



Public Participation Plan Block 79 East

Address: 701 – 753 9th Avenue N. Seattle, WA
Facility Site ID: 84466254, 45221945, 2224749
Cleanup Site ID: 13006

For the
Toxics Cleanup Program

Washington State Department of Ecology
Olympia, Washington

February 2022

Publication Information

This document is available on the Department of Ecology's website at:
<https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=13006>

Related Information

- Cleanup site ID: 13006
- Facility site ID: 84466254, 45221945, 2224749

Contact Information

Toxics Cleanup Program

Northwest Regional Office

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Phone: 206-594-0000

Website¹: Washington State Department of Ecology

ADA Accessibility

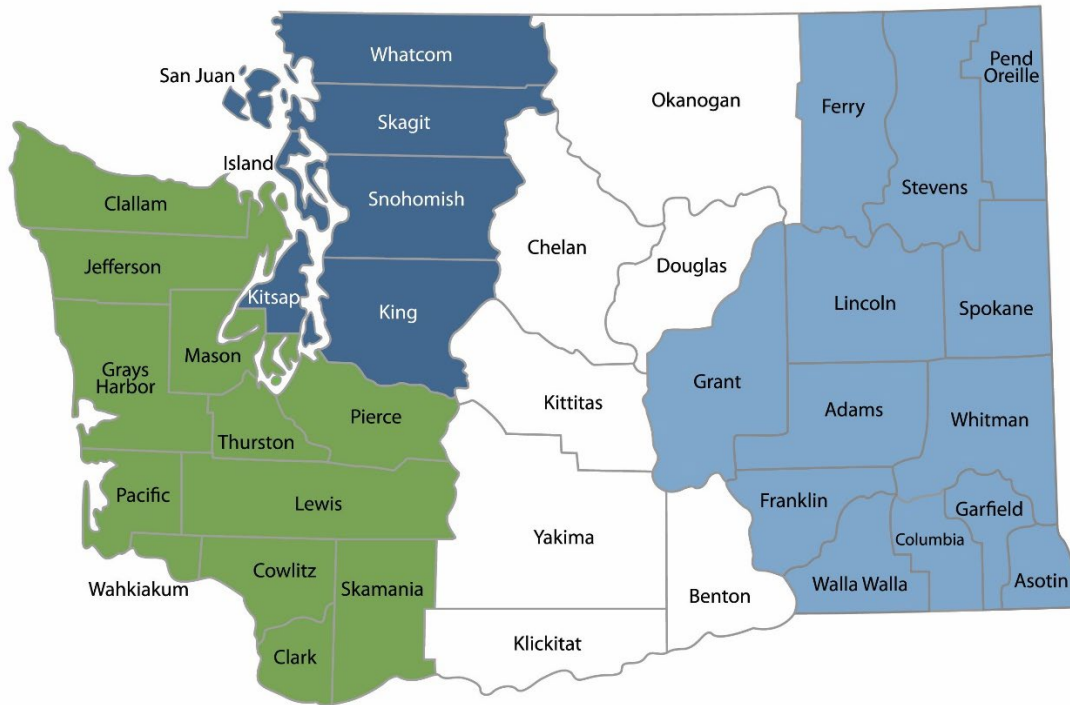
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¹ www.ecology.wa.gov/contact

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	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

Public Participation Plan

**Block 79 East
701-753 9th Ave N., Seattle, WA**

Toxics Cleanup Program
Washington State Department of Ecology
Northwest Regional Office
Shoreline, WA

February 2022



DEPARTMENT OF
ECOLOGY
State of Washington

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Public Involvement in Contamination Cleanup

The Washington State Department of Ecology (Ecology) developed this public participation plan (plan) in cooperation with Block 79 LLC, the party responsible for cleanup costs. 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.

This plan is for an Agreed Order for the Block 79 East site (site).

Site contacts

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

Ecology

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Shoreline, WA 98133

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425-229-3683

Block 79 LLC

City Investors IX L.L.C.
505 5th Ave S, Suite 900
Seattle, WA 98104

Brandon Morgan, Project Coordinator
BrandonMo@vulcan.com
206-342-2000

Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups interested in the site. For contaminated sites, these funds can be used to:

- Hire an expert to help interpret technical information²
- Conduct activities that enhance the public's understanding of, and participation in, 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](#).³

² 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.

³ ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants

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 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 \(WAC\)](#).⁴ 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 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.

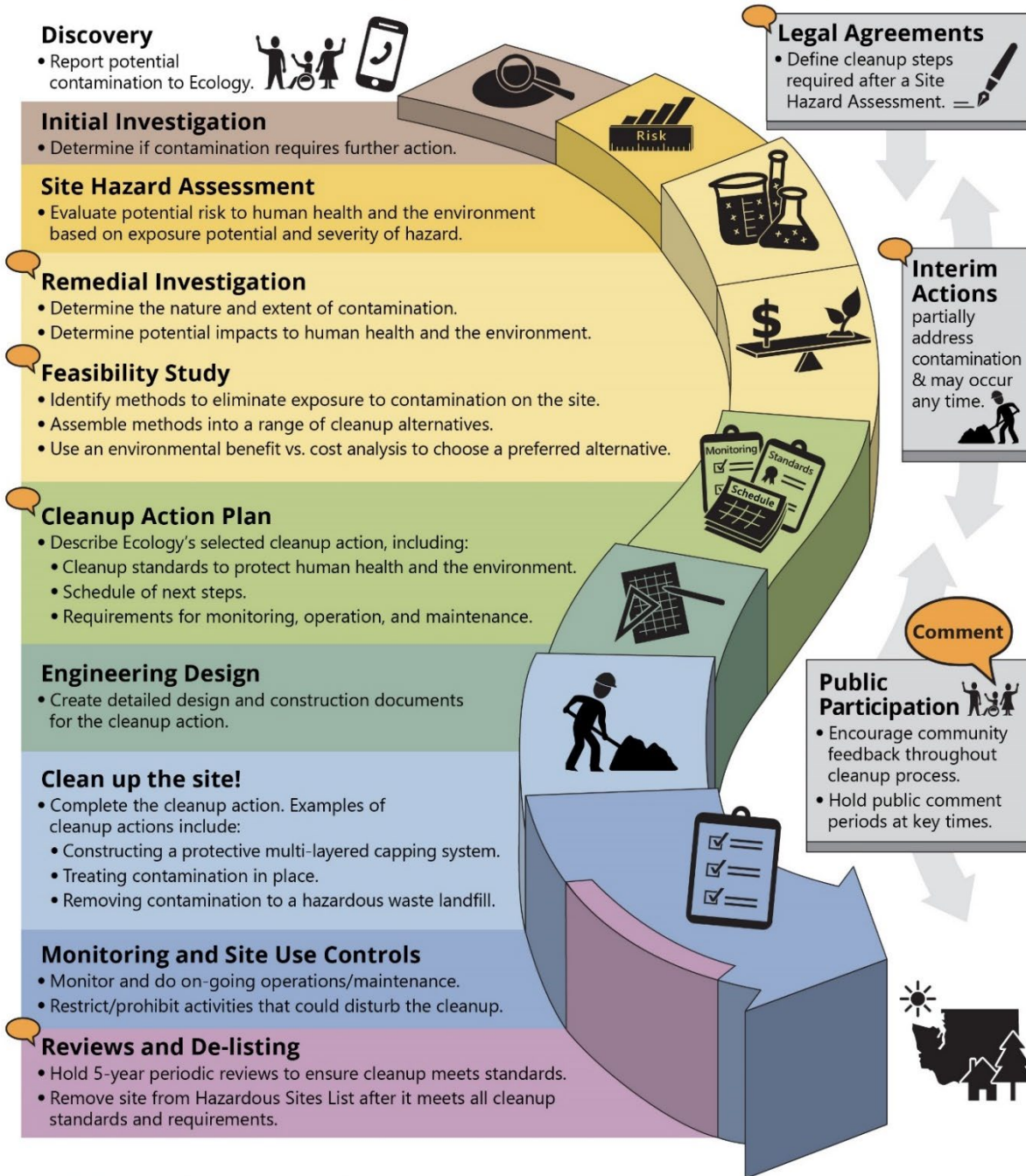
Under MTCA, the cleanup process generally includes five phases. Each phase includes an opportunity for the public to review and comment on cleanup documents.

State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans.

⁴ <https://apps.ecology.wa.gov/publications/publications/9406.pdf>

Washington's Formal Cleanup Process



 **Washington's Cleanup Law**
Model Toxics Control Act (MTCA)

MTCA defines the cleanup process. This public-initiated environmental law directs upland cleanups (on land or in groundwater) and sediment cleanups (in freshwater or marine environments). Ecology enacts MTCA and regulates the cleanup process.

September 2019
Ecology Publication 19-09-166

Figure 1: Steps in Washington's Cleanup Process⁵

⁵ <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

Site Information

Land use

The site is located in Seattle’s South Lake Union neighborhood one block from Lake Union. It is made up of four King County parcels. The parcels are located within the historical extents of Lake Union and were filled in as part of regional regrading in the early part of the 1900s. The site was home to a car showroom as well as various car services from the 1920s through 2019. The original structures on the site were demolished in 2021 in preparation for redevelopment. The site currently operates as a parking lot for nearby construction.

Contamination

Investigations at the site show the following hazardous substances in the soil and groundwater. These substances are above the minimum levels described in the Model Toxics Control Act:

- **Soil:** Diesel, gasoline, and oil range petroleum hydrocarbons, benzene, toluene, ethylbenzene, total xylenes, cadmium, lead, mercury, naphthalene, 1-methylnaphthalene, benzo(a)pyrene, tetrachloroethene (PCE), and total carcinogenic polycyclic aromatic hydrocarbons (PAHs)
- **Groundwater:** gasoline, diesel, and oil range petroleum hydrocarbons, benzene, arsenic, and vinyl chloride.

Some of these hazardous substances were also found directly east and west of the property lines of Block 79 East. Previous investigations indicate that contaminated groundwater from adjacent sites has migrated onto Block 79 East.

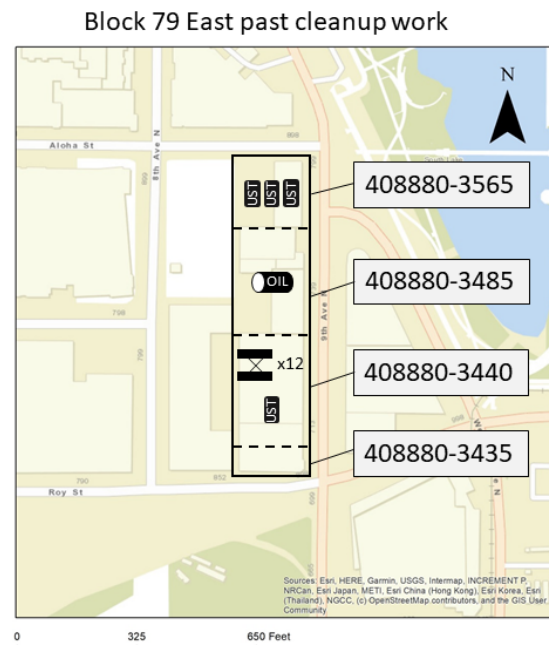
Under certain conditions, contamination below ground can become hazardous in the air at a cleanup site. This is called vapor intrusion. The following hazardous substances were detected in soil vapor studies at the site:

- Total petroleum hydrocarbons, benzene, total xylenes, 1,4-dioxane, naphthalene, and PCE.



Figure 2 The site is located one block off of Lake Union at 701 - 753 9th Ave N. Seattle, WA.

Figure 3 Previous cleanup efforts removed underground storage tanks, a heating oil tank, and hydraulic lifts from the property.



Cleanup plans

Ecology has negotiated a legal agreement called an Agreed Order with Block 79 LLC for the Block 79 East cleanup site (site). The order names Block 79 LLC as the Potentially Liable Person (PLP) and requires them to address contamination at the site. We would like your input on:

- **Agreed Order** – legal document that requires the PLP to investigate environmental conditions, complete a Remedial Investigation (RI), Feasibility Study (FS), and a preliminary draft Cleanup Action Plan (dCAP) for the site.
- **Public Participation Plan** – describes how Ecology will inform the community about site activities and ways to be involved in the cleanup process.



Figure 4 A 1937 historic photo showing the Mack Trucks service center and showroom on the property.

Previous cleanup work occurred at the site in the past.

- 1992: The removal of three underground storage tanks from the north parcel (408880-3565). The tanks were in poor condition.
- March 2021: The removal of an underground heating oil tank from the central parcel (408880-3485). This tank was in good condition.
- March 2021: The removal of an underground storage tank in poor condition and twelve hydraulic hoists (parcel 408880-3440).

Area community

Neighborhood

This site is located in the South Lake Union Neighborhood of Seattle. It currently operates as a parking lot for nearby construction work. The site has SM-SLU 100/95 [zoning](#)⁶. This is a Mixed-Use zone where both residential and commercial development is allowed.

South of the site along Mercer Street are other major redevelopment and cleanup projects where low lying industrial buildings from the early 1900s are replaced with multi-level

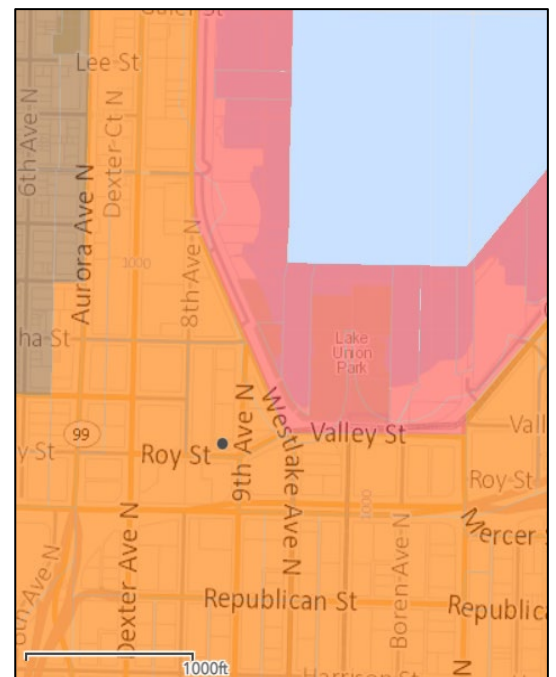


Figure 5 The orange and red shading indicates mixed-use commercial and residential zoning. The brown shading NW of the site is a Multifamily Residential zone

⁶ <https://seattlecitygis.maps.arcgis.com/apps/webappviewer/index.html?id=f822b2c6498c4163b0cf908e2241e9c2>

office buildings. Restaurants, bars, and coffee shops are housed in the ground floors of these spaces.

Lake Union Park is located one block east of the site. The park is home to two museums, the Museum of History and Industry and The Center for Wooden Boats. The entrance to the Cheshiahud Lake Union Loop bike and walking trail begins at this park connecting Seattle Center to The Burke-Gilman Trail north of the lake.

The South Lake Union Line of the Seattle Streetcar stops a few blocks away from the site as well as various bus routes.

Demographics

Language needs

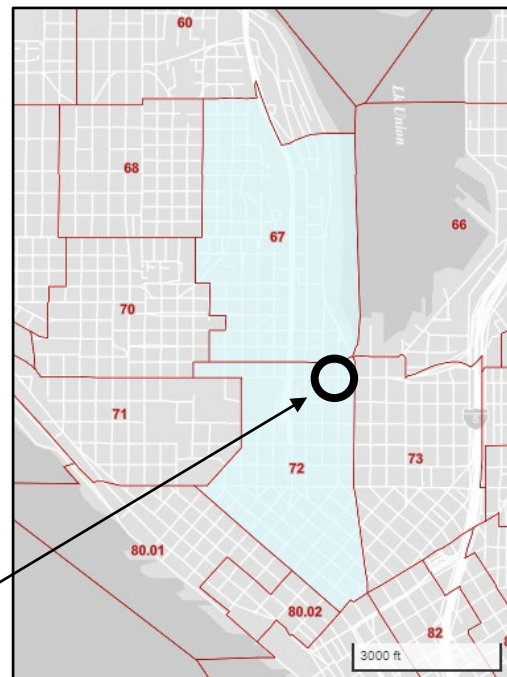
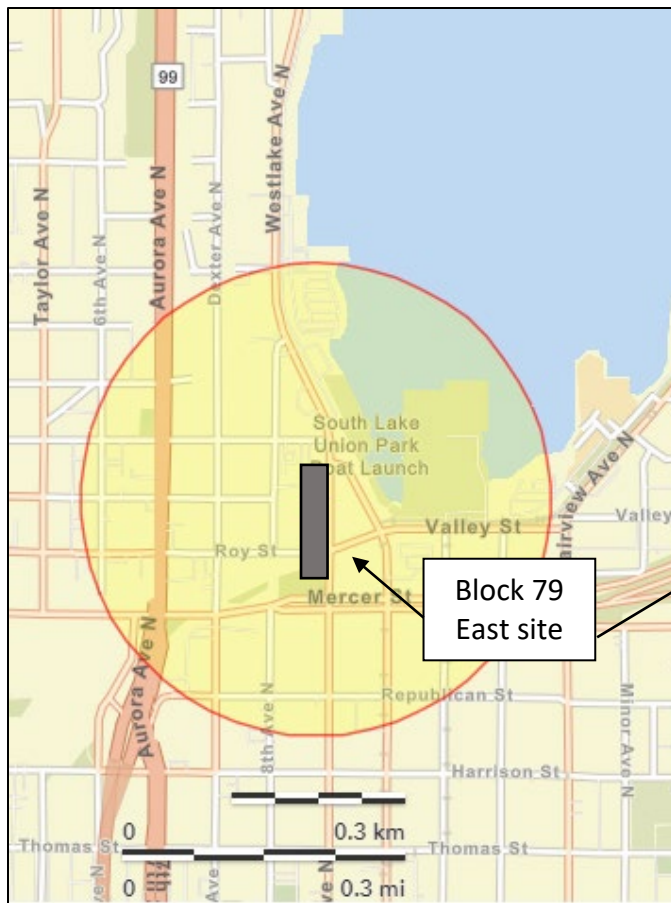


Figure 7 (above) Map showing the [census tracts](#) surveyed for Environmental Justice concerns surrounding the site.

Figure 6 (left) Map showing the [quarter-mile radius around the site](#) surveyed for Environmental Justice concerns.

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.⁷ The non-English

⁷ Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).

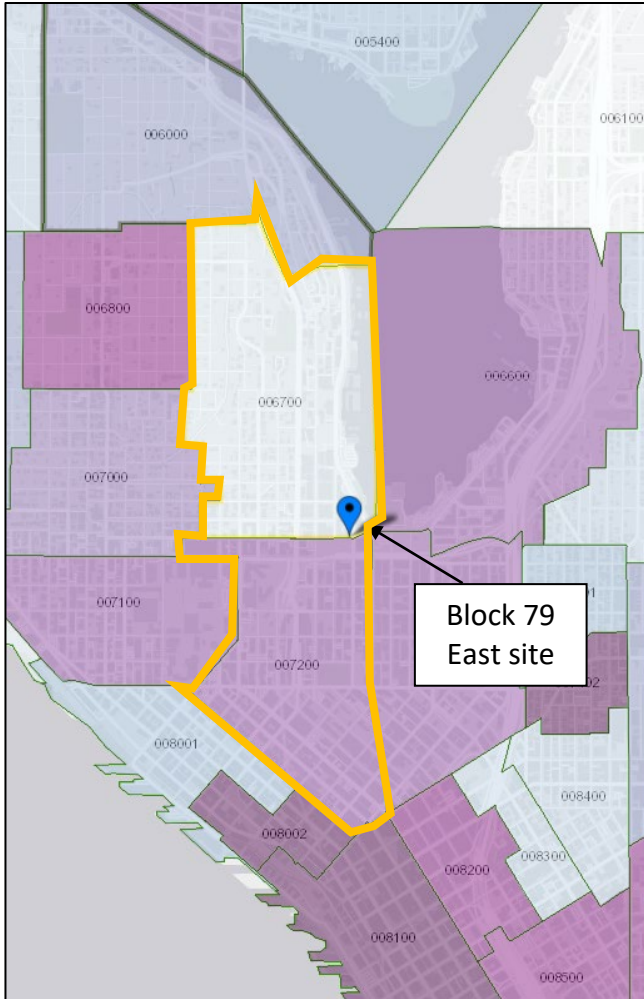


Figure 8 Washington Environmental Health Disparity map for the census tracts on either side of the Block 79 East cleanup area showing sensitive population data overlays.

languages most widely spoken in the [quarter-mile area](#)⁸ around Block 79 East are Chinese and Spanish. Outreach materials provided in Chinese and Spanish is a practice consistent for other sites in the South Lake Union area based on [census tract data from the US Census Bureau](#)⁹. When appropriate, Ecology will provide outreach in these languages. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

Sensitive Populations

The [Washington Environmental Health Disparity Map](#)¹⁰ shows environmental risk based on threat and vulnerability. Environmental risk is ranked on a scale of 1-10 (low to high).

Block 79 East sits between two census tracts. Both tracts were researched for health risks to sensitive populations to better inform the outreach needs for the site. Track 67 has a risk rating of 2 (low) while Track 72, to the south, has a risk rating of 7 (higher).

This disparity between the two tracts furthers the need for offering translations of Block 79 East’s outreach materials to make sure as many people in the area as possible have access to the information about this site’s comment period.

⁸ <https://ejscreen.epa.gov/mapper/>

⁹ <https://data.census.gov/cedsci/table?q=B16004%3A%20AGE%20BY%20LANGUAGE%20SPOKEN%20AT%20HOME%20BY%20ABILITY%20TO%20SPEAK%20ENGLISH%20FOR%20THE%20POPULATION%205%20YEARS%20AND%20OVER&g=1400000US53033006700,53033007200&tid=ACSDT5Y2019.B16004&hidePreview=true>

¹⁰ <https://fortress.wa.gov/doh/wtnibl/WTNIBL/>

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 the cleanup's decision-making.

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's located, but the list will at least include addresses within a 1/4-mile radius of the site and other interested organizations and individuals. 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 quarter-mile of the site and relevant local, state, and federal government contacts.

These people receive public comment notices when draft documents are available.

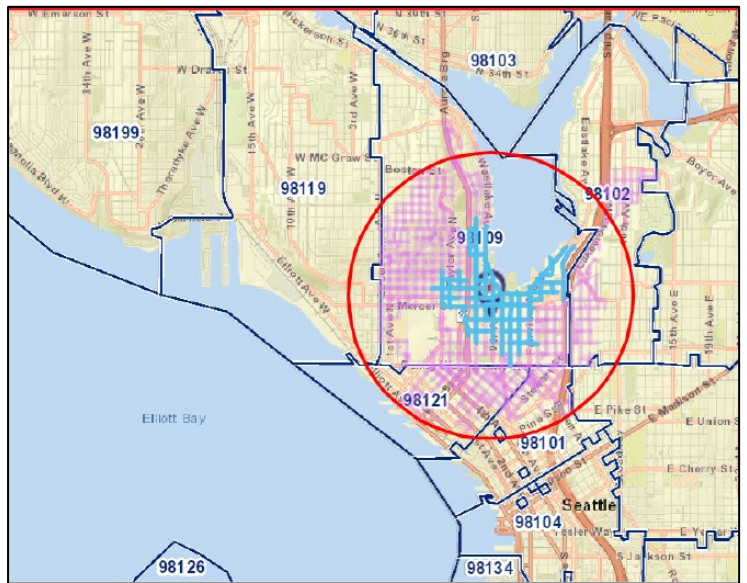


Figure 9 The blue lines represents postal routes where the fact sheet was physically mailed.

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 Meredith Waldref at 425-229-3683 or Meredith.Waldref@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).¹¹ To receive the *Site Register* by email, please contact Sarah Kellington at 360-407-7466 or sarah.kellington@ecy.wa.gov.

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the Seattle Times. We will also publish notice on our [Public Input & Events Listing](#).¹²

Email lists

Ecology maintains an email list to update interested persons about this site. If you would like to be added to the email list for the sites in the South Lake Union area, please subscribe at https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_229.

Ecology's website and social media platforms

We maintain a [website for the Block 79 East site](#).¹³ The website provides site information, and you may download cleanup documents.

We may also share information about cleanup sites through [news releases, our ECOconnect blog, and social media](#).¹⁴

Document repositories

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

Seattle Public Library – Central
1000 4th Avenue, Seattle, WA 98104
206-386-4636

Washington Department of Ecology
Northwest Regional Office
15700 Dayton Ave N., Shoreline, WA 98133

Please call for an appointment by contacting our public disclosure coordinator at 206-594-0016.

¹¹ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹² ecology.wa.gov/Events/Search/Listing

¹³ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=13006>

¹⁴ ecology.wa.gov/About-us/Get-to-know-us/News

Signs around the cleanup site

We 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 public review with other cleanup documents. In that case, we combine the comment periods, and they last at least 30 days. 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 Meredith Waldref at 425-229-3683 or Meredith.Waldref@ecy.wa.gov.

Public comment periods

Formal 30-day comment periods allow interested members of the public to comment 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 for at least two weeks and may extend to 30 days or more when other cleanup documents are concurrently available for review.

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, then 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 so the meeting occurs during it.

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.

Americans with Disabilities Act

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, contact the Ecology ADA Coordinator at 360-407-6831 or ecyadacoordinator@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

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 Meredith Waldref at 425-229-3683 or Meredith.Waldref@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.