Oregon
Tina Kotek, Governor

Department of Environmental Quality
Western Region
165 East 7th Ave, Suite 100
Eugene, OR 97401
(541) 686-7838

May 30, 2025

Richard Wright
Environmental Manager
Jackson Food Stores
3450 E. Commercial Ct.
Meridian, ID 83642

RE: No Further Action Determination
for Jacksons Food Stores #539
LUST # 24-15-1071

Dear Richard Wright:

The Oregon Department of Environmental Quality (DEQ) has completed a review of the available information for the Jacksons Food Stores #539 site, including the reports entitled Dispenser Sump Removal and Replacement Confirmation Soil Sampling dated September 27, 2022 and Data Gaps Assessment and Site Closure Request dated September 19, 2024, both of which were submitted to DEQ by Feige & Associates, Inc. on your behalf. The Jacksons Food Stores #539 site address is 2795 Market Street NE, Salem, Tax Lot 700.

DEQ has determined that remedial action to address environmental contamination at Jacksons Food Stores #539 is complete, and no further action is required. This determination is a result of our evaluation and judgment based on the DEQ regulations and the facts as we now understand them including the following:

- The site has historically been and is presently a fueling station.
- The cause of contamination is believed to be leaking from fuel dispenser sumps and associated product piping. In July 2015 and August 2016, product piping and six dispenser sumps were removed, of which four of the six sumps were replaced.
- There are three historical LUST releases and associated NFAs at this site: 24-95-4082, 24-91-4189, and 24-07-1502. In addition to cleanup work for historical release(s), some contaminated media was left in place.
- Affected media for this release is limited to soil in the vicinity of Sump-2. See Figure 2. Contaminated soil has been left in place.
- Remedial action limited to replacement of failing infrastructure (i.e. sumps and associated piping).
- The property is used as a fueling station and is mostly concrete and asphalt. The property is zoned Mixed Use III by the City of Salem, which allows commercial, retail, and multiple family residential uses. The site has been used as a fueling station for decades and while the zoning allows for residential use, there is no indication that the land use will change, and so direct contact risk to onsite residential receptors was not considered.
- There is no groundwater use on site. Municipal water service is available in the vicinity, though there are several wells that have the possibility of being used for domestic purposes.
- There is no ecological habitat onsite and offsite migration of contamination is not anticipated.

- Complete human exposure pathways are assumed to be all groundwater exposure pathways for both residential and occupational/worker receptors as well as direct soil contact for construction and excavation workers.
- Leaching to groundwater is noted as a potentially complete exposure pathway exceeding risk-based concentrations (RBCs). This is due to a single soil sample from 2015. Soil samples from 2024 did not reproduce this observation and groundwater sampling from 2024 demonstrates that leaching to groundwater has not occurred at detectable levels. Therefore, this exposure pathway is not considered to have residual risk for either residential or occupational receptors.
- Sampling from 2024 did not detect hydrocarbons in groundwater above applicable RBCs.
- Residual risk is limited to direct soil exposure for construction workers. In 2015, one soil sample had a concentration of total petroleum hydrocarbons-gasoline fraction above the RBC for direct soil exposure for construction workers (10,000 mg/kg vs. 9,700 mg/kg). However, due to the very limited spatial extent as demonstrated in the 2024 sampling, the likelihood of prolonged exposures to construction workers should be minimal and therefore should not result in unacceptable risk.
- No public notice was conducted due to the limited spatial scope of the release.

Based on the available information, soil and groundwater conditions at Jacksons Food Stores #539 are currently protective of public health and the environment in accordance with 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. Specifically, if the site is developed for residential uses, the surface soil exposure pathway should be evaluated. DEQ will update the Your DEQ Online (YDO) database to reflect this decision.

This letter only applies to the release(s) 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.

Copies of the Feige & Associates, Inc. reports supporting this No Further Action decision can be viewed at https://ordeq.org/LUST24-15-1071. DEQ recommends keeping a copy of all of the documentation associated with this remedial action with the permanent facility records. If you have any questions, please contact Sarah Eagle at 971-357-5275, or via email at sarah.eagle@deq.oregon.gov .

Sincerely,

Brad Shultz

Brad Shultz, Manager
Western Region Cleanup Section

Attachments: Vicinity Map
Site Map with Soil Sample Results
Site map with Groundwater Sample Results
Conceptual Site Model

ec: Sarah Eagle, Project Manager ODEQ sarah.eagle@deq.oregon.gov
Bruce Scherzinger, Leadworker ODEQ bruce.scherziner@deq.oregon.gov
John Wyatt, Feige & Associates, Inc. jwyatt@feige.us
LUST #24-15-1071 File

Figure 1. Vicinity Map

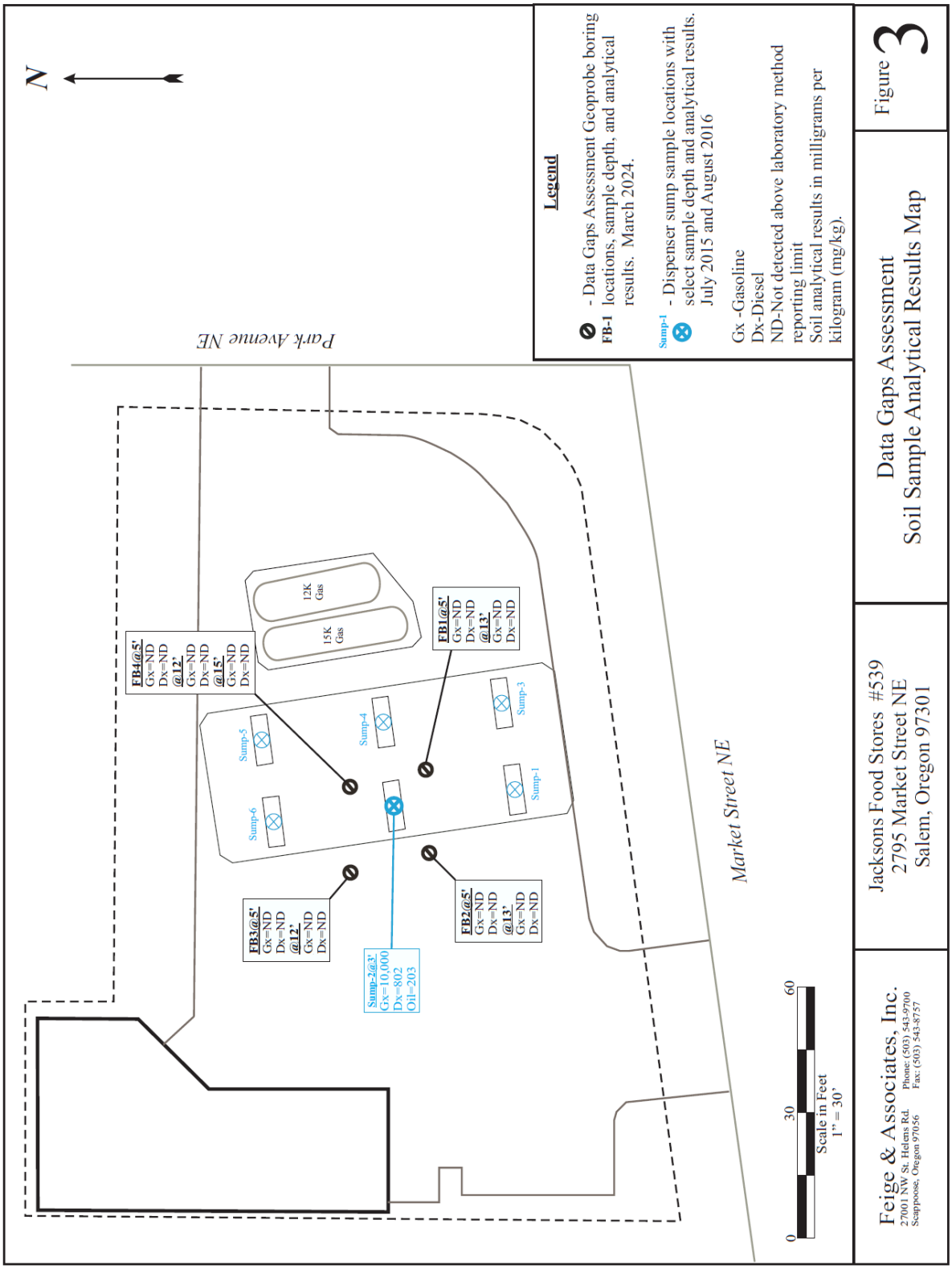

Figure 2. Site map with soil sample results.

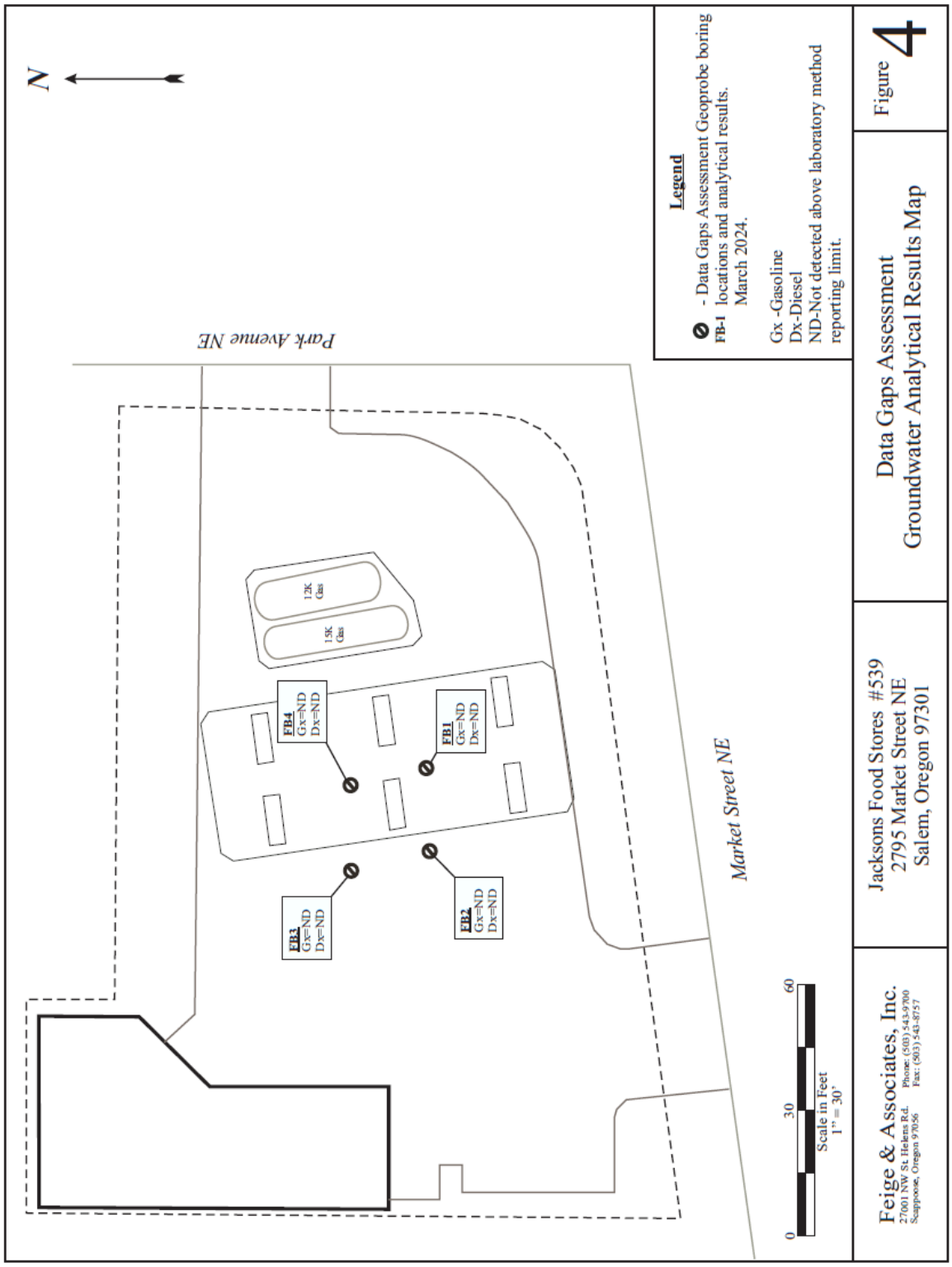

Figure 3. Site map with groundwater sample results.

	Pathway	Receptor	Is pathway complete?	Is RBC Exceeded?	Comments
Soil	Ingestion, Dermal Contact, and Inhalation	Residential and/or Urban Residential	No	N/A	No residential use on site.
		Occupational	No	N/A	Contamination not at surface.
		Construction Worker	**Yes**	**Yes**	**In 2015, one soil sample had a concentration of TPH-G above the RBC for direct soil exposure for construction workers (10,000 mg/kg vs. 9,700 mg/kg). However, due to the very limited spatial extent as demonstrated in the 2024 sampling, the likelihood of prolonged exposures to construction workers should be minimal and therefore should not result in unacceptable risk.**
		Excavation Worker	Yes	No	
	Volatilization to Outdoor Air	Residential and/or Urban residential	No	N/A	No residential use on site.
		Occupational	Yes	No	
	Leaching to Groundwater	**Residential and/or Urban residential**	**Yes**	**Yes**	**Potentially complete pathways, though groundwater sampling demonstrates that leaching to groundwater is not occurring at detectable levels.**
		Occupational	**Yes**	**Yes**	
Groundwater	Ingestion & Inhalation from Tap Water	Residential and/or Urban residential	Yes	No	Pathways assumed complete.
		Occupational	Yes	No	
	Vapor Intrusion into Buildings	Residential	Yes	No	Due to proximity of residential buildings, this pathway assumed complete.
		Commercial	Yes	No	
	Groundwater in Excavation	Occupational	Yes	No	
Ecological		Terrestrial & Surface Water	No	N/A	Contamination not at surface and not expected to interact with surface water or aquatic sediments.

Figure 4. Conceptual Site Model