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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Southwest Regional Office

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June 7, 2022

Javan Ruark
Farallon Consulting, LLC
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Re: Expectations for restarting cleanup construction

- **Site Name:** Evergreen Fuels, *a.k.a.* CC Cole & Sons
- **Site Address:** 661 E Pine St, Shelton, Mason County, WA 98584
- **Agreed Order:** DE 3937
- **Facility/Site No.:** 6773108
- **Cleanup Site No.:** 4306

Dear Javan Ruark:

Thank you for meeting with us on February 1 and March 30, 2022, to discuss the Evergreen Fuels Site. During the meetings, we discussed the restoration and marina improvement project planned by the Shelton Yacht Club (SYC) on and surrounding the former Evergreen Fuels property.

In general, the parties acknowledged the work planned by SYC may provide a unique opportunity to practicably remove remaining contaminated soil near the shoreline bulkhead, and agreed to explore restarting cleanup construction at the Site in coordination with SYC. Furthermore, we discussed working within the existing cleanup action plan¹ (2006 CAP) for the Evergreen Fuels Site and to complete remaining tasks necessary to fully satisfy Agreed Order DE 3937.

The purpose of this letter is to document our understanding of the project and the Department of Ecology (Ecology) expectations for restarting cleanup construction at the Evergreen Fuels Site.

¹ Ecology 2006. *Draft Cleanup Action Plan, Evergreen Fuel Facility, 661 East Pine Street, Shelton, Washington.* Prepared by Washington State Department of Ecology, Lacey, Washington. November 2006.

Background

Cleanup construction was performed at the Site in 2006-2007 by Farallon for potentially liable persons CC Cole and Chevron (Evergreen PLPs). The cleanup generally included removal of existing surface and subsurface infrastructure, excavation and off-Site disposal of contaminated soil, and placement of oxygen release compound intended to treat remaining groundwater contamination. Some contaminated soil near the treated timber shoreline bulkhead was left in place because, at the time, removal of these contaminated soils was considered impracticable without potentially destabilizing the bulkhead.

Contaminated soil also remained in place immediately south of State Route 3, because removal was considered impracticable without potential impacts to the roadway. Following 2006-2007 cleanup construction, Evergreen PLPs and Ecology agreed to install three nearshore monitoring wells (MW-8, MW-9, and MW-10) and to monitor groundwater from these wells over time.

In 2019, SYC purchased the Evergreen Fuels property. Then in late 2021, SYC notified Ecology's Toxics Cleanup Program of their planned marina improvement and environmental restoration project, which includes work on the former Evergreen Fuels property. Part of the SYC project includes backfilling to raise the elevation of the intertidal area adjacent to the Evergreen Fuels upland and constructing a rock wall at the approximate location of the existing bulkhead.

It is Ecology's opinion that proposed backfilling adjacent to the existing bulkhead should allow the treated timber bulkhead and any remaining contaminated soils behind the bulkhead to be practicably removed.

Cleanup Construction Expectations

Consistent with our discussions in February and March 2021, cleanup construction shall conform to the 2006 CAP and Agreed Order DE 3937. Cleanup implementation and documentation must be consistent with MTCA requirements listed in WAC 173-340-400.

As a first step in restarting cleanup, please provide a working project and deliverables schedule to Ecology by **June 21, 2022**, for our review and approval. The schedule shall include scope of work items included in Exhibit C of Agreed Order DE 3937, which include the following:

- Task 1 – Draft engineering design report.
- Task 2 – Final engineering design report.
- Task 3 – Remedial action construction.
- Task 4 – Compliance monitoring and reporting.
- Task 5 – Record drawings.
- Task 6 – Contingency groundwater cleanup/ containment action plan.

- Task 7 – Implement contingency groundwater cleanup/ containment action plan.
- Task 8 – Environmental covenant (if contamination remains on-Site following cleanup).

The schedule also should include coordination with SYC's project; and other project tasks, milestones, and anticipated deliverables necessary to implement the cleanup. We recognize that the need to coordinate with SYC may result in unavoidable changes to the project schedule.

Additional characterization of soil conditions will be required to determine the nature and extent of remaining soil contamination. Please submit a sampling and analysis plan and quality assurance project plan for Ecology review and approval, consistent with WAC 173-340-820. Please also provide a copy of the health and safety plan for on-Site work to Ecology. Per Section 7.3 of Ecology's *Guidance for Remediation of Petroleum Contaminated Sites*,² use of silica gel cleanup is acceptable for soil samples analyzed using method NWTPH-Dx.

Per WAC 173-340-400, an engineering design report, construction plans and specifications, permits, substantive permit requirements, and approvals will be necessary to implement the project. Please be sure to address facility-specific requirements including coordination and sequencing with the anticipated concurrent SYC marina improvement and restoration project, and proposed steps to protect the geotechnical stability of the Site throughout sampling and construction activities. Planning documents also should include compliance monitoring plans for protection, performance, and confirmation monitoring per WAC 173-340-410.

We recommend removal of the treated timber bulkhead as part of Site cleanup. As presented in Ecology's Sediment Cleanup User's Manual³ (SCUM), treated timber can release contamination into adjacent soil and water and has the potential to be a source of recontamination to the Site.

We understand that cleanup for Evergreen Fuels is being included in the State Environmental Policy Act (SEPA) review for the SYC improvement and restoration project. The City of Shelton is the lead agency for SYC's SEPA project review.

Groundwater

In addition to soil contamination considered impracticable to remove in 2007, some groundwater contamination remained on-Site following the 2006-2007 cleanup. Groundwater has been monitored at monitoring wells MW-8, MW-9, and MW-10 since 2007. Concentrations of diesel-range total petroleum hydrocarbons (NWTPH-Dx, without silica gel cleanup) have exceeded cleanup levels in groundwater samples from monitoring well MW-10.

² Ecology 2016. *Guidance for Remediation of Petroleum Contaminated Sites*, Toxics Cleanup Program Publication No. 10-09-057. Prepared by Washington State Department of Ecology, Lacey, Washington. Revised June 2016.

³ Sediment Cleanup User's Manual, Guidance for Implementing the Cleanup Provisions of the Sediment Management Standards, Chapter 173-204 WAC, Washington Department of Ecology, Publication No. 12-09-057, revised December 2021.

As discussed during the meeting on February 1, 2022, Evergreen PLPs and Ecology want a clear path to remediating groundwater contamination that might remain on-Site following cleanup construction. We understand that monitoring wells MW-8, MW-9, and MW-10 may be abandoned to access contaminated soil near the bulkhead. If existing wells are abandoned, new monitoring wells shall be installed and monitored over time to assess groundwater conditions and to confirm when groundwater cleanup is complete. Current Ecology TPH policy⁴ requires groundwater samples analyzed for diesel range organics and heavy oils using NWTPH-Dx be prepared without the use of acid/silica gel cleanup for determining compliance with Site cleanup levels.

Ecology plans to prepare an informational fact sheet to notify the public of Site cleanup. The fact sheet will include a Site summary and description of the proposed cleanup.

While we understand the involved parties desire to fully cleanup the Site, satisfaction of Agreed Order DE 3937 may require an environmental (restrictive) covenant for the property if contaminated soil or groundwater remains on-Site.

We appreciate your willingness to clean up remaining contamination at the Evergreen Fuels Site. Please contact me at 360-999-9588 or sandy.smith@ecy.wa.gov if you have questions or comments.

Sincerely,



Sandy Smith, P.E., LHG
Cleanup Project Manager
Toxics Cleanup Program
Southwest Regional Office

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Ecology Site File

⁴ Ecology is internally evaluating this policy and whether petroleum hydrocarbons and polar metabolites in groundwater should continue to be regulated as a single substance. For the Evergreen Fuels Site cleanup, it may be helpful to perform additional NWTPH-Dx analyses using silica gel cleanup if initial TPH results exceed cleanup levels to differentiate between hydrocarbons and polar metabolites. If groundwater samples are analyzed using NWTPH-Dx with silica gel cleanup, sulfuric acid (H₂SO₄) should not be used during sample preparation.