



## **Public Participation Plan**

**BSB Diversified  
8202 S. 200<sup>th</sup> St.  
Kent, WA, 98032**

### **Hazardous Waste and Toxics Reduction Program**

Washington State Department of Ecology  
Northwest Regional Office  
Shoreline, Washington

May 2022, Publication 22-04-021



## Publication Information

This document is available on the Department of Ecology's website at:

<https://apps.ecology.wa.gov/cleanupsearch/site/58> and

<https://apps.ecology.wa.gov/publications/SummaryPages/2204021.html>.

### Cover photo

This photo was taken by the Washington State Department of Ecology.

### Related Information

- Facility site ID: 2105
- Cleanup site ID: 58

## Contact Information

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**Website:** [Washington State Department of Ecology](http://www.ecology.wa.gov)<sup>1</sup>

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<sup>1</sup> [www.ecology.wa.gov/contact](http://www.ecology.wa.gov/contact)

## Español

El Departamento de Ecología está anunciando el período de comentarios públicos relacionado a la limpieza ambiental del sitio BSB Diversified. Para obtener este documento, o más información sobre este sitio en español, favor de comunicarse con Gretchen Newman al 360-407-6097 o [preguntas@ecy.wa.gov](mailto:preguntas@ecy.wa.gov).

## ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

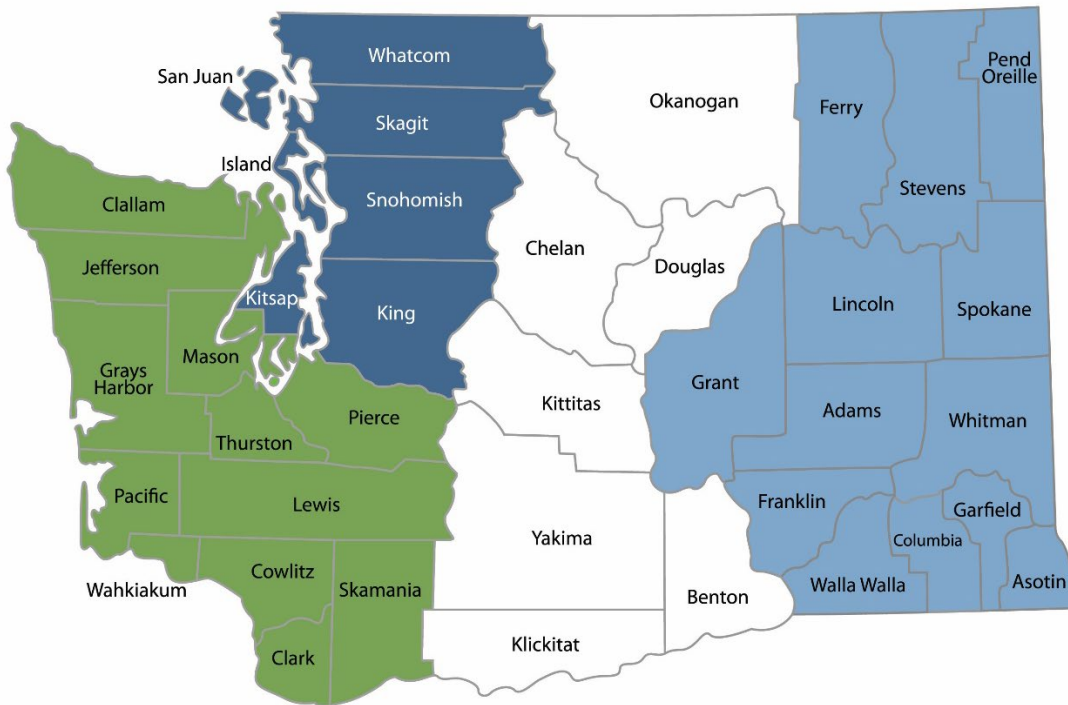
To request an ADA accommodation, contact Ecology by phone at 360-407-6700 or email at [hwtrpubs@ecy.wa.gov](mailto:hwtrpubs@ecy.wa.gov). For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website](http://www.ecology.wa.gov)<sup>2</sup> for more information.

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<sup>2</sup> [www.ecology.wa.gov/accessibility](http://www.ecology.wa.gov/accessibility)

# Department of Ecology's Regional Offices

## Map of Counties Served



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

# Public Participation Plan

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8202 S. 200<sup>th</sup> St.  
Kent, WA, 98032**

Hazardous Waste & Toxics Reduction Program  
Washington State Department of Ecology  
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DEPARTMENT OF  
**ECOLOGY**  
State of Washington

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# Public Involvement in Contamination Cleanup

Ecology (we) developed this Public Participation Plan (PPP) in cooperation with BSB Diversified (BSB). This plan is for their facility located at 8202 S. 200th St., Kent, WA, 98032.

The PPP describes how we involve the public in investigating contamination and selecting cleanup activities during the corrective action process.

We encourage the public to:

- Learn about and get involved in decision-making opportunities.
- Provide input during the investigation and cleanup of contamination.

This plan is for corrective action (cleanup). Public participation activities are coordinated between BSB and Ecology. We must make sure the cleanup and the outreach comply with Washington State's Dangerous Waste Regulations and Model Toxics Control Act (MTCA) requirements. We will hold public comment periods and other public outreach during the cleanup process.

## 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

Northwest Regional Office  
PO Box 330316  
Shoreline, WA 98133

Val Cramer  
Site Manager  
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P: 206-529-3980  
C: 425-922-0254



## Public Participation Grants

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

- Hire an expert to help interpret technical information.<sup>3</sup>
- Conduct activities to increase understanding 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](mailto:lynn.gooding@ecy.wa.gov). You may also visit the [Public Participation Grant webpage](#).<sup>4</sup>

## State and Federal Cleanup Laws

In Washington state, we use MTCA and other regulations for cleanup activities on properties that treated, stored, or disposed of hazardous chemicals. These cleanups, called **corrective actions**, are required under the federal Resource Conservation and Recovery Act (RCRA). The U.S. Environmental Protection Agency (EPA) maintains and enforces environmental standards across the United States. EPA allows Ecology to use MTCA, not RCRA, for cleanup activities in Washington state.

This PPP is required under MTCA. MTCA sets standards to ensure contaminated site cleanups in our state protect human health and the environment.

## Model Toxics Control Act

MTCA began as a grassroots citizen's initiative in 1988. We started using it in our state to clean up contaminated sites in 1989. Under MTCA, a current or past property owner or operator may need to pay to clean up contamination on or coming from their property, until levels are safe for human health and the environment.

Under MTCA, we oversee cleanups and issue [regulations and guidance](#)<sup>5</sup> for them. We investigate property contamination reports. If the contamination is a threat to human health or the environment, the property goes on the Hazardous Sites List and the cleanup process begins.

Public participation is an important part of the MTCA process. Participation needs are determined for each cleanup site by the level of public interest and the risk posed by the contamination. People who live near the site, community groups, businesses, government entities, and other interested parties can comment on the cleanup process.

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<sup>3</sup> 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.

<sup>4</sup> [www.ecology.wa.gov/ppgrants](http://www.ecology.wa.gov/ppgrants)

<sup>5</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/9406.html>

Under MTCA, the cleanup process happens in phases. Many of the phases have time for the public to review and comment on cleanup documents. See Figure 1, Washington's Formal Cleanup Process, for more information.

## Resource Conservation and Recovery Act

There are federal and state rules about hazardous wastes. Congress passed RCRA in 1976 to ensure safe management and disposal of hazardous waste. RCRA was updated several times to expand the scope and requirements.

RCRA's goals are to:

- Protect human health and the environment.
- Reduce waste, and conserve energy and natural resources.
- Reduce or stop hazardous waste generation.

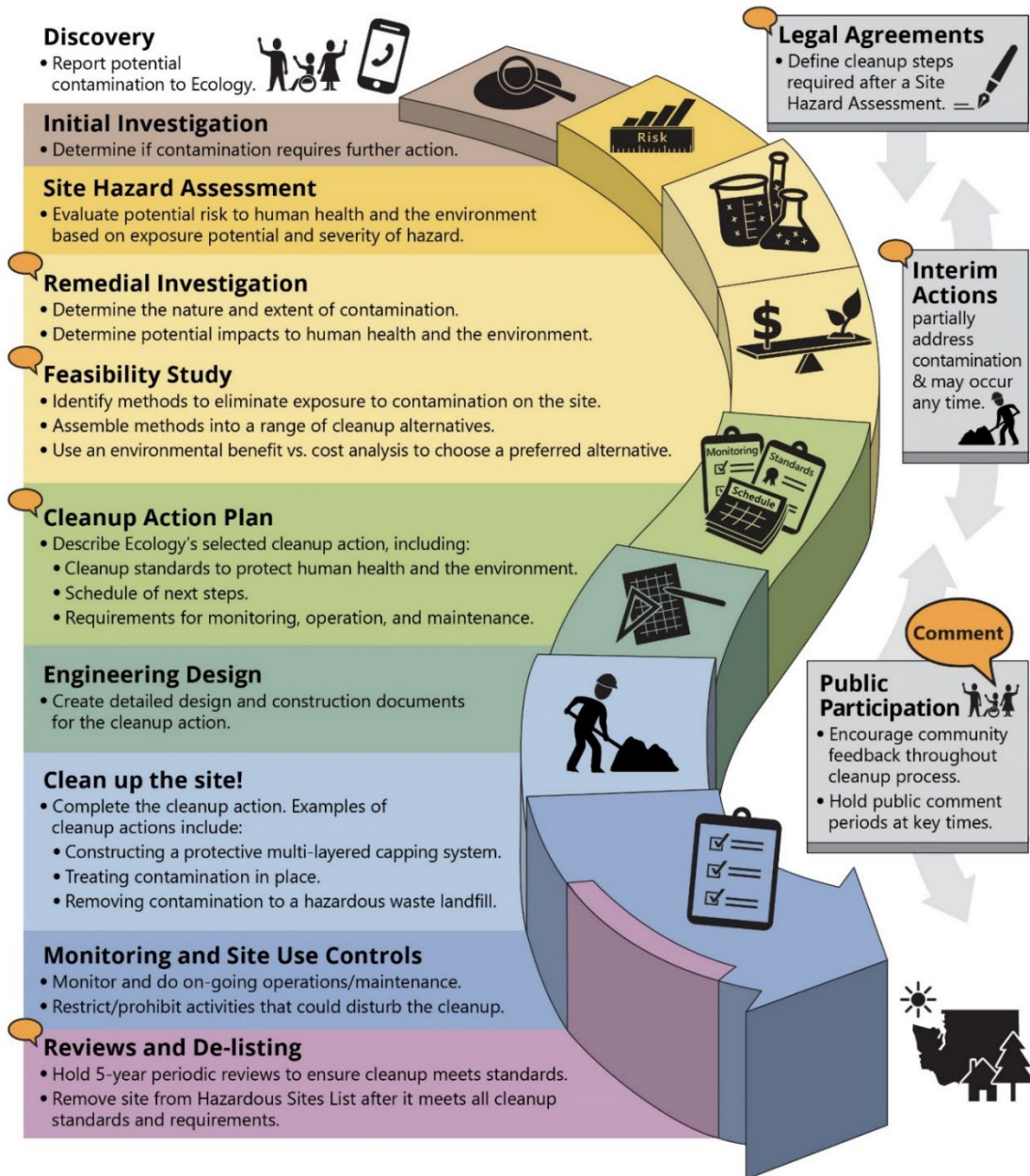
Treatment, storage, and disposal (TSD) facilities must have a permit to design, operate, maintain, or close their site. RCRA also requires facilities to clean up contamination from past and present practices. These cleanup activities are called **corrective actions**.

Federal RCRA and state dangerous waste regulations require opportunities for public participation during the stages of facility permitting and cleanup.

## State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans. Ecology uses SEPA during site cleanups to find and evaluate negative environmental impacts that could result from a proposed action.

# 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: [Washington's Formal Cleanup Process Infographic](#).<sup>6</sup>

[Read a Plain Text version of Figure 1](#).<sup>7</sup>

<sup>6</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

<sup>7</sup> <https://apps.ecology.wa.gov/publications/parts/1909166part2.pdf>

# Site Information

## Basic information

Kent is located in King County, Washington, United States. It has a total area of 33.7 square miles and is the sixth largest city in the state. Kent is the second oldest incorporated city after Seattle. It is in the heart of the Seattle-Tacoma metropolitan area, located 19 miles south of Seattle and 19 miles northeast of Tacoma.

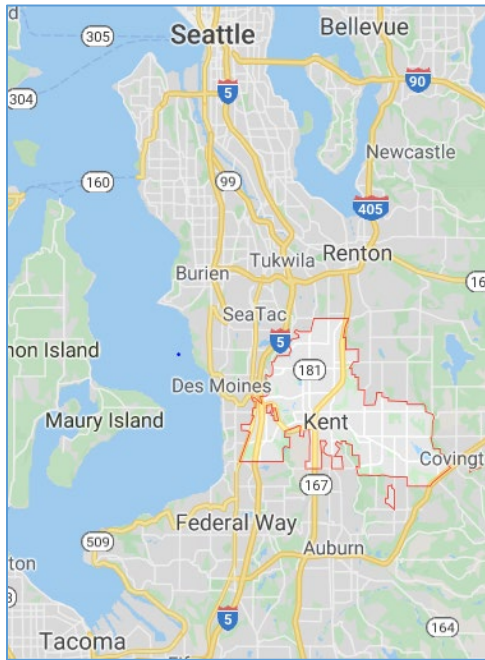


Figure 2: Google Map showing location of Kent, WA.

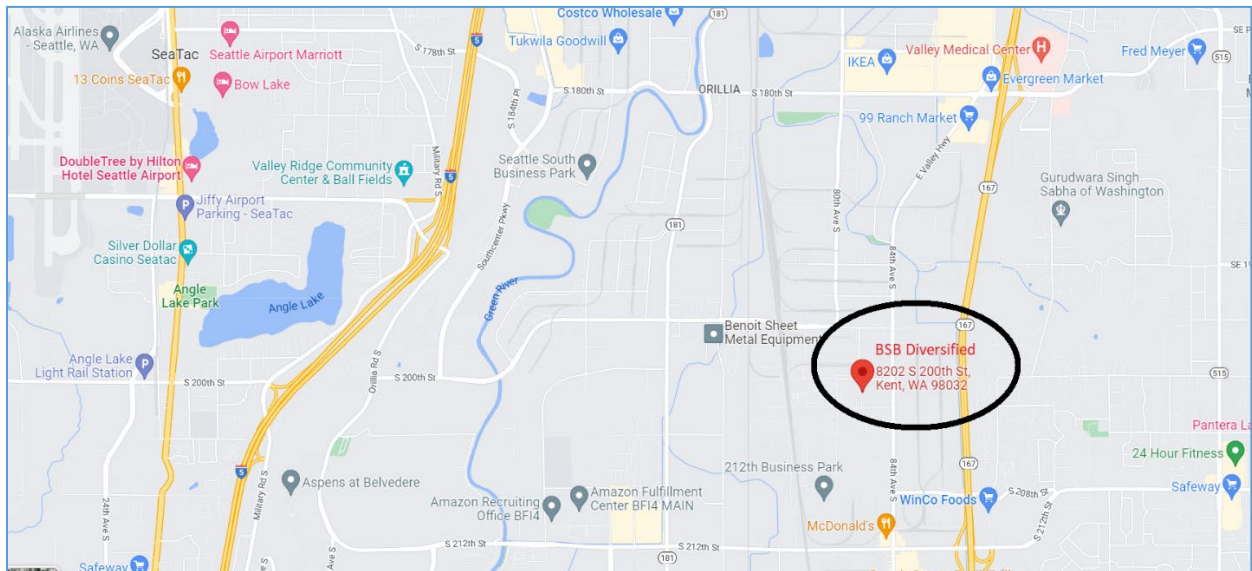


Figure 3: Google Map showing the BSB property in Kent, WA.

## Site history

This cleanup site in Kent has two main properties: BSB Diversified (BSB) and Hexcel Corporation Kent-Plant 1 (Hexcel) (see Figure 4).

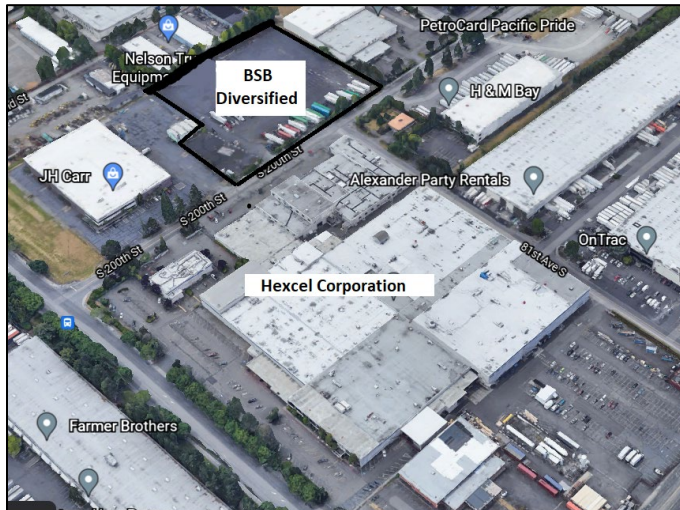


Figure 4: Location of BSB Diversified and Hexcel Corporation in Kent, WA.

At this site, BSB is the main source of the contamination. Hexcel is a neighboring property. Contamination from BSB polluted the groundwater that flows beneath Hexcel.

Other nearby properties are also affected by contamination caused by chemical releases from these companies. All of these properties, including Hexcel, are collectively known as the BSB site. From 1956 to 1987:

- Activities like manufacturing, plating, metal finishing, and electroplating caused chemical releases on the BSB site.
- The site's metal finishing facilities used significant quantities of chlorinated solvents.
- The site included surface impoundments, settling lagoons, container storage, and similar units for managing, storing, and disposing dangerous waste.

## Contamination

Prior to 1988, both Hexcel and BSB were owned by BSB. Historical operations included metal finishing and electroplating. The historical operations used chlorinated solvent, trichloroethylene (TCE), to clean metal parts. TCE spills and leaks contaminated soils and groundwater. Over time, TCE breaks down into cis-1,2-dichloroethylene and vinyl chloride (VC). VC has a very strict cleanup level because it is suspected to cause cancer.

The contaminated groundwater is currently contained behind an underground clay-soil barrier wall around the entire perimeter of the BSB property. This barrier keeps the contaminated groundwater from leaving the BSB site.

## Cleanup process

There are six phases in the cleanup process: remedial investigation, feasibility study, cleanup plan, cleanup design, cleanup implementation, and monitoring and site use controls.

Interim actions or partial cleanups can occur at any time. There will be opportunities for public comment at each stage, except for cleanup implementation.

BSB is currently in the last phase of the cleanup process: monitoring and site use controls. We require BSB to monitor groundwater to ensure that the current cleanup method is working.

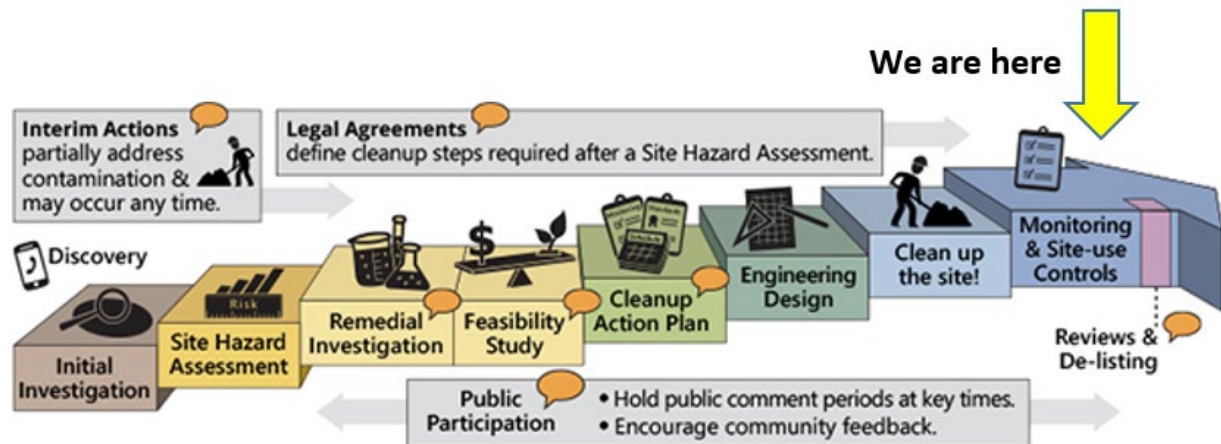


Figure 5: Formal Cleanup Process Infographic.

To clean up the facility, BSB must have a special permit, called a Corrective Action Permit. They have operated under a Corrective Action Permit since November 2005. This permit now needs to be reissued.

We are also conducting a periodic review of the current cleanup methods.

### This public comment period

The 2022 public comment period is for BSB's reissued permit, periodic review and public participation plan.

You can view and/or download documents related to this comment period at [BSB Diversified Co Inc's webpage](#).<sup>8</sup>

- **Draft Permit:** Permit that requires BSB to continue cleaning up the property.
- **Draft Periodic Review:** A periodic review to ensure that the current cleanup methods are working on the BSB Diversified site.
- **Public Participation Plan (PPP):** This document is the PPP. It encourages comment and involvement in cleanup decisions from the community.

<sup>8</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/58>

We're asking the public to comment on the draft permit, draft periodic review and draft public participation plan.

## Demographics

Below are the demographic indicators for the area around BSB, including the minority, low income, and linguistically isolated populations.

**Table 1:** Kent, WA: One-mile ring (radius) around the site (population 1,638).

Demographic Indicators	Value	State Average	Percentile in State
<b>Demographic Index</b>	43%	29%	81
<b>People of Color Population</b>	67%	31%	92
<b>Low-Income Population</b>	17%	27%	34
<b>Linguistically Isolated Population</b>	7%	4%	79
<b>Population with Less Than High School Education</b>	4%	9%	34
<b>Population Under 5 Years of Age</b>	6%	6%	52
<b>Population Over 64 Years of Age</b>	11%	15%	37

## People of color and minority population

Ecology ran a demographic analysis using EPA's Environmental Justice Screen<sup>9</sup> (EJSCREEN) tool for a one-mile radius around the site. The standard report suggests these indicators for environmental justice considerations:

- Demographic index.
- People of color population.
- Linguistically isolated population.
- Population under 5 years of age.

Census data from the 2014–2018 American Community Survey indicates the largest racial population reporting one race around the site is Asian with 484 residents.

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<sup>9</sup> <https://www.epa.gov/ejscreen>

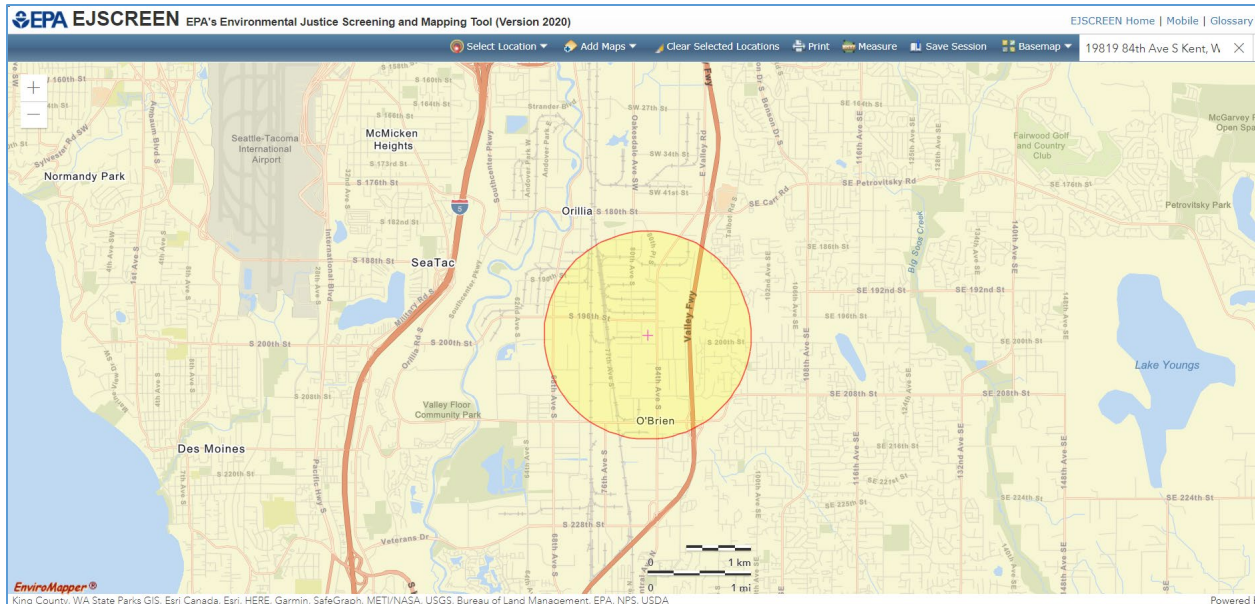


Figure 6: Map showing one-mile radius for EJ indicators (taken from EPA’s EJSCREEN mapping tool).

## English language proficiency

According to the [Language Data \(Census 2015\)](#)<sup>10</sup> for this ZIP code (98032), the Spanish or Spanish Creole populations that speak English “less than very well” are 9.87 percent of the area population.

Census data from the 2014–2018 American Community Survey shows that 360 residents within a one-mile radius speak English “less than very well.” There are 34 linguistically isolated households. Other Indo-European languages are spoken in 29 homes; Spanish is spoken in 4.

## Outreach activities and language access

Based on this analysis, we will conduct the following outreach activities for this site:

- Contact cultural organizations and leaders in these communities.
- Provide information about requesting language services in all public materials.
- Provide basic information for this site in Spanish, Russian, Vietnamese, and Punjabi in all outreach materials.
- Translate all documents that are vital or critical to well-being for language groups that are either 5% of the population or more than 1,000 people.

<sup>10</sup> [http://teams/sites/EXEC/mitt/LanguageMap/Shared%20Documents/ACS\\_LanguageData\\_2015.aspx](http://teams/sites/EXEC/mitt/LanguageMap/Shared%20Documents/ACS_LanguageData_2015.aspx)



To request translation services, please contact:

Janelle Anderson, Community Outreach & Environmental Education Specialist  
Washington Department of Ecology  
Northwest Regional Office  
PO Box 330316  
Shoreline, WA 98133  
Phone: 425-301-6454  
Email: [Janelle.anderson@ecy.wa.gov](mailto:Janelle.anderson@ecy.wa.gov)

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages following federal guidance.<sup>11</sup> The non-English languages most widely spoken in this area are Other Indic and African languages and Spanish. When appropriate, we will provide outreach materials in these languages. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to reach the nearby community.

### **Tribal involvement**

Ecology will invite the federally recognized Muckleshoot Tribe, Puyallup Tribe, and Nisqually Tribe that reside in King County to engage in decision-making during the process on a government-to-government basis.

## **Public Participation Activities**

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties don't 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 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 around the site. The mailing list area varies depending on the type of contamination and its location, but the list will at least include addresses within a quarter-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.

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<sup>11</sup> 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).

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 extra costs.

Comment period notices and other site announcements may also be posted in the community (for example, in local businesses, schools, and libraries).

## Postal mailing list

Ecology maintains a mailing list that includes addresses near the site. This mailing list also includes local, state, and federal government contacts.

Everyone will receive public comment notices when draft documents are available.

We'll 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 Janelle Anderson at 425-301-6454 or [Janelle.anderson@ecy.wa.gov](mailto:Janelle.anderson@ecy.wa.gov).

## Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).<sup>12</sup> To receive the Site Register by email, please [subscribe online](#),<sup>13</sup> or contact Sarah Kellington at [sarah.kellington@ecy.wa.gov](mailto:sarah.kellington@ecy.wa.gov) or 360-407-7466.

## Newspaper display ads or legal notices

For this site, we will announce public comment periods and events in ads or notices published in the [Kent Reporter](#),<sup>14</sup> [El Siete Dias](#),<sup>15</sup> and on [iHeartRadio](#).<sup>16</sup> We'll also publish notice on our [Public Input & Events Listing](#).<sup>17</sup>

## Ecology's website and social media platforms

Ecology maintains a webpage for [BSB Diversified](#)<sup>18</sup> that provides site information and cleanup documents. Information may also be shared about cleanup sites through [news releases](#)<sup>19</sup> and [Ecology's blog](#).<sup>20</sup>

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<sup>12</sup> [ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data)

<sup>13</sup> [https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic\\_id=WAECY\\_118](https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118)

<sup>14</sup> <https://www.kentreporter.com/news/>

<sup>15</sup> <https://elsietedias.com/>

<sup>16</sup> <https://www.iheart.com/>

<sup>17</sup> [ecology.wa.gov/Events/Search/Listing](https://ecology.wa.gov/Events/Search/Listing)

<sup>18</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/58>

<sup>19</sup> <https://ecology.wa.gov/About-us/Get-to-know-us/News>

<sup>20</sup> <https://ecology.wa.gov/blog>

## Document repositories

You may review documents in-person at this location by appointment:

Washington State Department of Ecology  
Northwest Regional Office  
15700 Dayton Ave N. Shoreline, WA  
Reception (24-hour) 206-594-0000

To schedule an appointment, please contact:

Michael Hart  
[michael.hart@ecy.wa.gov](mailto:michael.hart@ecy.wa.gov)  
NWRO Public Disclosure Coordinator

## Signs around the cleanup site

We may also put up signs with 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 for 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 Janelle Anderson at 425-301-6454 or [Janelle.anderson@ecy.wa.gov](mailto:Janelle.anderson@ecy.wa.gov).

## Public comment periods

Formal 30-day comment periods allow members of the public to comment on draft documents, legal agreements, and proposed cleanup actions. If there is enough interest, Ecology may extend the public comment period. When Ecology oversees SEPA determinations, we hold comment periods for at least two weeks and comment periods may last 30 days or more when other cleanup documents are available for review at the same time.

Following a comment period, we publish all the input we received and respond to 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 don't result in significant changes, they become final.

## Public events

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we haven't scheduled a meeting, we will hold one if 10 people request it—we may extend the 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 Ecology at 360-407-6700 or [hwtrpubs@ecy.wa.gov](mailto:hwtrpubs@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.

## PPP Amendments

Ecology developed this PPP following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Val Cramer, Site Manager, by phone at 425-698-5539 or email [valerie.cramer@ecy.wa.gov](mailto:valerie.cramer@ecy.wa.gov).

This PPP includes information for the public regarding opportunities for public involvement and comment. The planned outreach activities will keep the public informed and provide ways for people to communicate their concerns and questions.

If you feel the planned outreach activities are insufficient or need changes, we welcome your feedback. Different outreach activities or outreach tools can be used right away, with or without updating this plan.

## List of Abbreviations and Acronyms

**Table 2:** List of abbreviations and acronyms.

Abbreviation or Acronym	Definition
<b>ADA</b>	Americans with Disabilities Act
<b>BSB</b>	BSB Diversified
<b>Cleanup</b>	Corrective action
<b>Ecology (we)</b>	Washington State Department of Ecology
<b>EJSCREEN</b>	EPA's Environmental Justice Screen
<b>EPA</b>	U.S. Environmental Protection Agency
<b>Hexcel</b>	Hexcel Corporation Kent-Plant 1
<b>MTCA</b>	Model Toxics Control Act
<b>PLP</b>	Potentially liable person
<b>PPP</b>	Public Participation Plan
<b>RCRA</b>	Resource Conservation and Recovery Act
<b>SEPA</b>	State Environmental Policy Act
<b>TCE</b>	Trichloroethylene
<b>TSD</b>	Treatment, storage, and disposal facility
<b>VC</b>	Vinyl chloride
<b>WAC</b>	Washington Administrative Code