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August 19, 2021

Warren Snyder
Senior Manager, Environmental Engineering
Rayonier Advanced Materials
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Re: Approval of Interim Action Reports: Volumes I, II, and III for the Study Area, Port Angeles Rayonier Mill Site as Final Versions

- **Site Name:** Port Angeles Rayonier Mill Site
- **Site Address:** 700 N Ennis, Port Angeles, Clallam County, WA
- **Facility/SiteNo.:** 19
- **Cleanup Site ID:** 2270

Dear Warren Snyder:

The Washington State Department of Ecology (Ecology) has completed a review of the *Draft Final Interim Action Report Volume III: Alternatives Evaluation for the Port Angeles Rayonier Mill Study Area (Volume III)*, submitted May 24, 2021. The *Draft Final Volume III* incorporates the requested revisions outlined in Ecology's March 9, 2021, letter.

As outlined in Ecology's March 9, 2021, letter,¹ we did not request revisions of the *Public Review Draft Interim Action Report Volume I, Upland Data Summary Report for the Study Area, Port Angeles Rayonier Mill Site (Volume I)*, dated April 2012, and *Public Review Draft Interim Action Report Volume II, Marine Data Summary Report for the Study Area, Port Angeles Rayonier Mill Site (Volume II)*, dated July 2014.

Ecology accepts the Public Review Draft Volumes I and II, and the Draft Final Volume III as providing sufficient information for Ecology to select a remedial action alternative, and approves the reports as Final versions.

Please submit two hard copies each of Final Volumes I and II, and four hard copies of Volume III for the repositories and files, and submit the Final e-versions for loading on the website.

¹ Ecology, *Re: Port Angeles Rayonier Mill Study Area Volumes I-III, Public Review Draft Comments*, letter to Warren Snyder, March 9, 2021.

The agreed order requires submittal of an *Agency Review Draft of an Interim Action Plan for the Study Area* (Volume IV) within 60 calendar days of this approval of Volumes I, II, and III. In a May 24, 2021, letter, Rayonier requested an extension of an additional 120 days to submit the Volume IV report. As we discussed on August 12, 2021, Ecology grants an additional 60 days, for a total of 120 calendar days from receipt of this letter.

The interim action plan should document the following as the selected remedy for the Study Area:

- **Soil:** The selected remedy for soil is Alternative SL-3. In Alternative SL-3, all soils that exceed the cleanup levels will be excavated, consolidated, and covered with a cap of clean soil.
- **Groundwater:** The selected remedy for groundwater is Alternative G-1. In Alternative G-1, portions of contaminated groundwater will be treated with air sparging prior to discharge of groundwater to surface water.
- **Sediment:** The selected remedy for sediment is Alternative S-2 with the modification of dredging the dock footprint. In Modified Alternative S-2, contaminated sediment from the intertidal/nearshore portion of the log pond, dock landing, and dock footprint will be dredged. The berths and approach areas will be filled with clean material. A clean enhanced natural recovery sand layer will be placed in the remainder of the sediment remediation area.

Enclosed is a copy of the Cleanup Action Plan Checklist to help guide the different elements of the Volume IV report. Ecology and Rayonier should hold a preliminary meeting to review the checklist, lay out the process for developing Volume IV, and to start negotiations on a consent decree to implement the Interim Action Plan for the Study Area. I will reach out to you to schedule this preliminary meeting.

If you have any questions, I may be reached at (360) 407-6257.

Sincerely,



Marian L. Abbett, P.E.
Project Manager
Toxics Cleanup Program
Southwest Regional Office

Enclosure (1): Cleanup Action Plan Checklist

By certified mail: 9489 0090 0027 6092 9912 53

cc by email: Matt Beirne, Lower Elwha Klallam Tribe, matt.beirne@elwha.org
Rebecca S. Lawson, P.E., LHG, Ecology, rebecca.lawson@ecy.wa.gov
Ecology Site File

Cleanup Action Plan Checklist

Toxics Cleanup Program



May 2016

Publication No. 16-09-008

FOR ECOLOGY USE ONLY

Site Name/FSID:

Report Name:

Date Submitted:

Reviewed By:

Review Date:

Cleanup Action Plan (CAP) Checklist Guidance

What is a cleanup action plan?

A cleanup action plan (CAP) is a decision document issued by Ecology that describes the cleanup standards for a site, the method(s) of cleanup that will be used to achieve these cleanup standards, any other requirements the cleanup must comply with, and the rationale for these decisions. WAC 173-340-380 in the MTCA regulation describes the required elements of a cleanup action plan (CAP).

What is the process for issuing a CAP?

Ecology uses information from the remedial investigation and feasibility study, supplemented with additional information as necessary, to prepare a draft CAP (or “DCAP”).

Ecology issues a public notice announcing the availability of the DCAP and provides for a minimum 30 day public comment period as described in WAC 173-340-600(14).

After consideration of public comments, Ecology issues a final CAP. The availability of the final CAP is typically announced in Ecology’s “Site Register” and a notice sent to those that provided comments on the DCAP. The issues raised in public comment, and Ecology’s response to those comments, is typically included in the final CAP. If extensive comments are received, Ecology will prepare a responsiveness summary, which summarizes the issues raised and Ecology’s response to those comments, and attach this summary to the final CAP.

The final CAP is used as the basis for the cleanup required by any enforcement order or agreed order issued by Ecology or in a consent decree negotiated between Ecology and potentially liable persons at the site. It is also used to guide for Ecology decisions when Ecology is conducting the cleanup using state funds.

Sites being reviewed under Ecology’s voluntary cleanup program (VCP) do not normally need to prepare a CAP.¹ However, the information required by a CAP should be included in the VCP submittal to facilitate Ecology’s review. For routine cleanup actions, the order or decree may be used to fulfill the requirements of a CAP, provided the information in the CAP is incorporated into the order or decree.

At federal cleanup sites, a record of decision can be used to satisfy the requirements of a CAP, provided the conditions in WAC 173-340-380(4) are met.

Who prepares the CAP?

The DCAP and Final CAP may be prepared by either Ecology staff or the potentially liable party (PLP). However, Ecology is ultimately responsible for these documents, and as such, makes the final determination on the content of these documents.

What is the purpose of this checklist?

This checklist is intended to provide guidance on the expected contents of a CAP to consultants and Ecology staff preparing these documents.

Described on the following page are the expected contents of most CAPs. In general, a CAP is a document prepared to explain a proposed cleanup to the general public; it is not a detailed technical document. However, it also serves the purpose of documenting that the regulatory requirements in MTCA have been met.

¹ However, preparation of a CAP is advised if the person conducting the cleanup plans to seek contribution from other PLPs at the site. See WAC 173-340-545 if for requirements for private rights of action.

If original technical or regulatory analysis is presented in the CAP that was not presented in the RI or FS, a summary of this analysis should be presented in the CAP, and, if necessary, the details documented in a separate supporting document. For simple sites, a CAP can be as short as 10 to 20 pages in length. For more complex sites, the CAP can typically be 50 to 100 pages in length or longer.

Note that this is a suggested order of presentation of information; the actual order and subchapter headings can vary depending on what makes the most sense at the site. For some provisions, example language has been provided to illustrate what is intended by that provision. You are not required to use this exact language.

Cover Letter

In addition to describing the submittal and specifying the desired department action or response, please also include:

- Ecology Logo
- Site name (name used by Ecology)
- Location (address, nearest community)
- Facility Site Identification Number and Cleanup Site Identification Number
If not in previous documents, these numbers can be found in Ecology's ISIS database at <https://fortress.wa.gov/ecy/gsp/SiteSearchPage.aspx>
- Ecology contact(s) for site

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Executive Summary

This document presents the Cleanup Action Plan (CAP) for the [Site Name] Site near [City/Town], Washington. This CAP was prepared by the Washington State Department of Ecology (Ecology) in collaboration with [PLP]. This CAP has been prepared to meet the requirements of the Model Toxics Control Cleanup Act (MTCA) administered by Ecology under Chapter 173-340 of the Washington Administrative Code (WAC). This CAP describes Ecology's proposed cleanup action for this site and sets forth the requirements that the cleanup must meet.

- Background - Short description of site and environmental issues being addressed by cleanup.
- Cleanup Action Overview - Short description of selected remedy.

1.0 Introduction

1.1 Purpose

This document is the Cleanup Action Plan (CAP) for the [Site Name] Site located near [City/Town], Washington. The general location of the Site is shown in Figures _____. A CAP is required as part of the site cleanup process under Chapter 173-340 WAC, Model Toxics Control Act (MTCA) Cleanup Regulations. The purpose of the CAP is to identify the proposed cleanup action for the Site and to provide an explanatory document for public review. More specifically, this plan:

- Describes the Site
- Summarizes current site conditions;
- Summarizes the cleanup action alternatives considered in the remedy selection process;
- Describes the selected cleanup action for the Site and the rationale for selecting this alternative;
- Identifies site-specific cleanup levels and points of compliance for each hazardous substance and medium of concern for the proposed cleanup action;

- Identifies applicable state and federal laws for the proposed cleanup action;
- (use for containment remedies) Identifies residual contamination remaining on the site after cleanup and restrictions on future uses and activities at the site to ensure continued protection of human health and the environment;
- Discusses compliance monitoring requirements; and
- Presents the schedule for implementing the CAP.

Ecology has made a preliminary determination that a cleanup conducted in conformance with this CAP will comply with the requirements for selection of a remedy under WAC 173-340-360.

1.2 Previous Studies

Briefly describe and list the studies to date related to the site.

1.3 Regulatory Framework

Describe the relationship of the CAP to other local, state and federal regulatory actions, if any, at the site such as the local development review process, SEPA, Landfill Permit, RCRA corrective action, and CERCLA.

2.0 Site Description

2.1 Site History

Describe historical uses of site. Include maps and historical pictures as appropriate. This should be a short summary of information already presented in detail in the Remedial Investigation.

2.2 Human Health and Environmental Concerns

Describe contamination found at site and human health and environmental concerns resulting from this contamination. Include an illustration showing a conceptual site model with exposure pathways of concern. This should be a short summary of information already presented in detail in the Remedial Investigation.

2.3 Cleanup Standards

2.3.1 Contaminants of concern

Identify the contaminants of concern to be addressed by the cleanup, and the rationale for the selected contaminants.

2.3.2 Cleanup Levels

Describe the cleanup levels for the media (soil, groundwater, surface water, air, sediment) that need to be addressed by the cleanup and the basis for these levels. If a cleanup level was developed using other than the standard toxicity and exposure assumptions, summarize the scientific rationale for the modification(s) as required under WAC 173-340-708.

3.0 Cleanup Action Alternatives and Analysis

Note: Inclusion of the following information as a separate Chapter in the CAP may be unnecessary where CAP aligns with the feasibility study. In this case it may make more sense to include this information in Chapter 4. However, if the CAP proposes a remedy that is not already presented and analyzed in the Feasibility Study, a more detailed explanation may be appropriate.

For example, sometime elements of different alternatives presented in the feasibility study are combined to form a new alternative, or a different interpretation of evaluation criteria is presented the CAP that was not in the feasibility study. In these cases, it may be necessary to describe the remedy selection process and criteria in more detail in the CAP. In some cases, it may even be necessary to supplement the CAP with a technical memorandum or report providing more detailed documentation of the decision process and criteria.

3.1 Cleanup Action Alternatives

Briefly describe the cleanup alternatives considered.

3.2 Initial Screening of Alternatives

If alternatives were eliminated as part of an initial screening process, describe the reason(s) for eliminating alternatives.

3.3 Detailed Evaluation of Alternatives ²

Describe the process used to evaluate the alternatives remaining after the initial screening and the rationale for the remedy ultimately selected. This evaluation process should include a discussion of compliance with the following, where relevant:

- The minimum requirements in WAC 173-340-360(2)(a)&(b)
 - Protection of human health and the environment
 - Compliance with cleanup standards
 - Compliance with ARARs
 - Provide for compliance monitoring
 - Use of permanent solutions to the maximum extent practicable (see also WAC 173-340-360(3))
 - Provide for a reasonable restoration timeframe (see also WAC 173-340-360(4))
 - Consideration of public concerns
- WAC 173-340-360(2)(c) Requirements for groundwater cleanup actions
- WAC 173-340-360(2)(d) Requirements for soils in residential areas, schools and childcare centers
- WAC 173-340-360(2)(e) Requirements for institutional controls (see also WAC 173-340-440)
- WAC 173-340-360(2)(f) Limits on dilution and dispersion
- WAC 173-340-360(2)(f) Limits on use of remediation levels
- Point of compliance – if other than a standard point of compliance (throughout the site) is proposed, describe how the requirements for a conditional point of compliance have been met. The requirements can be found in:
 - WAC 173-340-720(8) Groundwater
 - WAC 173-340-730(6) Surface water
 - WAC 173-340-740(6)(f) Soil (containment) (also applies to industrial soil cleanups)
 - WAC 173-340-750(6) Air

4.0 Description of Selected Remedy

4.1 Site Description.

Identify the boundaries of the site (or portion of the site) that the CAP applies to. Remember, the “site” is anywhere the contamination has come to be located. If the CAP is only addressing cleanup on a particular property, it is important to identify what part of the “site” is addressed by the CAP.

4.2 Description of the Cleanup Action

Provide a description of the selected remedy. If not addressed in Chapter 3.0, include the rationale for why it was chosen. If remediation levels are being used to guide the cleanup, describe the basis for the remediation levels.

4.3 Cleanup Standards and Point of Compliance

For each affected medium, identify the parameter(s), cleanup level (concentration), and point of compliance. If a conditional point of compliance is proposed for any media, provide the rationale for using other than a standard point of compliance.

4.4 Applicable, relevant and appropriate requirements (ARARs)

² Alternatively, if the initial screening process results in a selected remedy or model remedy, use this chapter to describe how the selected remedy meets the regulatory requirements in MTCA.

Describe the ARARs applicable to the cleanup. If specific requirements have yet to be identified, list and discuss at least the most significant ARARs and indicate the list of ARARs will be refined as during the design process.

4.5 Restoration timeframe

Describe the anticipated timeframe for the remedy to achieve the cleanup standards.

4.5 Compliance monitoring

Describe the compliance monitoring approach to be used to comply with WAC 173-340-410. If the specifics of the monitoring plan will be determined later during the design process, provide at least a conceptual discussion of what the monitoring plan is expected to address.

4.6 Schedule for Implementation

Identify the schedule for implementation of the selected remedy. If a specific schedule with dates has not been developed, indicate the general timeframes for implementation of the remedy.

4.7 Institutional/Engineering controls

If residual contamination will remain on the property after cleanup, or any of the other criteria for triggering an institutional control under WAC 173-340-440 are met, describe the controls. Also describe the legal mechanism(s) (such as an environmental covenant) and anticipated schedule for putting these controls in place. This may include interim controls put in place to minimize exposures during construction, in addition to longer term controls.

4.8. Public Participation

Provide a brief discussion of how the DCAP will be distributed for public review and deadline for comments. For the final CAP, replace this with a description of the process used to notify the public, issues identified in the public comments received, and how these were addressed. If extensive comments were received, it may be more appropriate to provide a summary of the key issues raised in the CAP, and a more detailed responsiveness summary prepared and published concurrent with the final CAP.

To request ADA accommodation or materials in a format for the visually impaired, call Ecology at 509-454-7834, Relay Service 711, or TTY 877-833-6341.

WAC 173-340-380 Cleanup action plan.

(1) Draft cleanup action plan. The department shall issue a draft cleanup action plan for a cleanup action to be conducted by the department or by a potentially liable person under an order or decree. The level of detail in the draft cleanup action plan shall be commensurate with the complexity of the site and proposed cleanup action.

(a) The draft cleanup action plan shall include the following:

(i) A general description of the proposed cleanup action developed in accordance with WAC 173-340-350 through 173-340-390.

(ii) A summary of the rationale for selecting the proposed alternative.

(iii) A brief summary of other cleanup action alternatives evaluated in the remedial investigation/feasibility study.

(iv) Cleanup standards and, where applicable, remediation levels, for each hazardous substance and for each medium of concern at the site.

(v) The schedule for implementation of the cleanup action plan including, if known, restoration time frame.

(vi) Institutional controls, if any, required as part of the proposed cleanup action.

(vii) Applicable state and federal laws, if any, for the proposed cleanup action, when these are known at this step in the cleanup process (this does not preclude subsequent identification of applicable state and federal laws).

(viii) A preliminary determination by the department that the proposed cleanup action will comply with WAC 173-340-360.

(ix) Where the cleanup action involves on-site containment, specification of the types, levels, and amounts of hazardous substances remaining on site and the measures that will be used to prevent migration and contact with those substances.

(b) For routine actions the department may use an order or decree to fulfill the requirements of a cleanup action plan, provided that the information in (a) of this subsection is included in an order or decree. The scope of detail for the required information shall be commensurate with the complexity of the site and proposed cleanup action.

(2) Public participation. The department will provide public notice and opportunity for comment on the draft cleanup plan, as required in WAC 173-340-600(13).

(3) Final cleanup action plan. After review and consideration of the comments received during the public comment period, the department shall issue a final cleanup action plan and publish its availability in the *Site Register* and by other appropriate methods. If the department determines, following the implementation of the preferred alternative, that the cleanup standards or, where applicable, remediation levels established in the cleanup action plan cannot be achieved, the department shall issue public notice of this determination.

(4) Federal cleanup sites. For federal cleanup sites, a record of decision or order or consent decree prepared under the federal cleanup law may be used by the department to meet the requirements of this section provided:

(a) The cleanup action meets the requirements under WAC 173-340-360;

(b) The state has concurred with the cleanup action; and

(c) An opportunity was provided for the public to comment on the cleanup action.

[Statutory Authority: Chapter 70.105D RCW. 01-05-024 (Order 97-09A), § 173-340-380, filed 2/12/01, effective 8/15/01.]