



DEPARTMENT OF
ECOLOGY
State of Washington

Public Participation Plan

March Point Landfill
9663 South March Point Road
Anacortes, Skagit County, Washington

Facility Site ID: 2662

Cleanup Site ID: 304

March 2020

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Publication and Contact Information

This plan is available on the Washington Department of Ecology's website at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=304>

For more information contact:

Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600
360-407-7170

Washington State Department of Ecology - www.ecology.wa.gov

- Headquarters, Olympia 360-407-6000
- Northwest Regional Office, Bellevue 425-649-7000
- Southwest Regional Office, Olympia 360-407-6300
- Central Regional Office, Yakima 509-575-2490
- Eastern Regional Office, Spokane 509-329-3400

To request ADA accommodation for disabilities, call the Hazardous Waste and Toxics Cleanup Program at 360-407-6700. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

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Toxics Cleanup Program
Washington State Department of Ecology
Olympia, Washington

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Public Involvement in Contamination Cleanup

The Washington State Department of Ecology (Ecology) developed this public participation plan in cooperation with Shell Oil Company, Department of Natural Resources, Skagit County, and Texaco, Inc. These parties are responsible for cleanup costs, and have been identified as the potentially liable parties or PLPs. The purpose of the plan is to promote meaningful community involvement during cleanup.

The plan describes ways Ecology will inform the public about contamination investigations and cleanup options throughout the cleanup process. Ecology encourages the public to learn about and get involved in decision-making opportunities. This plan identifies how and when the public can get involved during different stages of the investigation and cleanup of contamination.

Site contacts

To be included in the site's formal record, comments about the cleanup process must be submitted in writing or online to Ecology during comment periods. Questions and informal comments or information about the site's history are welcome anytime.

Ecology

Department of Ecology
Toxics Cleanup Program
300 Desmond Drive SE
Lacey, WA 98503

Arianne Fernandez, Site Manager
arianne.fernandez@ecy.wa.gov
360-407-7224

Skagit County

Public Works
Department 1800
Continental Place
Mount Vernon, WA 98273

Margo Gillaspy, Solid Waste Manager
margog@co.skagit.wa.us
360-416-1578

Public participation activities are coordinated between Ecology and the potentially liable parties for the March Point cleanup. Ecology maintains overall responsibility and approval authority in accordance with the requirements of the Model Toxics Control Act (MTCA). With participation from the potentially liable parties, Ecology will conduct formal public comment periods and other forms of public involvement throughout the cleanup process.

Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups interested in the site. These funds may be used to provide additional public involvement opportunities, receive technical assistance,¹ and enhance the public's understanding of the cleanup process.

For more information about public participation grants, please contact [Lynn Gooding](#) at 360-407-6062 or lynn.gooding@ecy.wa.gov. You may also visit the [Public Participation Grant website](#).²

Washington's Cleanup Laws

Ecology uses the Model Toxics Control Act (MTCA) and accompanying regulations for cleanup activities.

This plan is required under MTCA, a law that passed in 1989. MTCA provides guidelines for contaminated site cleanup in Washington state and sets standards to ensure the cleanup protects human health and the environment.

Model Toxics Control Act (MTCA)

MTCA began as a grassroots citizen's initiative in 1988, and started the process of systematically cleaning up contaminated sites in Washington. Under MTCA, a current or past property owner or operator may be held responsible for cleaning up contamination on, or coming from, their property to standards that are safe for human health and the environment.

Ecology enacts MTCA and oversees cleanups in the state and issues regulations and guidance governing those cleanups. The regulations are found in [Chapter 173-340 Washington Administrative Code \(WAC\)](#)³. Ecology investigates reports of property contamination, and if the contamination is seen as a significant threat to human health or the environment, the contaminated property is placed on the Hazardous Sites List, and the cleanup process begins.

Public participation is an important part of cleanup under the MTCA process. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk

¹ Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the site.

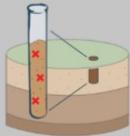
² <http://www.ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants>

³ <https://fortress.wa.gov/ecy/publications/publications/9406.pdf>

posed by the contamination. Individuals who live near the site, community groups, businesses, government, other organizations, and interested parties have the opportunity to get involved by commenting on the cleanup process.

Under MTCA, the cleanup process generally includes five phases. Each phase includes an opportunity for the public to review and comment on cleanup documents.

Steps in Washington’s Cleanup Process

 <p>Interim Action</p>		<p>If contaminants pose an immediate risk to people or the environment, action can be taken at any point in the cleanup process to reduce the risk. Interim actions may also be used to progress cleanup when only a brief opportunity is available.</p>
 <p>Remedial Investigation (RI)</p>		<p>Environmental investigation to identify the nature, extent, and magnitude of pollution at a site, and how people, plants, and animals may be exposed to the pollution.</p>
 <p>Feasibility Study (FS)</p>		<p>Uses information gathered during the Remedial Investigation to develop cleanup alternatives, and then evaluates them through an environmental benefit vs. cost analysis. This process determines a preferred alternative.</p>
 <p>Cleanup Action Plan (CAP)</p>		<p>Ecology identifies a cleanup plan based on information in the RI/FS and public input. The CAP includes cleanup standards, a schedule for design and construction work, and requirements for monitoring, operation, and maintenance.</p>
<p>Cleanup & Monitoring</p>		<p>The CAP is used to clean up the site. After construction is complete, monitoring occurs. Environmental covenants prohibit or restrict activities that would expose any remaining contamination or adversely affect the cleanup.</p>

 Opportunities for public comment

State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans. The SEPA process identifies and analyzes environmental impacts associated with governmental decisions. The SEPA review process helps agency decision-makers, applicants, and the public understand how the entire proposal will affect the environment. SEPA can be used to modify or deny a proposal to avoid, reduce, or compensate for probable impacts.

Site History

Description and Location

The Site is located at March Point Landfill in Anacortes, Skagit County, Washington, on Fidalgo/Padilla Bays (see Figure 1). The Site, approximately 14 acres of upland area, is located on the east side of March Point, north of South March Point Road at the base of a bluff in the tidelands area of Padilla Bay.



Figure 1: The March Point Landfill Site is shown in the above map, located at 9663 South March Point Road in Anacortes, WA.

How the site became contaminated

The March Point Landfill Site (Site), sometimes called the Whitmarsh Landfill, operated from 1950 until 1973, first as an unregulated public dump and later as a county disposal area. Decades of household, commercial and industrial solid wastes were discarded at the Site. From the late 1980s to around 2011, a sawmill operated at the Site where wood waste up to 10 feet thick accumulated over large portions of the landfill. While wood waste itself is not a contaminant, as it breaks down in the environment, it releases contaminants that can adversely impact the environment. Most wood waste was removed in 2014 and 2015.

Contamination

Due to historic land use and industrial practices, soil and groundwater in the Site area are contaminated with:

- Wood waste
- Landfill gas (methane, carbon dioxide, oxygen, nitrogen)
- Total petroleum hydrocarbons (TPHs)
- Benzene
- Semi-volatile organic compounds (SVOCs)
- Pesticides
- Metals

Cleanup plans

In 2009, Ecology and the potentially liable parties (PLPs; Skagit County, Washington Department of Natural Resources, Shell Oil Co., and Texaco, Inc.) entered into an Agreed Order to investigate contamination and plan for cleanup of the Site. A Remedial Investigation/Feasibility Study (RI/FS) was conducted in 2016 to characterize contamination at the Site and explain cleanup alternatives. The public is now invited to comment on new draft documents including a draft Cleanup Action Plan.

Area community

The March Point cleanup site is located on a predominantly industrial peninsula. The City of Anacortes is approximately two miles away across Fidalgo Bay. Anacortes is Skagit County's second largest city and its largest seaport. It is the principal city on Fidalgo Island. The current population is approximately 16,953 people⁴ situated within approximately 12 square miles.

⁴ US Census Bureau, State & County QuickFacts, *available at* <http://www.census.gov/quickfacts/table/PST045215/5301990> (Accessed 06/25/2018).

Located on Fidalgo/Padilla Bays, Anacortes has 12.5 miles of saltwater shoreline that support three Port of Anacortes marine terminals, a shipyard, several yacht and mid-size boat building and sales operations, and four private marinas. In addition to the City's modern educational and health care facilities, four freshwater lakes and 3,300 acres of city-owned forestland and parks create a rural character in the community. The City's 2016 labor workforce was approximately 7,459 people, predominantly employed in service-based industries (education, health care, social assistance, arts/entertainment/recreation, accommodations/food, retail) and manufacturing.⁵

A 2020 review of demographic data for the March Point site and a 1-mile surrounding radius shows that fewer than 5% of residents speak non-English languages.

The Swinomish Tribe is a Sovereign Nation that own land adjacent to the Site. Ecology will ensure that the tribe remains engaged with any decision-making process for this site, and has ample opportunity to be involved throughout the process.

Public Participation Activities

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties do not need to wait for a formal public comment period to contact Ecology.

However, to be included in the formal site record, comments about the site investigation, cleanup alternatives, or cleanups must be submitted during formal comment periods. In addition, the public is invited to review site documents before they become final. This is the most direct and influential way to learn more about the site and be involved in decision-making about the site cleanup.

How we share information with the community

During specific stages of the cleanup, Ecology will mail notices about public comment periods to addresses surrounding the site. The mailing list area will vary depending on the type of contamination and where it is located, but the list will at least include addresses within a 0.25 mile radius of the site and any interested organizations or individuals who have requested to be on the mailing list for this site.

⁵ American Fact Finder.

https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_5YR_DP03&prodType=table (accessed 06/25/2018).

These notices will provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings or how to request one if not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the site's status. These informational documents will be available online and at document repositories. Print copies may be mailed to the nearby community if we feel the message warrants the associated cost and resources.

Comment period notices and other site announcements may also be posted in various locations throughout the community (for example, local businesses, schools, libraries).

Postal mailing list

Ecology maintains a mailing list that includes addresses within a 0.25 mile radius of the site and relevant local, state, and federal government contacts. These people receive public comment notices when draft documents are available.

We will add additional individuals, organizations, and other interested parties to the mailing list as requested. If you would like to be added to the mailing list for this site, please contact Arianne Fernandez at 360-407-7209 or arianne.fernandez@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).⁶ To receive the *Site Register* by email, please contact Sarah Kellington at sarah.kellington@ecy.wa.gov, or [subscribe online](#).⁷

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the Anacortes American, and the Skagit Valley Herald. We will also publish notice on Ecology's [Public Input & Events Listing](#).⁸

Ecology's website and social media platforms

We maintain [a website](#) for the March Point Landfill site.⁹ The website provides site information, and you may download cleanup documents.

⁶ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data>

⁷ <http://listserv.wa.gov/cgi-bin/wa?SUBED1=siteregister&A=1>

⁸ <https://ecology.wa.gov/Events/Search/Listing>

⁹ <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=304>

We may also share information about cleanup sites through [news releases, our ECOconnect blog, and social media.](#)¹⁰

Document repositories

During public comment periods, you can find print documents at the following locations:

Anacortes Public Library

1220 10th Street
Anacortes, WA 98221
360-293-1910

Skagit Valley Public Works

1800 Continental Place
Mount Vernon, WA 98273-5625
(360) 416-1400

Padilla Bay Nation Estuarine Research Reserve

10441 Bayview-Edison Road
Mount Vernon, WA 98273

Washington Department of Ecology Headquarters

300 Desmond Drive SE
Lacey, WA 98503

To schedule an appointment, please contact Carol Dorn at 360-407-7224 or Carol.Dorn@ecy.wa.gov.

Signs around the cleanup site

Ecology may also install signs displaying information about project status, traffic impacts, and health risks around the cleanup site.

How to share information with us

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods SEPA documents. SEPA documents are often made available for review with other cleanup documents. We may hold comment periods longer than 30 days.

We may also identify public concerns and cleanup goals by meeting with and soliciting information from interested community members and organizations. To collaborate with us about this site, please contact Arianne Fernandez at 360-407-7209 or arianne.fernandez@ecy.wa.gov.

¹⁰ <https://ecology.wa.gov/About-us/Get-to-know-us/News>

Public comment periods

Formal 30-day comment periods allow interested members of the public to submit written comments on draft documents, legal agreements, and proposed cleanup actions. If there is significant interest, Ecology may extend the public comment period. When Ecology oversees SEPA determinations, we hold comment periods on SEPA documents for at least two weeks.

Following a comment period, we publish all the input we received and respond to significant comments and questions. If the comments result in significant changes to the cleanup documents, the documents will be revised and re-issued for public review. If the comments do not result in significant changes, then they become final.

Public events

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if 10 people request it, and this may cause us to extend a public comment period to accommodate a meeting.

Events are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

Plan Amendments

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Arianne Fernandez at 360-407-7209 or arianne.fernandez@ecy.wa.gov.

This plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us.

If you feel the planned outreach activities and mechanisms described in this plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach tools established as a result can be implemented right away, with or without amending this plan.

Glossary

Cleanup: The implementation of a cleanup action or interim action.

Cleanup Action: Any remedial action except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with MTCA cleanup requirements, including but not limited to: complying with cleanup standards, utilizing permanent solutions to the maximum extent practicable, and including adequate monitoring to ensure the effectiveness of the cleanup action.

Cleanup Action Plan: A document that selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the cleanup action plan, Ecology finalizes the cleanup action plan.

Cleanup Level: The concentration (or amount) of a hazardous substance in soil, water, air, or sediment that protects human health and the environment under specified exposure conditions. Cleanup levels are part of a uniform standard established in state regulations, such as MTCA.

Cleanup Process: The process for identifying, investigating, and cleaning up hazardous waste sites.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

Feasibility Study: Provides identification and analysis of site cleanup alternatives and is usually completed within a year. The entire Remedial Investigation/Feasibility Study (RI/FS) process takes about two years and is followed by the cleanup action plan. Remedial action evaluating sufficient site information to enable the selection of a cleanup action plan.

Hazardous Site List: A list of ranked sites that require further remedial action. These sites are published in the Site Register.

Interim Action: Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

Model Toxics Control Act: Refers to RCW 70.105D. Voters approved it in November 1988. The implementing regulation is WAC 173-340 and was amended in 2001.

Public Notice: At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and the opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Release: Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

Remedial Action: Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance, and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

Remedial Investigation: Any remedial action that provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the Remedial Investigation/Feasibility Study is to collect and develop sufficient site information to enable the selection of a cleanup action.