



## Olympic Water and Sewer Response to Comments

Comment Period: August 19 to October 14, 2021

Cleanup Site ID: 1196  
Facility ID: 62223345  
Address: 781 Walker Way, Port Ludlow, WA 98365  
County: Jefferson

### Documents for review and comment

No Further Action with Environmental Covenant

### Background

The Department of Ecology (Ecology) put the Olympic Water and Sewer cleanup site on the state's Hazardous Sites List when soil and groundwater contamination needed to be addressed under Washington's cleanup law, the Model Toxics Control Act (MTCA). After the cleanup described below, Ecology determined no further cleanup actions were needed at the site. Conditions prevent exposure of people and the environment to contamination.

Public concerns are considered when removing a cleanup site from the list. Figure 1 shows the MTCA cleanup process and points for public comment. Ecology held a public comment period from August 19 to October 14, 2022, about removing the site from the Hazardous Sites List. This document collects the twelve comments that were received and provides responses from Ecology.

### Cleanup Process

Soil and groundwater at the site were contaminated with gasoline and BTEX (benzene, toluene, ethyl benzene and xylene) above state cleanup levels. To clean up the contamination, the owner entered into Ecology's Voluntary Cleanup Program (VCP). Find more on the VCP program at: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanups/Voluntary-Cleanup-Program>

Cleanup actions at the site included removing the source of soil contamination and monitoring groundwater:

- Removed three gasoline USTs.
- Removed 150 cubic yards of contaminated soil.
- Monitoring five groundwater wells and one water-supply well.
- Monitoring water from a stream that occasionally flows during wet periods on the property.

After cleanup, contaminated soil under structures and contaminated shallow groundwater remain at the site. Groundwater is monitored to make sure natural biological degradation reduces the amount of contamination.

In 2016, an environmental covenant was filed on the property. The covenant restricts land use to prevent exposure of people and the environment to the contaminated soil and groundwater. Ecology will continue to operate the long-term groundwater monitoring plan as part of the Environmental Covenant. Ecology will also review overall conditions at the site every five years.

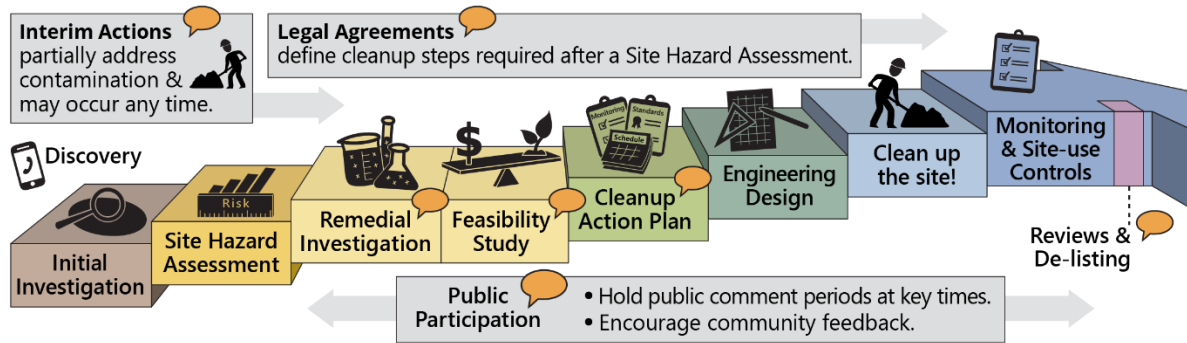


Figure 1. The Model Toxics Control Act (MTCA) is Washington’s cleanup law. There are several steps in the MTCA cleanup process. The comment bubbles indicate major milestones in the process when there is an opportunity for public comment.

A new legal agreement, likely an Agreed Order, to carry out the Cleanup Action Plan will also be available for a 30-day public comment period.

You can follow the progress of cleanup at the [Olympic Water and Sewer webpage](https://apps.ecology.wa.gov/gsp/sitepage.aspx?csid=1196).<sup>1</sup>

**Prepared by**

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Cleanup Project Manager

Matt Fuller  
Public Involvement Coordinator

<sup>1</sup> <https://apps.ecology.wa.gov/gsp/sitepage.aspx?csid=1196>

## **Comment from Ludlow Maintenance Commission (LMC)**

Dear Mr. Middleton,

Ludlow Maintenance Commission (LMC) is a large homeowners association that represents 1,090 property owners in the North Bay portion of Port Ludlow. Cleanup site #1196 is located in the heart of our community.

The LMC Board of Trustees, elected to represent all the owners in our HOA, has voted to communicate our objection to the removal of site #1196 from the Department of Ecology (DOE) Hazardous Sites List. The continued leaching of toxins from this site into the area groundwater needs to be fully and routinely monitored by the DOE-not just once every five (5) years-until completely mitigated.

Since the site still contains contaminated soil and contaminated shallow groundwater, we believe that State oversight only every five years is insufficient to ensure that Olympic Water and Sewer Inc. (OWSI) completes the cleanup. OWSI has recently drilled a new drinking water well on the 781 Walker Way site and there is a seasonal stream adjacent to this property. Our owners are concerned that if not monitored, at least annually, leaching toxins could have a devastating effect on our community.

On behalf of our membership, we urge the DOE to continue to oversee Site #1196, and not remove it from the Hazardous Sites List.

Sincerely,  
Vaughn Bradshaw, President  
Ludlow Maintenance Commission

### **Response from Ecology**

Thank you for your letter noting your objection to the removal of the Olympic Water and Sewer cleanup site from Ecology's Hazardous Sites List (HSL). As we noted during the homeowners meeting Ecology attended via teleconference on October 13, 2022, removal from Ecology's HSL does not mean that all Ecology oversight will go away. Per the Environmental Covenant filed on the property, the property owner is required to monitor/test all the wells on the property as well as collect samples from the intermittent stream as available. This testing requirement also includes the existing water supply well (Well #2) as well as the new water supply well (Well #18). Testing is conducted on an annual basis and the results from these groundwater sampling events are reviewed by Ecology when received. Should a change in the groundwater conditions be observed, Ecology can re-open the Site as needed to address this. Per the Uniform Environmental Covenants Act (UECA) these annual reports are re-evaluated on a 5-year basis and a determination on the status of the Site is conducted.

The removal of the Site from the HSL is done to note that the Site has been investigated and the data provided to Ecology indicates that the Site has been defined and risks to human health have been adequately addressed. At the Olympic Water and Sewer Site, the area of

contamination (soil and groundwater) is known and the Environmental Covenant on the property ensures that changes can be tracked.

### **Comment from Katie Smith**

There is a great concern relating to groundwater that migrates downstream, and that should be part of the reason for keeping the site on the watchlist - to monitor the contaminants at the site, not wait to see that pollution affect the shoreline.

#### **Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see the comment addressing the LMC's concerns above for answers to some of your questions.

### **Comment from Michael Nilssen**

The site of 781 Walker Way, Port Ludlow, WA, should remain on the Hazardous Site watchlist by the State of Washington Department of Ecology. Water and our habitat are a critical ecosystem for this community. On June 30, 2015, the Jefferson County Public Utility District (PUD) produced a Water System Acquisition Feasibility Study in concert with Olympic Water and Sewer Inc (OWSI) which indicated that the former owner (Pope Resources) in 2013, agreed it "would enter into an agreement with the Department of Ecology Voluntary Cleanup Program (VCP) in order to obtain a No Further Action (NFA) determination for the property." There was a plan proposed, and I believe accepted with the Department of Ecology, Pope Resources and OWSI to continue, "a remediation plan on natural attenuation and continued to be monitored" by Pope Resources and OWSI. The Department of Ecology should strongly consider the new purchasing entity along with OWSI, Rayonier Inc. (NYSE:RYN), a publicly traded corporation, to continue the responsibility for the Port Ludlow Well 2 groundwater monitoring and mitigation plan. The Port Ludlow community must be protected from any pollution around the 781 Walker Way well as well as any downhill migration to and into the Port Ludlow Bay. Therefore, I strongly request that the Washington Department of Ecology require Rayonier, Inc and OWSI continue to monitor for hydrocarbon intrusion at this site and down the Osprey confluence to the Port Ludlow Bay

#### **Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. The monitoring requirements spelled out in the long-term groundwater monitoring plan and recorded in the Environmental Covenant (EC) for the Site are applicable to the owner of the property so if the property changes hands down the road the EC remains with the property thus the new owners would need to ensure monitoring is conducted.

### **Comment from Jennifer Warburton**

Upon reviewing relevant documents related to this cleanup project, I strongly recommend continued and ongoing monitoring of water quality at the site for new well #18 and old well #2. Well #18 is for drinking water and my understanding is that well #2 has been "decommissioned" and no longer used

for drinking water. ASPECT Consulting's Transmittal Letter, dated 5/20/22, outlines Year 3 (2022) water quality monitoring results for both wells #18 and #2. Well #18 monitoring results show TPHs-Gasoline Range Organics at 120 and BTEX Toluene at 38. While both monitoring results are below MTCA Method A Cleanup Levels, both results are above those of well #2. It seems very important for ongoing testing/monitoring to continue to ensure well #18 used for drinking water shows a continued decline (and hopefully elimination) of these two contaminant levels as well as other contaminants listed. This will further support the integrity of the cleanup project and most importantly ensure clean and healthy drinking water in our community. Thank you.

**Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. It is Ecology's understanding that the water supply well #2 is no longer being used to supply drinking water; however, it is not currently decommissioned. Well #2 will continue to be tested as part of the long-term groundwater monitoring plan until which time it is properly decommissioned. Regarding the contaminants detected in the water supply well #18, Ecology is aware of these low level detections and will continue to monitor trends of these contaminants over time.

**Comment from Diane Hill**

Do Not take this site off the list!!!

**Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to your question.

**Comment from Anonymous**

I live 2 doors from this site and had to put up with months and months of noise and bad smells while they were digging. Since it is still contaminated, it should absolutely be monitored regularly and often. Our water comes from wells and it is critical that we have (and pay for) safe water. What happens when it is "monitored?" Will they clean it up further?

**Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. Please note that drinking water quality is monitored by the Washington State Department of Health as well as your local Jefferson County Public Health Department. The local health department is receiving (and will continue to receive) the annual groundwater monitoring reports from the Olympic Water and Sewer Site. Regarding your question about monitoring and further cleanup. The long-term groundwater monitoring plan is put in place to provide Ecology with the data it needs to evaluate how effective/protective the cleanup of the Site was. If data indicates that the cleanup was not effective/protective over time, the Site can be re-opened and another method of cleanup may be chosen.

### **Comment from T Jackson**

My request is to keep the site at 781 Walker Way, Port Ludlow, on the State of Washington watchlist. It is critical for the water safety of our village to continue to be monitored by the state. Studies show that water contaminants could continue to leach into our crucial water supply for an extended period of time, and can cause harm to its residents.

#### **Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. Please note that drinking water quality is monitored by the Washington State Department of Health as well as your local Jefferson County Public Health Department. The local health department is receiving (and will continue to receive) the annual groundwater monitoring reports from the Olympic Water and Sewer Site.

### **Comment from Robert Chanpong**

The OWSI Cleanup Site should remain on the Hazard Sites List and the site be reviewed on a regular basis. Leakage of petroleum products from the contaminated soil at the site could enter nearby aquifers which currently provide safe drinking water for the community. Regular inspections of the site could help avoid such an occurrence.

#### **Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. Please note that drinking water quality is monitored by the Washington State Department of Health as well as your local Jefferson County Public Health Department. The local health department is receiving (and will continue to receive) the annual groundwater monitoring reports from the Olympic Water and Sewer Site.

### **Comment from Jim Moffitt**

Clean and safe drinking water is the right of all residents. The site at 781 Walker Way, Port Ludlow, WA, should remain on the Hazardous Site watchlist by the State of Washington. It is in the best interests of the residents of Port Ludlow and that of OWSI to continue with Washington states oversight even though OWSI has completed all the required mitigation. Soil characteristics may and can change over time due to manner factors, including geological and climate. Thank you for your consideration in keeping the monitoring program active.

#### **Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. Please note that drinking water quality is monitored by the Washington State Department of Health as well as your local Jefferson County Public Health Department. The local health department is receiving (and will continue to receive) the annual groundwater monitoring reports from the Olympic Water and

Sewer Site. The continued annual long-term groundwater monitoring plan in the Environmental Covenant will provide data so the Site can be evaluated for changes over time.

### **Comment from Joan Johnston**

Regarding the site at 781 Walker Way Port Ludlow WA, it is important for the safety of drinking water of this community to keep this site monitored.

#### **Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. Please note that drinking water quality is monitored by the Washington State Department of Health as well as your local Jefferson County Public Health Department. The local health department is receiving (and will continue to receive) the annual groundwater monitoring reports from the Olympic Water and Sewer Site.

### **Comment from Katie Smith**

The site of 781 Walker Way, Port Ludlow, WA, should most definitely remain on the Hazardous Site watchlist by the State of Washington. This is a private water/sewer District with no other oversight to protect customers. Soil characteristics in this area suffer from serious migration of groundwater and the State needs to help monitor this site for the health of the public.

#### **Response from Ecology**

The Site will continue to be reviewed by Ecology. Please see Ecology's response above addressing the LMC's concerns for answers to some of your questions. Please note that drinking water quality is monitored by the Washington State Department of Health as well as your local Jefferson County Public Health Department. The local health department is receiving (and will continue to receive) the annual groundwater monitoring reports from the Olympic Water and Sewer Site.