



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9

75 Hawthorne Street
San Francisco, CA 94105-3901

NOV 11 2014

Kathy Gibson
P.O. Box 219
Owyhee, Nevada 89832

Certified Mail 7012 0470 0000 6668 6711
Return Receipt

Subject: No Further Action ("NFA")
Former J & W Store and Restaurant
HWY 225, Owyhee, Nevada
(EPA ID#: DUCV007)

Dear Ms. Lawrence:

The U.S. Environmental Protection Agency ("EPA") has completed review of documents pertaining to current and past site assessment activities at the former J&W Store and Restaurant ("Site") on the Duck Valley Reservation. A summary of the Site's leaking underground storage tank (LUST) information is found in Enclosure A.

Based on the review of Site's files and the assessment activities conducted in August 2014, EPA believes that no further action is needed for the Site at this time. However, if additional information becomes available in the future regarding hydrocarbon contamination in soil and/or groundwater at the Site related to petroleum from leaking UST, or the planned use of the site, EPA may reopen the Site and require additional site assessment and/or corrective action.

Please note that this NFA letter, as well as all supporting documentation, will be available to the general public. If you have any questions regarding this letter, please contact me at (415) 972-3369.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven C. Linder".

Steven C. Linder, P.E., Manager
Underground Storage Tanks Program Office

cc: Duck Valley Tribal Environmental Department
BIA-Eastern Nevada Agency

Enclosure A - LUST No Further Action Summary
Former J & W Store and Restaurant
HWY 225, Owyhee, Nevada
(EPA ID# DUCV007)

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Site Background

The J&W Store is an abandoned UST site located in a residential community on the Duck Valley Reservation. In 1998, three orphan USTs were found and removed; two had to be left in place because of concerns for the building's foundation. Information collected indicates the 5 USTs were:

Summary of USTs¹

Number of USTs	Size	Contents	Installed	Removed	Last Use
2	1,000 gallons	Gasoline	1941	1998	
1	2,000 gallons	Gasoline	1941	1998	
1	500 gallons	Gasoline	1941		1979
1	500 gallons	Diesel ²	1941		1979

The 1998 removal recorded soil detections of 18,000 ppm Total Petroleum Hydrocarbon (TPH) as gasoline and elevated benzene, toluene, ethylbenzene and xylenes (BTEX) concentrations remaining in the soil.

The site currently has the old store and restaurant building (which is vacant and intact), one abandoned garage and two old dispensers in front of the building.

UST Site Assessment Work

Based on the above information that two USTs has been left in place and visual evidence of a fill port near the stairs on the south side of the building, EPA tasked the U.S. Army Corps of Engineers ("Corps") to: (1) assess the contents of the UST(s) and (2) collect soil samples.

EPA conducted soil sampling and assessment activities at the Site on August 26, 2014, through the Corps Contractor, Environmental Compliance Solutions, Inc. (ECS). ECS located several feet of UST system-associated piping originating from the dispenser island which was tracked to the end and found not connected to any USTs. Soil samples were collected underneath the dispenser island and the piping joints. The soils samples were analyzed for constituents of concern including volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) gasoline range organics (GRO) and diesel range organics (DRO) and RCRA 8 metals. The sample results except for arsenic, were all below EPA R9's Regional Screening Levels (RSLs), found at <http://www.epa.gov/region9/superfund/prg/>. The arsenic levels found in the soil at the site are all within the background concentration of arsenic in Nevada.

¹ Summary Table is based on interviews and submitted letters. No UST notification forms were submitted for this Site.

² Diesel may have been stored in an AST rather than UST

Conclusion

EPA did not find USTs at the site. The two USTs that were left in place in 1998 appear to have been removed from the site sometime after 2003. On-site soils were sampled and found to be below EPA RSLs, therefore, appropriate to leave undisturbed. The piping and dispensers remain at the site. If the site is to be redeveloped, EPA recommends that the piping, dispensers and dispenser island be removed and disposed of properly.