



Public Participation Plan Seventh Avenue Service

Address: 701 S Jackson Street, Seattle, WA

Facility Site ID: 99187287

Cleanup Site ID: 11348

For the

Toxics Cleanup Program

Washington State Department of Ecology
Shoreline, Washington

September 2022

Publication Information

This document is available on the Department of Ecology's [Seventh Avenue Service webpage](#).¹

Related Information

- Cleanup site ID: 11348
- Facility site ID: 99187287

Contact Information

Toxics Cleanup Program

Northwest Regional Office

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Phone: 206-594-0000

Website²: [Washington State Department of Ecology](#)

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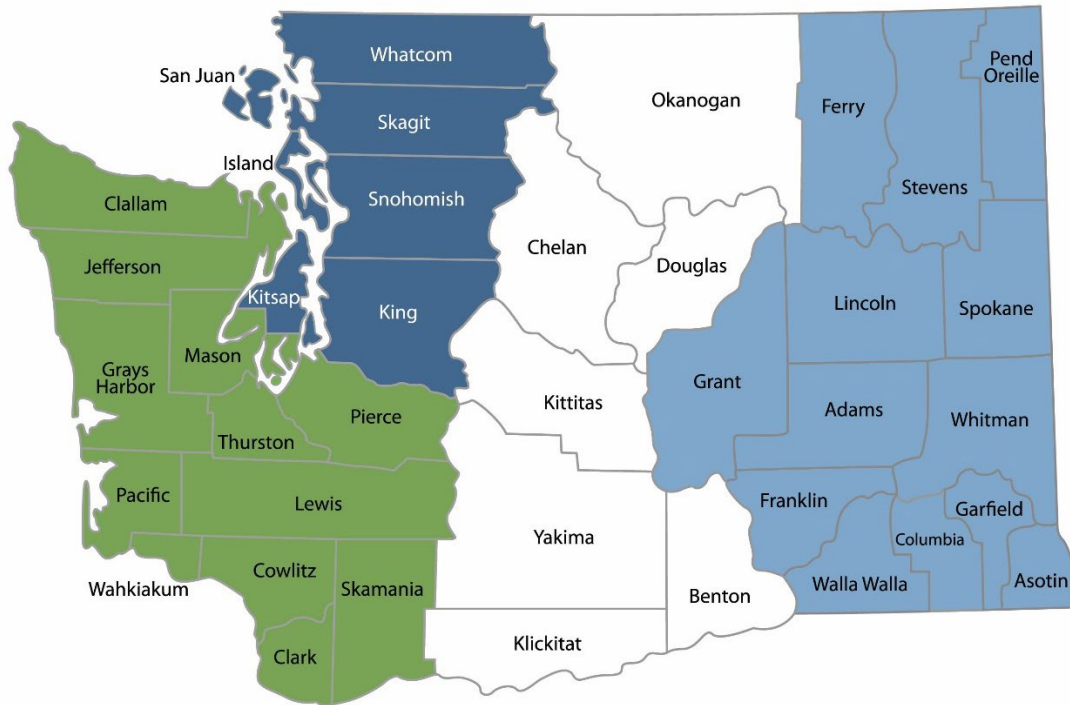
To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

¹ <https://apps.ecology.wa.gov/cleanupsearch/site/11348>

² www.ecology.wa.gov/contact

Department of Ecology's Regional Offices

Map of Counties Served



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

Public Participation Plan

**Seventh Avenue Service
701 S Jackson Street, Seattle, WA**

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

September 2022



DEPARTMENT OF
ECOLOGY
State of Washington

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Public Involvement in Contamination Cleanup

The Washington State Department of Ecology (Ecology) developed this public participation plan (plan) in cooperation with 701 S Jackson Partners, LLC (South Jackson Partners), the party responsible for cleanup costs. The purpose of the plan is to promote meaningful community involvement during cleanup.

The plan describes ways Ecology will inform the public about contamination investigations and cleanup options throughout the cleanup process. Ecology encourages the public to learn about and get involved in decision-making opportunities. This plan identifies how and when the public can get involved during different stages of the investigation and cleanup of contamination.

Site contacts

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

Ecology

Northwest Regional Office
15700 Dayton Ave N
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Seattle, WA 98104

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206-915-9702

Public Participation Grants

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

- Hire an expert to help interpret technical information³
- Conduct activities that enhance the public's understanding of, and participation in, the cleanup process

For more information about public participation grants, please contact Faith Wimberley at 425-275-7285 or faith.wimberley@ecy.wa.gov. You may also visit the [Public Participation Grant website](#).⁴

³ Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the site.

⁴ ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants

Washington's Cleanup Laws

Ecology uses the Model Toxics Control Act (MTCA) and accompanying regulations for cleanup activities.

This plan is required under MTCA, a law that passed in 1989. MTCA provides guidelines for contaminated site cleanup in Washington State and sets standards to ensure the cleanup protects human health and the environment.

Model Toxics Control Act

MTCA began as a grassroots citizen's initiative in 1988, and started the process of systematically cleaning up contaminated sites in Washington. Under MTCA, a current or past property owner or operator may be held responsible for cleaning up contamination on, or coming from, their property to standards that are safe for human health and the environment.

Ecology enacts MTCA and oversees cleanups in the state and issues regulations and guidance governing those cleanups. The regulations are found in [Chapter 173-340 Washington Administrative Code \(WAC\)](#).⁵ Ecology investigates reports of contamination, and if it poses a significant threat to human health or the environment, the site is placed on the Confirmed and Suspected Contaminated Sites List for further assessment. The cleanup process can begin at any time after a release of a hazardous substance to the environment has been discovered.

Public participation is an important part of cleanup under the MTCA process. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk posed by the contamination. Individuals who live near the site, community groups, businesses, government, other organizations, and interested parties have the opportunity to get involved by commenting on the cleanup process.

Under MTCA, the cleanup process includes multiple steps (see Figure 1 on page 8), with opportunities for the public to review and comment on cleanup documents. In addition, a partial cleanup (called an interim action) can occur at any time during the cleanup process. The public is provided an opportunity to review and comment on planned interim action work as well.

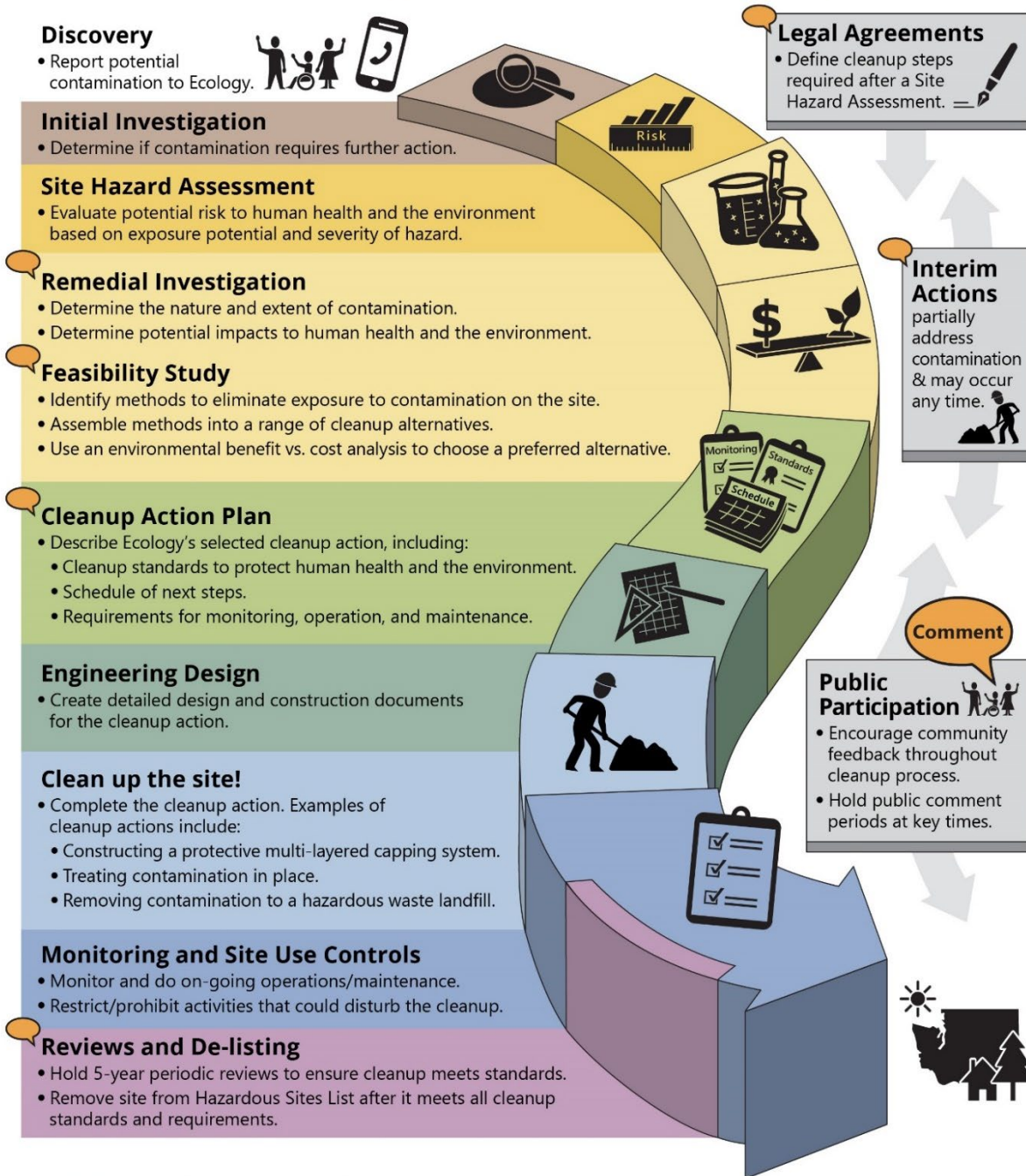
State Environmental Policy Act

MTCA cleanups also require evaluation under the State Environmental Policy Act (SEPA; [Chapter 197-11 WAC](#))⁶. Under SEPA, the potential for significant adverse environmental impacts from a project or action must be evaluated by state and local agencies when making decisions. This evaluation is subject to public review and comment in parallel with cleanup documents. For this site, The City of Seattle (City) is the lead agency for the site's SEPA Determination.

⁵ <https://apps.ecology.wa.gov/publications/publications/9406.pdf>

⁶ <https://apps.leg.wa.gov/wac/default.aspx?cite=197-11>

Washington's Formal Cleanup Process



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

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

September 2019
Ecology Publication 19-09-166

Figure 1: Steps in Washington's Cleanup Process⁷

⁷ <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

Site Information

Land use

The Seventh Avenue Service cleanup site is located at a 0.31-acre property with address 701 S Jackson Street (property), in Seattle's International District. Historically, the property was used for car repair and fueling, with a gasoline service station operating from the 1930s into the 1970s. The service station stored gasoline in two underground tanks, which were removed from the property in 2010. Except for a small portion of the existing garage which is used as a storage room for a retail tea shop, the property has not had any commercial activity in the last 20 years.

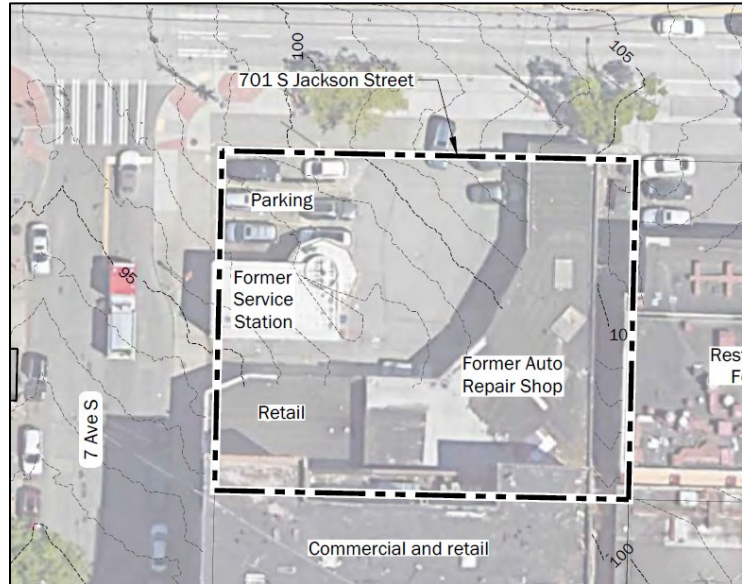


Figure 2. The site is located at 701 S Jackson Street in Seattle.

Two single-story structures, including the former service station building and an “L”-shaped automobile repair garage, and a paved parking lot are on the property. The buildings are vacant.

Contamination

Investigations at the site found that soil is contaminated with petroleum hydrocarbons, naphthalene, and BTEX - a combination of chemicals that occur naturally in crude oil including benzene, toluene, ethylbenzene, and xylenes. Investigations also showed that some imported soil used for fill is contaminated with lead and/or polycyclic aromatic hydrocarbons (PAHs).

These contaminants are present at levels that exceed



Figure 3. Site map showing the property and soil contamination boundaries.

allowable standards under the state’s cleanup law, the Model Toxics Control Act ([MTCA⁸](#)), and must be addressed.

The contamination at the site exists in the soil underneath the property boundaries, and also extends into the soil under a portion of the right-of-way at 7th Avenue South and South Jackson Street.

Cleanup plans

Ecology has negotiated a legal agreement called a Prospective Purchaser Consent Decree (PPCD) with 701 S Jackson Partners, LLC to clean up the site. Ecology and 701 S Jackson Partners, LLC have prioritized cleanup of the site in conjunction with redevelopment of the property as a mixed-use retail and affordable housing complex.



Figure 4. A rendering of the proposed Seventh Avenue development, looking southeast. Image: Neiman Taber Architects.

In 2022, Ecology invited input on:

- **Cleanup Action Plan:** Ecology’s plan that describes the cleanup work to address contamination within the site.
- **Remedial Investigation and Feasibility Study:** Presents the results of studies at the site to characterize the presence and extent of contamination. The report also provides an evaluation of cleanup alternatives to address contamination.
- **Prospective Purchaser Consent Decree:** A legal agreement between Ecology and South Jackson Partners that settles 701 S Jackson Partners, LLC’s cleanup liability for the site, describes cleanup requirements, and affordable housing development information.
- **Public Participation Plan:** A document outlining Ecology’s process and opportunities for public input for this site.

The City of Seattle (City) is the lead agency for the site’s SEPA Determination. The City has completed a public comment period for an Optional Determination of Non-Significance (DNS) that determined that the cleanup work is not likely to harm the environment. The final DNS will be posted to [Ecology’s SEPA Register⁹](#).

⁸ <https://ecology.wa.gov/mtca>

⁹ <https://apps.ecology.wa.gov/separ/Main/SEPA/Search.aspx>

Cleaning up to provide affordable housing

Washington is in dire need of affordable housing across the state. Contamination, or even the suspicion of contamination, drives up the costs of housing development. The high cost leaves little incentive for developers to build affordable housing.

In addition to the usual risks of redevelopment, cleaning up contaminated sites can be a complex process with considerable risk. The cost and time associated with cleaning up a site is often poorly understood; as a result, many sites are left vacant or underused for years, even decades. Supporting cleanups for affordable housing helps make sure the cleanup gets done, protecting the community's health and the environment.

Area community

Neighborhood

This site is in the International District of Seattle. This is a mixed-use zone where residential and commercial development is allowed.

The property boundary is South Jackson Street to the north, 7th Avenue South to the west, a mixed-use retail and apartment building (currently vacant) to the south, and a restaurant (House of Hong) to the east.

The First Hill Line of the Seattle Streetcar and the light rail stop a few blocks away from the site as well as various bus routes. The site is near the Danny Woo Community Garden, Hing Hay Park, the Wing Luke Museum of the Asian Pacific American Experience, and the Seattle Pinball Museum.

Demographics

Language needs

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.¹⁰ The non-English languages most widely spoken in the [quarter-mile area](#)¹¹ around the site is Chinese. When appropriate, Ecology will provide outreach in Chinese. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

¹⁰ Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).

¹¹ <https://ejscreen.epa.gov/mapper/>

Sensitive populations

The [Washington Environmental Health Disparity Map](#)¹² shows environmental risk based on threat and vulnerability. Environmental risk is ranked on a scale of 1-10 (low to high). The census tract the site is within and the closest one next to it rank 10 for environmental risk.



Figure 5. The site vicinity received the highest rank for environmental risk on the Washington Environmental Health Disparity Map.

Public Participation Activities

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties do not need to wait for a formal public comment period to contact Ecology.

However, to be included in the formal site record, comments about the site investigation, cleanup alternatives, or cleanups must be submitted during formal comment periods. In addition, the public is invited to review site documents before they become final. This is the most direct and influential way to learn more about the site and be involved in the cleanup's decision-making.

How we share information with the community

During specific stages of the cleanup, Ecology will mail notices about public comment periods to addresses surrounding the site. The mailing list area will vary depending on the type of contamination and where it's located, but the list will at least include addresses within a

¹² <https://fortress.wa.gov/doh/wtnibl/WTNIBL/>

quarter-mile radius of the site and other interested organizations and individuals. These notices will provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings or how to request one if not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the site's status. These informational documents will be available online and at document repositories. Print copies may be mailed to the nearby community if we feel the message warrants the associated cost and resources.

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

Notification lists

Ecology maintains an email list and a mailing list that includes addresses within a quarter-mile of the site and relevant local, state, and federal government contacts.

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

We will add additional individuals, organizations, and other interested parties to the email or mailing list as requested. If you would like to be added to the email or mailing list for this site, please contact Ian Fawley at 425-324-5901 or ian.fawley@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).¹³ To receive the *Site Register* by email, please [subscribe online](#)¹⁴ or contact Sarah Kellington at sarah.kellington@ecy.wa.gov or 360-407-7466.

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in *The Seattle Times*. We may also post ads in other local newspapers such as the *Northwest Asian Weekly* and *Seattle Chinese Post*. We will also publish notice on our [Public Input & Events Listing](#).¹⁵

Ecology's website and social media platforms

We maintain a [webpage for the Seventh Avenue Service site](#).¹⁶ The webpage provides site information, and you may download cleanup documents.

We may also share information about cleanup sites through [news releases, our ECOconnect blog, and social media](#).¹⁷

¹³ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹⁴ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118

¹⁵ ecology.wa.gov/Events/Search/Listing

¹⁶ <https://apps.ecology.wa.gov/cleanupsearch/site/11348>

¹⁷ ecology.wa.gov/About-us/Get-to-know-us/News

Document repositories

During public comment periods when review locations are possible, you can find print documents at the following locations:

Seattle Public Library – International District/Chinatown Branch
713 8th Avenue South, Seattle, WA 98104
206-386-1300

Washington Department of Ecology
Northwest Regional Office
15700 Dayton Ave N., Shoreline, WA 98133
Please call for an appointment by contacting our public disclosure coordinator at 206-594-0016.

When locations listed above are not accessible, please contact Ecology for document review assistance: Ian Fawley at 425-324-5901 or Ian.Fawley@ecy.wa.gov.

Signs around the cleanup site

We may also install signs displaying information about project status, traffic impacts, and health risks around the cleanup site.

How to share information with us

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods for SEPA documents. SEPA documents are often made available for public review with other cleanup documents. In that case, we combine the comment periods, and they last at least 30 days. We may hold comment periods longer than 30 days.

We may also identify public concerns and cleanup goals by meeting with and soliciting information from interested community members and organizations. To collaborate with us about this site, please contact Ian Fawley at 425-324-5901 or ian.fawley@ecy.wa.gov.

Public comment periods

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

Following a comment period, we publish all the input we received and respond to significant comments and questions, as appropriate. If the comments result in significant changes to the cleanup documents, then the documents will be revised and re-issued for public review. If the comments do not result in significant changes, then they become final.

Public events

We hold in-person and online public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if 10 people request it, and this may cause us to extend a public comment period so the meeting occurs during it.

Events are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

Americans with Disabilities Act

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

Plan Amendments

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Ian Fawley at 425-324-5901 or ian.fawley@ecy.wa.gov.

This plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us.

If you feel the planned outreach activities and mechanisms described in this plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach tools established as a result can be implemented right away, with or without amending this plan.