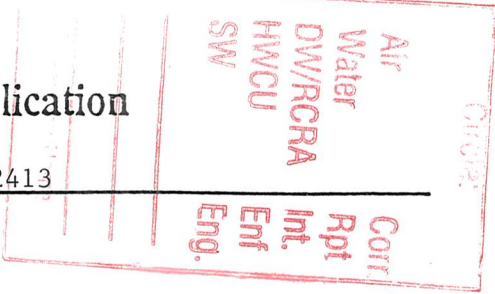


Skagit Valley Herald

1000 East College Way, P.O. Box 578, Mount Vernon, WA 98273-0578

Affidavit of Publication

The Matter Of H-2413



NOTICE OF PUBLIC COMMENT PERIOD MODEL TOXICS CONTROL ACT PROPOSED REMOVAL FROM THE HAZARDOUS SITES LIST EQUILON ENTERPRISES LLC PUGET SOUND REFINING COMPANY (FORMERLY TEXACO PUGET SOUND REFINERY) TEXACO FEBRUARY 22, 1991 OIL SPILL SITE

Company has requested that the deed restriction be removed from the pump station property and that the site be removed from the Hazardous Sites List. The public comment period will run for 30 days from November 15, 1999 through December 14, 1999. Interested persons are invited to submit written comments concerning the proposed delisting. Any interested person may request a public hearing with respect to this proposal. The request for a public hearing must be filed in writing and must indicate why such a hearing is warranted. If the Department determines that there is significant interest in the site delisting, a hearing will be scheduled and the public will be notified of the hearing date.

The data supporting the removal of the Texaco February 22, 1991 Crude Oil Spill Site from the Hazardous Sites List is available for review at the Anacortes Public Library, 1209 Ninth St., Anacortes, WA; Department of Ecology Bellingham Field Office, 1204 Railroad Ave., Bellingham, WA and at Department of Ecology Headquarters - Industrial Section, 300 Desmond Dr., Lacey, WA.

Written comments concerning the Removal Ac-

tion should be submitted within thirty (30) days of the date of this notice to Paul Skyllingstad, Department of Ecology, P.O. Box 47706, Olympia, WA 98504-7706. All comments will be considered in making the final decision on the proposed action. For further information or a fact sheet, call Paul Skyllingstad at (360) 407-6949.

Published
November 15, 1999
H-2413

The Washington State Department of Ecology proposes to remove the Texaco Puget Sound Refinery February 22, 1991 crude oil spill site from the Model Toxics Control Act (MTCA) Hazardous Sites List. Site cleanup methods used in 1991 and 1992 included excavation, removal, and biological treatment of petroleum contaminated soils, followed by confirmational ground water and soil sampling. In January of 1994 deed restrictions were imposed upon property near the original spill site, a failed booster pump, because of the soil contamination. No contamination was found during five years of monitoring down gradient of the pump site. Recent sampling of soils in the booster pump area show petroleum levels are now below MTCA residential cleanup requirements. Puget Sound Refining

In the Superior Court of the State of Washington In and For Skagit County

STATE OF WASHINGTON

County of Skagit ss.

The undersigned, being first duly sworn on oath deposes that he is principal clerk of the Skagit Valley Herald, a daily newspaper.

That said newspaper has been approved as a legal newspaper by the Superior Court of Skagit County and it is now and has been for more than six months prior of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Skagit County, Washington, and it is now and during all of said time was printed in an office maintained at the said place of publication of said newspaper.

That the annexed is a true copy of an advertisement, with publication dates, as it was published in regular issues (and not in supplemental form) of said newspaper commencing with

the issue of November 11 1999
and ending with

the issue of November 11 1999

That such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing in the sum of

\$ 152.38

Jan Schwetm
Clerk

Subscribed and sworn to before me this

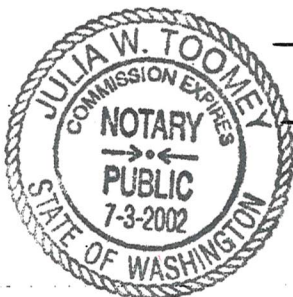
17th day of November 1999

Julia W. Toomey
Notary Public and for the State
of Washington

RECEIVED

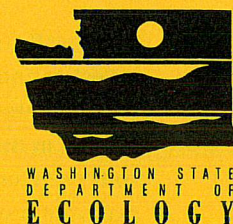
NOV 23 1999

Department of Ecology
Industrial Section



Clerk's Filing Stamp

Equilon Enterprises LLC Puget Sound Refining Company (Formerly Texaco Puget Sound Refinery)



Proposed Removal from the Hazardous Sites List February 22, 1991 Crude Oil Spill Site

The Washington Department of Ecology proposes to remove the Texaco Puget Sound Refinery February 22, 1991 oil spill site from the Model Toxics Control Act (MTCA) Hazardous Sites List. Site cleanup included excavation, removal, and biological treatment of contaminated soils, followed by confirmational ground water and soil sampling. The Texaco Puget Sound Refinery is now owned by a joint venture of Texaco and Shell oil companies known as Equilon Enterprises LLC.

You may review and comment on the proposed removal of this site from the Hazardous Sites List through December 14, 1999. The box at the right provides information about where to review the supporting documentation, as well as where to submit comments.

Site Background

On the evening of February 22, 1991 the Texaco Puget Sound Refinery was unloading Alaskan North Slope crude oil from a tanker docked in Fidalgo Bay. A catastrophic failure of a large booster pump at the edge of the refinery property caused a release of an estimated 210,000 gallons of crude oil. Soils and surface water were impacted on Texaco property as well as adjacent properties owned by Shell Oil Company and Mr. Leonard Munks. The southern portion of Fidalgo Bay was also affected by the spill. A massive cleanup effort on Fidalgo Bay and the upland pump area was initiated immediately after the release.

Several emergency actions on the site occurred immediately following the spill. Interceptor trenches were excavated in strategic locations on the site to control oil migration. Vacuum trucks were utilized to remove free crude oil from trenches and other low areas on the site. An underdrain weir system was constructed in the drainage ditches that surround the site in order to control the movement of crude oil into Fidalgo Bay. Visibly oiled soils were removed from the Munks property, pump area, and service road and stockpiled at the refinery.

In July of 1991, Texaco and the Department of Ecology signed an Agreed Order that directed Texaco to prepare a remedial investigation and feasibility study for the site and to complete the rapid cleanup of the oily soils on the private property of Mr. Munks. The majority of the oily soils were removed from the Munks property and treated by bioremediation at the Texaco Refinery. A temporary landfarm known as the flare landfarm was constructed at the refinery to treat the contaminated soils from the spill. The Agreed Order was amended to include the Shell Oil railroad right of way in the fall of 1991. Oily soils and roadbed material from the right of way were removed to the refinery bioremediation landfarms for treatment. In the fall of 1991 and spring of 1992, Texaco rebuilt the home of Mr. Munks after cleaning the area to Model Toxics Cleanup Act (MTCA) cleanup standards.

November 1999

PUBLIC COMMENT PERIOD ON PROPOSED REMOVAL FROM THE HAZARDOUS SITES LIST

November 15, 1999 to December
14, 1999.

SEND WRITTEN COMMENTS ON THE PROPOSED REMOVAL FROM THE HAZARDOUS SITES LIST TO:

Paul Skyllingstad
Department of Ecology
Industrial Section
PO Box 47706
Olympia, WA 98504-7706
E-mail psky461@ecy.wa.gov

INFORMATION REPOSITORIES

The supporting documentation
for the proposed removal can be
reviewed at the following
locations:

Department of Ecology
Industrial Section
300 Desmond Drive
Lacey, WA

Anacortes Public Library
1209 Ninth Street
Anacortes, WA

Bellingham Field Office
Department of Ecology
1204 Railroad Avenue
Bellingham, WA 98225

Continued on Page 2

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Several emergency actions on the site occurred immediately following the spill. Interceptor trenches were excavated in strategic locations on the site to control oil migration. Vacuum trucks were utilized to remove free crude oil from trenches and other low areas on the site. An underdrain weir system was constructed in the drainage ditches that surround the site in order to control the movement of crude oil into Fidalgo Bay. Visibly oiled soils were removed from the Munks property, pump area, and service road and stockpiled at the refinery.

In July of 1991, Texaco and the Department of Ecology signed an Agreed Order that directed Texaco to prepare a remedial investigation and feasibility study for the site and to complete the rapid cleanup of the oily soils on the private property of Mr. Munks. The majority of the oily soils were removed from the Munks property and treated by bioremediation at the Texaco Refinery. A temporary landfarm known as the flare landfarm was constructed at the refinery to treat the contaminated soils from the spill. The Agreed Order was amended to include the Shell Oil railroad right of way in the fall of 1991. Oily soils and roadbed material from the right of way were removed to the refinery bioremediation landfarms for treatment. In the fall of 1991 and spring of 1992, Texaco rebuilt the home of Mr. Munks after cleaning the area to Model Toxics Cleanup Act (MTCA) cleanup standards.

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Continued on Page 2

The results of the 1991 remedial investigation indicated that hydrocarbon contamination above cleanup levels was present in only a few selected areas on the spill site where complete emergency excavation was not possible. Texaco entered into a Consent Decree with the Department of Ecology in May of 1993 to complete the cleanup of "hot spot" petroleum contamination on the Munks pasture area, excavate contaminated soils in the vicinity of the pump station, bioremediate contamination in the ditches surrounding Munks property and treat excavated soils in the temporary flare landfarm. In December of 1993 all of the remedial action requirements of the Consent Decree had been met. Oily soils found near the booster pump station were deed restricted and a monitoring program was approved to sample ground water downgradient of the contaminated soils.

No contamination was found during five years of ground water monitoring of the surface aquifer next to the booster pump station. Recent sampling of soils in the booster pump area shows petroleum levels are now below MTCA Method B cleanup requirements. Samples collected in 1996 at the flare landfarm indicated that both soil and ground water cleanup levels had been met.

Ecology's Recommendation

Puget Sound Refining Company has requested that the deed restriction be removed from the pump station and the site be removed from the Hazardous Sites List. Residential cleanup standards have been met on this site. The cleanup standards and remedial actions selected for this site are considered sufficient to protect human health and the environment, and meet the other requirements of WAC 173-340-740 and WAC 173-340-720. Based on this information, Ecology proposes to remove the Texaco February Oil Spill Site from the Hazardous Sites List and allow the deed restriction to be removed from the booster pump area. This site was ranked on the Hazardous Sites List as a 2 (1 being high priority). If no significant

environmental objections are made during the public comment period, Ecology will remove the site from the Hazardous Sites List and Puget Sound Refining Company will remove the deed restriction on the booster pump area.

Ecology Wants Your Comments!

You are invited to review and comment on the proposed removal through December 14, 1999. The public comment period presents an opportunity to have your ideas and comments heard by Ecology. Information repositories, which include the supporting documentation, have been set up at the locations listed in the box on page one. To review more detailed site documents than those in the information repositories, contact Ecology's site manager Paul Skyllingstad (360) 407-4969 to schedule an appointment.

Any interested person may request a public hearing with respect to this proposal. The request for a hearing must be filed in writing, and must indicate the reasons why such a hearing is warranted. If the Department determines that there is significant interest in the delisting, a hearing will be scheduled and the public will be notified of the hearing date.

Please submit your written comments to Paul Skyllingstad, Site Manager, at the Ecology address listed in the box on page one. Ecology will review and respond to all comments received. Based on the comments received, Ecology may revise the decision to remove the site from the Hazardous Sites List.