



# Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region

4026 Fairview Industrial Dr. SE

Salem, Oregon 97302

(503) 378-8240

March 21, 2025

Marlin & Kathleen Mitchell  
2601 Jack London St. NE #30  
Corvallis, OR 97330

RE: No Further Action, *Conditional* Determination  
for Albany Auto Sales  
LUST # 22-93-4155

Dear Marlin & Kathleen Mitchell

The Oregon Department of Environmental Quality (DEQ) has completed a review of the available information for the Albany Auto Sales, including the closure reports entitled Environmental Assessment Report dated August 2024, which were submitted to DEQ by Parametrix on your behalf. The Albany Auto Sales is located 235 SW Pacific Blvd. Albany, Oregon in Linn County, Oregon in Linn County Tax Map number 11S03W07BC, Tax Lot 04401.

DEQ has determined the investigation to address environmental contamination at the Albany Auto Sales property is complete, and no further action is required with conditions through an Equitable Easement and Servitude (EES): Those restrictions are: 1) No use of groundwater beneath the property, 2) Residential use of the property is prohibited, and 3) The owner shall submit a Contaminated Media Management Plan (CMMP) for review / approval prior to any subsurface work on the Property.

This determination is based on the DEQ regulations and the facts as we now understand them including the following:

- The Site is currently zoned as PB – Pacific Boulevard District (City of Albany Ordinance 5832).
- The facility consisted of four (4) underground Storage Tanks (USTs). In September 1993, the USTs were removed from the Site. Two gasoline USTs were located in the northern portion of the Site. A third UST and a waste oil UST were located in the southern portion.
- A release was reported to the Department which generated the Leaking Underground Storage Tank (LUST) number 22-93-4155.
- On October 23, 2020, Hudspeth Land+Water conducted a site investigation which included soil and groundwater sampling.
- Soil samples were collected from seven locations (B-1 through -7) at depths ranging from 3 to 23 feet bgs in the vicinity of distribution lines, fueling stations, near former Tank 4, and near former Tank 1. Samples were analyzed for TPHs, selected VOCs, and/or PAHs. Analytes were not detected in most samples. TPH-g, TPH-d, and select PAHs were detected in one or more samples at concentrations less than the applicable RBCs.
- PID readings are recorded on the bore logs. PID concentrations were generally less than 10 parts per million (ppm). Additional soil samples were collected at depths where PID concentrations exceeded 100 ppm, including: B3 at approximately 3 feet bgs = 498 ppm. B6 at approximately 13 to 14 feet bgs: 386 and 275 ppm, respectively. B7 at approximately 13 feet bgs = 1,370 ppm.
- Groundwater was encountered at depth ranging from 11.5 ft to 18.0 ft bgs. Groundwater samples were collected from B-1, -6, and -7.

- Groundwater samples from the three borings were analyzed for TPHs, VOCs, and/or PAHs. TPH-g and chlorinated VOCs. There were detections in the groundwater, however, at a concentration less than the applicable RBCs.
- A groundwater beneficial use survey was conducted in June 2024. All responses indicated they receive water from the City of Albany.
- The entire property is covered by asphalt, concrete and limited landscaping and there are no known ecological risks.
- Public notice for comment was issued on December 17, 2024, and closed on January 17, 2025. There were no objections.

Based on the available information, conditions at Albany Auto Sales are currently protective of public health and the environment in accordance with Oregon environmental cleanup law, ORS 465.200 et seq. and Oregon Administrative Rules 340-122-0205 through 340-122-0360. The site requires no further action unless new or previously undisclosed information becomes available, or there are changes in site development or land and water uses, or more contamination is discovered. DEQ will update the Leaking Underground Storage Tank (LUST) database to reflect this decision. This letter only applies to the releases discussed above. If any contaminated media is encountered in the future, it must be handled and disposed of in accordance with local, state, and federal regulations.

A copy of the Parametrix closure report supporting this No Further Action decision can be viewed at <https://ordeq.org/ParametrixClosureReport> . DEQ recommends keeping a copy of all the documentation associated with this remedial action with the permanent facility records. If you have any questions, please contact Bruce Scherzinger at 503-378-5038, or via email at [bruce.scherzinger@deq.oregon.gov](mailto:bruce.scherzinger@deq.oregon.gov) .

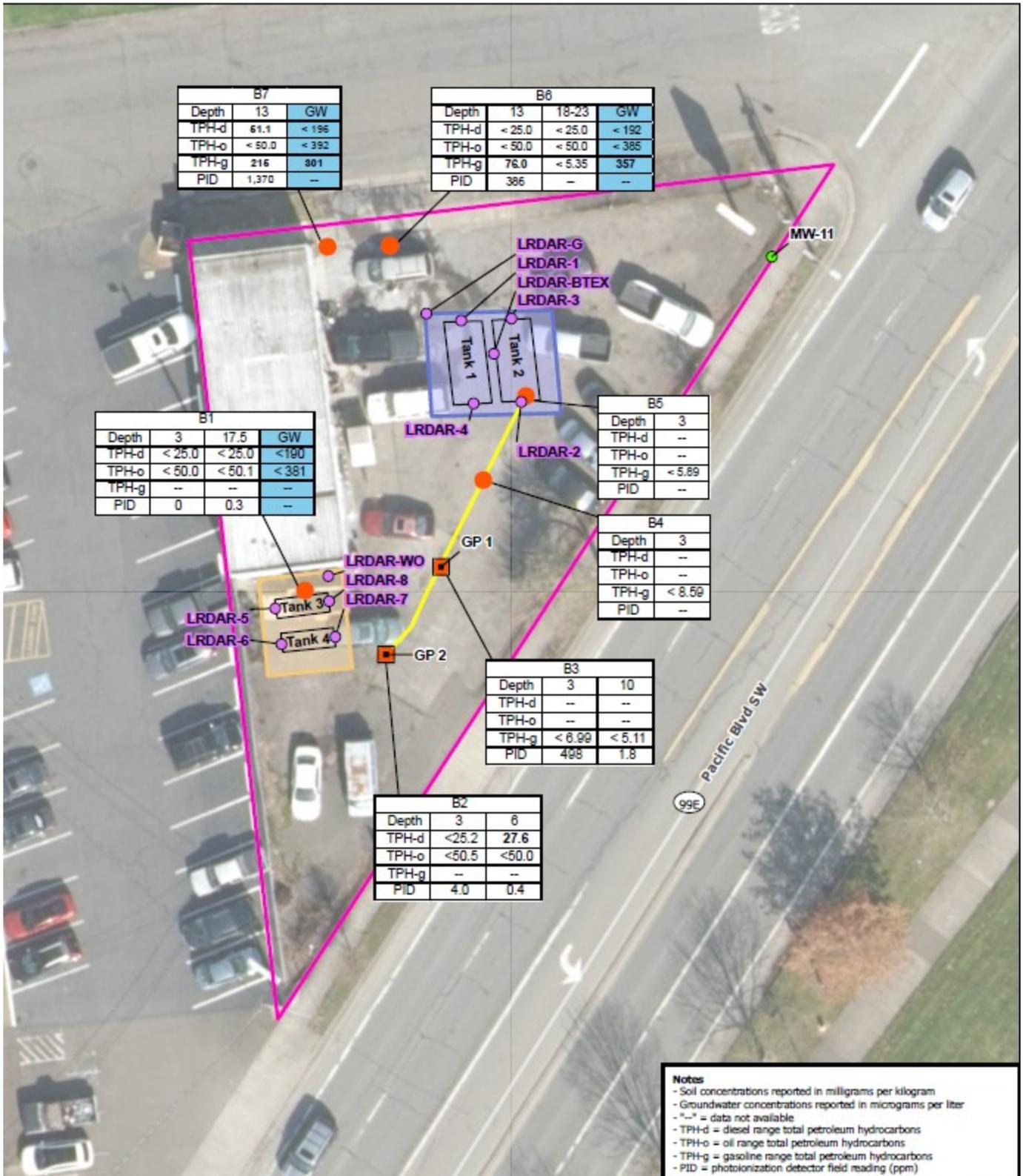
Sincerely,

*Brad Shultz*

Brad Shultz, Manager  
Western Region Cleanup Section

Attachment: Figure 3  
Table 1, Soil Sample Results  
Table 2, Groundwater Sample results

ecc: Bruce Scherzinger – Oregon DEQ  
Shira DeGrood, Parametrix, [SDeGrood@parametrix.com](mailto:SDeGrood@parametrix.com)



**Notes**

- Soil concentrations reported in milligrams per kilogram
- Groundwater concentrations reported in micrograms per liter
- "--" = data not available
- TPH-d = diesel range total petroleum hydrocarbons
- TPH-o = oil range total petroleum hydrocarbons
- TPH-g = gasoline range total petroleum hydrocarbons
- PID = photolization detector field reading (ppm)

Date: 7/22/2024  
 Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.

Depth	PID	Groundwater Sample
TPH-d	--	--
TPH-o	--	--
TPH-g	--	--
PID	--	--

0 10 20 40 Feet

- 2020 Borehole Sample
- Former Gas Pump
- Monitoring Well
- Former Distribution Line
- ▭ Property Location
- 1993 Excavation Sample
- Excavation Area
- ▭ Waste Oil and Diesel Tank Excavation
- ▭ Gasoline Tank Excavation
- ▭ Former Tank

**Figure 3 - Chemical Analysis Results**  
 Albany Auto Sales