon

Theodore R. Kulongoski, Governor



Department of Transportation

Region 1 HazMat Group
123 NW Flanders St.
Portland, OR 97209
Ph: 503-731-8290
Fax: 503-731-8531

January 11, 2005

Gurdev Singh Sohi
Delco Petroleum Company LLC
14 Longleaf Drive
Hamilton Square, NJ 08960

Re: Proposed NFA for
Flying J – Milwaukie #2
17873 SE McLoughlin Blvd, Milwaukie, OR
ODOT Hwy 1E, MP 9.7
DEQ File No. 03-93-0008

Dear Mr. Sohi:

The Oregon Department of Transportation (ODOT) has received notice from the Oregon Department of Environmental Quality (DEQ) indicating your consultant, Wohlers Environmental Services (WES), is requesting a "No Further Action" (NFA) determination for the subject site in Milwaukie, Oregon (the Site).

A May 2004 report by WES indicates gasoline contaminated groundwater may be located beneath State right-of-way. A February 2004 water sample collected from drive point DP-4, drilled adjacent to McLoughlin Blvd (Hwy 99E), contained 655 ppb gasoline and 24 ppb benzene. These concentrations do not exceed risk-based concentrations for excavation workers. Depth to groundwater at the time was approximately 5 feet.

The report does not indicate the direction of groundwater flow at the Site. Apparently there has been no attempt to delineate the extent of groundwater impact beneath McLoughlin Blvd.

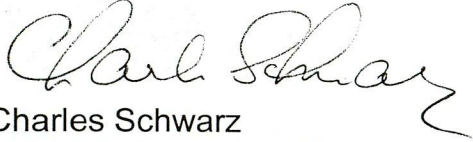
ODOT has no objection to DEQ issuing a NFA decision for this Site. However, ODOT does not accept any liability associated with this release. Should ODOT need to excavate or disturb any contaminated materials remaining in State right-of-way, the RP will be financially responsible for: proper management and disposal of any contaminated materials removed, associated worker safety provisions, and any engineering controls required to prevent preferential migration of contaminants.

In addition to the above, any monitoring wells installed in State right-of-way in association with this Site must be properly decommissioned in accordance with Oregon

JAN 8 2005

Water Resources Department rules. If you have any questions, please contact me at (503) 731-8290.

Sincerely,



Charles Schwarz
ODOT Region 1 HazMat Coordinator

Attachments: Figures 1 and 3 from 2004 WES report

Cc:

Gary Hunt
ODOT District 2B
9200 SE Lawnfield Rd
Clackamas, OR 9797015

Bijan Pour
DEQ UST Program
2020 SW 4th Ave., Ste. 400
Portland, OR 97201-4987

Wohlers Environmental Services, Inc.
7440 SW Hunziker St., Suite C
Tigard, OR 97223

POUR Bijan N

From: POUR Bijan N
Sent: Friday, October 29, 2004 4:19 PM
To: 'Glick, Marni'
Cc: POUR Bijan N
Subject: RE: DEQ File No. 03-93-0008



26-03-1849
Chevron Draft 10-7-

Hi Marni,

I thought the City may be interested as for any impact on utilities. If not please disregard the letter.

I enclose an e-copy of the draft NFA for the Chevron site that may help you.

Bijan

-----Original Message-----

From: Glick, Marni [mailto:Marni.Glick@pdxtrans.org]
Sent: Friday, October 29, 2004 11:12 AM
To: POUR Bijan N
Subject: DEQ File No. 03-93-0008

Hi Bijan:

I am in receipt of a DEQ Notice about this property at 17873 SE McLoughlin Boulevard. This is an ODOT-maintained facility and is not within the City of Portland. Is there some other reason why we received this notice?

Also, would it be possible to get a copy of the corrective action plan (or a summary of) for DEQ File No. 26-03-1849, Chevron Station No. 9-3939?

Thank you!

Marni Glick
Environmental Project Manager
City of Portland- Transportation Maintenance
2929 N. Kerby Avenue
Portland, OR 97227
Work: 503.823.7239
Fax: 503.823.4043
Pager: 503.920.8159
marni.glick@pdxtrans.org

POUR Bijan N

From: Glick, Marni [Marni.Glick@pdxtrans.org]
Sent: Friday, October 29, 2004 11:12 AM
To: POUR Bijan N
Subject: DEQ File No. 03-93-0008

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Bijan:

I am in receipt of a DEQ Notice about this property at 17873 SE McLoughlin Boulevard. This is an ODOT-maintained facility and is not within the City of Portland. Is there some other reason why we received this notice?

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Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Northwest Region Portland Office

2020 SW 4th Avenue, Suite 400

Portland, OR 97201-4987

(503) 229-5263

FAX (503) 229-6945

TTY (503) 229-5471

October 21, 2004

Charles Schwarz
ODOT Region 1 Geo/Hydro Unit
3700 SE 92nd Avenue
Portland, OR 97266

Marni Glick
City of Portland
2929 N. Kerby Ave
Portland OR 97227

Janet Kayser
Ed's Mufflers Unlimited Inc
18081 SE Division St
Portland OR 97236

Re: Notice Soliciting Public Comments
Flying J-Milwaukie # 2
DEQ File No. 03-93-0008
Facility No. 1747

The Oregon Department of Environmental Quality (DEQ) has received a request for site closure of a currently active service station located at 17873 SE McLoughlin Boulevard in Milwaukie, Oregon. A preliminary determination has been made that the site is eligible for closure. The purpose of this notice is to solicit public comments before a final decision is made to issue a No Further Action (NFA) letter.

The site is a commercial Jiffy Lube and retail petroleum fueling facility. In January 1993 a release and soil impact from a petroleum product line was discovered. In 1994 and 1999 several underground storage tanks (USTs) were decommissioned by removal. Approximately 5,000 tons of petroleum-impacted soil was excavated and disposed off-site. An estimated 200,000 gallons of groundwater that accumulated in the excavation was treated and discharged into an onsite storm drain under a permit.

A pocket of gasoline impacted soil with a maximum concentration of 9.94 ppm of benzene not accessible for excavation was left in-place. In 1999 A steel sheet pile retaining wall was installed at a depth of 30 feet approximately 52 inches from the southern edge of the Adjacent Ed's Muffler and Brakes building to prevent soil erosion. In 2000 four new USTs were installed on the northern-central portion of the site and quarterly groundwater monitoring was conducted in 2000-2001.

In February 2004 further site investigation was conducted that included completion of four



drivepoint borings to an approximate depth of 10 feet bgs. Petroleum hydrocarbons as heavy oil at a concentration of 1,150 ppm, and benzene at a concentration of 0.7 ppb were detected in a groundwater sample to the north adjacent to Ed's Muffler & Brakes Building. Gasoline hydrocarbons at a concentration of 656 ppb and benzene at a concentration of 24 ppb were detected in a groundwater sample collected at a depth of 10 feet bgs adjacent to SE McLoughlin Blvd sidewalk. A risk assessment indicated soil and groundwater concentrations of petroleum hydrocarbons were below risk-based standards for occupational ingestion, dermal contact and inhalation; volatilization to outdoor and indoor air; and construction and excavation worker exposure pathways.

A copy of the file is available for review by appointment, Tuesday through Thursday from 9:00am to 4:30pm, at the DEQ office on 2020 SW Fourth Avenue, Suite 400. For an appointment call Julie Schlafle at (503) 229-6170. Please reference the file using the DEQ file number **26-03-1849**.

I would appreciate a written response for any concerns you may have regarding the site closure no later than Friday November 19th. If you have any questions, please call me at (503) 229-5858.

Bijan N. Pour

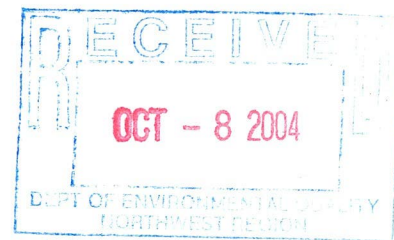
A handwritten signature in black ink, appearing to read 'Bijan N. Pour', with a long horizontal line extending to the right.

UST Cleanup Specialist
Northwest Region Tanks Program

cc: Gurdev Singh Sohi
Delco Petroleum Company LLC
14 Longleaf Drive
Hamilton Square NJ 08690

Christopher C Wohlers
Wohlers Environmental Services Inc
7440 SW Hunziker St Suite C
Tigard OR 97223

Attachment:



6 October 2004

Mr. Bijan N. Pour, UST Cleanup Specialist
Oregon Department of Environmental Quality,
Northwest Region Office
2020 S.W. Fourth Avenue, Suite 400
Portland, Oregon 97201-4987

RE: Response to DEQ Request for Information Associated with the Delco Petroleum Co.
LLC Retail Fuel Facility Located at 17869 S.E. McLoughlin Boulevard in Milwaukie,
Oregon
Wohlers Environmental Project No. 04-0003; Oregon DEQ LUST File No. 03-93-0008

Dear Mr. Pour:

During a telephone conversation on 17 August 2004 with Christopher Wohlers, you requested that Wohlers Environmental Services, Inc. (Wohlers Environmental) provide documentation of soil sample analytical results for benzene and for Total Petroleum Hydrocarbons (TPH) as gasoline at the Delco Petroleum Co. LLC (Delco) retail fuel facility located at 17869 S.E. McLoughlin Boulevard in Milwaukie, Oregon ("subject site"). To complete this request, Wohlers Environmental reviewed the soil sample analytical data and soil sample location map completed by GeoPro Geologic Services (GeoPro) and presented in a report titled "Remedial Excavation Report," dated 3 April 2000, and submitted to Oregon Department of Environmental Quality (DEQ) on behalf of Delco. Attached are copies of GeoPro's Table 5, "Excavation Soil Sample Analyses" and Figure 22, "Excavation Sample Location Map" for your reference. Also enclosed for your reference, is a copy of GeoPro's "Remedial Excavation Report," not including appendices.

According the GeoPro information, five soil samples collected during the October and November 1999 excavation contained benzene at concentrations that were above the current Oregon DEQ Risk-Based Concentration (RBC) of 1.2 milligrams per kilogram (mg/kg) parts per million (ppm) for the soil "Vapor Intrusion into Buildings" exposure pathway for Occupational human receptors. Soil samples NW-73-4' and NW-79-7', collected along the northern excavation sidewall contained benzene at concentrations of 1.78 ppm and 1.46 ppm, respectively. Soil samples SW-59-5.5' and SW-76-8', collected along the southern excavation sidewalls, contained benzene at concentrations of 2.35 ppm and 9.94 ppm, respectively, and soil sample B-64-9.5' contained benzene at 3.27 ppm.

Mr. Bijan N. Pour, US Cleanup Specialist
Oregon DEQ, Northwest Region Office
28 May 2003
Page 2

Delco Petroleum Co. LLC
17869 S.E. McLoughlin Boulevard
Milwaukie, Oregon
WES Project No. 04-0003
DEQ LUST File No. 03-93-0008

None of the five soil samples that contained benzene at concentrations above the current RBC for soil "Vapor Intrusion into Buildings" for Occupational human receptors was located within 10 lateral feet of a current commercial building. At this time, Delco does not have current or near-future plans to construct additional commercial buildings on the subject property. Accordingly, current or reasonably likely future risk to Occupational human receptors by the soil "Vapor Intrusion into Buildings" exposure pathway is not expected and has not been included on the Conceptual Site Model (CSM) for the subject site. A copy of the CSM for the subject site is included for your reference.

Based on this conclusion and other site information previously submitted to the Oregon DEQ, Wohlers Environmental recommends project file closure and issuance of a No Further Action (NFA) finding for the subject site by the Oregon DEQ.

Please contact us at (503) 670-1344 if you have questions regarding the information presented in this letter.

Sincerely,

WOHLERS ENVIRONMENTAL SERVICES, INC.



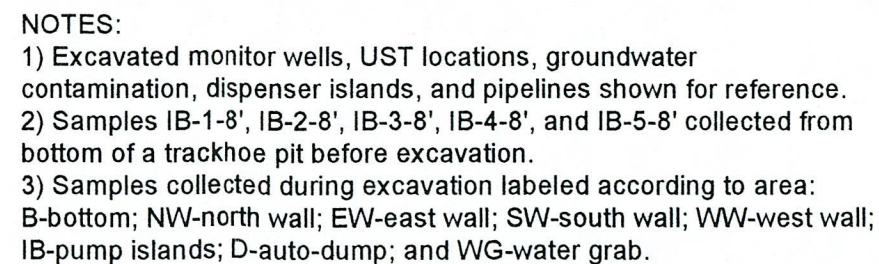
Ms. Kim A. Johnson, R.G.
Senior Geologist

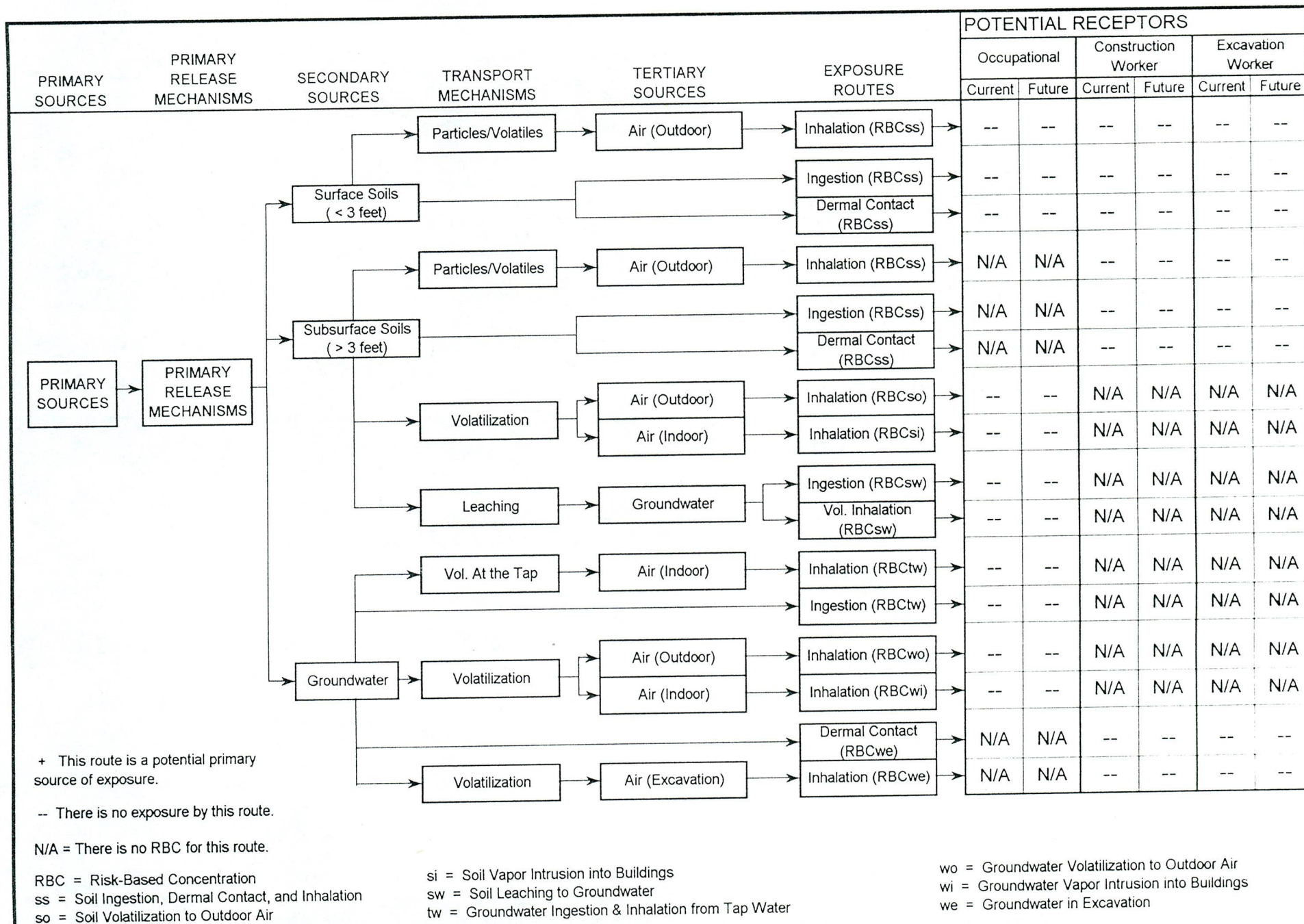
Enclosures

cc: Mr. Gurdev Singh Sohi, Manager, Delco Petroleum Co. LLC (w/o encl)

Table 5 - EXCAVATION SOIL SAMPLE ANALYSES
milligrams per kilogram (“mg/kg”)

SAMPLE	Depth BGS	Gasoline	Diesel	Heavy Oil	Benzene	Toluene	EthylBenzene	Xylenes	MTBE
NORTH WALL									
NW-13-12'	12.0	ND	ND	ND	ND	ND	ND	ND	ND
NW-17-9'	9.0	5.10	ND	ND	0.0531	ND	ND	ND	ND
NW-18-9'	9.0	38.5	ND	ND	0.209	0.182	1.03	1.20	ND
NW-19-9'	9.0	5.49	ND	ND	ND	ND	ND	ND	ND
NW-20-9'	9.0	6.22	ND	ND	ND	ND	ND	ND	0.402
NW-22-9'	9.0	15.1	ND	ND	0.247	ND	0.111	0.232	ND
NW-27-14'	14.0	ND	ND	ND	0.263	ND	ND	ND	ND
NW-28-14'	14.0	25.6	ND	ND	0.297	ND	0.163	0.764	ND
NW-29-15'	15.0	3.69	ND	ND	ND	ND	ND	ND	ND
NW-32-6'	6.0	8.82	ND	ND	ND	ND	ND	ND	ND
NW-73-4'	4.0	49.3	ND	453	1.78	3.03	1.70	7.13	3.97
NW-79-7'	7.0	35.5	ND	271 (A)	1.46	0.0883	0.267	1.70	ND
NW-84-7'	7.0	7.39	ND	ND	ND	ND	ND	ND	ND
WEST WALL									
WW-1-4'	4.0	105	ND	ND	0.210	0.147	1.70	0.827	ND
WW-2-12'	12.0	5.77	ND	ND	0.257	ND	ND	ND	ND
WW-3-4'	4.0	12.7	ND	62.5	0.390	ND	ND	0.476	ND
WW-4-12'	12.0	2.69	ND	ND	0.0849	ND	ND	ND	ND
WW-5-4'	4.0	101	ND	233	1.05	0.321	3.55	0.785	ND
WW-6-12'	12.0	9.32	ND	ND	0.181	ND	ND	ND	ND
WW-38-4'	4.0	32.6	ND	ND	0.123	0.0676	0.471	1.90	ND
WW-39-12'	12.0	4.67	ND	ND	0.0945	ND	ND	ND	ND
WW-40-4'	4.0	17.8	ND	81.4	0.327	ND	0.0768	0.239	ND
WW-41-12'	12.0	8.56	ND	ND	0.0979	ND	0.0504	ND	ND
WW-42-4'	4.0	717	ND	244	1.50	ND	14.9	0.791	ND
WW-43-12'	12.0	ND	ND	ND	ND	ND	ND	ND	ND
WW-44-4'	4.0	71.5	ND	296	1.51	0.321	2.58	6.26	ND
WW-45-12'	12.0	ND	ND	ND	0.0966	ND	ND	ND	ND
WW-82-7'	7.0	8.56	ND	ND	ND	ND	ND	ND	ND
WW-86-8'	8.0	7.55	90.2	305	ND	ND	ND	ND	ND
SOUTH WALL									
SW-7-4'	4.0	3,180	587	193 (G,I)	ND	6.3	50.7	189	ND
SW-8-12'	12.0	16.7	ND	ND	0.756	ND	0.123	0.552	ND
SW-9-4'	4.0	1,160	234	274 (G,I)	2.30	2.21	20.6	97.4	ND
SW-10-12'	12.0	1,110	424	88.3 (G)	2.94	ND	15.8	89.8	ND
SW-11-4'	4.0	420	289	114 (G)	1.58	5.85	6.80	45.0	ND
SW-12-11'	11.0	738	ND	ND	3.55	6.98	11.2	60.5	ND
SW-13-8'	8.0	2,870	593	234 (G,I)	12.8	68.6	52.9	314	ND
SW-23-4'	4.0	328	85.0	178 (E)	2.99	1.59	5.48	26.6	ND
SW-24-8'	8.0	1,290	167	71.6 (E)	6.27	11.9	18.7	111	ND
SW-25-4'	4.0	39.5	52.1	125 (E)	0.117	0.107	0.383	1.32	ND
SW-26-8'	8.0	1,390	259	72.5 (E)	5.39	37.4	20.9	123	ND
SW-58-5'	5.0	3.31	27.2	102	0.0933	ND	ND	ND	ND
SW-59-5.5'	5.5	60.0	ND	231	2.35	0.324	0.387	1.58	ND
SW-60-4.5'	4.5	ND	ND	67.1	ND	ND	ND	ND	ND
SW-61-4.5'	4.5	ND	ND	208	ND	ND	ND	ND	ND
SW-62-4'	4.0	ND	ND	ND	ND	ND	ND	ND	ND
SW-76-8'	8.0	237	ND	69.7	9.94	0.717	11.5	8.70	5.51
SW-80-7'	7.0	96.0	ND	ND	0.328	ND	0.513	0.135	ND
EAST WALL									
EW-1-6'	6.0	2.86	ND	82.1	ND	ND	ND	ND	ND
EW-2-4'	4.0	95.2	35.2 (D)	ND	1.62	0.312	2.80	2.19	1.67
EW-33-4'	4.0	3,290	ND	66.7	22.9	149	72.0	383	ND
EW-34-4'	4.0	11,700	ND	241	202	1,260	188	1,390	ND
EW-46-4'	4.0	2.55	ND	419	ND	ND	ND	ND	0.579
EW-52-4'	4.0	ND	ND	ND	ND	ND	ND	ND	0.225
EW-55-9'	9.0	51.2	ND	ND	0.442	ND	1.15	ND	ND
EW-74-5'	5.0	14.5	43.9	96.7 (B)	0.903	0.151	0.215	0.735	ND
BOTTOM									
B-1-15'	15.0	ND	ND	ND	0.730	ND	ND	ND	ND
B-2-8'	8.0	2,290	1,220	58.2 (H)	18.7	116	34.9	191	ND
B-3-14'	14.0	3.95	ND	ND	ND	ND	ND	ND	ND
B-4-8'	8.0	22.7	ND	ND	1.01	0.423	0.523	2.92	ND
B-4-12'	12.0	8.75	ND	ND	0.253	ND	0.280	0.865	ND
B-30-9'	9.0	1,350	224	73.4 (E)	5.04	26.1	20.7	117	ND
B-31-9'	9.0	44.2	ND	ND	2.88	0.193	1.33	3.56	0.264
B-32-6'	6.0	181	ND	ND	4.03	0.502	3.47	19.2	0.867
B-35-6'	6.0	12.4	ND	ND	0.0543	ND	ND	ND	12.4
B-36-6'	6.0	67.3	ND	ND	2.66	ND	0.567	0.723	1.73
B-37-9'	9.0	28.0	ND	ND	1.44	ND	1.19	1.36	0.819
B-47-8'	8.0	81.2	ND	ND	1.17	ND	2.00	4.35	0.220
B-48-5'	5.0	3.10	ND	53.3	ND	ND	ND	ND	ND
B-49-8'	8.0	247	ND	ND	0.626	1.15	3.49	13.7	ND
B-50-8'	8.0	37.0	ND	ND	4.05	0.0885	1.71	3.72	2.74
B-51-8'	8.0	128	ND	ND	2.08	0.607	2.80	9.78	ND
B-53-9'	9.0	230	ND	ND	2.78	2.33	3.98	20.2	2.23
B-54-9'	9.0	16.9	ND	ND	0.203	ND	0.0666	ND	0.264
B-56-9'	9.0	6.13	ND	ND	0.0554	ND	ND	ND	ND
B-57-9'	9.0	4.46	ND	ND	0.372	ND	0.220	ND	ND
B-63-10.5'	10.5	2.87	ND	ND	0.712	ND	0.232	ND	ND
B-64-9.5'	9.5	26	ND	ND	3.27	0.0789	1.19	3.57	0.968
B-65-9.5'	9.5	17	ND	ND	5.18	ND	0.697	2.15	ND
B-66-9.5'	9.5	8.3	ND	ND	2.15	0.39	0.21	1.23	0.447
B-67-9.5'	9.5	21.4	ND	ND	3.44	0.272	0.788	2.18	ND
B-68-14'	14.0	ND	ND	ND	ND	ND	ND	ND	ND
B-69-14'	14.0	ND	ND	ND	ND	ND	ND	ND	ND
B-70-14'	14.0	ND	ND	ND	ND	ND	ND	ND	ND
B-71-14'	14.0	34.6	41.7	92.6 (C)	0.0644	0.346	0.311	1.60	ND
B-72-12.5'	12.5	ND	ND	ND	ND	ND	ND	0.331	ND
B-75-9.5'	9.5	ND	ND	ND	0.266	ND	0.0805	ND	1.52
B-77-9'	9.0	4.24	ND	ND	ND	ND	ND	0.202	ND
B-78-12'	12.0	5.02	ND	ND	ND	ND	ND	ND	ND
B-81-7.5'	7.5	5.01	ND	ND	ND	ND	ND	ND	ND
B-83-9.5'	9.5	7.45	ND	ND	ND	ND	ND	ND	ND
B-85-9.5'	9.5	7.40	ND	ND	ND	ND	ND	ND	ND
ISLAND AREA									
IB-1-8'	8.0	147	ND	ND	3.07	ND	3.17	9.05	0.493
IB-2-8'	8.0	39.4	ND	ND	2.44	ND	0.921	4.07	3.36
IB-3-8'	8.0	82.8	ND	ND	2.58	ND	2.64	5.93	1.51
IB-4-8'	8.0	187	ND	ND	6.58	ND	2.78	3.93	ND
IB-5-8'	8.0	16.4	ND	ND	ND	ND	ND	ND	ND
IB-6-2.5' (tar)	2.5	2,920	5,400	14,700 (F)	60.8 (I)	ND	87.3	ND	ND
IB-7-2.5'	2.5	2,760	ND	ND	7.65	55.2	48.0	160	ND
IB-8-4'	4.0	36.8	ND	ND	0.157	ND	0.0701	ND	ND
IB-9-4.5'	4.5	4,460	ND	113	33.4	194	111	576	ND
DUMP									
D-1-5	5.0	NA	ND	2,010 (A)	1,700	ND	111	860	ND
D-2-SPOIL	0.0	NA	ND	16,100 (A)	13,200	613	1,120	5,178	ND





CONCEPTUAL SITE MODEL

FIGURE 4

DELCO PETROLEUM CO., LLC

17869 S.E. MCLOUGHLIN BLVD.

MILWAUKIE, OREGON

Date: 04/13/04

WES Project No.: 04-0003

UST CLEANUP TELEPHONE USE REPORT

CALL FROM/TO: Kim Johnson DATE: 10/6/04
WITH: Wahler TIME: 3:02

TELEPHONE NO: () -

REGARDING: Flying J- Milwaukee #2

FILE NO: 03-93-0008

SUMMARY OF CALL

She is following up on my recent communication with Conis regarding TPH & Benzene concentrations after soil excavation.

She will send me a brief note with the copy of the report.

Brian Purn

Staff Signature

POUR Bijan N

From: Chris Wohlers [chrisw@wohlersenvironmental.com]
Sent: Wednesday, September 15, 2004 9:12 AM
To: POUR Bijan N
Subject: RE: Flying J- Milwaukie # 2; LUST File No. 03-93-0008

Thanks, Bijan. I have a note on my dayrunner, too!

Chris Wohlers

-----Original Message-----

From: POUR Bijan N [mailto:POUR.Bijan@deq.state.or.us]
Sent: Wednesday, September 15, 2004 8:38 AM
To: Chris Wohlers
Cc: POUR Bijan N
Subject: RE: Flying J- Milwaukie # 2; LUST File No. 03-93-0008

Please reply within three weeks.

Thanks.

Bijan

-----Original Message-----

From: Chris Wohlers [mailto:chrisw@wohlersenvironmental.com]
Sent: Wednesday, September 15, 2004 7:50 AM
To: POUR Bijan N
Subject: RE: Flying J- Milwaukie # 2; LUST File No. 03-93-0008

Thanks, Bijan. We are at the very beginning of a very large LUST excavation project in Gresham, so we'll be distracted by that project for about two weeks. Please let me know if you'll need a reply before the end of September.

Thanks!

Chris Wohlers

-----Original Message-----

From: POUR Bijan N [mailto:POUR.Bijan@deq.state.or.us]
Sent: Tuesday, September 14, 2004 1:55 PM
To: Chris Wohlers
Cc: POUR Bijan N
Subject: RE: Flying J- Milwaukie # 2; LUST File No. 03-93-0008

You summarized the issue well. You can respond by a letter.

Thanks Chris.

Bijan

-----Original Message-----

From: Chris Wohlers [mailto:chrisw@wohlersenvironmental.com]
Sent: Tuesday, September 14, 2004 1:33 PM

9/15/2004

To: POUR Bijan N

Subject: RE: Flying J- Milwaukie # 2; LUST File No. 03-93-0008

Bijan: Thanks for the reminder. I will get with Kim Johnson, our senior geologist, and discuss those issues that came up in our August 17th telephone conversation. Specifically, my notes of that discussion indicate that you thought it would be useful for us to re-review the Gx/benzene concentrations in remaining soil at the site, and to assess these in light of various RBDM exposure pathways and RBCs. Is this an accurate summary of your concerns? And if so, do you want me to reply with a formal letter summarizing the conclusions of our re-review?

Thanks for the assistance.

Chris Wohlers

-----Original Message-----

From: POUR Bijan N [mailto:POUR.Bijan@deq.state.or.us]

Sent: Tuesday, September 14, 2004 10:20 AM

To: Chris Wohlers

Cc: POUR Bijan N

Subject: Flying J- Milwaukie # 2; LUST File No. 03-93-0008

Hello Chris,

A while back I requested missing information regarding the residual concentration of petroleum constituents after excavation and removal of 230 tons of soil in October 1999. You were supposed to get back to me after your vacation. I need to proceed with the closure request, and can not do so and issue a public notice until the information gape is filled.

Please advise.

Bijan

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Sent: Tuesday, September 14, 2004 10:20 AM
To: 'Chris Wohlers'
Cc: POUR Bijan N
Subject: Flying J- Milwaukie # 2; LUST File No. 03-93-0008
Follow Up Flag: Follow up
Flag Status: Flagged

Hello Chris,

A while back I requested missing information regarding the residual concentration of petroleum constituents after excavation and removal of 230 tons of soil in October 1999. You were supposed to get back to me after your vacation. I need to proceed with the closure request, and can not do so and issue a public notice until the information gape is filled.

Please advise.

Bijan

9/14/2004

POUR Bijan N

From: CCWOHLERS@aol.com
Sent: Monday, August 16, 2004 1:57 PM
To: POUR Bijan N
Subject: Re: Flying J- Milwaukie #2; DEQ File No. 03-93-0008

Bijan: I should go back and check my notes on discussions we had re: a CAP, but I appreciate your offer to proceed with the report as it was submitted. Preparation of a CAP just seems more than is needed for a generic RBDM closure with no active cleanup. But I would be interested in discussing this general requirement with you whenever convenient for you, perhaps even over a cup of coffee, etc.

It would be great if we could go forward with public comment without immediately proceeding with more investigation. I hope that ODOT will not see a need for additional work, and I think that there is a good chance that they will not see a need for any formal agreement with Delco re: potential future excavations in the vicinity of DP-4.

Thanks again for your help with this project - the Delco folks will be particularly happy to hear that the project may be nearing closure/NFA.

Talk with you soon.

Chris Wohlers
Wohlers Environmental Services, Inc.
7440 S.W. Hunziker Street, Suite C
Tigard, Oregon 97223

Phone (503) 670-1344
Fax (503) 670-1701
Email: ccwohlers@aol.com

POUR Bijan N

From: POUR Bijan N
Sent: Monday, August 16, 2004 11:37 AM
To: 'CCWOHLERS@aol.com'
Cc: POUR Bijan N
Subject: RE: Flying J- Milwaukie #2; DEQ File No. 03-93-0008
Follow Up Flag: Follow up
Flag Status: Flagged

Chris,

During internal review discussions, the need for a CAP, without any distinction between passive or active remediation, was pointed out. If you have a CAP prepared please submit it. Otherwise, I do without it for this project.

I agree with you that the contamination is below RBCs for any applicable exposure pathways, and I can proceed with the information I have for public notice letters and see what comments I get from the ODOT.

Bijan

-----Original Message-----

From: CCWOHLERS@aol.com [mailto:CCWOHLERS@aol.com]
Sent: Monday, August 16, 2004 11:19 AM
To: POUR Bijan N
Subject: Re: Flying J- Milwaukie #2; DEQ File No. 03-93-0008

Bijan: I will ask our R.G.'s to take a look at the comments you provided. I assume that your email meant to say that we did not submit a formal CAP, as defined by OAR 340-122-0250. I know that the Northwest Region has been requiring submittal of CAPs for non-remedial risk-based closure sites (i.e., no recommended cleanup, other than natural attenuation), but our reading of the DEQ regulations (see OAR 340-122-0250) indicates that a CAP submittal is not required when simply monitoring is leading to closure (which was the case at the Delco site when we got involved).

Actually, I was hoping that given the prior submittals, and our discussions with you about what was needed for closure, would make your review fairly straightforward. As I noted above, we'll look over your comments and then discuss with you, but my initial reaction is that TPH-Gx at 655 ppb and benzene at 24 ppb in a water sample collected from an open boring (DP-4) about 10 to 15 feet from S.E. McLoughlin Blvd. doesn't immediately suggest the need for additional investigation, since these numbers are well below the "Groundwater in Excavation" generic RBCs for Excavation Workers. If these numbers appear to be a concern to you vis-a-vis ODOT Excavation Worker exposure, do you have specific minimal constituent concentration levels (e.g., if benzene is less than or equal to 10 ppb, no additional assessment or delineation is required) in mind for determining when delineation is complete? And if so, are these threshold/cutoff concentration values formalized in Oregon DEQ guidance or rule?

Thanks in advance for your help.

Chris Wohlers
Wohlers Environmental Services, Inc.
7440 S.W. Hunziker Street, Suite C
Tigard, Oregon 97223

Phone (503) 670-1344
Fax (503) 670-1701
Email: ccwohlers@aol.com

8/16/2004

POUR Bijan N

From: POUR Bijan N
Sent: Monday, August 16, 2004 10:40 AM
To: Chris Wohlers (ccwohlers@aol.com)
Cc: POUR Bijan N
Subject: Flying J- Milwaukie #2; DEQ File No. 03-93-0008

Hello Chris,

This e-mail is in pursuant to a DEQ internal review of the request for the issuance of a NFA letter for the site. The review was done in spite of the submittal of a standard CAP according to DEQ format. This made the review more difficult and time-consuming. The following decision has been made:

- Delineation along the eastern boundary of the property is incomplete. DP-4-W indicates detection of TPH-Gx and BTEX. Any off-site migration of the contamination along the public right-of-way needs to be defined before the site can be closed. This information is customarily provided to the ODOT, and such data is presently missing.

Please address this issue before I proceed with a public notice to ODOT and Ed's Muffler & Brakes.

Bijan N pour
DEQ, NWR
Tanks Program
(503) 229-5858
pour.bijan.n@deq.state.or.us

8/16/2004

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	1A	Contents:	
Tank Status	ACTIVE	Empty	
Date Decomm.		Petroleum	GASOLINE
Permit #	BFABB	Haz. Material	
Permit Status	ACTIVE	Unknown	
Installed	05NOV1998	Construction	FRP
Gallons	10000	External Prot	FRP
Overfill	YES		
Leak Detect	TLS-350, BETWEEN WALLS, IN PIPING,		

Count: 1

v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.
 ----- Tanks -----

Tank ID	1REG	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	15OCT1999	Petroleum	GASOLINE
Permit #	ECBH	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	12000	External Prot	PAINTED
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: 2 ^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.
 ----- Tanks -----

Tank ID	2A	Contents:	
Tank Status	ACTIVE	Empty	
Date Decomm.		Petroleum	GASOLINE
Permit #	BFABC	Haz. Material	
Permit Status	ACTIVE	Unknown	
Installed	05NOV1998	Construction	FRP
Gallons	10000	External Prot	FRP
Overfill	YES		
Leak Detect	TLS-350, BETWEEN WALLS, IN PIPING,		

Count: 3

^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	2NL	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	15OCT1999	Petroleum	GASOLINE
Permit #	ECBJ	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	12000	External Prot	PAINTED
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: 4 ^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	3A	Contents:	
Tank Status	ACTIVE	Empty	
Date Decomm.		Petroleum	GASOLINE
Permit #	BFBCJ	Haz. Material	
Permit Status	ACTIVE	Unknown	
Installed	05NOV1998	Construction	FRP
Gallons	8000	External Prot	FRP
Overfill	YES		
Leak Detect	TLS-350, BETWEEN WALLS, IN PIPING,		

Count: 5

^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	3PNL	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	15OCT1999	Petroleum	GASOLINE
Permit #	ECCK	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	12000	External Prot	PAINTED
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: 6

^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	4A	Contents:	
Tank Status	ACTIVE	Empty	
Date Decomm.		Petroleum	GASOLINE
Permit #	BFBDK	Haz. Material	
Permit Status	ACTIVE	Unknown	
Installed	05NOV1998	Construction	FRP
Gallons	8000	External Prot	FRP
Overfill	YES		
Leak Detect	TLS-350, BETWEEN WALLS, IN PIPING,		

Count: 7

^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	4DIES.	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	15OCT1999	Petroleum	DIESEL
Permit #	ECCA	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	8000	External Prot	PAINTED
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: 8

^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	5	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	20DEC1994	Petroleum	BULK
Permit #	ECCB	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	1500	External Prot	UNKNOWN
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: 9

^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	7	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	20DEC1994	Petroleum	BULK
Permit #	ECCD	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	1500	External Prot	UNKNOWN
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: 11

^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	8	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	20DEC1994	Petroleum	BULK
Permit #	ECCE	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	1500	External Prot	UNKNOWN
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: 12 ^ v

<Replace>

UST Compliance Query

----- Facility -----

Facility ID 1747 SIC 5541 LUST facility Y
 Facility Name DELCO PETROLEUM CO LLC
 Facility Address 17873 SE MCLOUGHLIN BLVD
 City, ST Zip MILWAUKIE OR 97222

Comments

94 fees pif - credit from overpay, 1A,2A,3A,4A added, fees PIF sjp.

----- Tanks -----

Tank ID	9	Contents:	
Tank Status	REMOVED	Empty	
Date Decomm.	20DEC1994	Petroleum	BULK
Permit #	ECCF	Haz. Material	
Permit Status	TERMINATED	Unknown	
Installed	08MAY1978	Construction	STEEL
Gallons	1500	External Prot	UNKNOWN
Overfill			
Leak Detect	VISUAL, STOCK INVENTORY,		

Count: *13

^

<Replace>

tank_decomm ===== Update Tank Decommissioning Info =====

Facility Name DELCO PETROLEUM CO LLC

Facility Id 1747

Tank Id 1REG

Decommissioned R

Gallons 12000

Date Decomm 15OCT1999

Decomm Notice Y

Decomm Report Y

Decomm Checklist Y

===== Permit Info =====

Facility ID 1747

Tank Id 1REG

Permit Number

Permit Status

Count: 2 ^ v

<Replace>

tank_decomm ===== Update Tank Decommissioning Info =====

Facility Name DELCO PETROLEUM CO LLC

Facility Id 1747

Tank Id 2NL

Decommissioned R

Gallons 12000

Date Decomm 15OCT1999

Decomm Notice Y

Decomm Report Y

Decomm Checklist Y

===== Permit Info =====

Facility ID 1747

Tank Id 2NL

Permit Number

Permit Status

Count: 4 ^ v

<Replace>

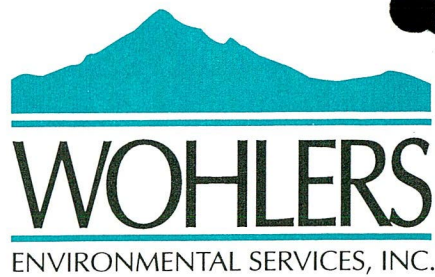
----- Compliance Payments -----

Facility ID 1747
Facility Name DELCO PETROLEUM CO LLC

Invoice ID	Status	Billed	Fee Received
UST04-00414	PAID	375	375
UST03-00422	PAID	340	340
UST02-00426	PAID	420	420
UST01-00441	PAID	240	240
UST00-00470	PAID	480	480
UST99-00528	PAID	140	140
UST98-00599	PAID	240	240
UST95-00740	PAID	315	145
UST97-00658	PAID	140	140
UST96-00686	PAID	140	140

FRM-40200_Field is protected against update.
Count: 10 v

<Replace>



BNP



28 May 2004

Mr. Bijan N. Pour, UST Cleanup Specialist
Oregon Department of Environmental Quality,
Northwest Region Office
2020 S.W. Fourth Avenue, Suite 400
Portland, Oregon 97201-4987

RE: Transmittal of "Subsurface Investigation & Closure Request Report" Associated with
the Delco Petroleum Co. LLC Facility Located at 17869 S.E. McLoughlin Boulevard in
Milwaukie, Oregon
Wohlers Environmental Project No. 04-0003; Oregon DEQ LUST File No. 03-93-0008

Dear Mr. Pour:

Enclosed is a "Subsurface Investigation & Closure Request Report" associated with the Delco Petroleum Company LLC (Delco) facility located at 17869 S.E. McLoughlin Boulevard in Milwaukie, Oregon ("subject site"). The enclosed report describes results associated with the Oregon Department of Environmental Quality (DEQ)-approved additional subsurface assessment activities completed in late February 2004 at and adjacent to the Delco facility. Results associated with February 2004 assessment activities and previously completed activities, and evaluation of these results using the Oregon DEQ September 2003 "Risk-Based Decision Making for the Remediation of Petroleum-Contaminated Sites," indicate an absence of significant risk associated with minimal remaining petroleum impacts to soil and shallow groundwater associated with historical petroleum releases at the subject site.

Based on this conclusion, Wohlers Environmental Services, Inc. (Wohlers Environmental) has recommended project file closure and issuance of a No Further Action (NFA) finding by the Oregon DEQ for the subject site.

Mr. Bijan N. Pour, UST Cleanup Specialist
Oregon DEQ, Northwest Region Office
28 May 2003
Page 2

Please contact us if you have questions regarding the enclosed report, our conclusions and recommendation for project file closure and NFA issuance, or other applicable issues.

Sincerely,

WOHLERS ENVIRONMENTAL SERVICES, INC.

A handwritten signature in dark ink, consisting of a large, stylized 'C' followed by a long, horizontal, slightly wavy line.

Christopher C. Wohlers
President/Senior Consultant

Enclosure

cc: Mr. Gurdev Singh Sohi, Manager, Delco Petroleum Co. LLC (w/encl)

UST CLEANUP TELEPHONE USE REPORT

CALL FROM/TO: Chris Wohlers DATE: 12/30/03
WITH: Wohlers Environ. TIME: 10:28
TELEPHONE NO: (503) 670-1344
REGARDING: Flying j. Mil/Maulcile #2
FILE NO: 03-93-0008

SUMMARY OF CALL

Called Chris & left a message,
regarding implementation of the
Wheplan for additional bays. The
Wheplan was approved on July 17, 2003
(DEO letter).

Bijan Pouri
Staff Signature



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Northwest Region Portland Office

2020 SW 4th Avenue, Suite 400

Portland, OR 97201-4987

(503) 229-5263

FAX (503) 229-6945

TTY (503) 229-5471

July 17, 2003

CHRISTOPHER C. WOHLERS
WOHLERS ENVIRONMENTAL SERVICES, INC.
7440 S.W. HUNZIKER STREET, SUITE C
TIGARD, OR 97223

Re: Flying J-Milwaukie # 2
DEQ File No. 03-93-0008

Dear Mr. Wohlers:

This letter is in response to your letter of July 14, 2003, regarding the follow-up to the meeting we had in late May, and site assessment activities at the Delco facility located at 17869 S.E. McLoughlin Boulevard in Milwaukie, Oregon.

The workplan for additional borings, at the adjacent "ED's Muffler & Brakes" property, is approved as proposed in the July 14, 2003 letter. Please advise us within thirty (30) days upon receipt of this letter, of when you propose to conduct the field work. I will attempt to assist in any way I can to work with you and other parties to gain access to the property. We should schedule the fieldwork at a time and in a manner least disruptive to the business.

I can be reached at (503) 229-5858 should you need to contact me.

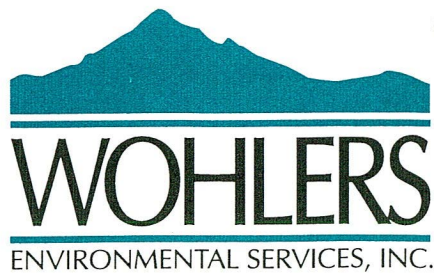
Respectfully,

Bijan N. Pour
UST Cleanup Specialist
Northwest Region Tanks Program

cc: Gurdev Singh Sohi
Delco Petroleum Co. LLC
17873 SE McLoughlin
Milwaukie, OR 97267

Janet Kayser
Ed's Mufflers Unlimited, Inc.
18081 SE Division Street
Portland, OR 97236





14 July 2003

Mr. Bijan N. Pour, UST Cleanup Specialist
Oregon Department of Environmental Quality,
Northwest Region Office
2020 S.W. Fourth Avenue, Suite 400
Portland, Oregon 97201-4987

RE: Followup to Late May 2003 Site Meeting Regarding ClosureNFA Site Assessment
Activities at the Delco Petroleum Co. LLC Facility Located at 17869 S.E. McLoughlin
Boulevard in Milwaukie, Oregon
Wohl's Environmental Project No. 02-0139; Oregon DEQ LUST File No. 03-93-0008

Dear Mr. Pour:

Thank you for the opportunity to meet with you and Mr. Sohi, Delco Petroleum Company LLC ("Delco"), at the Delco facility located at 17869 S.E. McLoughlin Boulevard in Milwaukie, Oregon ('subject site'). As we discussed during the site walkover, Delco representatives are interested in obtaining project file closure and issuance of a No Further Action (NFA) finding by the Oregon Department of Environmental Quality (DEQ) for the subject site. During our site walkover, we discussed locations of additional drivepoint borings that will support project file closure and NFA issuance for the site. Those agreed on boring locations are illustrated on the enclosed Figure 1, "Proposed Boring Location Map".

Completion of the proposed borings is contingent on obtaining access approval from the owner of the "Ed's Muffler & Brakes" property. As we discussed during the site meeting, we understand that the Oregon DEQ will assist in this process by requesting access for the proposed drilling activities from the owners of Ed's Mufflers.

Each of the proposed four borings will be completed to approximately 15 feet below surface grade (bsg). The drivepoint boring located on the northwestern side of Ed's Mufflers (i.e., farthest from the Delco property) will be drilled at an approximate 30 degree angle beneath the Ed's Mufflers building.

Groundwater samples will be collected at each boring location using a groundwater sampling screen inserted into the open drivepoint boring from approximately 12 feet to 15 feet bsg. Assuming sufficient groundwater can be recovered from the screened/open borings, groundwater samples will be collected following purging of several volume of groundwater accumulating in the open boring using a peristaltic pump. Subsequently, groundwater samples will be collected using either a peristaltic pump (i.e., for non-volatile sample analyses) or a ball

Mr. Bijan N. Pour, UST Cleanup Specialist
Oregon DEQ, Northwest Region Office
14 July 2003
Page 2

check valve sampler (i.e., for volatile sample analyses). Samples will be placed in appropriate sample containers, stored at approximately four degrees centigrade, and transported to an analytical laboratory under Chain-of-Custody protocols.

Each of the four groundwater samples will be analyzed for Total Petroleum Hydrocarbon-Diesel extended (TPH-Dx) constituents. The groundwater sample collected from the boring located west of the adjacent building will be analyzed for the full suite of Volatile Organic Compound (VOC) constituents using EPA Method 8260, as requested in Oregon DEQ correspondence dated 20 June 2001 with the remaining three groundwater samples analyzed for Oregon DEQ Risk-Based Decision Making (RBDM) VOC constituents. Depending on results associated with these analyses, followup analyses may include Oregon DEQ RBDM Polynuclear Aromatic Hydrocarbon (PAH) and dissolved lead. All analyses will be completed on normal laboratory turnaround time (i.e., three to five working days).

Results associated with completion of the proposed four drivepoint borings and groundwater sampling activities will be presented in a "Subsurface Investigation Report" and submitted to the Oregon DEQ. Assuming that results associated with the investigation continue to indicate an absence of apparent risk to human health and the environment associated with remaining petroleum-impacted soil and groundwater at and/or adjacent to the subject site, Wohlers Environmental and Delco anticipate requesting project file closure and NFA issuance for the subject site by the Oregon DEQ.

Please contact us if you have questions regarding the information included in this letter (e.g., proposed boring locations, sampling protocols and analyses, etc.) or other applicable issues. Once concurrence by the Oregon DEQ with the proposed boring locations and sampling plan and access to the adjacent Ed's Mufflers property have been received, we will proceed with scheduling the proposed field activities.

Sincerely,

WOHLERS ENVIRONMENTAL SERVICES, INC.



Christopher C. Wohlers
President/Senior Consultant

Enclosure

cc: Mr. Gurdev Singh Sohi, Manager, Delco Petroleum Co. LLC (w/encl)

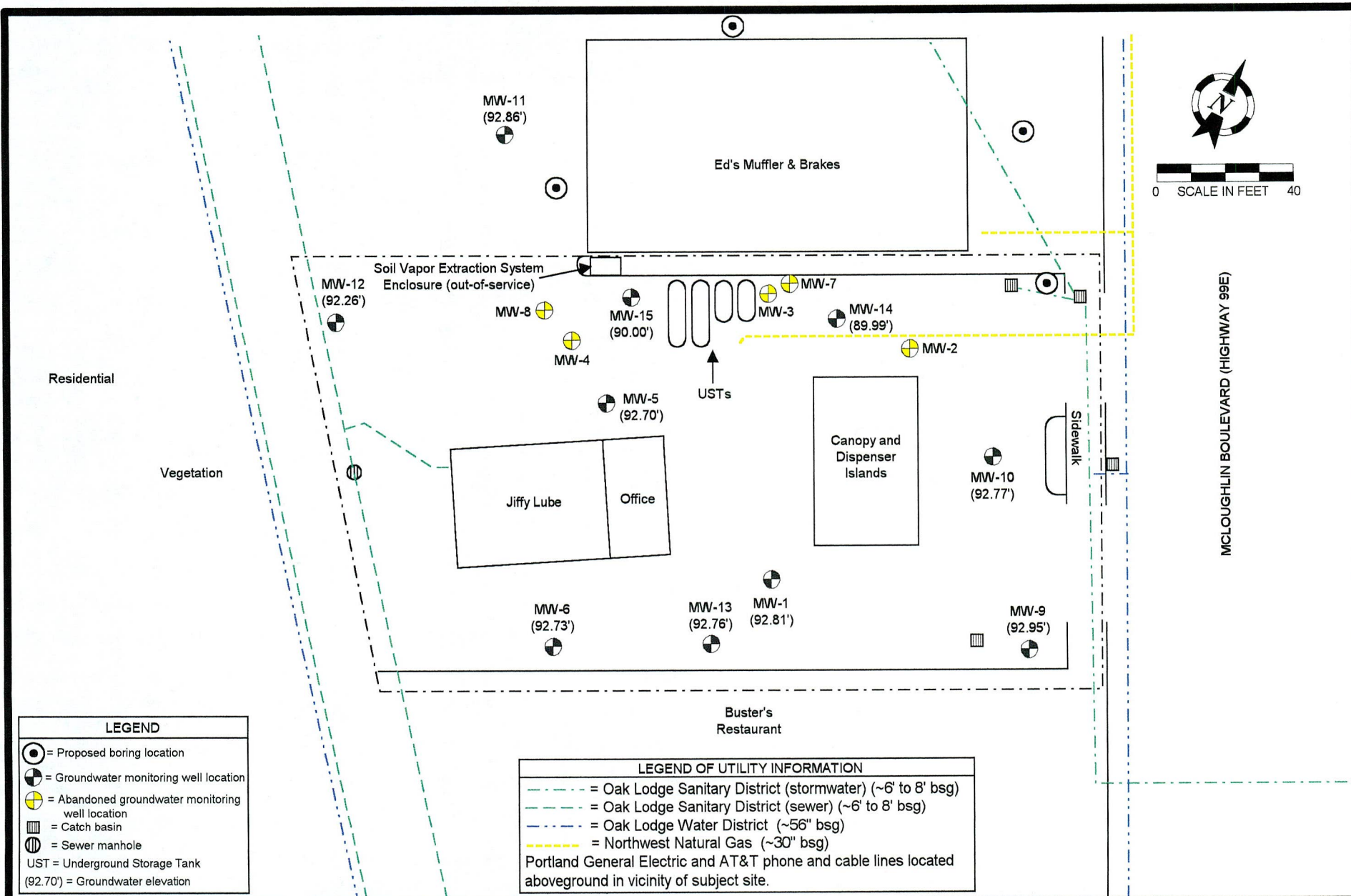
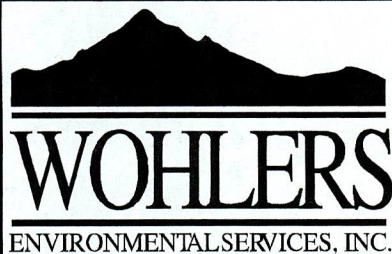


FIGURE 1

PROPOSED BORING LOCATION MAP

DELCO PETROLEUM RETAIL FUELING FACILITY
17873 S.E. MCLOUGHLIN BOULEVARD
MILWAUKIE, OREGON



PROJECT NO.: 02-0139

DATE: 10/30/02

SCALE: 1" = 40'

FILE: Utilities

DRAWN BY: MM

NWR UST FIELD INSPECTION REPORT

Inspection Date: 5/21/03

Site Name: Flying 8 - Milwaukee
(Daleco)

Total Time* 1 hr 10 mins.

Site Address: 17869 SE McLoughlin
TB/Vd. Portland

*Include inspection, travel, paperwork

DEQ Inspector: Bryan Purn

File/Facility No: 03-93-0008
(both UST & UST Cleanup file #'s as appropriate)

Others Onsite: —

(include company name)

Supervisor License No. : _____ Exp. date _____
(note the name of the license holder with **)

Inspection Type

Y---N---Decommissioning	Y---N---Install-New	Y---N---Complaint
Y---N---1998 Compliance (full)	Y---N---Upgrade-Retrofit	Y---N---WQ-New Permit
Partial Compliance	Y---N---Service Provider Audit	Y---N---WQ-Exist Permit
Y---N---Leak Detection	Y---N---Cleanup	
Y---N---Financial Responsibility	Y---N---SWLA/Soil Treatment	
Y---N---Corrosion Protection	Y---N---Distributor Audit	
Y---N---NA Spill & Overfill		

Circle Y for.....Yes = inspected & in compliance (Y for data entry)

Circle N for.....No = inspected & **NOT** in compliance (N for data entry)

Leave Blank for.....Inspection not performed (no data entry necessary)

Photos Taken? Y---N (attach)

Samples Taken? Y---N (attach results)

Notes (use back of form as necessary)

Meet with Chris Wholers & Mr.
Schi @ site. Decided on one
angle boring on the NW corner to
Ed's Muffler's & Brakes Building

Site Sketch (Show North)



UST CLEANUP TELEPHONE USE REPORT

CALL FROM/TO: Janet Kayser DATE: 5/20/03
WITH: Ed's Mufflers Unlimited TIME: 9:35
TELEPHONE NO: (303) 618-8686
REGARDING: Flying J - Milwaukee #2
FILE NO: 03-93-0008

SUMMARY OF CALL

Called & left a message for Janet Kayser
to discuss the access issue for
sampling in preparation with Tomorrow's
meeting with Mr. Schi.

Brian Poon
Staff Signature

UST CLEANUP TELEPHONE USE REPORT

CALL FROM/TO:

Chris Wohlers

DATE:

5/16/03

WITH:

Wholes Benvin.

TIME:

3:45

TELEPHONE NO:

(503) 670-1344

REGARDING:

Flying J- Milwaukee #2

FILE NO:

03-93-0008

SUMMARY OF CALL

Chris W. called regarding letter of April 24, 2003. He suggested meet him onsite to talk to Gurdev Singh Sori to gain access to the building for bombing.

I agreed to meet him onsite on Wed. 21st. @ 12:30 pm.

Bijan Poun
Staff Signature



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Northwest Region Portland Office

2020 SW 4th Avenue, Suite 400

Portland, OR 97201-4987

(503) 229-5263

FAX (503) 229-6945

TTY (503) 229-5471

April 24, 2003

DEVINDER DHILLON
DELCO PETROLEUM COMPANY, LLC
14 LONGLEAF DRIVE
HAMILTON SQUARE, NJ 08690

Re: Flying J-Milwaukie # 2
DEQ File No. 03-93-0008

Dear Mr. Dhillon:

I have been assigned as the project manager for the underground storage tank (UST) cleanup project at 17869 SE McLoughlin Boulevard in Milwaukie, Oregon. This file was assigned based on a cost recovery program. As required by Oregon Law, your client will receive invoices from the DEQ for the time spent reviewing this project.

I had an opportunity to review your file and the November 7, 2001 DEQ letter from the previous project manager, Mr. Robert Hood, regarding further site assessment. Mr. Christopher Wohlers from Wohlers Environmental Services responded to the letter on October 31, 2002. Since then no substantial effort has been made to complete the project.

One issue apparently holding back the completion of the project is site access to conduct soil borings inside the neighboring business property Ed's Muffler & Brakes building. Mr. Hood's position, with which I concur, is that soil borings inside rather than outside the building would be more meaningful. The zone of contamination appears to extend all the way to the southern edge of the building. Obtaining soil borings at the northern edge outside the Ed's Muffler & Brakes structure is too far from the plume boundary and may not accurately delineate the extent of the contamination.

I suggest all parties involved reconsider their position and obtain/allow access so at least two or three of the four soil borings occur inside the southerly edge of the building.

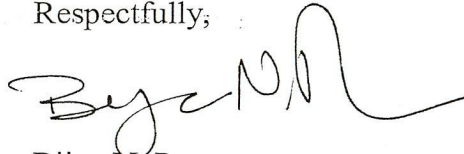
Please provide a project status update thirty (30) days from the receipt of this letter.



Dhillon
April 24, 2003
Page 2

I am looking forward to working with you towards the closure of this site. I can be reached at (503) 229-5858.

Respectfully,

A handwritten signature in black ink, appearing to read 'Bijan N. Pour', with a stylized flourish at the end.

Bijan N. Pour
UST Cleanup Specialist
Northwest Region Tanks Program

cc: Chris Wohlers
Wohlers Environmental, Inc.
7440 SW Hunziker, Suite C
Tigard, OR 97223

Gurdev Singh Sohi
Delco Petroleum Co. LLC
17873 SE McLoughlin
Milwaukie, OR 97267

Janet Kayser
Ed's Mufflers Unlimited, Inc.
18081 SE Division Street
Portland, OR 97236

Richard A. Uffelman
4386 SW Macadam, #401
Portland, OR 97201