



Jorgensen Forge Corp cleanup site

Response to Comments

- **Agreed Order with Interim Action Work Plan**
- **Public Participation Plan**

**Jorgensen Forge Corp Cleanup Site
Seattle, WA**

Toxics Cleanup Program

Washington State Department of Ecology

Northwest Regional Office

Shoreline, Washington

June 2022

Publication Information

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- Washington State Department of Ecology

Related Information

- Clean-up site ID: 3689
- Facility site ID: 2382

Contact Information

Toxics Cleanup Program

Northwest Regional Office

Maureen Sanchez

Site Manager

425-240-0454, maureen.sanchez@ecy.wa.gov

Physical: 15700 Dayton Ave N

Mailing: PO Box 330316

Shoreline, WA 98133

Phone: 206-594-0000

Website¹: [Washington State Department of Ecology](http://www.ecology.wa.gov)

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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 |
|---|---|---------------------------------------|---------------------------------------|

| 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 |

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- **Agreed Order with Interim Action Work Plan**
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Jorgensen Forge Corp Cleanup Site Seattle, WA

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Washington State Department of Ecology
Northwest Regional Office
Shoreline, WA

June 2022



DEPARTMENT OF
ECOLOGY
State of Washington

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Public Outreach Summary

The Jorgensen Forge Corp cleanup site (Site) located at 8531 E Marginal Way S, Seattle, WA 98108, is continuing Washington State's [formal cleanup process](#)² as directed under the Model Toxics Control Act ([MTCA](#)³). Star Forge LLC is addressing contamination at the Site under a legal agreement with Ecology.

The Department of Ecology's public involvement activities related to this Site's 30-day comment period (Mar. 14 – Apr. 12, 2022, with an extension through April 26), included:

- **Postcard and Fact Sheet:**
 - US mail distribution of a factsheet providing information about the cleanup documents, the public comment period, and a postcard about a public meeting to approximately 3,000 addresses including neighboring businesses and other interested parties.
 - The fact sheet was available digitally through [Ecology's cleanup site webpage](#)⁴.
- **Legal Notices:**
 - Publication of two paid display ads in *the Seattle Times*, dated Mar. 11 and Apr. 20, 2022
- **Site Register:**
 - Publication of 4 notices in Ecology's Toxics Cleanup Site Register:
 - Comment Period Notice:
 - [Site Register notice](#) #1 Mar. 10, 2022
 - [Site Register notice](#) #2 Mar. 24, 2022
 - [Site Register notice](#) #3 Apr. 7, 2022
 - [Site Register notice](#) #4 Apr. 21, 2022
 - Visit [Ecology's Site Register website](#)⁵ to download PDFs.
- **Media Notification:**
 - Ecology sent a media notice to local outlets around Mar. 14, 2022
- **Lower Duwamish Waterway email list:**
 - Ecology sent notices through the email list on March 28 and April 13, 2022
- **Social Media:**
 - Ecology created a [tweet](#)⁶ on Mar. 14, 2022

- **Online Public Meeting**

² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

³ <https://ecology.wa.gov/mtca>

⁴ <https://apps.ecology.wa.gov/cleanupsearch/site/3689>

⁵ <https://apps.ecology.wa.gov/publications/UIPages/PublicationList.aspx?IndexTypeName=Program&NameValue=Toxics+Cleanup&DocumentTypeName=Newsletter>

⁶ <https://twitter.com/ecyseattle/status/1503492149437874179?cxt=HHwWhoCqnZyJvd0pAAAA>

- Ecology hosted an online meeting Thursday, April 21, 2022 at 6:00 p.m. Ecology staff presented details on the interim action work plan and answered questions about the Site.
- **Websites:**
 - Ecology announced the public comment period, posted the fact sheet, and made the review documents available on [Ecology's Jorgensen Forge Corp webpage](#)⁷ and Ecology's [Public Inputs & Events webpage](#)⁸.
- **Document Repositories:**
 - The Northwest Regional Office offered in-person review of documents by appointment. Documents were also available at the South Park branch of the Seattle Public Library. Outreach materials were available on the Jorgensen Forge Corp website as well.

Comment Summary

From Mar. 14, 2021 – Apr. 26, 2022, Ecology solicited public comments on an Agreed Order with Interim Action Work Plan and Public Participation Plan for the Jorgensen Forge Corp cleanup site.

Ecology received 22 comments during the 44-day comment period.

Table 1: List of Commenters

| | First Name | Last Name | Agency/Organization/Business | Submitted By |
|---|------------|-----------|-------------------------------------|--------------|
| 1 | Robert | Hanlon | NA | Individual |
| 2 | Anonymous | | NA | Individual |
| 3 | Eric | Owen | NA | Individual |
| 4 | Tim | Neil | NA | Individual |
| 5 | Susan | Davis | NA | Individual |
| 6 | Anonymous | | Duwamish River Accountability Group | Organization |
| 7 | Crowley | Bond | | Individual |
| 8 | Peggy | Printz | | Individual |

⁷ <https://apps.ecology.wa.gov/cleanupsearch/site/3689>

⁸ <https://10ecology.wa.gov/Events/Search/Listing>

| | First Name | Last Name | Agency/Organization/Business | Submitted By |
|----|-------------------|------------------|-------------------------------------|---------------------|
| 9 | Rosario-Maria | Medina | | Individual |
| 10 | Victor | Facundo | | Individual |
| 11 | Jordan | Van Voast | | Individual |
| 12 | Stacy | Oaks | | Individual |
| 13 | Kevin | Duong | | Individual |
| 14 | Nora | Gierloff | City of Tukwila | Agency |
| 15 | Ben | Adlin | South Seattle Emerald | Organization |
| 16 | Rosario-Maria | Medina | | Individual |
| 17 | Cedar | Bushue | | Individual |
| 18 | Susan | Davis | South Park Neighborhood Association | Organization |
| 19 | Anonymous | | Duwamish River Accountability Group | Organization |
| 20 | Rosario-Maria | Medina | | Individual |
| 21 | Karen Paola | Carpenter | | Individual |
| 22 | Scott H. | Reisch | Hogan Lovells US LLP | Business |

Next Steps

Ecology has reviewed and considered the public comments received on Agreed Order and Public Participation Plan. Based on Ecology’s evaluation of the comments, changes were necessary in the documents to provide clarification requested by commenters, but the changes did not substantively alter the documents, and they are being finalized.

The Interim Action Work Plan is currently being revised only to be responsive to comments. Once that document is complete and approved by Ecology, the Interim Action Work Plan will be implemented. Ongoing work on the Site-wide cleanup will continue without delay under a

separate Agreed Order (AO 14143). See graphic below and visit Ecology's [cleanup process webpage](#)⁹ to learn more about Washington's formal cleanup process.

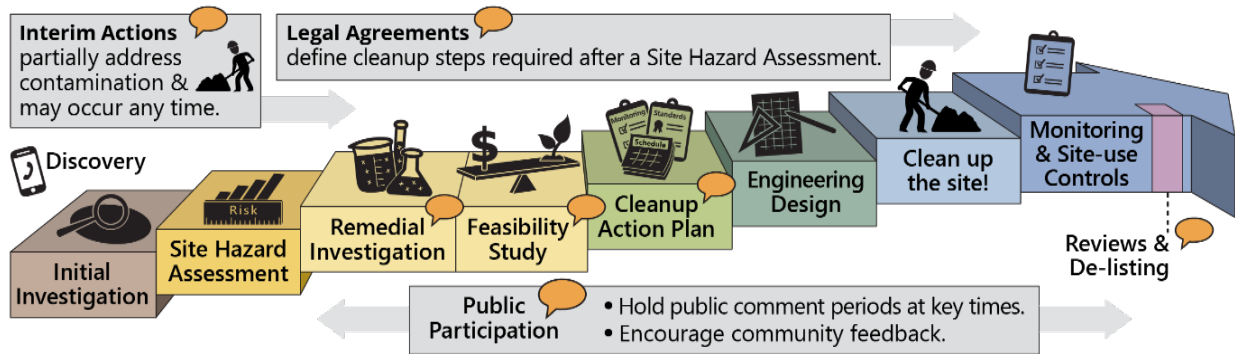


Figure 1: Washington's formal cleanup process ([download a text explanation](#)¹⁵)

⁹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

¹⁵ <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

Comments and Responses

The public comments are presented below, along with Ecology's responses. Appendix A, page 13 contains the comments in their original format, including footnotes and citations.

[1] Comment from: Robert Hanlon, received March 14, 2022, submitted by eComment

- 1) What are the plans for future usage of the Jorgensen Forge property? Are there interested buyers?
- 2) Are clean-up efforts taking into consideration future development, and potential cost savings (engineering and excavations) through collaborating with a property developer?

Ecology Response: Ecology's understanding is that King County is interested in purchasing the property once demolition of the facilities has been completed. King County has not informed us of their plans for the property, but it may be related to operation of King County Airport. However, we are not privy to the private agreements between the current and potential property owners.

At this time, a former property owner and operator, EMJ, is leading the effort to conduct, and is paying for, the cleanup. Cleanup alternatives have not been evaluated yet because the last of the Remedial Investigation data was just received and we await the first draft RI report in June of this year. We first have to figure out what the scope of the contamination is before we can decide on the best manner of cleanup.

Ecology works primarily with current and prospective property owners to ensure compliance with the cleanup regulation. Whenever possible, including at the Jorgensen site, we use all available opportunities to collaborate during changes in site uses, as may be the case at this site.

Please let me know if I have sufficiently answered your questions, or if you have any further questions.

THANKS for your comment! Public involvement in these projects is important....

[2] Comment from: Anonymous, received March 14, 2022, submitted by eComment

Star Forge LLC should be held accountable for the environmental damage and harm on community within the area. Make the industries that allowed years of toxins to run off into the river clean up their own mess. Address inequities by making South Park livable again with a cleaner, safer Duwamish Waterway.

Ecology Response: Ecology could not directly respond to this comment (anonymous).

The Model Toxics Control Act (MTCA) requires Ecology to work with Potentially Liable Person(s) at every site to cleanup releases they may be liable for. Star Forge LLC and Earle M. Jorgensen Company (EMJ) are the two PLPs currently named for the Site, and they are both actively working on different aspects of coming into compliance with MTCA and other regulations that Ecology oversees.

[3] Comment from: Eric Owen, received March 19, 2022, submitted by eComment

Hello,

My name is Eric Owen and I am a South Park resident. Although much of the cleanup details are beyond my understanding, I wanted to ask: 1) Am I right in understanding that the plan for much of the area is to remove soil and pave it over in order to prevent runoff? 2) If this is correct, is the paving a permanent plan, or is there any plans for bioremediation? Could this area eventually become green space with plants that would also benefit the health of the soil and ecosystem?

Ecology Response: Sorry it took a bit to reply. I've copied your comment below and have inserted a response in *italics*:

1) Am I right in understanding that the plan for much of the area is to remove soil and pave it over in order to prevent runoff?

The removal of USTs and pavement slabs are the primary components of the work, but yes, pavement will be placed in areas formerly covered by a roof or historic pavement to manage stormwater and prevent contamination going to the river. The proposed actions combined allow the current owner to come into compliance with several regulations prior to transfer of ownership, and to remove sources of contamination that could become more problematic if not resolved quickly.

2) If this is correct, is the paving a permanent plan, or is there any plans for bioremediation?

Some paving may become a permanent part of the eventual cleanup, but is highly unlikely to be a stand-alone remedy. We are currently awaiting a report that will present all the available data for the site. We need that report to understand the type and extent of contamination before we can evaluate and select the best cleanup actions for the Site. To be clear, we do not see paving as a cleanup action for the Site at this time because this is an interim measure only. The paving for the Interim Action is mainly to make sure that storm water is controlled, as you noted, but it's presence will not impede Ecology in requiring further remedial action.

3) Could this area eventually become green space with plants that would also benefit the health of the soil and ecosystem?

Ecology works with property owners and liable parties to determine a valid cleanup, but we don't have jurisdiction over land use. That is more in the domain of the City and the property owner. However, we understand that King County may be purchasing the property, so you may have more opportunities to sway the future owner with regard to land use than if it were a private entity.

THANK YOU so much for taking the time to comment. Please let me know if you have any further questions.

[4] Comment from: Tim Neil, received April 22, 2022, submitted by eComment

I'm a Georgetown resident, and would like to see that the entirety of the cleanup activities planned for this site are completed. Our area is already heavily impacted by industry, so it's important that we reduce impacts to human and environmental health.

Ecology Response: Ecology is striving to keep the cleanup progress for the Site moving forward, and it is our mission to reduce impacts to human and environmental health during the cleanup, and to get cleanup completed as quickly as possible.

[5] Comment from: Susan Davis, received April 25, 2022, submitted by eComment

I am writing to encourage the EPA to support the highest level of cleanup for the Jorgensen Forge site. The Duwamish River communities have carried the weight of environmental injustices in our area, and deserve to have those who have polluted this area held accountable.

Per 3.3, please require additional soil samples--the compliance history and record-keeping around the USTs is indeed sorely lacking by the owners of the Jorgensen Forge site.

I'm also curious about 3.2.3, the waste designation records being retained for only five years. It seems like most of the contaminants at this site have effects beyond that time frame, so shouldn't the records be kept for a similar time frame?

Also in 3.2.3: Where are the contaminants disposed of? While I will be glad to have them away from the river, are they going to somewhere else which will then become contaminated?

About 4.1: does sampling from 0"-3" below the surface give the best results for the amount of contaminants, and the length of time over which toxic manufacturing occurred on this site?

Lastly, I understand that the "waterway" versus "upland areas" are considered separate, yet we all know they are connected and interconnected in all sorts of ways. Please do everything you can to keep additional contaminants from entering the river.

Thank you.

Ecology Response (in italics): I am writing to encourage the EPA to support the highest level of cleanup for the Jorgensen Forge site. The Duwamish River communities have carried the weight of environmental injustices in our area, and deserve to have those who have polluted this area held accountable.

Ecology also encourages a thorough cleanup of the LDW through our coordination with EPA. We also intend to continue to require a comprehensive approach to upland sites like Jorgensen, which are being paid for by former owners of the Site.

Per 3.3, please require additional soil samples--the compliance history and record-keeping around the USTs is indeed sorely lacking by the owners of the Jorgensen Forge site.

We can only require as outlined in the UST regulations. Additional sampling has been conducted throughout the Site under previous orders and AO14143, and Ecology has retained the ability to require additional sampling as we deem necessary, (last sentence of Section 3.3).

I'm also curious about 3.2.3, the waste designation records being retained for only five years. It seems like most of the contaminants at this site have effects beyond that time frame, so shouldn't the records be kept for a similar time frame?

The requirement for waste designation records is outlined in WAC 173-303-210, Generator Recordkeeping. We can't require more than that in the PLP's files. However, these documents will be retained much longer than 5 years in Ecology's MTCA-related records for this Site, because we are requiring their inclusion in the Interim Action Completion Report.

Also in 3.2.3: Where are the contaminants disposed of? While I will be glad to have them away from the river, are they going to somewhere else which will then become contaminated?

All contaminated soil is noted to be taken to permitted disposal facilities, and Ecology requires they submit documentation of this. While waste water isn't specifically noted this way, water will be similarly handled, and a clarification will be made as such to the IAWP. Typically, such disposal facilities review the contaminated media designation and chemical analytical information before deciding whether they can accept a given waste based on their own permits and facility design.

About 4.1: does sampling from 0"-3" below the surface give the best results for the amount of contaminants, and the length of time over which toxic manufacturing occurred on this site?

Generally, soils closest to the point of release will contain the greatest concentrations, so Ecology agrees with this sampling range. Additional sampling in some of these areas at differing depth profiles has occurred, or Ecology will request it if warranted in future sampling events.

Lastly, I understand that the "waterway" versus "upland areas" are considered separate, yet we all know they are connected and interconnected in all sorts of ways. Please do everything you can to keep additional contaminants from entering the river.

This is one of Ecology's primary goals for our Sites along the LDW.

[6] Comment from: Duwamish River Accountability Group, received April 9, 2022, submitted by electronic mail

Good morning,

We are requesting the comment period be extended and that there be a presentation about this site to the community.

Thank you

Ecology Response: Email response with links indicated that the public comment period was extended to April 26, 2022, and that the public meeting was scheduled on April 21, 2022 from 6-7 pm.

[7] Comment from: Crowley Bond, received April 9, 2022, submitted by electronic mail

Hello, I am a resident of the Duwamish Valley and would like the deadline to be extended and a presentation given to the community, please!

Ecology Response: Email response with links indicated that the public comment period was extended to April 26, 2022, and that the public meeting was scheduled on April 21, 2022 from 6-7 pm.

[8] Comment from: Peggy Printz, received April 9, 2022, submitted by electronic mail

Hello,

Please can you extend the comment period for the Jorgenson Forge Cleanup.

Thank you,

Ecology Response: Email response with links indicated that the public comment period was extended to April 26, 2022, and that the public meeting was scheduled on April 21, 2022 from 6-7 pm.

[9] Comment from: Rosario-Maria Medina, received April 9, 2022, submitted by electronic mail

Hello,

I am hoping the comment period can be extended.

I would also like to see a presentation by Ecology for the community.

My questions are:

In 2021 there was a previous comment period. What did Ecology decide?

Is Jorgenson Forge complying with environmental requirements?

What is EPA's stance on this site?

Ecology Response (in italics): *Email response with links indicated that the public comment period was extended to April 26, 2022, and that the public meeting was scheduled on April 21, 2022 from 6-7 pm.*

In 2021 there was a previous comment period. What did Ecology decide?

I believe you are asking about the public comment period held in 2021 by EPA for work in the river. Ecology is not the decision-maker on that project. EPA has more information on their website:

<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Stayup&id=1002020#Stayup>

Is Jorgenson Forge complying with environmental requirements?

The objective of the Interim Action and the Agreed Order is to make Star Forge (the current property owner) compliant with some of our regulations (Dangerous Waste and Underground Storage Tanks) on the property adjacent to the river. A former property owner is conducting cleanup work (under our cleanup regulation (MTCA)), which is ongoing and for which they have been very cooperative. We are expecting a large document this summer that will keep cleanup for the Site moving forward.

What is EPA's stance on this site?

EPA is aware of the Interim Action. We have not yet received any comments from them on the Interim Action.

[10] Comment from: Victor Facundo, received April 9, 2022, submitted by electronic mail

As a Duwamish Valley resident, I am unaware of the history of the site and the meaning of the documents proposals.

I would appreciate the comment period be extended and that there be a presentation.

Thank you

Ecology Response: Email response with links indicated that the public comment period was extended to April 26, 2022, and that the public meeting was scheduled on April 21, 2022 from 6-7 pm.

[11] Comment from: Jordan Van Voast, received April 9, 2022, submitted by electronic mail

Dear Maureen Sanchez and Kelsey Ketcheson

Please extend the comment period for the Jorgensen Forge Cleanup

(Facility Site ID: 2382 Cleanup Site ID: 3689). The April 12 deadline for public comment on this proposed cleanup does not allow enough time for the general public and especially those directly affected living near the Duwamish River to study the relevant documents and make informed responses.

Respectfully,

Ecology Response: Email response with links indicated that the public comment period was extended to April 26, 2022, and that the public meeting was scheduled on April 21, 2022 from 6-7 pm.

[12] Comment from: Stacy Oaks, received April 11, 2022, submitted by electronic mail

Hello,

Please extend the comment period for the Jorgensen Forge Cleanup

(Facility Site ID: 2382 Cleanup Site ID: 3689). The April 12 deadline for public comment on this proposed cleanup does not allow enough time for the general public and especially those directly affected living near the Duwamish River to study the relevant documents and make informed responses.

Thank you,

Ecology Response: Email response with links indicated that the public comment period was extended to April 26, 2022, and that the public meeting was scheduled on April 21, 2022 from 6-7 pm.

[13] Comment from: Kevin Duong, received April 11, 2022, submitted by voice message

Hello,

Please extend the comment period for the Jorgensen Forge Cleanup

(Facility Site ID: 2382 Cleanup Site ID: 3689). The April 12 deadline for public comment on this proposed cleanup does not allow enough time for the general public and especially those directly affected living near the Duwamish River to study the relevant documents and make informed responses.

Thank you,

Ecology Response: Phoned back same day to indicate that the comment period was extended and that we would be holding a public meeting at a date/time TBD. Comment period was extended to April 26, and a public meeting was held on April 21, 2022 from 6-7 pm.

[14] Comment from: Nora Gierloff, received April 12, 2022, submitted by electronic email with letter attached

Thank you for the opportunity to comment on the Agreed Order, Interim Action Work Plan, and Public Participation Plan for the Star Forge/Jorgenson Forge site. We are excited to see cleanup of this site proceed and recognize that these agreements are an important step in completing the planning needed for the decontamination of that site.

The City of Tukwila anticipates submittal of a revision of demolition plans (D19-0311) for the site, as well as revised SEPA documents (E19-0008). It is expected that these submittals will be consistent with the approved, final Interim Action Work Plan requirements, and the City will conduct a revised SEPA notification and review of the proposed project at that time.

The City identified the following questions and comments.

A. Interim Action Work Plan

1. How will heavy equipment be decontaminated/cleaned prior to it be taken off-site? How is heavy equipment cleaned prior to being brought on site?
2. Section 5.1 Exposed Soil Sample Collection – At a minimum, one soil sample will be collected beneath each separate area of soil removal that is not underlain by impervious surfaces (e.g., if an area greater than 1,500 square feet is graded down, one sample will be collected for every 1,500 square feet of cut area, or portion thereof.

Tukwila recommends sampling frequency that is a greater than once every 1,500 square feet, regardless of underlain impervious surface being present. Also, any area underlain impervious surface should not be assumed to be fully intact due to its age.

3. Will contaminated soils be excavated and stockpiled onsite until test results come back to determine contaminate levels and final disposal? If so, describe the process of how this stockpiled material will be managed until final disposal. Where will this stockpiled material be located on site?
4. Describe how the excavation hole will be managed to prevent surface water / precipitation from entering.

5. Describe TESC / stormwater management of the site. How will stormwater be kept on site and prevented from either leaving or entering the Duwamish River?
6. Specify work to occur during dry months.
7. The project team should be aware of when high tides occur to ensure that they are not excavating when groundwater comes up.
8. Are you intending to recycle any material from the site, and if so, what?
9. Are the monitoring wells going to remain and be protected?
10. The site being designated is determined to be "High Risk" per DAHP; an archeologist shall be present during all excavations.
11. Once material is excavated and replaced with clean fill material, with what will it be capped? How quickly will it be capped?
12. Describe means and methods of protecting and keep the Duwamish Riverbank intact. Show your excavation limits and its proximity to the Duwamish River.
13. Is an NPDES Construction Permit required since the site is 21 acres?
14. Regarding proposal to clean Underground Storage Tanks (USTs) with a pressure washer and portable water, describe how this will be done and how this water will be collected and disposed of.
15. Provided documentation of the origins for all clean fill material being brought on site.
16. Use of water for dust control shall not be minimized and this water shall be managed.
17. A separate "F" permit will be required for removal of the underground storage tanks (UST). The permit requires the following:
 - a. Site map showing known locations of each UST.
 - b. List the UST ID #.
 - c. Provide dimensions for each tank.
 - d. Provide safety data sheets of the product(s) stored in each tank.
18. Removal of USTs must comply with:
 - a. WAC 173-360A-0810.
 - b. 2018 WSFC section 5704.2.14.
 - c. Notify Dept. of Ecology 30 days prior to removal.
 - d. Coordination with Fire Marshal inspectors - schedule inspection prior to removal.
 - e. Ensure atmosphere of each tank has been filled with inert gas.
 - f. Tanks must be certified inert by a marine chemist or petroleum industry safety engineer.

19. In addition to submittal of a revised demolition permit to Tukwila, the Applicant shall also submit an updated SEPA application. The City shall again forward a revised Notice of Application to appropriate parties and shall issue a determination. The Tukwila demolition application shall not be approved until the SEPA determination has been issued and the appeal period exhausted. These events shall be factored into the proposed timeline commitments provided to Ecology.

B. Health and Safety Plan (HASP)

1. Workers shall be provided with an onsite locker room where they can shower prior to putting on their street clothes. It is strongly recommended that workers shower and thoroughly wash their hair at the end of their shift. The company shall provide antibacterial soap and clean towels for their employees.
2. Workers shall also be provided with a clean break room, with heating and cooling, where they can safely eat and drink.
3. Tetanus shall be discussed, along with recommended controls and prevention.

Thank you again for the opportunity to comment on the Star Forge/Jorgenson site Interim Action Work Plan, Agreed Order, and Public Participation Plan, and for your consideration of these comments.

Sincerely,

Ecology Response (in italics): Thank you for the opportunity to comment on the Agreed Order, Interim Action Work Plan, and Public Participation Plan for the Star Forge/Jorgenson Forge site. We are excited to see cleanup of this site proceed and recognize that these agreements are an important step in completing the planning needed for the decontamination of that site.

The City of Tukwila anticipates submittal of a revision of demolition plans (D19-0311) for the site, as well as revised SEPA documents (E19-0008). It is expected that these submittals will be consistent with the approved, final Interim Action Work Plan requirements, and the City will conduct a revised SEPA notification and review of the proposed project at that time.

The City identified the following questions and comments.

A. Interim Action Work Plan

1. How will heavy equipment be decontaminated/cleaned prior to it be taken off-site? How is heavy equipment cleaned prior to being brought on site?

Ecology requests that DEH add text addressing this issue to the IAWP.

2. Section 5.1 Exposed Soil Sample Collection – At a minimum, one soil sample will be collected beneath each separate area of soil removal that is not underlain by impervious surfaces (e.g.,

If an area greater than 1,500 square feet is graded down, one sample will be collected for every 1,500 square feet of cut area, or portion thereof.

Tukwila recommends sampling frequency that is a greater than once every 1,500 square feet, regardless of underlain impervious surface being present. Also, any area underlain impervious surface should not be assumed to be fully intact due to its age.

This sampling frequency ONLY applies to the Interim Action work. Significant soil sampling has already been conducted, and more sampling may still be needed to address data gaps at the Site. Ecology only anticipates sampling beneath removed exposed soil because soil under existing pavement is not being removed during the Interim Action.

3. Will contaminated soils be excavated and stockpiled onsite until test results come back to determine contaminate levels and final disposal? If so, describe the process of how this stockpiled material will be managed until final disposal. Where will this stockpiled material be located on site? *This information is described in Appendix A (SAP/QAPP) to the IAWP. The exact locations for stockpiling are not listed because they are usually determined during construction activities, and are located as close as feasible to the excavation area where soils/solid waste originates.*

4. Describe how the excavation hole will be managed to prevent surface water / precipitation from entering.

Stormwater BMPs will be used as described in Sections 3.2 and 5 of the IAWP and Section 5.2 of the Demolition Plan that is incorporated by reference to the IAWP. It is understood by Ecology that the Demolition Plan will be included with the City of Tukwila's SEPA documentation and the Demolition Permit.

5. Describe TESC / stormwater management of the site. How will stormwater be kept on site and prevented from either leaving or entering the Duwamish River?

Stormwater BMPs will be used as described in Sections 3.2 and 5 of the IAWP and Section 5.2 of the Demolition Plan that is incorporated by reference to the IAWP. It is understood by Ecology that the Demolition Plan will be included with the City of Tukwila's SEPA documentation and the Demolition Permit. In addition, the Site is currently under an Administrative Order with Ecology's Water Quality program. Until the requirements of that order are lifted, all stormwater at the site must be collected, batch treated and sampled before either being discharged to the LDW or to sanitary sewer conveyance.

6. Specify work to occur during dry months.

This is not an Ecology requirement; though, it is also our preference. If this is a requirement for the Demolition Permit, it should be noted in the Demolition Plan and associated permit plans and specifications.

7. The project team should be aware of when high tides occur to ensure that they are not excavating when groundwater comes up.

As noted in the IAWP and Demolition Plan, water (storm or groundwater) will be removed from excavations and disposed at a licensed facility, and all waste disposal manifests and documentation will be provided in the Interim Action Completion Report.

8. Are you intending to recycle any material from the site, and if so, what? Ecology has requested that this information be added to the IAWP.

9. Are the monitoring wells going to remain and be protected?
Yes. Ecology has requested that this information be added to the IAWP.

10. The site being designated is determined to be “High Risk” per DAHP; an archeologist shall be present during all excavations.
Ecology expects that any Inadvertent Discovery Plan (IDP) for the Site will be reviewed by DAHP and Ecology prior to commencement of work, and archaeological monitoring will likely be required in the IDP during excavation. The City of Tukwila may have different requirements within their Demolition Permit if it is considered a permit requirement.

11. Once material is excavated and replaced with clean fill material, with what will it be capped? How quickly will it be capped?
Section 2.3 of the Demolition Plan indicates that asphalt paving will occur after filling areas that need it and prior to demolition of superstructure, where possible. The filling of voids and paving are noted in the IAWP by reference, but are not an integral part of the IAWP scope.

12. Describe means and methods of protecting and keep the Duwamish Riverbank intact. Show your excavation limits and its proximity to the Duwamish River.
The limits of work are shown in IAWP and Demolition Plan figures, and is not anticipated to be closer than 60 feet from the top of the bank. The Demolition Plan also provides details regarding the Temporary Erosion and Sediment Control Plan.

13. Is an NPDES Construction Permit required since the site is 21 acres?
Ecology’s Water Quality Program has worked with Star Forge regarding NPDES permitting and the facility continues to operate with Industrial Stormwater General Permit (ISGP) coverage. Tied to the ISGP, the Site is also under an Administrative Order that requires all stormwater at the site to be collected, batch treated and sampled for a range of parameters, including PCBs, before either being discharged to the LDW or to sanitary sewer conveyance. Star Forge has indicated that no new areas of unpaved soils will be exposed during construction related to the IAWP and demolition and that paving will occur on existing unpaved areas prior to the demolition of superstructures whenever possible (as noted in the Demolition Plan). Remaining areas that may be exposed are anticipated to be less than 1 acre. Based on this information, the stormwater management requirements in the existing ISGP, coupled with the Administrative Order, are expected to provide adequate controls to prevent stormwater pollution and offsite impacts. Ecology may require the facility to apply for a Construction Stormwater General Permit (CSWGP) at a later date based on a number of factors, including but not limited to post-interim action plans for the site, termination of the ISGP coverage, or new information.

14. Regarding proposal to clean Underground Storage Tanks (USTs) with a pressure washer and portable water, describe how this will be done and how this water will be collected and disposed of. *This information is presented in Section 3.2 of the IAWP and indicates that “properly trained confined space entry crews will enter the tanks” and that rinsate will be collected by vacuum truck. Section 3.2.3 provides waste disposal information for the rinsate.*

15. Provided documentation of the origins for all clean fill material being brought on site. *The Demolition Plan and IAWP have attachments that specifies the sampling and analytical requirements for clean fill. Ecology will also require that the Interim Action Completion Report document the origin and analytical quality of imported materials used during the Interim Action.*

16. Use of water for dust control shall not be minimized and this water shall be managed. *Dust control is discussed in the Demolition Plan, and excess water will be handled as noted in other sections of the IAWP and the Demolition Plan.*

17. A separate "F" permit will be required for removal of the underground storage tanks (UST). The permit requires the following:

- a. Site map showing known locations of each UST.
- b. List the UST ID #.
- c. Provide dimensions for each tank.
- d. Provide safety data sheets of the product(s) stored in each tank.

Thank you for the comment. Ecology does not require revision to the IAWP in regard to this comment, as this is a Tukwila Permit requirement.

18. Removal of USTs must comply with:

- a. WAC 173-360A-0810.
- b. 2018 WSFC section 5704.2.14.
- c. Notify Dept. of Ecology 30 days prior to removal.
- d. Coordination with Fire Marshal inspectors - schedule inspection prior to removal.
- e. Ensure atmosphere of each tank has been filled with inert gas.
- f. Tanks must be certified inert by a marine chemist or petroleum industry safety engineer.

This summary of requirements will be added to the IAWP.

19. In addition to submittal of a revised demolition permit to Tukwila, the Applicant shall also submit an updated SEPA application. The City shall again forward a revised Notice of Application to appropriate parties and shall issue a determination. The Tukwila demolition application shall not be approved until the SEPA determination has been issued and the appeal period exhausted. These events shall be factored into the proposed timeline commitments provided to Ecology.

Thank you for the comment. Ecology is aware of these timeline constraints, and understands that the Demolition Plan we have incorporated by reference in the IAWP will be part of the permit application package.

B. Health and Safety Plan (HASP)

1. Workers shall be provided with an onsite locker room where they can shower prior to putting on their street clothes. It is strongly recommended that workers shower and thoroughly wash their hair at the end of their shift. The company shall provide antibacterial soap and clean towels for their employees.

Ecology does not review HASPs, but do require that they be provided. Ecology defers to the City of Tukwila to ensure that any HASP for the Site meets their requirements.

2. Workers shall also be provided with a clean break room, with heating and cooling, where they can safely eat and drink.

Ecology does not review HASPs, but do require that they be provided. Ecology defers to the City of Tukwila to ensure that any HASP for the Site meets their requirements.

3. Tetanus shall be discussed, along with recommended controls and prevention.

Ecology does not review HASPs, but do require that they be provided. Ecology defers to the City of Tukwila to ensure that any HASP for the Site meets their requirements.

Thank you again for the opportunity to comment on the Star Forge/Jorgenson site Interim Action Work Plan, Agreed Order, and Public Participation Plan, and for your consideration of these comments.

Sincerely,

[15] Comment from: Ben Adlin, received April 19, 2022, submitted by electronic mail

I'm a reporter for the South Seattle Emerald and have a question about this week's online public meeting regarding Jorgenson Forge in Seattle. The WA Ecology link says it's "Wednesday, April 21" — can you clarify whether it's Wednesday the 20th or Thursday the 21st? Thanks!

Ecology Response: Commenter was emailed back with thanks for the catch and the website was updated the same day

[16] Comment from: Rosario-Maria Medina, received April 20, 2022, submitted by electronic mail

Hi Maureen and Kelsey,

Will there be interpretation at the Ecology presentation on April 21st?

The fisher's that speak Spanish and Vietnamese will be there.

How will other languages be supported?

What interpretation will be offered to the community?

Thank you!

Ecology Response: Hi there,

Spanish and Vietnamese interpreters will be available at tomorrow's meeting. Anyone who would like more information about this site and speaks a language other than English, Spanish or Vietnamese can contact the site manager and request language assistance.

Thank you

[17] Comment from: Cedar Bushue, received April 20, 2022, submitted by voice mail

requesting interpretation at the Ecology presentation on April 21st for Spanish and Vietnamese especially, but for as many as possible.

Ecology Response (cc'd on response to Comment #16): *Hi there,*

Spanish and Vietnamese interpreters will be available at tomorrow's meeting. Anyone who would like more information about this site and speaks a language other than English, Spanish or Vietnamese can contact the site manager and request language assistance.

Thank you

[18] Comment from: Susan Davis, received April 23, 2022, submitted by electronic mail

Hi Maureen, this is Susan Davis. I attended the public comment forum last Thursday, which I learned about from an announcement in the Seattle Times. I did not see an email to SPNA about the meeting. The last emails I see are from the September comment period.

Can you please check that we are still on your list for any emails related to your work/activity in our South Park community (even if we are technically outside the 1/2 mile radius of Jorgensen Forge, it is certainly "in our neighborhood").

I am not sure why we would not have received emails regarding the comment period and the public meeting, but I'm truly not seeing them (if I missed them, than that is my mistake).

Thanks for getting back to me either way.

Best,

Ecology Response: Hi there,

I asked someone to check on the address list, but if you didn't get the below message, then it's most likely that you aren't on the current list. I don't know why your email would have been deleted from the list. I'm sorry you weren't getting the messages.

You can subscribe or re-subscribe at this link:

https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_37

For Susan and the rest of you on this email, please let me know if you subscribe to the list. If you do, I will check back in after the May issue comes out to make sure you received it.

Thanks

[19] Comment from: Duwamish River Accountability Group, received April 25, 2022, submitted by electronic mail

Dear Department of Ecology

Attention Maureen Sanchez

RE:COMMENTS – Jorgensen Forge

Thank you for allowing the public to provide comments. We also thank you for extending the comment period and for providing an online presentation to the impacted community members along the Duwamish River on March 21st. We are also glad there was Spanish and Vietnamese interpretation at the online event.

We are writing to advocate for Jorgensen Forge to be fully cleaned up in all areas with contamination. We are also requesting Ecology hold these polluters accountable.

We are reaching out to you about the Jorgensen Forge sediment cleanup. Contamination at the site is the result of heavy industrial use since the 1940's, and contaminated groundwater migrating onto the property from off-site sources.

The part of the Duwamish River near Jorgensen Forge has been contaminated with PCBs and other hazardous materials for several years, and past attempts to clean up the site were insufficient.

We ask Ecology to remove the toxins at the site such as:

Soil:

- Polychlorinated biphenyls (PCBs)
- Petroleum hydrocarbons
- Volatile organic compounds (VOCs)
- Halogenated volatile organic compounds (HVOCs)
- Metals (including arsenic, cadmium, chromium, and lead)

In the groundwater:

- Petroleum hydrocarbons
- Volatile organic compounds (VOCs)
- Halogenated volatile organic compounds (HVOCs) - vinyl chloride
- Metals

We find it unacceptable that comment periods are allowed to occur with no real community engagement and outreach. The community needs to be given information before a comment period begins and engagement and events should occur early on in the process of a comment period, not after the comment period begins or after it is extended.

Lack of engagement and outreach from Ecology and DRCC disallowed opportunities for public engagement and comment. The DRCC did not release a fact sheet when the comment period began on March 14th of 2022. Today on March 25th The DRCC has still not done engagement or outreach about this contaminated site or released any helpful information to the community. The DRCC is not performing the Technical Advice Duties. They seem to want to focus on trash pickups which those in the Duwamish Valley pay the City and the County taxes to take care of.

Transparency:

On March 14th 2022 at the start of the comment period, DRCC or Ecology still had not done engagement or outreach on the Jorgensen Forge virtually or in person.

There appears to be some hindrance of transparency and community oversight regarding the work of DRCC. What outreach was done and who did they successfully connect with? If the Ecology is mandated to include community in process by executive order, the tools should be provided to the community to ensure that said outreach is localized, effective, and tailored to fit the population that is most impacted by the superfund site and Jorgenson Forge. The public and impacted community should also have engagement, outreach and education on how to take part in these comment periods. The DRCC has hide this information from the community by gatekeeping and they continue to state they are unaware of comment periods for the Jorgensen Forge site and many other sites.

Yes, a mailer was sent out by Ecology, but the community does not understand what the mailers mean and are unaware of the comment period processes. Those who are aware of comment periods are relying on the DRCC to comment on behalf of the community. The DRCC takes in donations, has many sponsors, accepts grants and receives money from the EPA to be the Technical Advisory Group and are not fulfilling their responsibilities.

Thank you for allowing the comment period to be extended. Although, we ask that all comment periods begin with engagement, outreach and educational events so that the community can provide thorough comments. With little engagement and outreach not enough of the public was aware of this comment period and the Ecology did not follow " environmental justice" and "equity lense" guidelines that are required with tittle 6 for environmental justice communities.

We find it very disheartening that there were burdens of inaccessible events during a pandemic which could result in the fate of the river not being cleaned to community standards and there was not a priority of having the community equity needs to take part in any comment period. Especially little notice to the elderly, non tech savvy, and non English speaking community

Please do the following:

Raise the standards for cPAH levels and clean up all areas of the Duwamish River Superfund site and remove all areas with cPAHs and PCBS.

Honor the 2014 Record of Decision

Do true equity and environmental justice work for the Duwamish River to be healthy and clean for the river communities to safely recreate and eat from it.

Hold Polluters Accountable

Demand Polluters clean up and pay for the river cleanup

Ecology Response: Thank you for your comment. We strive to engage communities impacted by contaminated sites and prioritize our Title VI obligations to not discriminate, including ensuring language access. We welcome your feedback on how we can improve this process.

For this comment period, we took the following steps:

- Used EPA's EJScreen tool to assess demographics and language access needs for the 1 mile radius surrounding the Jorgensen Forge Corp cleanup site.
- Provided information about the comment period on the site web page with information in Spanish and Vietnamese at the top of the page. The page was updated on 3/10
- Provided information on Ecology's public input and events web page about the comment period, which was published around 3/10
- Placed an ad in the Seattle Times notifying the public of the comment period. The ad ran on 3/11
- Mailed a factsheet to residents within approximately 0.5 radius of site prior to the start of the comment period. The factsheet included resources in Spanish and Vietnamese, which EJScreen showed were key languages in the area. The factsheet also included information to the site webpage, the online comments form, and the site manager's email and phone number.
- Placed hard copies of the public review documents at Ecology's Northwest Regional Office and the South Park library and notified the public of these document repositories through the factsheet and the site web page.
- Included a post in Ecology's Site Register that ran on 3/10, 3/24, and 4/7
- Included a post about the comment period in the monthly LDW email list. This was published on 3/28

Ecology will continue to work with local coalitions and groups to reach as many people in the area as possible. We cannot comment on how groups work to spread information we provide. However, we continue to build our engagement with affected communities both before a comment period begins, and during the process. Ecology welcomes suggestions on ways to best connect with community members.

Regarding your requests to raise the standards for cPAH levels, clean up all areas of the Duwamish River Superfund site, and remove all areas with cPAHs and PCBs, and honor the 2014

Record of Decision, please contact EPA with your concerns about the LDW sediment cleanup work. EPA oversees this portion of the cleanup.

Regarding your request to 'do true equity and environmental justice work,' we strive to do this but understand that there is room for improvement. We continue to find ways to strengthen our process and provide more opportunities for meaningful engagement.

Regarding your request to hold polluters accountable and demand that polluters cleanup and pay for the river cleanup, our state's cleanup law, the Model Toxics Control Act, requires this. The Agreed Order with Earle M. Jorgensen (EMJ, AO 14143) requires that they conduct the work to identify a cleanup option for the Site for the contaminants you listed. They are continuing to make progress and are paying for the work.

Thank you

[20] Comment from: Rosario-Maria Medina, received April 25, 2022, submitted by electronic mail

I am writing to call for Jorgensen Forge to be fully cleaned up in all areas with contamination. Past attempts have been insufficient.

I do appreciate that there was an online presentation and the comment period was extended and that there were Spanish and Vietnamese interpreters at the April 21st Ecology presentation. However, this event occurred only after the original comment period was extended. A mailer was sent out by Ecology to the community but not many people understand the comment period processes. I work in the evening and was unable to attend the online session to ask my questions. It would be more meaningful if Ecology could attend community meetings a few times a year to explain their role in the superfund cleanup process and host more events that are designed with the community and the fishers about cleanup areas.

Currently, outreach is not tailored to the communities that are impacted by contamination of the river. I find that unacceptable and a violation of EPA's Executive Order 12898, not to mention far from Ecology's stated approach for prioritizing environmental justice in their work, per "Striving for Equity in the Lower Duwamish Waterway" (<https://ecology.wa.gov/About-us/Who-we-are/Environmental-Justice/Prioritizing-EJ>). I hope moving forward there can be meaningful engagement.

In conclusion, I ask that you:

Hold Polluters Accountable - demand that they fully fund a full cleanup of the river, in all areas where any level of cPAHs and PCBS are found, in the soil and in the groundwater, not to mention the several other toxins present

Honor the 2014 Record of Decision

Do true equity and environmental justice work for the Duwamish River to be healthy and clean so that river communities can safely recreate and eat from it.

Thank you,

Ecology Response: Thank you for your comment. While Executive Order 12898 applies to federal agencies and not the WA State Department of Ecology, we welcome your feedback on how we can improve the outreach process and create more meaningful opportunities for engagement.

Regarding your request to hold polluters accountable and demand that they fully fund a full cleanup of the river, our state's cleanup law, the Model Toxics Control Act, requires this.

Regarding your requests to 2014 Record of Decision, please contact EPA with your concerns about the LDW sediment cleanup work. EPA oversees this portion of the cleanup.

Regarding your request to 'do true equity and environmental justice work,' we strive to do this but understand that there is room for improvement. We continue to find ways to strengthen our process and provide more opportunities for meaningful engagement.

[21] Comment from: Karen Paola Carpenter, received April 25, 2022, submitted by electronic mail

I am writing to add my voice to the call for Jorgensen Forge to be fully cleaned up in all areas with contamination. Past attempts have been insufficient.

I also join the call for Ecology to hold polluters of the Duwamish River accountable, including heavy industry that has been contaminating off-site groundwater that migrates to the river for almost a century.

While I am grateful for this public comment opportunity - there were many barriers to my participation, even as a young, tech savvy, English speaking, college educated community member. It was through the efforts of the Duwamish River Accountability Group, that I became aware of the need to extend the original comment period, and that I was able to engage with Ecology's presenters on April 21st to make an informed comment today.

I understand that the Duwamish River CleanUp Coalition is the Technical Advisory Group with the responsibility to inform and educate community members as well as comment on behalf of the community in exchange for donations, sponsorships, grants and other money they accept. My personal knowledge of their role in the community is limited to trash cleanup events and an annual festival. They have not been a source of information regarding important efforts

recently to renege on the 2014 EPA cleanup plan of the Lower Duwamish Waterway Superfund Site (Record of decision).

Again, only through DRAG have I learned more about community members who fish on the river, and who have different language backgrounds, including Spanish and Vietnamese. I was glad that there were Spanish and Vietnamese interpreters at the April 21st Ecology presentation. However, this event occurred only after the original comment period was extended. My understanding is that only a simple mailer was sent out by Ecology to the community.

Outreach that is not tailored to the communities that are impacted by contamination of the river is not outreach, effectively excluding communities from the process. I find that unacceptable and a violation of EPA's Executive Order 12898, not to mention far from Ecology's stated approach for prioritizing environmental justice in their work, per "Striving for Equity in the Lower Duwamish Waterway" (<https://ecology.wa.gov/About-us/Who-we-are/Environmental-Justice/Prioritizing-EJ>).

Meaningful engagement needs to happen well before the comment period. If it is not being done by DRCC, they should not get the funding. The community deserves a voice in this process. They already fought to institutionalize community standards with the 2014 Record of Decision, but their efforts are at risk of being buried by the very people who were entrusted by the community to work for their interests.

In conclusion, I ask that you:

Hold Polluters Accountable - demand that they fully fund a full cleanup of the river, in all areas where any level of cPAHs and PCBS are found, in the soil and in the groundwater, not to mention the several other toxins present.

Honor the 2014 Record of Decision

Do true equity and environmental justice work for the Duwamish River to be healthy and clean so that river communities can safely recreate and eat from it.

Thank you,

Ecology Response: Thank you for your comment. While Executive Order 12898 applies to federal agencies and not the WA State Department of Ecology, we welcome your feedback on how we can improve the outreach process and create more meaningful opportunities for engagement.

For this comment period, we took the following steps:

- Used EPA’s EJScreen tool to assess demographics and language access needs for the 1 mile radius surrounding the Jorgensen Forge Corp cleanup site.
- Provided information about the comment period on the site web page with information in Spanish and Vietnamese at the top of the page. The page was updated on 3/10
- Provided information on Ecology’s public input and events web page about the comment period, which was published around 3/10
- Placed an ad in the Seattle Times notifying the public of the comment period. The ad ran on 3/11
- Mailed a factsheet to residents within approximately 0.5 radius of site prior to the start of the comment period. The factsheet included resources in Spanish and Vietnamese, which EJScreen showed were key languages in the area. The factsheet also included information to the site webpage, the online comments form, and the site manager’s email and phone number.
- Placed hard copies of the public review documents at Ecology’s Northwest Regional Office and the South Park library and notified the public of these document repositories through the factsheet and the site web page.
- Included a post in Ecology’s Site Register that ran on 3/10, 3/24, and 4/7
- Included a post about the comment period in the monthly LDW email list. This was published on 3/28

Ecology will continue to work with local coalitions and groups to reach as many people in the area as possible. We cannot comment on how groups work to spread information we provide. However, we continue to build our engagement with affected communities both before a comment period begins, and during the process. Ecology welcomes suggestions on ways to best connect with community members.

Regarding your request to hold polluters accountable and demand that they fully fund a full cleanup of the river, our state’s cleanup law, the Model Toxics Control Act, requires this.

Regarding your requests to 2014 Record of Decision, please contact EPA with your concerns about the LDW sediment cleanup work. EPA oversees this portion of the cleanup.

Regarding your request to ‘do true equity and environmental justice work,’ we strive to do this but understand that there is room for improvement. We continue to find ways to strengthen our process and provide more opportunities for meaningful engagement.

[22] Comment from: Scott H. Reisch, received April 26, 2022, submitted by electronic mail with letter attached

On behalf of Earle M. Jorgensen (“EMJ”), we reviewed Star Forge’s interim action work plan (“IAWP”) and offer our comments below. The comments may be of more relevance to Star Forge’s Demolition Plan (“DP”) rather than the IAWP; however, the two areas that we comment on have the potential to impact future remedial actions and for that reason we offer them during this comment period.

Aqueous Film-Forming Foam

In 2021, Ecology announced that per- and polyfluoroalkyl substances (“PFAS”) are “hazardous substances” under the State’s environmental cleanup laws. EMJ has learned that Aqueous Film-Forming Foam (“AFFF”), which commonly contained PFAS, was used at the Site. It appears that AFFF fire suppression systems served the pump rooms for the 660-ton, 1,250-ton, and 2,500-ton presses, and the vault for Quench Tanks 1, 2, and 3 (Q1/Q2/Q3) in the Heat Shop, as follows (photos attached to these comments):

- An AFFF tank is present on the roof of the 660-ton press pump room and AFFF walldecals are visible on the exterior of the structure (See Photo 1, November 2021).
- It appears that an AFFF tank was present in the 1,250-ton press pump room in 2018 (See Photo 2, September 2018).
- Portions of the 2,500-ton press pump room remain at the Site and include AFFF system components (see Photos 3, 4 and 5 from January 2022). Photo 3 shows AFFF wall decals on the exterior of the pump room structure. Photo 4 shows the interior of the 2,500-ton press pump room. Within the photograph, an AFFF tank is visible on the roof of the structure. The AFFF tank is shown in greater detail in Photo 5. The system appears to have three discharge pipes that appear to have led to the 2,500-ton press pump room, the 2,500-ton press pit, and to “V2.” We suspect that “V2” refers to the vertical furnace which was located within the Q1/Q2/Q3 vault.
- An AFFF placard was observed on the wall next to the Q1/Q2/Q3 vault (Photo 6, January 2022), and sprinklers were noted on the top rim of the westernmost quench tank (Photo 7, January 2022). It is not clear which features within the vault were serviced by the AFFF system.

To the extent any AFFF infrastructure has already been removed by Star Forge (as noted, some of these photos go back to 2018 and may not reflect current conditions), it is important that Star Forge evaluate when and how that work was done, what precautions were taken with respect to the potential for AFFF/PFAS contamination, and what steps can be taken now to address any PFAS contamination resulting from such work. For example, it is unknown whether AFFF was spilled during earlier demolition work such that it can be an ongoing source of PFAS upon exposure to stormwater. For this reason, it is recommended that surface samples of concrete within the areas where AFFF was used or stored be collected for PFAS analysis. If PFAS is present on the concrete, it may be prudent to remove the concrete for offsite disposal. To the extent any of the AFFF infrastructure remains at the Star Forge Site, Star Forge should adopt strategies to mitigate impacts from AFFF in future demolition activities in a way that complies with Ecology rules and does not exacerbate Site conditions. Such strategies may include removing the AFFF tanks and thorough cleaning of the associated piping prior to undertaking demolition work. Neither the IAWP nor the DP includes any discussion of AFFF or PFAS. EMJ requests that either the IAWP or DP be revised to address and mitigate potential AFFF/PFAS impacts from past or future demolition activities at the Site. Star Forge’s counsel has represented to EMJ that Star Forge will address this issue in the DP. EMJ has no objection to that approach if it is acceptable to Ecology.

Paint in the Tote Storage Area

The attached excerpt from a Sound Earth report prepared for Star Forge in 2019 reports that paint in the Tote Storage Area (TSA) building contained PCBs at 11,400 mg/kg in sample BPCB01). The DP does not specifically address what steps will be taken to prevent paint dust/chips contributing PCBs impacting surfaces or stormwater runoff. As above, Star Forge has represented to EMJ that it will appropriately address this issue in the DP and take all required abatement measures, such that there is no need to address this issue in the IAWP. Again, EMJ has no objection to that approach if it is acceptable to Ecology.

Please let us know if you have any questions about these comments.

Thank you,

Ecology Response:

- With regard to EMJ's comments on AFFF issues:
 - AFFF containing PFAS may designate as a Washington state-only persistent dangerous waste. To date, Star Forge has not provided any information regarding constituents of the AFFF products used on the Site, or whether any AFFF dangerous wastes will be generated during demolition activities. This includes, but is not limited to remaining product, contaminated concrete, and wastewaters. Star Forge must remove equipment and clean all areas with PFAS contamination. Properly dispose of any waste water generated during cleanup of these PFAS contaminated area Star Forge should evaluate concrete for potential PFAS contamination that may have been present, even prior to ownership. PFAS-contaminated concrete is a similar issue to the DWMU slabs already being addressed in the IAWP; therefore, Ecology will require that the AFFF use, storage, and potentially PFAS-contaminated slabs be discussed in the IAWP.

The additional text in the IAWP shall include sampling and designating the concrete in the areas noted above, and describe how the concrete will be removed and disposed if impacted. Further, Ecology agrees that it is prudent for Star Forge to remove and properly dispose of any AFFF-impacted concrete during demolition even if it does not designate as Dangerous Waste. The concrete itself could act as a source for groundwater contamination of PFAS. Because removal of the concrete will be much more difficult once the vaults are backfilled and paved over, not addressing the concrete now will potentially preclude or make a future remedial action more costly or unfeasible, which is unacceptable for an Interim Action under MTCA. Further, Star Forge should sample soil behind any removed areas of concrete similar to that required for the DWMU areas to characterize soil left in place.

With regard to evaluating previous demolition work and precautions taken, as well as adoption of strategies to mitigate impacts from AFFF in future

demolition activities, Ecology believes that the Demolition Plan should be updated with this information. Further, Star Forge shall apprise Ecology of all of its evaluations regarding past and future actions related to known and potential sources of AFFF/PFAS without waiting for issuance of the Demolition Plan.

- With regard to EMJ comments on Tote Storage Area:
 - Ecology requires Star Forge to mention the Tote Storage Area in the IAWP with reference to the Demolition Plan, as this is not a task covered by the IAWP or AO, but is worthy of mention that it is covered in the Demolition Plan.

Appendices

Appendix A. Public comments in original format

ROBERT HANLON

- 1) What are the plans for future usage of the Jorgensen Forge property? Are there interested buyers?
- 2) Are clean-up efforts taking into consideration future development, and potential cost savings (engineering and excavations) through collaborating with a property developer?

Anonymous Anonymous

Star Forge LLC should be held accountable for the environmental damage and harm on community within the area. Make the industries that allowed years of toxins to run off into the river clean up their own mess. Address inequities by making South Park livable again with a cleaner, safer Duwamish Waterway.

Eric Owen

Hello,

My name is Eric Owen and I am a South Park resident. Although much of the cleanup details are beyond my understanding, I wanted to ask: 1) Am I right in understanding that the plan for much of the area is to remove soil and pave it over in order to prevent runoff? 2) If this is correct, is the paving a permanent plan, or are there any plans for bioremediation? Could this area eventually become green space with plants that would also benefit the health of the soil and ecosystem?

Tim Neill

I'm a Georgetown resident, and would like to see that the entirety of the cleanup activities planned for this site are completed. Our area is already heavily impacted by industry, so it's important that we reduce impacts to human and environmental health.

Susan Davis

I am writing to encourage the EPA to support the highest level of cleanup for the Jorgensen Forge site. The Duwamish River communities have carried the weight of environmental injustices in our area, and deserve to have those who have polluted this area held accountable.

Per 3.3, please require additional soil samples--the compliance history and record-keeping around the USTs is indeed sorely lacking by the owners of the Jorgensen Forge site.

I'm also curious about 3.2.3, the waste designation records being retained for only five years. It seems like most of the contaminants at this site have effects beyond that time frame, so shouldn't the records be kept for a similar time frame?

Also in 3.2.3: Where are the contaminants disposed of? While I will be glad to have them away from the river, are they going to somewhere else which will then become contaminated?

About 4.1: does sampling from 0"-3" below the surface give the best results for the amount of contaminants, and the length of time over which toxic manufacturing occurred on this site?

Lastly, I understand that the "waterway" versus "upland areas" are considered separate, yet we all know they are connected and interconnected in all sorts of ways. Please do everything you can to keep additional contaminants from entering the river.

Thank you.

From: Duwamish River Accountability Group <duwrvaccgroup98108@gmail.com>
Sent: Saturday, April 9, 2022 7:15 AM
To: Sanchez, Maureen (ECY)
Subject: Jorgensen Forge Public Comment Period

Follow Up Flag: Follow up
Flag Status: Completed

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Good morning,

We are requesting the comment period be extended and that there be a presentation about this site to the community.

Thank you

From: Crowley Bond <cedar.n0rs1l@gmail.com>
Sent: Saturday, April 9, 2022 8:41 AM
To: Sanchez, Maureen (ECY)
Subject: Extension Period

Follow Up Flag: Follow up
Flag Status: Completed

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Hello, I am a resident of the Duwamish Valley and would like the deadline to be extended and a presentation given to the community, please!

From: Peggy J. Printz <peggyjprintz@gmail.com>
Sent: Saturday, April 9, 2022 10:53 AM
To: Sanchez, Maureen (ECY)
Subject: extend the comment period for the Jorgenson Forge Cleanup.

Follow Up Flag: Follow up
Flag Status: Completed

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Hello,

Please can you extend the comment period for the Jorgenson Forge Cleanup.

Thank you,
Peggy J. Printz



[6/7/2022]-Contact
information redacted.

From: ROsario-Maria <1rosariomaria@gmail.com>
Sent: Saturday, April 9, 2022 7:19 AM
To: Sanchez, Maureen (ECY)
Subject: Jorgensen Forge Comment Period

Follow Up Flag: Follow up
Flag Status: Completed

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hello,

I am hoping the comment period can be extended.

I would also like to see a presentation by Ecology for the community.

My questions are:

In 2021 there was a previous comment period. What did Ecology decide?

Is Jorgenson Forge complying with environmental requirements?

What is EPA's stance on this site?

From: Victor Facundo <vafacundo@gmail.com>
Sent: Saturday, April 9, 2022 7:22 AM
To: Sanchez, Maureen (ECY)
Subject: Jorgensen Forge Public Comment Period

Follow Up Flag: Follow up
Flag Status: Completed

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Good morning-

As a Duwamish Valley resident,I am unaware of the history of the site and the meaning of the documents proposals.

I would appreciate the comment period be extended and that there be a presentation.

Thank you

From: Jordan Van Voast <jordanvvv@gmail.com>
Sent: Saturday, April 9, 2022 9:23 AM
To: Sanchez, Maureen (ECY); Ketcheson, Kelsey (ECY)
Subject: Please extend the Comment period for the Jorgensen Forge Cleanup

Follow Up Flag: Follow up
Flag Status: Completed

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Dear Maureen Sanchez and Kelsey Ketcheson

Please extend the comment period for the Jorgensen Forge Cleanup (Facility Site ID: 2382 Cleanup Site ID: 3689). The April 12 deadline for public comment on this proposed cleanup does not allow enough time for the general public and especially those directly affected living near the Duwamish River to study the relevant documents and make informed responses.

Respectfully,

Jordan Van Voast, M.Ac.

--

CONFIDENTIALITY NOTICE -- This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.

Every single act of kindness makes all the difference in the world.

Jordan Van Voast

[6/7/2022]-Contact
information redacted.

[Redacted signature block]

From: Stacy Oaks <stacyoaks425@gmail.com>
Sent: Monday, April 11, 2022 9:59 AM
To: Sanchez, Maureen (ECY); Ketcheson, Kelsey (ECY)
Subject: Jorgensen Forge Site - Please Extend

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hello,

Please extend the comment period for the Jorgensen Forge Cleanup (Facility Site ID: 2382 Cleanup Site ID: 3689). The April 12 deadline for public comment on this proposed cleanup does not allow enough time for the general public and especially those directly affected living near the Duwamish River to study the relevant documents and make informed responses.

Thank you,
Stacy Oaks

From: Nancy Eklund <Nancy.Eklund@TukwilaWA.gov>
Sent: Tuesday, April 12, 2022 3:50 PM
To: Sanchez, Maureen (ECY)
Cc: Mike Perfetti; Sherry Edquid; Andy Nevens; Nancy Eklund; Nora Gierloff
Subject: Jorgenson Forge AO, IAWP, PPP - Tukwila Comments 4-12-2022
Attachments: Tukwila Comments - Star Forge (Jorgenson) AO, IAWP, PPP 4-12-2022 (signed).pdf

Follow Up Flag: Follow up
Flag Status: Completed

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi Maureen –

Please find attached the City of Tukwila’s comments on the Jorgenson Forge site Agreed Order, Interim Action Work Program, and Public Participation. Please let me know if you have any questions. Thank you for this opportunity to comment.

- Nancy

Nancy Eklund, AICP



[6/7/2022]-Contact information redacted.



April 12, 2022

Maureen Sanchez, Site Manager
Toxics Cleanup Program, NWRO
Department of Ecology
P.O. Box 330316
Shoreline, WA 98133-9716
Email: maureen.sanchez@ecy.wa.gov

RE: Comment on Star Forge/Jorgenson Forge site Agreed Order, Interim Action Work Plan, and
Public Participation Plan
Facility Site ID: 2382
Cleanup Site ID: 3689

Dear Ms. Sanchez:

Thank you for the opportunity to comment on the Agreed Order, Interim Action Work Plan, and Public Participation Plan for the Star Forge/Jorgenson Forge site. We are excited to see cleanup of this site proceed and recognize that these agreements are an important step in completing the planning needed for the decontamination of that site.

The City of Tukwila anticipates submittal of a revision of demolition plans (D19-0311) for the site, as well as revised SEPA documents (E19-0008). It is expected that these submittals will be consistent with the approved, final Interim Action Work Plan requirements, and the City will conduct a revised SEPA notification and review of the proposed project at that time.

The City identified the following questions and comments.

A. Interim Action Work Plan

1. How will heavy equipment be decontaminated/cleaned prior to it be taken off-site? How is heavy equipment cleaned prior to being brought on site?
2. *Section 5.1 Exposed Soil Sample Collection – At a minimum, one soil sample will be collected beneath each separate area of soil removal that is not underlain by impervious surfaces (e.g.,*

April 12, 2022

Page 2 of 4

concrete or asphalt). If an area greater than 1,500 square feet is graded down, one sample will be collected for every 1,500 square feet of cut area, or portion thereof.

Tukwila recommends sampling frequency that is a greater than once every 1,500 square feet, regardless of underlain impervious surface being present. Also, any area underlain impervious surface should not be assumed to be fully intact due to its age.

- 3.** Will contaminated soils be excavated and stockpiled onsite until test results come back to determine contaminate levels and final disposal? If so, describe the process of how this stockpiled material will be managed until final disposal. Where will this stockpiled material be located on site?
- 4.** Describe how the excavation hole will be managed to prevent surface water / precipitation from entering.
- 5.** Describe TESC / stormwater management of the site. How will stormwater be kept on site and prevented from either leaving or entering the Duwamish River?
- 6.** Specify work to occur during dry months.
- 7.** The project team should be aware of when high tides occur to ensure that they are not excavating when groundwater comes up.
- 8.** Are you intending to recycle any material from the site, and if so, what?
- 9.** Are the monitoring wells going to remain and be protected?
- 10.** The site being designated is determined to be "Very High Risk" per DAHP; an archeologist shall be present during all excavations.
- 11.** Once material is excavated and replaced with clean fill material, with what will it be capped? How quickly will it be capped?
- 12.** Describe means and methods of protecting and keep the Duwamish Riverbank intact. Show your excavation limits and its proximity to the Duwamish River.
- 13.** Is an NPDES Construction Permit required since the site is 21 acres?

April 12, 2022

Page 3 of 4

- 14.** Regarding proposal to clean Underground Storage Tanks (USTs) with a pressure washer and portable water, describe how this will be done and how this water will be collected and disposed of.
- 15.** Provided documentation of the origins for all clean fill material being brought on site.
- 16.** Use of water for dust control shall not be minimized and this water shall be managed.
- 17.** A separate "F" permit will be required for removal of the underground storage tanks (UST). The permit requires the following:
 - a. Site map showing known locations of each UST.
 - b. List the UST ID #.
 - c. Provide dimensions for each tank.
 - d. Provide safety data sheets of the product(s) stored in each tank.
- 18.** Removal of USTs must comply with:
 - a. WAC 173-360A-0810.
 - b. 2018 WSFC section 5704.2.14.
 - c. Notify Dept. of Ecology 30 days prior to removal.
 - d. Coordination with Fire Marshal inspectors - schedule inspection prior to removal.
 - e. Ensure atmosphere of each tank has been filled with inert gas.
 - f. Tanks must be certified inert by a marine chemist or petroleum industry safety engineer.
- 19.** In addition to submittal of a revised demolition permit to Tukwila, the Applicant shall also submit an updated SEPA application. The City shall again forward a revised Notice of Application to appropriate parties and shall issue a determination. The Tukwila demolition application shall not be approved until the SEPA determination has been issued and the appeal period exhausted. These events shall be factored into the proposed timeline commitments provided to Ecology.

B. Health and Safety Plan (HASP)

- 1.** Workers shall be provided with an onsite locker room where they can shower prior to putting on their street clothes. It is strongly recommended that workers shower and thoroughly wash their hair at the end of their shift. The company shall provide antibacterial soap and clean towels for their employees.
- 2.** Workers shall also be provided with a clean break room, with heating and cooling, where they can safely eat and drink.

April 12, 2022

Page 4 of 4

3. Tetanus shall be discussed, along with recommended controls and prevention.

Thank you again for the opportunity to comment on the Star Forge/Jorgenson site Interim Action Work Plan, Agreed Order, and Public Participation Plan, and for your consideration of these comments.

Sincerely,

eSigned via SeamlessDocs.com

Key: a355d5b785e766ff481688e56d80dbef

Nora Gierloff, AICP, Director
Department of Community Development
City of Tukwila

- cc. Sherry Edquid, Project Manager, Public Works Department
Mike Perfetti, PLA, Surface Water Sr. Program Manager, Public Works Department
Andy Nevens, Fire Marshal, Tukwila Fire Department
Nancy Eklund, AICP, Long Range Planning Manager, Department of Community Development

From: Ben Adlin <benadlin@gmail.com>
Sent: Tuesday, April 19, 2022 1:31 PM
To: Sanchez, Maureen (ECY)
Cc: Ketcheson, Kelsey (ECY)
Subject: Re: Public hearing this week

Follow Up Flag: Follow up
Flag Status: Completed

Awesome, thanks so much for clarifying! And hopefully the fix will help others who are more shy about emailing :)

Ben

On Tue, Apr 19, 2022 at 1:26 PM Sanchez, Maureen (ECY) <MASA461@ecy.wa.gov> wrote:

Thanks for catching that Ben, it is THURSDAY, April 21. I will get that fixed.

Apologies for the confusion.

Maureen Sánchez

LDW Site Manager

Desk: 206/594-0119

Cell: 425/240-0454

From: Ben Adlin <benadlin@gmail.com>
Sent: Tuesday, April 19, 2022 1:24 PM
To: Sanchez, Maureen (ECY) <MASA461@ECY.WA.GOV>
Subject: Public hearing this week

Hi Maureen,

I'm a reporter for the South Seattle Emerald and have a question about this week's online public meeting regarding Jorgenson Forge in Seattle. The WA Ecology link says it's "Wednesday, April 21" — can you clarify whether it's Wednesday the 20th or Thursday the 21st? Thanks!

Ben

—

Ben Adlin

[REDACTED]

[REDACTED]

[6/7/2022]-Contact
information redacted.

From: ROsario-Maria <1rosariomaria@gmail.com>
Sent: Wednesday, April 20, 2022 1:57 PM
To: Sanchez, Maureen (ECY)
Cc: KEVIN DUONG; Ketcheson, Kelsey (ECY); Emma Maria; Duwamish River Accountability Group; GCC directors; South Park; Katelyn Kinn; Cedar Bushue
Subject: Interpretation at April 21 event

Follow Up Flag: Follow up
Flag Status: Completed

Hi Maureen and Kelsey,

Will there be interpretation at the Ecology presentation on April 21st?

The fisher's that speak Spanish and Vietnamese will be there.

How will other languages be supported?

What interpretation will be offered to the community?

Thank you!

From: South Park <spnaseattle@gmail.com>
Sent: Saturday, April 23, 2022 9:15 AM
To: Sanchez, Maureen (ECY)
Subject: Jorgensen Forge question

Follow Up Flag: Follow up
Flag Status: Completed

Hello Maureen,

This is Susan Davis. I attended the public comment forum last Thursday, which I learned about from an announcement in the Seattle Times. I did not see an email to SPNA about the meeting. The last emails I see are from the September comment period.

Can you please check that we are still on your list for any emails related to your work/activity in our South Park community (even if we are technically outside the 1/2 mile radius of Jorgensen Forge, it is certainly "in our neighborhood").

I am not sure why we would not have received emails regarding the comment period and the public meeting, but I'm truly not seeing them (if I missed them, than that is my mistake).

Thanks for getting back to me either way.

Best,

Susan Davis
board member

South Park Neighborhood Association (SPNA)



[6/7/2022]-Contact
information redacted.

From: Duwamish River Accountability Group <duwrvaccgroup98108@gmail.com>
Sent: Monday, April 25, 2022 12:44 PM
To: Sanchez, Maureen (ECY)
Cc: GCC directors; South Park
Subject: RE:COMMENTS – Jorgensen Forge

Follow Up Flag: Follow up
Flag Status: Completed

RE:COMMENTS – Jorgensen Forge

Maureen Sanchez
WA State Department of Ecology
PO Box 330316
Shoreline, WA 98133

Maureen.sanchez@ecy.wa.gov

Dear Department of Ecology
Attention Maureen Sanchez

RE:COMMENTS – Jorgensen Forge

Thank you for allowing the public to provide comments. We also thank you for extending the comment period and for providing an online presentation to the impacted community members along the Duwamish River on March 21st. We are also glad there was Spanish and Vietnamese interpretation at the online event.

We are writing to advocate for Jorgensen Forge to be fully cleaned up in all areas with contamination. We are also requesting Ecology hold these polluters accountable.

We are reaching out to you about the Jorgensen Forge sediment cleanup. Contamination at the site is the result of heavy industrial use since the 1940's, and contaminated groundwater migrating onto the property from off-site sources.

The part of the Duwamish River near Jorgensen Forge has been contaminated with PCBs and other hazardous materials for several years, and past attempts to clean up the site were insufficient.

We ask Ecology to remove the toxins at the site such as:

Soil:

- Polychlorinated biphenyls (PCBs)
- Petroleum hydrocarbons
- Volatile organic compounds (VOCs)
- Halogenated volatile organic compounds (HVOCs)
- Metals (including arsenic, cadmium, chromium, and lead)

In the groundwater:

- Petroleum hydrocarbons
- Volatile organic compounds (VOCs)

- Halogenated volatile organic compounds (HVOCs) - vinyl chloride
- Metals

We find it unacceptable that comment periods are allowed to occur with no real community engagement and outreach. The community needs to be given information before a comment period begins and engagement and events should occur early on in the process of a comment period, not after the comment period begins or after it is extended.

Lack of engagement and outreach from Ecology and DRCC disallowed opportunities for public engagement and comment. The DRCC did not release a fact sheet when the comment period began on March 14th of 2022. Today on March 25th The DRCC has still not done engagement or outreach about this contaminated site or released any helpful information to the community. The DRCC is not performing the Technical Advice Duties. They seem to want to focus on trash pickups which those in the Duwamish Valley pay the City and the County taxes to take care of.

Transparency:

On March 14th 2022 at the start of the comment period, DRCC or Ecology still had not done engagement or outreach on the Jorgensen Forge virtually or in person.

There appears to be some hindrance of transparency and community oversight regarding the work of DRCC. What outreach was done and who did they successfully connect with? If the Ecology is mandated to include community in process by executive order, the tools should be provided to the community to ensure that said outreach is localized, effective, and tailored to fit the population that is most impacted by the superfund site and Jorgenson Forge. The public and impacted community should also have engagement, outreach and education on how to take part in these comment periods. The DRCC has hide this information from the community by gatekeeping and they continue to state they are unaware of comment periods for the Jorgensen Forge site and many other sites.

Yes, a mailer was sent out by Ecology, but the community does not understand what the mailers mean and are unaware of the comment period processes. Those who are aware of comment periods are relying on the DRCC to comment on behalf of the community. The DRCC takes in donations, has many sponsors, accepts grants and receives money from the EPA to be the Technical Advisory Group and are not fulfilling their responsibilities.

Thank you for allowing the comment period to be extended. Although, we ask that all comment periods begin with engagement, outreach and educational events so that the community can provide thorough comments. With little engagement and outreach not enough of the public was aware of this comment period and the Ecology did not follow " environmental justice" and "equity lense" guidelines that are required with tittle 6 for environmental justice communities.

We find it very disheartening that there were burdens of inaccessible events during a pandemic which could result in the fate of the river not being cleaned to community standards and there was not a priority of having the community equity needs to take part in any comment period. Especially little notice to the elderly, non tech savvy, and non English speaking community members.

Please do the following:

Raise the standards for cPAH levels and clean up all areas of the Duwamish River Superfund site and remove all areas with cPAHs and PCBS

Honor the 2014 Record of Decision

Do true equity and environmental justice work for the Duwamish River to be healthy and clean for the river communities to safely recreate and eat from it

Hold Polluters Accountable

Demand Polluters clean up and pay for the river cleanup

Thank you,

Duwamish River Accountability Group
DRAG

From: ROsario-Maria <1rosariomaria@gmail.com>
Sent: Monday, April 25, 2022 5:19 PM
To: Sanchez, Maureen (ECY); Sanchez, Maureen (ECY); GCC directors; South Park
Subject: RE: COMMENTS – Jorgensen Forge

Follow Up Flag: Follow up
Flag Status: Completed

Maureen Sanchez
WA State Department of Ecology
PO Box 330316
Shoreline, WA 98133

Maureen.sanchez@ecy.wa.gov

Dear Department of Ecology
Attn: Maureen Sanchez

RE: COMMENTS – Jorgensen Forge

I am writing to call for Jorgensen Forge to be fully cleaned up in all areas with contamination. Past attempts have been insufficient.

I do appreciate that there was an online presentation and the comment period was extended and that there were Spanish and Vietnamese interpreters at the April 21st Ecology presentation. However, this event occurred only after the original comment period was extended. A mailer was sent out by Ecology to the community but not many people understand the comment period processes. I work in the evening and was unable to attend the online session to ask my questions. It would be more meaningful if Ecology could attend community meetings a few times a year to explain their role in the superfund cleanup process and host more events that are designed with the community and the fishers about cleanup areas.

Currently, outreach is not tailored to the communities that are impacted by contamination of the river. I find that unacceptable and a violation of EPA's Executive Order 12898, not to mention far from Ecology's stated approach for prioritizing environmental justice in their work, per "Striving for Equity in the Lower Duwamish Waterway" (<https://ecology.wa.gov/About-us/Who-we-are/Environmental-Justice/Prioritizing-EJ>). I hope moving forward there can be meaningful engagement.

In conclusion, I ask that you:

Hold Polluters Accountable - demand that they fully fund a full cleanup of the river, in all areas where any level of cPAHs and PCBS are found, in the soil and in the groundwater, not to mention the several other toxins present

Honor the 2014 Record of Decision

Do true equity and environmental justice work for the Duwamish River to be healthy and clean so that river communities can safely recreate and eat from it

Thank you,

--

Rosario-Maria Medina (Chayo)

From: Karen Paola Carpenter <carpenter.kp@gmail.com>
Sent: Monday, April 25, 2022 3:05 PM
To: Sanchez, Maureen (ECY)
Subject: Comments: Jorgensen Forge Cleanup

Follow Up Flag: Follow up
Flag Status: Completed

Maureen Sanchez
WA State Department of Ecology
PO Box 330316
Shoreline, WA 98133

Maureen.sanchez@ecy.wa.gov

Dear Department of Ecology
Attn: Maureen Sanchez

RE: COMMENTS – Jorgensen Forge

I am writing to add my voice to the call for Jorgensen Forge to be fully cleaned up in all areas with contamination. Past attempts have been insufficient.

I also join the call for Ecology to hold polluters of the Duwamish River accountable, including heavy industry that has been contaminating off-site groundwater that migrates to the river for almost a century.

While I am grateful for this public comment opportunity - there were many barriers to my participation, even as a young, tech savvy, English speaking, college educated community member. It was through the efforts of the Duwamish River Accountability Group, that I became aware of the need to extend the original comment period, and that I was able to engage with Ecology's presenters on April 21st to make an informed comment today.

I understand that the Duwamish River CleanUp Coalition is the Technical Advisory Group with the responsibility to inform and educate community members as well as comment on behalf of the community in exchange for donations, sponsorships, grants and other money they accept. My personal knowledge of their role in the community is limited to trash cleanup events and an annual festival. They have not been a source of information regarding important efforts recently to renege on the 2014 EPA cleanup plan of the Lower Duwamish Waterway Superfund Site (Record of decision).

Again, only through DRAG have I learned more about community members who fish on the river, and who have different language backgrounds, including Spanish and Vietnamese. I was glad that there were Spanish and Vietnamese interpreters at the April 21st Ecology presentation. However, this event occurred only after the original comment period was extended. My understanding is that only a simple mailer was sent out by Ecology to the community.

Outreach that is not tailored to the communities that are impacted by contamination of the river is not outreach, effectively excluding communities from the process. I find that unacceptable and a violation of EPA's Executive Order 12898, not to mention far from Ecology's stated approach for prioritizing environmental justice in their work, per "Striving for Equity in the Lower Duwamish Waterway" (<https://ecology.wa.gov/About-us/Who-we-are/Environmental-Justice/Prioritizing-EJ>).

Meaningful engagement needs to happen well before the comment period. If it is not being done by DRCC, they should not get the funding. The community deserves a voice in this process. They already fought to institutionalize community standards with the 2014 Record of Decision, but their efforts are at risk of being buried by the very people who were entrusted by the community to work for their interests.

In conclusion, I ask that you:

Hold Polluters Accountable - demand that they fully fund a full cleanup of the river, in all areas where any level of cPAHs and PCBS are found, in the soil and in the groundwater, not to mention the several other toxins present

Honor the 2014 Record of Decision

Do true equity and environmental justice work for the Duwamish River to be healthy and clean so that river communities can safely recreate and eat from it

Thank you,

Karen Paola Carpenter

From: Och, Elizabeth 'Liz' <elizabeth.och@hoganlovells.com>
Sent: Tuesday, April 26, 2022 6:33 PM
To: Sanchez, Maureen (ECY)
Cc: Reisch, Scott H.; Meg Strong; 'bmarten@martenlaw.com'; rallan@martenlaw.com; David Hill
Subject: Comments to Star Forge Interim Action Work Plan
Attachments: EMJ Comments to Star Forge IAWP.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Maureen:

Please see attached from Scott Reisch.

Thank you,

Liz

Elizabeth Och
[Redacted]

[6/7/2022]-Contact
information redacted.

Please consider the environment before printing this e-mail.

If you would like to know more about how we are managing the impact of the COVID-19 pandemic on our firm then take a look at our brief [Q&A](#). If you would like to know more about how to handle the COVID-19 issues facing your business then take a look at our [information hub](#).

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Hogan Lovells US LLP
1601 Wewatta Street
Suite 900
Denver, CO 80202
T +1 303 899 7300
F +1 303 899 7333
www.hoganlovells.com

Attachment to E.
Och email.

April 26, 2022

By Electronic Mail

Maureen Sanchez
Site Manager
PO Box 330316
Shoreline, WA 98133
maureen.sanchez@ecy.wa.gov

Re: Comments Regarding Star Forge Interim Action Work Plan (“IAWP”)

Dear Ms. Sanchez:

On behalf of Earle M. Jorgensen (“EMJ”), we reviewed Star Forge’s interim action work plan (“IAWP”) and offer our comments below. The comments may be of more relevance to Star Forge’s Demolition Plan (“DP”) rather than the IAWP; however, the two areas that we comment on have the potential to impact future remedial actions and for that reason we offer them during this comment period.

Aqueous Film-Forming Foam

In 2021, Ecology announced that per- and polyfluoroalkyl substances (“PFAS”) are “hazardous substances” under the State’s environmental cleanup laws. EMJ has learned that Aqueous Film-Forming Foam (“AFFF”), which commonly contained PFAS, was used at the Site. It appears that AFFF fire suppression systems served the pump rooms for the 660-ton, 1,250-ton, and 2,500-ton presses, and the vault for Quench Tanks 1, 2, and 3 (Q1/Q2/Q3) in the Heat Shop, as follows (photos attached to these comments):

- An AFFF tank is present on the roof of the 660-ton press pump room and AFFF wall decals are visible on the exterior of the structure (See Photo 1, November 2021).
- It appears that an AFFF tank was present in the 1,250-ton press pump room in 2018 (See Photo 2, September 2018).
- Portions of the 2,500-ton press pump room remain at the Site and include AFFF system components (see Photos 3, 4 and 5 from January 2022). Photo 3 shows AFFF wall decals on the exterior of the pump room structure. Photo 4 shows the interior of the 2,500-ton press pump room. Within the photograph, an AFFF tank is visible on the roof of the structure. The AFFF tank is shown in greater detail in Photo 5. The system appears to have three discharge pipes that appear to have led to the 2,500-ton press pump room, the 2,500-ton press pit, and to “V2.” We suspect that “V2” refers to the vertical furnace which was located within the Q1/Q2/Q3 vault.
- An AFFF placard was observed on the wall next to the Q1/Q2/Q3 vault (Photo 6, January 2022), and sprinklers were noted on the top rim of the westernmost quench

tank (Photo 7, January 2022). It is not clear which features within the vault were serviced by the AFFF system.

To the extent any AFFF infrastructure has already been removed by Star Forge (as noted, some of these photos go back to 2018 and may not reflect current conditions), it is important that Star Forge evaluate when and how that work was done, what precautions were taken with respect to the potential for AFFF/PFAS contamination, and what steps can be taken now to address any PFAS contamination resulting from such work. For example, it is unknown whether AFFF was spilled during earlier demolition work such that it can be an ongoing source of PFAS upon exposure to stormwater. For this reason, it is recommended that surface samples of concrete within the areas where AFFF was used or stored be collected for PFAS analysis. If PFAS is present on the concrete, it may be prudent to remove the concrete for offsite disposal.

To the extent any of the AFFF infrastructure remains at the Star Forge Site, Star Forge should adopt strategies to mitigate impacts from AFFF in future demolition activities in a way that complies with Ecology rules and does not exacerbate Site conditions. Such strategies may include removing the AFFF tanks and thorough cleaning of the associated piping prior to undertaking demolition work.

Neither the IAWP nor the DP includes any discussion of AFFF or PFAS. EMJ requests that either the IAWP or DP be revised to address and mitigate potential AFFF/PFAS impacts from past or future demolition activities at the Site. Star Forge's counsel has represented to EMJ that Star Forge will address this issue in the DP. EMJ has no objection to that approach if it is acceptable to Ecology.

Paint in the Tote Storage Area

The attached excerpt from a Sound Earth report prepared for Star Forge in 2019 reports that paint in the Tote Storage Area (TSA) building contained PCBs at 11,400 mg/kg in sample B-PCB01). The DP does not specifically address what steps will be taken to prevent paint dust/chips contributing PCBs impacting surfaces or stormwater runoff.

As above, Star Forge has represented to EMJ that it will appropriately address this issue in the DP and take all required abatement measures, such that there is no need to address this issue in the IAWP. Again, EMJ has no objection to that approach if it is acceptable to Ecology.

* * *

Please let us know if you have any questions about these comments.

Regards,



Scott H. Reisch
Partner
scott.reisch@hoganlovells.com

[6/7/2022]-Contact
information redacted.

Enclosures: Site Photos
Excerpt from 2019 SoundEarth Strategies Report

cc: Meg Strong
Elizabeth Och
Brad Marten
Richard Allan
David Hill

**PHOTOS DEMONSTRATING AFFF AT
STAR FORGE SITE**



Photo 1: AFFF System at the 660-Ton Press Pump Room (November 2021)



Photo 2: 1,250-Ton Press and Pump Room (September 2018)



Photo 3: AFFF Wall Decals on the Exterior of the 2,500-Ton Press Pump Room (January 2022)



Photo 4: Interior of the 2,500-Ton Press Pump Room (January 2022)



Photo 5: AFFF Tank and Piping on Roof of the 2,500-Ton Press Pump Room (January 2022)



Photo 6: AFFF Placard on Wall Adjacent to Q1/Q2/Q3 Vault (January 2022)



Photo 7: Sprinklers on Westernmost Quench Tank (January 2022)

**EXCERPT FROM
2019 SOUNDEARTH STRATEGIES REPORT**



Table 3
PCB-Containing Materials Analytical Results
Jorgensen Forge Property
8531 East Marginal Way South
Tukwila, Washington

| Sample ID | Sample Date | Material Description | Location | Analytical Results ⁽¹⁾ (mg/kg) |
|--|-------------|----------------------|--|--|
| Building A - Northwest Oil Storage Shed | | | | |
| A-PCB01 | 07/16/19 | White Paint | Ceiling, NE portion | <1 |
| A-PCB02 | 07/16/19 | Gray Paint | Ceiling, entryway, south portion | <1 |
| Building B - Acid Etch Shed | | | | |
| B-PCB01 | 07/16/19 | Gray/White Paint | Building B, SW corner, beam | 11,600 ^{ve} |
| Building C - Melt Shop Storage, Ladle Shop | | | | |
| C-PCB01 | 07/16/19 | Pink Paint | Ladle Building, Exterior, west wall | <1 |
| C-PCB02 | 07/16/19 | White Paint | Melt Shop Stores, west wall | <1 |
| C-PCB03 | 07/16/19 | Black Paint | NE wall Melt Shop | <1 |
| Building D - Machine Shop | | | | |
| D-PCB01 | 07/16/19 | Light Blue Paint | Maintenance Shop, east wall | <1 |
| D-PCB02 | 07/16/19 | Off-White Paint | Machine Shop, central portion | 19 |
| D-PCB03 | 07/16/19 | Gray Paint | Machine Shop, south portion | <2 |
| D-PCB04 | 07/16/19 | Pink Paint | SW Machine Shop entrance, exterior | <1 |
| D-PCB05 | 07/16/19 | White Paint | Maintenance Shop, NW ceiling | <1 |
| D-PCB06 | 07/16/19 | Yellow Paint | Machine Shop, south portion | 2.1 |
| D-PCB07 | 07/16/19 | Red Paint | Machine Shop, NE portion | <1 |
| D-PCB08 | 07/16/19 | Blue Paint | Machine Shop, W portion | <2 |
| D-PCB09 | 07/16/19 | Gray Window Glazing | Warehouse, east wall | 4.3 |
| D-PCB10 | 07/16/19 | White Window Glazing | Machine Shop, ceiling, east portion | 2.5 |
| Building E - Heat Treat, Forge Shop, Billet Storage | | | | |
| E-PCB01 | 07/17/19 | Light Blue Paint | Roof | <1 |
| E-PCB02 | 07/17/19 | White Paint | Heat Treat, Press Building, north wall | 1.5 |
| E-PCB03 | 07/17/19 | Blue Paint | Heat Treat, Oil Building, south wall | 1.4 |
| E-PCB04 | 07/17/19 | Pink Paint | Exterior, east wall | <1 |
| E-PCB05 | 07/17/19 | Yellow Paint | Forge Shop, central portion | <1 |
| E-PCB06 | 07/17/19 | Light Blue Paint | Billet Storage, south wall | 12.9 |
| E-PCB07 | 07/17/19 | Silver Paint | Restroom, south wall | <1 |
| E-PCB08 | 07/17/19 | Red Paint | Forge Shop, north portion | 7.3 |
| E-PCB09 | 07/17/19 | Gray Window Glazing | Heat Treat, north wall | <1 |
| Building F - Melt Shop | | | | |
| F-PCB01 | 07/19/19 | Black Paint | TC-14, First Floor, SE corner | 14 |
| F-PCB02 | 07/19/19 | Gray Paint | Melt Shop, north wall | 3.3 |
| F-PCB03 | 07/19/19 | Green-Gray paint | Electrode drive room, SW corner | 29 |
| F-PCB04 | 07/19/19 | Pink Paint | Exterior, south wall | <1 |
| F-PCB05 | 07/19/19 | White Paint | Stairwell, W wall, third floor | 2.8 |
| F-PCB06 | 07/19/19 | Brown Paint | M-1 control room, door | <1 |
| F-PCB07 | 07/19/19 | Light Blue Paint | AOD office, west wall | <1 |
| F-PCB08 | 07/19/19 | Yellow Paint | Railing, SE corner | <1 |
| F-PCB09 | 07/19/19 | Teal Paint | Second floor, above AOD office | <1 |
| F-PCB10 | 07/19/19 | Window Glazing | South Wall, central portion | <1 |
| Building G - Laboratory | | | | |
| G-PCB01 | 07/18/19 | Dark Blue Paint | Break room door frame | <1 |
| G-PCB02 | 07/18/19 | Pink Paint | Exterior north building wall | <1 |
| G-PCB03 | 07/18/19 | Light Blue Paint | SE room near sink | 1.5 |
| G-PCB04 | 07/18/19 | Peach Paint | SW storage room | <1 |
| G-PCB05 | 07/18/19 | Brown Paint | Restroom addition, east wall | <1 |
| Building H - Melt Shop Locker Rooms, Offices, Maintenance | | | | |
| H-PCB01 | 07/22/19 | Pink Paint | Exterior wall near exit | <1 |
| H-PCB02 | 07/22/19 | White Paint | Interior upstairs office | <1 |
| H-PCB03 | 07/22/19 | Light Blue Paint | Interior upstairs office | <1 |
| H-PCB04 | 07/22/19 | Teal Paint | Interior office stairwell | <1 |
| H-PCB05 | 07/22/19 | Dark Blue Paint | Interior office trim | <1 |
| H-PCB06 | 07/22/19 | White Paint | Interior Maintenance wall | <1 |
| H-PCB07 | 07/22/19 | Blue Paint | Maintenance Shop floor | <1 |
| H-PCB08 | 07/22/19 | Gray Paint | Maintenance Shop floor | <1 |
| H-PCB09 | 07/22/19 | Window Glazing | Western Maintenance, north wall | 1.7 |



Table 3
PCB-Containing Materials Analytical Results
Jorgensen Forge Property
8531 East Marginal Way South
Tukwila, Washington

| Sample ID | Sample Date | Material Description | Location | Analytical Results ⁽¹⁾ (mg/kg) |
|---|-------------|----------------------|--|--|
| Building I - Tool Room, Oil House, Locker + Wash, Shipping Offices | | | | |
| I-PCB01 | 07/23/19 | White Paint | HR office, north wall | <1 |
| I-PCB02 | 07/23/19 | Peach Paint | Offices, west wall | <1 |
| I-PCB03 | 07/23/19 | Brown Paint | Offices, north wall | <1 |
| I-PCB04 | 07/23/19 | Pink Paint | Oil House, exterior, south wall | <1 |
| I-PCB05 | 07/23/19 | Blue-Gray Paint | Locker room, east wall | 1.1 |
| I-PCB06 | 07/23/19 | White Paint | Locker room, north wall | <1 |
| I-PCB07 | 07/23/19 | Gray Paint | Wash room, west entrance | 1.4 |
| I-PCB08 | 07/23/19 | Black Paint | Hallway, north portion | 1.1 |
| I-PCB09 | 07/23/19 | White Paint | Tool Room, north portion, south wall | <1 |
| I-PCB10 | 07/23/19 | Light Blue Paint | Tool Room, south portion, west wall | 5.0 |
| I-PCB11 | 07/23/19 | Gray Window Glazing | Locker room, west wall | <1 |
| I-PCB12 | 07/23/19 | White Window Glazing | HR office, Exterior, south wall | <1 |
| Building J - Shipping and Inspection | | | | |
| J-PCB01 | 07/24/19 | Gray Paint | Shipping | <2.1 |
| J-PCB02 | 07/24/19 | Red Paint | West portion shipping | <1 |
| J-PCB03 | 07/24/19 | Pink Paint | South Wall | <1 |
| J-PCB04 | 07/24/19 | Yellow Paint | Shipping | <2 |
| J-PCB05 | 07/24/19 | White Paint | NE corner | <1 |
| J-PCB06 | 07/24/19 | Black Paint | SE corner | <1 |
| Building K - Main Office | | | | |
| K-PCB01 | 07/24/19 | Brown Paint | Basement, Storage Room, south wall | 3.0 |
| K-PCB02 | 07/24/19 | Gray Paint | Basement, Storage Room, center | <1 |
| K-PCB03 | 07/24/19 | Tan Paint | Basement, Lunch room, east wall | <1 |
| K-PCB04 | 07/24/19 | Light Blue Paint | Second Floor, Vault, north wall | 3.1 |
| K-PCB05 | 07/24/19 | Teal Paint | Second Floor, credit room | <1 |
| K-PCB06 | 07/24/19 | Off-White Paint | Second Floor, hallway | <1 |
| K-PCB07 | 07/24/19 | Gray Paint | Second Floor, accounting office, west wall | <1 |
| K-PCB08 | 07/24/19 | Gray-Blue Paint | Main Floor, SEC room | <1 |
| K-PCB09 | 07/24/19 | White Paint | Main Floor, Men's room, north wall | <1 |
| K-PCB10 | 07/24/19 | Dark Blue Paint | Main floor, waiting area | 3.2 |
| K-PCB11 | 07/24/19 | Pink Paint | Exterior, SE corner | <1 |
| K-PCB12 | 07/24/19 | Bright Green Paint | Basement conference room | <1 |
| K-PCB13 | 07/24/19 | Window Glazing | Exterior, north wall | <1 |
| Building L - Power House | | | | |
| L-PCB01 | 07/25/19 | Gray Paint | North of control room | <1 |
| L-PCB02 | 07/25/19 | Pink Paint | North wall | 1.3 |
| L-PCB03 | 07/25/19 | White Paint | NW entrance | 1.5 |
| L-PCB04 | 07/25/19 | Dark Blue Paint | NE office | <1 |
| L-PCB05 | 07/25/19 | Silver Paint | Central portion | <1 |
| L-PCB06 | 07/25/19 | Light Blue Paint | NE office | <2 |
| L-PCB07 | 07/25/19 | Window Glazing | SW wall | <1 |
| Building M - Forge Office | | | | |
| M-PCB01 | 07/25/19 | Black Paint | Second Floor | <1 |
| M-PCB02 | 07/25/19 | Red Paint | Second Floor bathroom | <1 |
| M-PCB03 | 07/25/19 | Pink Paint | Exterior, east portion | <1 |
| M-PCB04 | 07/25/19 | White Paint | First Floor | <1 |
| M-PCB05 | 07/25/19 | White Window Glazing | Exterior, north wall | <1 |
| Building N - Maintenance Offices and Clean Room | | | | |
| N-PCB01 | 07/26/19 | Pink Paint | NE Exterior | <1 |
| N-PCB02 | 07/26/19 | White Paint | East Room | <1 |
| N-PCB03 | 07/26/19 | Gray Paint | SE Building floor | <1 |
| N-PCB04 | 07/26/19 | Teal Paint | SE Building Wall | <1 |
| N-PCB05 | 07/26/19 | Dark Green Paint | SW Building Wall | 1.8 |
| Building O - Control Room/Supply Shed Next to Vent System | | | | |
| O-PCB01 | 07/26/19 | Pink Paint | East building entrance | <1 |
| O-PCB02 | 07/26/19 | Black Paint | East building interior | <1 |



Table 3
PCB-Containing Materials Analytical Results
Jorgensen Forge Property
8531 East Marginal Way South
Tukwila, Washington

| Sample ID | Sample Date | Material Description | Location | Analytical Results ⁽¹⁾ (mg/kg) |
|---|-------------|----------------------|------------------------|--|
| O-PCB03 | 07/26/19 | Green Paint | East building interior | <1 |
| PCB Bulk Product Waste Limit⁽²⁾ | | | | 50 |

NOTES:

Laboratory analyses conducted by Friedman & Bruya, Inc. of Seattle, Washington.

Bold denotes detectable concentrations of PCBs.

Bold and shading denotes that the sample contains PCBs in quantities equal to or greater than 50 mg/kg.

⁽¹⁾PCB analysis by EPA Method 8082A.

⁽²⁾PCB-containing building materials are considered PCB bulk product waste if the concentration of PCBs is equal to or greater than 50 mg/kg and is regulated under 40 CFR 761.62 of TSCA.

Laboratory Note:

^{vs}The analyte response exceeded the valid instrument calibration range. The value reported is an estimate.

< = not detected at a concentration exceeding the laboratory reporting limit

AOD = argon oxygen decarburization

CFR = Code of Federal Regulations

EPA = US Environmental Protection Agency

NR = human resources

mg/kg = milligrams per kilogram

NE = northeast

PCB = polychlorinated biphenyl

SE = southeast

SW = southwest

TSCA = Toxics Substances Control Act