



Response to Comments Burlington Environmental LLC Washougal

**Public Comment Period:
September 27 – November 26, 2021**

Hazardous Waste & Toxics Reduction Program

Washington State Department of Ecology
Olympia, Washington

December 2021 Publication 21-04-052

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- Facility site ID: 1018

Cross-referenced or relevant documents.

[Publication 21-04-043: Public Notice: Draft Documents Available for Review and Comment](#)¹

[Publication 21-04-042: Public Participation Plan](#)²

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¹ <https://apps.ecology.wa.gov/publications/SummaryPages/2104043.html>

² <https://apps.ecology.wa.gov/publications/SummaryPages/2104042.html>

³ www.ecology.wa.gov/contact

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⁴ www.ecology.wa.gov/accessibility

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	P.O. Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	P.O. Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 West Alder Street Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 North Monroe Spokane, WA 99205	509-329-3400
Headquarters	Statewide	P.O. Box 46700 Olympia, WA 98504	360-407-6000

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DEPARTMENT OF
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State of Washington

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Toxics Cleanup in Washington State

Before many environmental regulations were in place, past accidents or improper hazardous waste management contaminated the environment at many dangerous waste facilities across the state. Corrective action is a requirement under the federal Environmental Protection Agency's (EPA) Resource Conservation and Recovery Act (RCRA) and Washington's Dangerous Waste Regulations ([Chapter 173-303 WAC](#)).⁵ It requires facilities that once treated, stored, or disposed of hazardous wastes to investigate and clean up contamination released to soil, groundwater, surface water, and air. EPA delegated corrective action authority to the Department of Ecology (Ecology) to oversee the cleanup process. We use the state cleanup law, the Model Toxics Control Act (MTCA), to ensure the cleanup process protects human health and the environment.

Public Comment Period Summary

The 5.2 acre Burlington Environmental LLC facility is located at 632 South 32nd Street in Washougal, Clark County, Washington in the Camas Washougal Industrial Park. Burlington Environmental LLC⁶ (Burlington) operated a hazardous waste treatment, storage, and disposal facility that resulted in soil and groundwater contamination. They are the potentially liable party (PLP) responsible for cleanup of the site.

Ecology held a comment period between September 27 and November 26, 2021 for the following draft cleanup documents:

- [Remedial Investigation \(RI\)](#)⁷ and [Feasibility Study \(FS\)](#).⁸ The RI describes conditions and contamination at the site. The FS compares alternatives for cleaning up the contamination.
- [Agreed Order DE 4038 \(AO\)](#).⁹ The AO is a legal agreement between Burlington and Ecology that requires Burlington to write an RI/FS and cleanup action plan.
- [Permit for Corrective Action](#).¹⁰ We issue this permit after the facility closes permitted units. It allows for environmental cleanup at a site.

⁵ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303>

⁶ Burlington is also known as the PSC Washougal facility or Stericycle, and does business as Clean Earth/Burlington.

⁷ <http://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=97295>

⁸ <http://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=97207>

⁹ <http://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=105168>

¹⁰ <http://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=104426>

- [Public Participation Plan \(PPP\)](#).¹¹ The PPP describes ways the community can become involved in cleanup decisions.

During the comment period, Ecology received three comments. We appreciated the thoughtful information and considered the content, however did not change the documents under review. The documents are now considered final.

Site History and Contamination

Beginning in 1978, the Burlington property was owned and operated by several different businesses for industrial operations related to the paper industry and dangerous waste handling, including waste oil and solvent recovery, drum storage, and oil storage and blending. Starting in 1985, Burlington owned and operated a dangerous waste management facility on the property and was subject to RCRA permitting requirements.

RCRA and Washington State's Dangerous Waste Regulations require a facility that treats, stores, or disposes of dangerous wastes to have a dangerous waste permit (permit) until completing all activities—including corrective action and final closure. In 2002 before the permit expired, Burlington closed all of the identified dangerous waste management units, but there was remaining contamination.

Many spills and releases occurred at the site over time. Contaminants in soil and groundwater include:

- Volatile organic compounds
- Semi-volatile organic compounds
- Metals

These chemicals may be dangerous to human health and the environment.

As required by the Permit for Corrective Action and AO 4308, Burlington will clean up contamination from past operations. They are required to monitor groundwater, finalize cleanup reports (RI/FS), and develop a cleanup action plan.

¹¹ <http://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=105294>

Comments and Responses

The public comments are presented below along with Ecology's responses. [Appendix A. Public Comments in Original Format](#) shows the comments in their original format.

Brian Williams

Clean Earth must have missed noticing the garbage dump on both sides of the I5 corridor near Seattle and Tacoma, not to mention the filth around Capitol Lake in Olympia. Start your cleanup efforts there if you want to be taken seriously, it's disgusting and everyone in the state sees it.

Response to Brian Williams

Thank you for submitting your comment to Ecology.

While litter is a huge problem and creates expensive clean ups, dangerous road conditions, and a big environmental impact, this public comment period is for the review and comment of cleanup documents focused on the Burlington Environmental LLC Washougal site.

Behzad Danaiani

This would be a right move towards a cleaner and healthier environment in washougal area. But it is still not clear if this clean up project would be permanently effective. It seems like this action had been taken in the past but it didn't get rid of the issue entirely.

Response to Behzad Danaiani

Thank you for submitting your comment to Ecology.

We knew that there was more work to do after the initial cleanup in the 1990s, including additional soil removal and long-term monitoring. The previous cleanup work involved removing significant contamination from an area known as the "former tank farm," where there had been releases of chlorinated solvents to the soil. The work provided information for future cleanup and addressed immediate threats to indoor air quality at the site. The next stage of cleanup will fully accomplish cleanup objectives and be protective of human health and the environment.

Matt Allen

Good morning. I am a resident of Washougal and I am looking over the RI and FS for the subject site. Overall I agree with the plan and the remedy. Two comments come to mind however.

1. The scoring in the FS I believe is too heavy on the concerns about noise and nuisance during Cleanup. The area of the site is industrial and there is equipment moving at all hours of the day from large trucks to trains to front end loaders.
2. I see no mention of even considering PFAS as a potential COC. I am concerned that this should be addressed. If the site was found to have a PFAS release the selected remedy would not address it it appears. Thank you for listening and soliciting comments. I can be reached at this email address. Matt Allen Washougal WA

Response to Matt Allen

Thank you for submitting your comment to Ecology.

We appreciate your input about the noise and nuisance during cleanup, and your concern about PFAS as a potential chemical of concern.

Our state cleanup law (MTCA) requires that we give preference to cleanup alternatives that use permanent solutions to the maximum extent practicable, provide for a reasonable restoration time frame, and consider public concerns. While the Burlington site is industrial, public concerns can include increased truck traffic, noise, dust, and odors that impact the community—especially when contaminated materials are moved by truck on surface streets to a landfill. The preferred cleanup alternative (A-2) was chosen because it received the highest total benefit score and cost per benefit ranking. One element of this alternative is that there will be very little waste disposal off site.

Recently, PFAS compounds were named hazardous substances under MTCA. If PFAS compounds are released to the environment and may pose a threat to human health or the environment, they must be reported to Ecology within 90 days of discovery. As with releases of other hazardous substances, the next step will often be an assessment of whether further action is necessary.

We are developing [guidance](#)¹² that will explain how cleanup levels are established and how they apply to different sites. We acknowledge that this is a long-term problem and are working with other agencies to figure out the best way to clean up source areas and reduce exposures.

In November 2021, we issued the [Final PFAS Chemical Action Plan](#),¹³ which incorporates feedback from stakeholders and the public, and will guide future actions to address PFAS in Washington. The plan identifies, characterizes, and evaluates uses and releases of a specific persistent bioaccumulative toxin (PBT), a group of PBTs, or metals of concern. It also recommends actions to protect human health and the environment.

¹² <https://ecology.wa.gov/Waste-Toxics/Reducing-toxic-chemicals/Addressing-priority-toxic-chemicals/PFAS/Cleanup-sites>

¹³ <https://apps.ecology.wa.gov/publications/summarypages/2104048.html>

Appendix A. Public Comments in Original Format

Matt Allen

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Appendix B. Glossary

Agreed Order. A legal agreement between Ecology and a Potentially Liable Person or Party (see below) to conduct work toward the cleanup of a site or facility.

Cleanup. Action that deals with a release or threatened release of hazardous substances that could affect public health or the environment. Ecology often uses the term “cleanup” broadly to describe response actions or phases of cleanup, such as the Remedial Investigation or Feasibility Study.

Comment Period. A time period during which the public can review and comment on various documents and proposed actions. For example, a comment period may be provided to allow community members to review and comment on proposed cleanup actions, such as a Remedial Investigation or Feasibility Study.

Contamination. The presence of any hazardous substance that doesn’t occur naturally or occurs at greater than natural background levels.

Corrective Action. Any activities to control, prevent, or mitigate a release or potential release of a dangerous constituent including investigations, studies, characterizations, and corrective measures taken.

Dangerous Waste. Any solid waste listed in [WAC 173-303-070](#)¹⁴ through [173-303-100](#)¹⁵ that’s dangerous, extremely hazardous, or mixed waste.

Dangerous Waste Management Unit (DWMU). Contiguous area of land on or in which dangerous waste is placed, or the largest area in which there is significant likelihood of mixing dangerous waste materials in the same area.

Dangerous Waste Permit. Refers to the requirements to apply for, obtain, maintain, modify, and terminate a Dangerous Waste Management Facility. See the full requirements in [WAC 173-303-803](#).¹⁶

Facility. For the purpose of this document, “facility” refers to the Burlington DWMU and all property affected by the release or threatened release of a hazardous substance. See definition of “site.”

Groundwater. Rain and snow that’s seeped into the soil beyond the surface and that fills underground spaces between sand, soil, or gravel. In some aquifers (bodies of rock or sediment

¹⁴ <https://app.leg.wa.gov/wac/default.aspx?cite=173-303-070>

¹⁵ <https://app.leg.wa.gov/wac/default.aspx?cite=173-303-100>

¹⁶ <https://app.leg.wa.gov/Wac/default.aspx?cite=173-303-803>

that hold groundwater), groundwater occurs in large enough amounts to be used for drinking water, irrigation, and other purposes.

Hazardous Waste. A discarded or abandoned substance disposed of in quantities or concentrations that pose a threat to human health and the environment.

Potentially Liable Party (PLP). Any individual(s) or company(s) potentially responsible for, or contributing to, the contamination problems at a site. Whenever possible, Ecology requires PLPs to clean up sites.

Public Notice. At a minimum, adequate notice for interested persons to comment. It is:

- 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.
- Published in Ecology's Site Register
- Published in the local (city and county) newspaper of largest circulation.

Remedial Investigation/Feasibility Study. Two distinct but related studies. They are usually performed at the same time, and together referred to as the "RI/FS." They are intended to do all of the following:

- Gather the data necessary to determine the type and extent of contamination.
- Establish criteria for cleaning up the site.
- Identify and screen cleanup alternatives for remedial action.
- Analyze in detail the technology and costs of the alternatives.

Site. Any area affected by releases where hazardous substances are located. It doesn't include areas where consumers use consumer products.