

Site Cleanup:

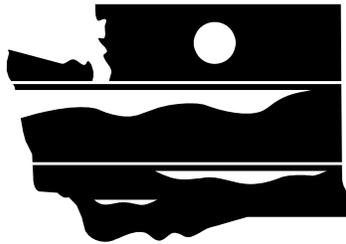
KIMBERLY-CLARK WORLDWIDE SITE

2600 Federal Avenue
Everett, Washington

DRAFT PUBLIC PARTICIPATION PLAN

Prepared by:

Washington State Department of Ecology



DEPARTMENT OF
ECOLOGY
State of Washington

August 2012

This plan is for you!

This Public Participation Plan (Plan) is prepared for the Kimberly-Clark Worldwide Site cleanup as part of the requirements of the Model Toxics Control Act (MTCA). The Plan provides information about MTCA cleanup actions and requirements for public involvement, and identifies how the Washington State Department of Ecology (Ecology) and Kimberly-Clark will support public involvement throughout the cleanup. The Plan is intended to encourage coordinated and effective public involvement tailored to the community's needs at the Kimberly-Clark Worldwide Site.

For additional copies of this document, please contact:

Washington State Department of Ecology
Andrew Kallus, Site Manager
Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600
(360) 407-7259
Email: Andrew.kallus@ecy.wa.gov

If you need this publication in an alternate format, please call the Toxics Cleanup Program at (360) 407-7170. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can

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1.0: Introduction and Overview of the Public Participation Plan

This Public Participation Plan (Plan) explains how you can become involved in improving the health of your community. It describes public participation opportunities that will be conducted during cleanup of a site on the Everett waterfront – the Kimberly-Clark Worldwide Site (Site). The Site is located at 2600 Federal Avenue in Everett, Washington. These opportunities are part of a cooperative agreement between the Washington State Department of Ecology (Ecology) and Kimberly-Clark Worldwide, Inc. (K-C). The current agreement, called an Agreed Order, is a legal document in which Ecology and K-C agree to decide on cleanup actions for the Site.

Cleanup actions, and the public participation process that helps guide them, are established in Washington’s Model Toxics Control Act (MTCA)¹. Under MTCA, Ecology is responsible for providing timely information and meaningful chances for the public to learn about and comment on important cleanup decisions before they are made. The goals of the public participation process are:

- To promote understanding of the cleanup process so that the public has the necessary information to participate.
- To encourage involvement through a variety of public participation opportunities.

This Plan provides a framework for open dialogue about the cleanup among community members, Ecology, K-C, and other interested parties. It outlines basic MTCA requirements for community involvement activities that will help ensure that this exchange of information takes place during the investigation and cleanup. These requirements include:

- Notifying the public about available reports and studies about the site.
- Notifying the public about review and comment opportunities during specific phases of the cleanup investigation.
- Providing appropriate public participation opportunities, such as fact sheets, to learn about cleanup documents, and if community interest exists, holding meetings to solicit input and identify community concerns.
- Considering public comments received during public comment periods.

¹ The Model Toxics Control Act (MTCA) is the hazardous waste cleanup law for the State of Washington. The full text of the law can be found in Revised Code of Washington (RCW), Chapter 70.105D. The legal requirements and criteria for public notice and participation during MTCA cleanup investigations can be found in Washington Administrative Code (WAC), Section 173-340-600.

In addition to these basic requirements, the Plan may include additional site-specific activities to meet the needs of your community. Based upon the type of the proposed cleanup action, the level of public concern, and the risks posed by the site, Ecology may decide that more public involvement opportunities are appropriate.

These opportunities form the basis for the public participation process. The intent of this Plan is to:

- Provide complete and current information to all interested parties.
- Let you know when there are opportunities to provide input.
- Provide opportunities to listen to and address community concerns.

Part of the Puget Sound Initiative

The Site is one of several sites in the Everett area and is part of a larger cleanup effort called the Puget Sound Initiative (PSI). Governor Chris Gregoire and the Washington State Legislature authorized the PSI as a regional approach to protect and restore Puget Sound. The PSI includes cleaning up 50-60 contaminated sites within one-half mile of the Sound. These sites are grouped in several bays around the Sound for “baywide” cleanup efforts. As other sites in the Everett baywide area move forward into investigation and cleanup, information about them will be provided to the community as well as to interested people and groups.

Roles and Responsibilities

Ecology will lead public involvement activities, with support from K-C. Ecology maintains overall responsibility and approval authority for the activities outlined in this plan. Ecology and K-C are responsible for cleanup at the Site. Ecology will oversee all cleanup activities and ensure that contamination on the Site is cleaned up to concentrations that are established in state regulations and that protect human health and the environment. Ecology also has provided public participation grant funding to an environmental nonprofit organization, People for Puget Sound, which focuses those resources on helping community members participate in the cleanup process.

Organization of this Public Participation Plan

The sections that follow in this Plan provide:

- Section 2: Background information about the Site.
- Section 3: An overview of the local community that this plan is intended to engage.
- Section 4: Public involvement opportunities in this cleanup.

This Plan addresses current conditions at the Site, but it is intended to be a dynamic working document that will be reviewed at each phase of the cleanup, and updated as needed. Ecology and K-C urge the public to become involved in the cleanup process.

2.0: Site Background

Site Description and Location

The Site is located at 2600 Federal Avenue in Everett, Snohomish County, Washington, and is generally located adjacent to East Waterway on the west side of West Marine View Drive between Everett Avenue and 21st Street (see Figure 1). It is rectangular in shape and is generally bounded by the Port of Everett (Port) and several private industrial properties to the south, Burlington Northern Santa Fe Railroad to the east, the Navy to the north, and East Waterway to the west. The surface of the majority of the property is currently flat and paved and contains buildings and other infrastructure related to pulp and paper manufacturing (see Figure 2). All manufacturing operations at the facility ceased in April 2012 and the Site is currently being prepared for a future use through a demolition process permitted by the City of Everett. Demolition activities at the Site will result in the removal of some or all of the structures associated with the former mill.

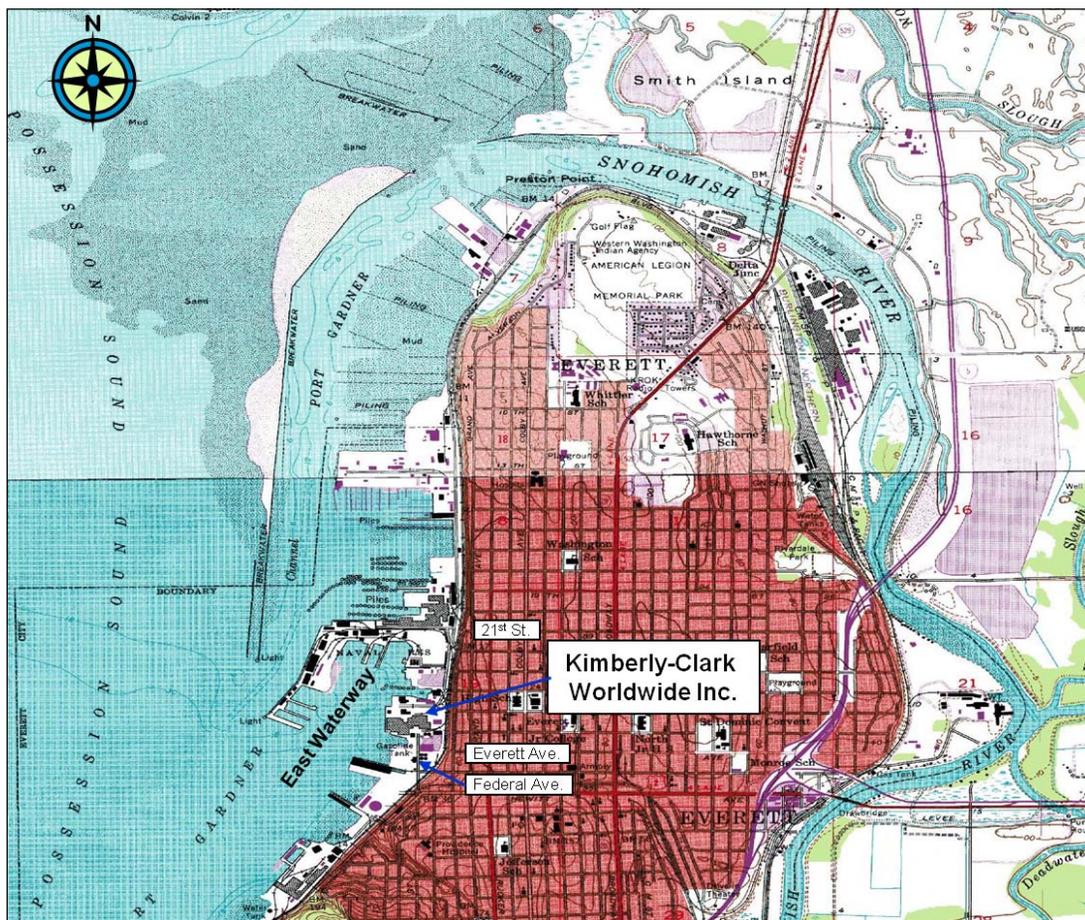


Figure 1: The Kimberly-Clark Worldwide Site is shown in the above map, located at 2600 Federal Avenue, in Everett, WA.



Figure 2: An aerial view of the Kimberly-Clark Worldwide Site. Photo Source: Port of Everett, 2012.

The City of Everett’s zoning map² indicates that the Site is zoned M-2, for heavy manufacturing. Zoning to the east includes residential single-family homes. Zoning to the west includes aquatic and heavy manufacturing. The Site is not located within the Everett Smelter area of historic arsenic contamination (*see* footnote 2). The Site is designated as Urban Deep Water Port under the Everett Shoreline Master Program³. In addition, due to the mill closure and potential conversion of this large waterfront industrial area to vacant land, the City of Everett is currently undertaking a planning process for the property and its immediate vicinity. The planning process, called the “Central Waterfront Planning Area”, covers about 92-acres and will consider a range of land use alternatives⁴. As such, future uses for the property are being discussed by the City with its citizens, another opportunity to participate in this waterfront area of Everett.

² Link to City of Everett maps including zoning and Everett Smelter information: <http://www.everettwa.org/default.aspx?ID=885> (Accessed July 27, 2012).

³ Link to the City of Everett Shoreline Master Program (*see* Section 4, Environmental Designations and Management Policies): <http://www.everettwa.org/default.aspx?ID=869> (Accessed July 27, 2012).

⁴ Link to the City of Everett Waterfront Planning Area website: <http://www.ci.everett.wa.us/default.aspx?ID=2048> (Accessed July 27, 2012).

General Site History and Contaminants

The area comprising the Site was first developed in the late 1800s/early 1900s and was primarily used for pulp and paper manufacturing from 1931 to 2012. Past uses also included bulk petroleum storage operations by several oil companies and sawmilling. While in operation, the pulp and paper mill produced bleached sulfite pulp and various tissue products including paper towels, bath tissue, napkins, and industrial wipers which are a heavier type of paper towel. Historical sampling in the Site uplands has identified mostly petroleum and metals contamination in soil and groundwater. Samples collected in the marine sediments were found to contain wood waste, as well as contaminants including metals, polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), semivolatile organic compounds (SVOCs), and dioxins/furans.

The Cleanup Process

As part of the Agreed Order, K-C will conduct a Remedial Investigation and Feasibility Study (RI/FS) and develop a Draft Cleanup Action Plan for the Site upland area. The in-water area will be addressed under a separate Agreed Order. Washington State's cleanup process and key chances for you to provide input are outlined in Figure 3 on page 14. The general cleanup process for this Agreed Order includes the following steps for the upland area:

- Remedial Investigation (RI) – investigates the site for types, locations, and amounts of contaminants.
- Feasibility Study (FS) – identifies cleanup options for those contaminants.
- Cleanup Action Plan (CAP) – selects the preferred cleanup option and explains how cleanup will be conducted.

Each of these steps is generally documented in reports and plans that will be available for public review. Public comment periods of at least 30 calendar days are usually conducted for the following documents:

- Draft RI report
- Draft FS report
- Draft CAP

These cleanup steps and documents are described in greater detail in the following subsections.

Interim Actions

An interim action partially addresses the cleanup of a site, and may be performed if:

- It is technically necessary to reduce a significant threat to human health or the environment.
- It corrects a problem that may become substantially worse or cost substantially more to fix if delayed.
- It is needed to complete another cleanup activity, such as design of a cleanup plan.

Due to contamination identified in soil and groundwater, interim actions are anticipated on the Site upland area as buildings and other infrastructure are demolished under permits issued by the City of Everett. Conducting interim actions during the demolition of the mill offers the opportunity to address known environmental conditions efficiently and cost-effectively. An Interim Action Plan that contains the approach and procedures for managing potentially contaminated soil or groundwater discovered during the demolition of the facility is provided in **Exhibit C** of this Agreed Order.

Remedial Investigation/Feasibility Study Report

Ecology and K-C have agreed to conduct an RI/FS on the Site upland area. An RI/FS will be performed for the in-water area under a separate Agreed Order. The RI determines which contaminants are on the Site, where they are located, and whether there is a significant threat to human health or the environment. The RI report provides baseline data about environmental conditions that will be used to develop cleanup options. The FS report then identifies and evaluates cleanup options, in preparation for the next step in the process.

The RI and FS processes typically include several phases:

- Scoping
- Site characterization
- Development and screening of cleanup alternatives
- Treatability investigations (if necessary to support decisions)
- Detailed analysis

The RI and FS reports are expected to be combined into a draft Kimberly-Clark Worldwide Site RI/FS Report for the upland area. The draft report will be made available for public review and comment. Comments will be considered as the draft CAP is prepared.

Cleanup Action Plan

Ecology and K-C have agreed to develop a draft CAP for the Site upland area. A draft CAP will be developed for the in-water area under a separate Agreed Order. The draft CAP explains the cleanup standards that will be applied at the Site, selects the preferred cleanup alternative(s), and outlines the work to be performed during the actual site

remediation. The draft CAP may also evaluate the completeness and effectiveness of any interim actions that were performed on the Site. The draft CAP will be available for public review and comment.

3.0: Community Profile

Community Profile

Everett is Snohomish County's largest city and the sixth largest city in the state of Washington. The current population of Everett is approximately 103,000⁵, situated within 47.7 square miles. Located on Port Gardner Bay, Everett hosts the west coast's second largest marina; U.S. Navy Homeport Naval Station Everett; and The Boeing Company's assembly plant. The city's current labor workforce is more than 80,000, employed predominantly in technology, aerospace, and service-based industries⁶.

Key Community Concerns

An important part of this Plan is to identify key community concerns for the cleanup site. Many factors are likely to raise community questions, such as the amount of contamination, how the contamination will be cleaned up, or future use of the Site. Community concerns often change over time, as new information is learned and questions are answered. Identifying site-specific community concerns at each stage of the cleanup process is helpful to ensure that they are adequately addressed. On-going key community concerns will be identified for the Site through public comments and other opportunities, as detailed in Section 4.

⁵ US Census Bureau, State & County QuickFacts. <http://quickfacts.census.gov/qfd/states/53/5322640.html> (Accessed July 31, 2012)

⁶ City of Everett. <http://www.everettwa.org/default.aspx?ID=314> (Accessed July 31, 2012)

4.0: Public Participation Opportunities

Ecology and K-C invite you to share your comments and participate in the cleanup in your community. As we work to meet our goals, we will evaluate whether this public participation process is successful. This section describes the public participation opportunities for the Site.

Measuring Success

We want this public participation process to succeed. Success can be measured, at least in part, in the following ways:

- Number of written comments submitted that reflect understanding of the cleanup process and the site.
- Direct, in-person feedback about the site cleanup or public participation processes, if public meetings are held.
- Periodic updates to this plan to reflect community concerns and responses.

If we are successful, this process will increase:

- Community awareness about plans for cleanup and opportunities for public involvement.
- Public participation throughout the cleanup.
- Community understanding regarding how their input will be considered in the decision-making process.

Activities and Information Sources

Ecology Contacts

Ecology is the lead contact for questions about the cleanup in your community. The Ecology staff person identified in this section is familiar with the cleanup process and activities at the Site. For more information about public involvement or the technical aspects of the cleanup, please contact:

Andrew Kallus, Site Manager
WA State Dept. of Ecology
Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600
Phone: (360) 407-7259

E-mail: Andrew.kallus@ecy.wa.gov

Ecology's Webpage

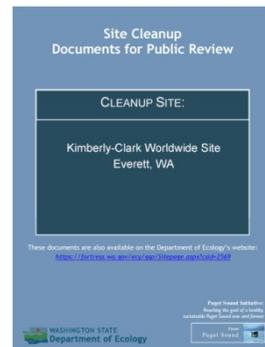
Ecology has created a webpage to provide convenient access to information. Documents such as the Agreed Order, RI/FS reports, and cleanup plans are posted as they are issued during the investigation and cleanup process. Visitors to the webpage can find out about public comment periods and meetings; download, print, and read information; and submit comments via email. The webpage also provides links to detailed information about the MTCA cleanup process. The Kimberly-Clark Worldwide Site webpage is available at the following address:

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2569>

Information Centers/Document Repositories

The most comprehensive source of information about the Site is the information center, or document repository. Two repositories provide access to the complete list of site-related documents. All Site investigation and cleanup activity reports will be kept in print at those two locations and will be available for your review. They can also be requested on compact disk (CD). Document repositories are updated before public comment periods to include the relevant documents for review. Documents remain at the repositories throughout the investigation and cleanup. For the Site, the document repositories and their hours are:

- **Everett Public Library**
2720 Hoyt Avenue
Phone: (425) 257-8010
Hours: Mon. – Wed. 10 am – 9 pm,
Thurs. – Sat. 10 am – 6 pm,
Sun. 1 – 5 pm
- **WA Department of Ecology Headquarters**
300 Desmond Dr.
Lacey, WA 98503
By appointment. Please contact Carol Dorn
at (360) 407-7224 or Carol.Dorn@ecy.gov.



Look for document covers much like the illustration on the right.

Public Comment Periods

Public comment periods provide opportunities for you to review and comment on major documents, such as the Agreed Order, draft Public Participation Plan, draft RI and FS reports, and the draft CAP. The typical public comment period is 30 calendar days.

Notice of Public Comment Periods

Notices for each public comment period will be provided by local newspaper and by mail. These notices indicate the timeframe and subject of the comment period, and explain how you can submit your comments. For the Site, newspaper notices will be posted in The Daily Herald and Snohomish County Tribune.

Notices are also sent by regular mail to the local community and interested parties. The community typically includes all residential and business addresses within one-quarter mile of the site, as well as potentially interested parties such as public health entities, environmental groups, and business associations. For the Site, the mailing area will be increased in size.

Fact Sheets

One common format for public comment notification is the fact sheet. Like the newspaper notice, fact sheets explain the timeframe and purpose of the comment period, but also provide background and a summary of the document under review. Two fact sheets have been prepared for the Site. The fact sheets explain the documents that have been released for public comment. Future fact sheets will be prepared at key milestones in the cleanup process.

MTCA Site Register

Ecology produces an electronic newsletter called the MTCA Site Register. This semi-monthly publication provides updates of the cleanup activities occurring throughout the state, including public meeting dates, public comment periods, and cleanup-related reports. Individuals who would like to receive the MTCA Site Register can sign up three ways:

- Call (360) 407-6848
- Send an email request to spre461@ecy.wa.gov
- Register on-line at http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html

Mailing Lists

Ecology maintains both e-mail and regular mail distribution lists throughout the cleanup process. The lists are created from carrier route delineations for addresses within one-quarter mile of the Site; potentially interested parties; public meeting sign-in sheets; and requests made in person or by regular mail or e-mail. For the Site, the mailing area will be increased in size. You may request to be on a mailing list by contacting the Ecology staff person listed earlier in this section.

Optional Public Meetings

A public meeting will be held during a comment period if requested by ten or more people, or if Ecology decides it would be useful. Public meetings provide additional opportunity to learn about the investigation or cleanup, and to enhance informed comment. If you are interested in a public meeting about the Site, please contact the Ecology staff listed earlier in this section.

Submitting Comments

You may submit comments by regular mail or e-mail during public comment periods to the Ecology Project Manager listed earlier in this section.

Response to Comments

Ecology will review all comments submitted during public comment periods, and will modify documents as necessary. You will receive notice by regular mail or e-mail that Ecology has received your comments, along with a general explanation about how the comments were addressed, and where the revised document can be found.

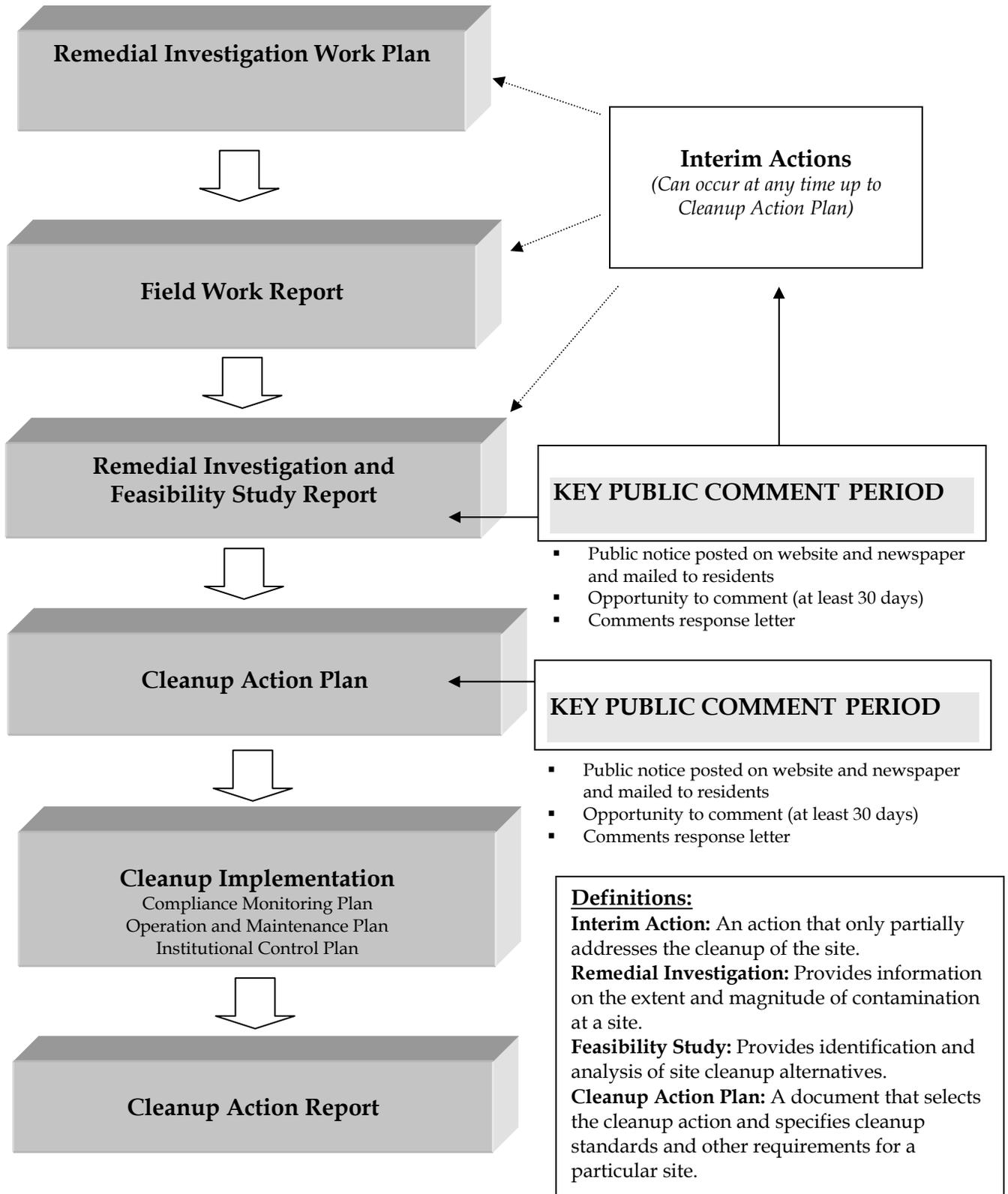
Other

Ecology and K-C are committed to the public participation process and will consider additional means for delivering information and receiving comments, including combining public comment periods for other actions (such as those associated with the State Environmental Policy Act).

Public Participation Grants

You are eligible to apply for a Public Participation Grant from Ecology to provide additional public participation activities. Those additional activities will not reduce the scope of the activities defined by this Plan. Activities conducted under this Plan would coordinate with the additional activities defined under the grant.

Figure 3: Washington State Cleanup Process



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.