



Response to Comments: Plantation Rifle Range Agreed Order, Interim Action, and Public Participation Plan

Bellingham, Washington

Hazardous Waste and Toxics Reduction Program

Washington State Department of Ecology
Northwest Region Office
Shoreline, Washington

May 2023

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Contact Information

Washington State Department of Ecology
Hazardous Waste and Toxics Reduction Program
Northwest Region Office
P.O. Box 330316
Shoreline, WA 98133-9716

Janelle Anderson

Community Outreach Specialist
Telephone: 425-301-6454
email: janelle.anderson@ecy.wa.gov

Val Cramer

Site Manager
Telephone: 425-698-5539
email: valerie.cramer@ecy.wa.gov

Website: [Washington State Department of Ecology](https://www.ecology.wa.gov)¹

¹ www.ecology.wa.gov/contact

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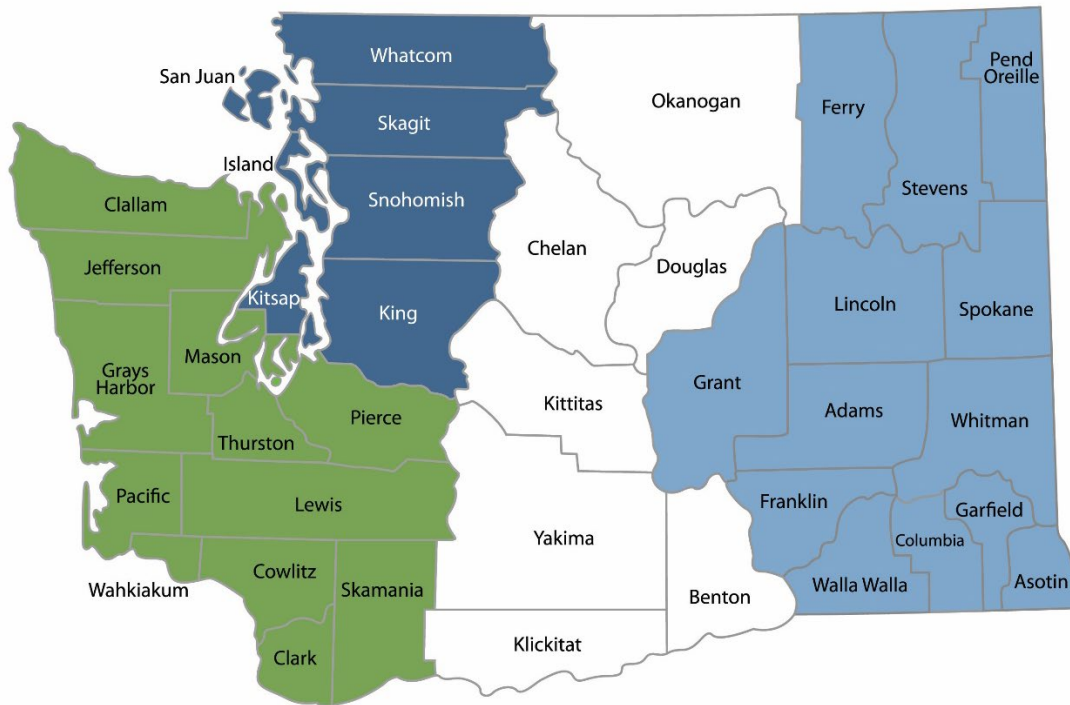
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² www.ecology.wa.gov/accessibility

Department of Ecology's Region 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

Response to Comments

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DEPARTMENT OF
ECOLOGY
State of Washington

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Public Outreach Summary

Plantation Rifle Range is located at 5102 Samish Way in Bellingham, Washington. Whatcom County Parks & Recreation operates the Plantation Rifle Range facility (site). The site opened in 1971. It is located on property owned by Bertch Timberlands, LLC. Whatcom County Parks & Recreation leases the property from Bertch Timberlands, LLC.

Plantation Rifle Range is one of two public shooting ranges in Washington. It consists of an outdoor high-power rifle range, indoor and outdoor small-bore rifle and pistol ranges, a trap field, and a classroom. The high-power rifle range has target lines at 50, 100, 200, and 300-yards. Earthen backstops (to stop bullets) exist behind the 50- and 300-yard target lines. Ruby Creek flows along the eastern boundary of the site's high-power rifle range. Where the creek meets the 300-yard backstop, it enters a pipe running underneath the backstop. The creek re-emerges from the pipe to the southeast of the 300-yard targets.

In addition to Ruby Creek, wetlands are located within and adjacent to the east side of the high-power rifle range. Ruby Creek is a major tributary to Finney Creek, which flows into Lake Samish. Lake Samish is a drinking water supply to area residents around the lake.

In 2020, the Department of Ecology (Ecology) inspected the range and collected surface water samples from the creek. The samples indicated the presence of lead above Clean Water Act standards for aquatic life in freshwater systems. Starting in 2020, Whatcom County began conducting monthly surface water sampling at the site. In 2021, Ecology returned and took soil samples from the range floor. These samples confirmed the presence of lead.

While the amount of lead in the creek is above Clean Water Act standards for aquatic life, the level of lead does not exceed the drinking water action level.

The work to find and remove the lead wastes should be finished in 2023. This will be the first time that lead wastes have been removed since the range opened in 1971.

The range will follow Washington State's [formal cleanup process](#)³ as directed under the Model Toxics Control Act ([MTCA](#)⁴).

The agreed order and interim action plan were prepared by Whatcom County and Ecology. The agreed order requires Whatcom County to find site contamination and clean it up. To expedite the cleanup process and take advantage of available funding, the county is assessing the site contamination as an interim action. The public participation plan encourages community involvement in cleanup decisions.

Ecology's public involvement activities related to this comment period (February 13 – March 17, 2023) include:

³ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

⁴ <https://ecology.wa.gov/mtca>

- **Public Notice Mailer:**
 - United States mail distribution of a notice providing information about the cleanup documents and the public comment period. We sent this notice to approximately 2,062 addresses, including neighboring businesses and other interested parties.
 - The notice was also available digitally on [Ecology's website](#).⁵
- **Legal Notice:**
 - Publication of paid display ads in *The Bellingham Herald* on February 10, 2023, and March 10, 2023.
 - Publication of paid display ads in *Cascadia Daily News* on February 8 and 22, 2023, and March 8, 2023.
 - Publication of paid display ads in *Whatcom Watch* in February and March 2023.
- **Site Register:**
 - Publication of four notices in Ecology's Site Register:
 - Comment Period Notice:
 - February 9, 2023
 - February 23, 2023
 - March 9, 2023
 - Response Summary Notice:
 - May 4, 2023
 - Visit [Ecology's Site Register website](#)⁶ to download PDFs of these notices.
- **Media Coverage:**
 - *The Bellingham Herald* ran a story on Tuesday, February 14, 2023, about the cleanup, public outreach, and next steps.
 - *Cascadia Daily News* ran a three-part story on Plantation Rifle Range, including a story about the cleanup of the outdoor ranges, on Wednesday, March 1, 2023.
- **Social Media:**
 - **Blog:** On Tuesday, February 14, 2023, Ecology posted a story on [Ecology's blog](#),⁷ which has approximately 3,760 email subscribers.

⁵ ecology.wa.gov/PRR

⁶ apps.ecology.wa.gov/publications/UIPages/PublicationList.aspx?IndexTypeName=Program&NameValue=Toxics+Cleanup&DocumentTypeName=Newsletter

⁷ Tackling toxics: Partnering on lead removal at Plantation Rifle Range.
<https://ecology.wa.gov/Blog/Posts/February-2023/Tackling-toxics-Partnering-on-lead-removal-at-Plan>

- **Twitter:** Ecology – Northwest Region @ecyseattle posted a [tweet](#)⁸ on Tuesday, February 14, 2023, connecting readers to the comment period, including the cleanup site webpage.
- **Facebook:** For two weeks beginning on Monday, February 27, 2023, Ecology ran a Facebook ad that reached approximately 40,000 people and got approximately 50,000 impressions.
- **Websites:**
 - Ecology announced the public comment period, posted the public notice mailer (including translations by request in Spanish, German, Russian, Chinese, Japanese, Thai, Arabic, and Tagalog), and made the review documents available on Ecology’s [Plantation Rifle Range webpage](#)⁹ and Ecology’s [Public Inputs & Events webpage](#).¹⁰
- **Document Repositories:**
 - Copies of the review documents and public notice mailer (including translations by request) were available for review at the Bellingham Central Library and Ecology’s Northwest Region Office in Shoreline, Washington.
 - Outreach materials also directed the public to contact Janelle Anderson, Outreach Planner, for document review assistance.

⁸ Ecology - Northwest Region on Twitter: "What’s your take? Comment on the legal agreement to clean up lead at Plantation Rifle Range in Bellingham." <https://twitter.com/ecyseattle/status/1625269646416023552>

⁹ ecology.wa.gov/PRR

¹⁰ ecology.wa.gov/Events/Search/Listing

Comment Summary

From February 13 to March 17, 2023, Ecology invited public comments on the draft agreed order, interim action and draft public participation plan for Plantation Rifle Range.

Ecology received 51 comments from 29 commenters during the comment period.

Table 1: List of commenters

No.	First Name	Last Name	Agency/Organization/Business	Submitted By
1	Amelia	Becke	—	Individual
2	Graham	Melvin	—	Individual
3	Robin	Taylor	—	Individual
4	Janet	Migaki	—	Individual
5	Patrick	Daly	—	Individual
6	Jonathan	Sears	—	Individual
7	Anonymous	—	—	Individual
8	Steph	Grimm	—	Individual
9	Jeff	Grimm	—	Individual
10	Shawna	Burt	—	Individual
11	Tyler	Irwin	—	Individual
12	Cam	MacKenzie	—	Individual
13	Justin	Campbell	—	Individual
14	Tim	Surratt	—	Individual
15	Joseph	Crum	—	Individual
16	Andrew	Rathvon	—	Individual
17	Stephen	Murdock	—	Individual
18	Elan	Engel	—	Individual
19	Josh	Wilder	—	Individual

No.	First Name	Last Name	Agency/Organization/Business	Submitted By
20	Gerald	G.	—	Individual
21	Cindy	Cole	—	Individual
22	Donald	Goodman	—	Individual
23	Mike	Silvers	—	Individual
24	Keith	Fredrikson	—	Individual
25	Richard	Kiene	—	Individual
26	Jon	Pulver	—	Individual
27	Anne	Cantrell	—	Individual
28	Anonymous	—	—	Individual
29–51	—	—	Whatcom County	Whatcom County

Next Steps

Ecology has reviewed and considered the public comments received on the documents.

Beginning in May 2023, Whatcom County and their contractor will begin investigating site contamination as outlined in the interim action work plan. After the extent of contamination is known, areas above cleanup levels will be excavated and transported to a hazardous waste landfill. When the site is clean, the County will investigate what changes must be made to operate an outdoor range in compliance with all regulations. If the County decides to proceed with improvements to the outdoor range, those changes will be made. Then the outdoor range can reopen. The indoor range will reopen sooner, likely in summer 2023, when upgrades to the indoor air handling system are complete.

See the graphic below and visit Ecology's [cleanup process webpage](#)¹¹ to learn more about Washington's formal cleanup process.

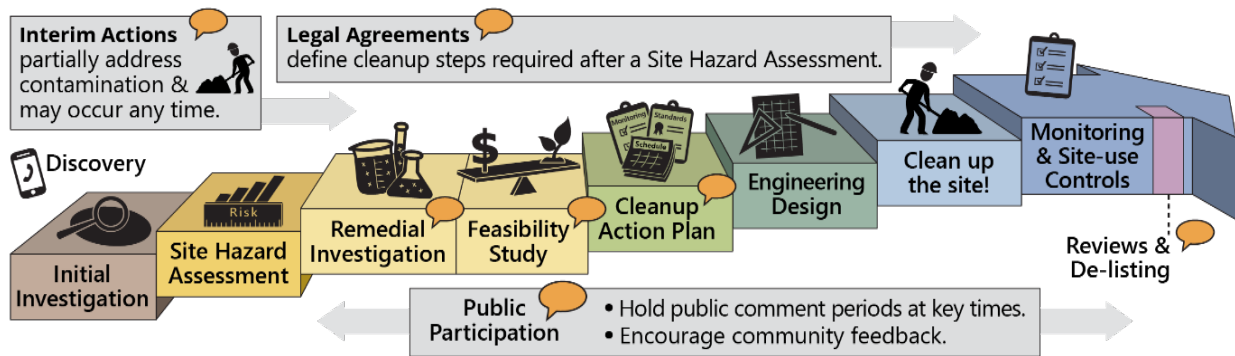


Figure 1: Washington's formal cleanup process ([download a text explanation](#)¹²).

¹¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

¹² <https://apps.ecology.wa.gov/publications/parts/1909166part2.pdf>

Comments and Responses

The public comments are presented below, along with Ecology's responses.

Comment from: Amelia Becke

Comment I-1-1

Contamination cleanup at this range is overdue by many decades, the only right thing to do is begin this work promptly and eliminate outdoor range activities. Only indoor range activities should be permitted in future.

Response

We agree that the right thing to do is to clean up the contamination. Ecology's understanding is that the indoor range is closed to repair the air handling system. When the repair is complete, the indoor range will reopen. The cleanup gives the County an opportunity to assess, design, and redevelop an outdoor range. Without access to an appropriate outdoor range, sportsmen will practice in other areas, unmanaged for shooting activities. This can pose health and safety risks for other members of the public. We prefer that shooting practice be done where the bullets can be collected.

Comment from: Graham Melvin

Comment I-2-1

I believe the plantation range is an incredible resource for the community and I question the validity of taking concentrated samples from within the range and implying that they will have an impact on the overall water quality of Lake Samish. My understanding is that the samples in question were taking from standing surface water in range. Has sampling been completed in Ruby Creek and Finney Creek? If there's no measurable contamination outside of standing surface water in the range I believe this may be an inappropriate use of resources and unnecessary closure of the range.

Response

We understand that the county values the range as a community resource. The range will need to be cleaned up and redesigned so that it can operate without negative impacts to the environment. Ruby Creek flows along one of the two outdoor ranges. Samples that were collected from Ruby Creek showed lead concentrations at levels harmful to fish and aquatic life. We are working with Whatcom County to provide a safe and well-designed range for shooting practice that also protects our wildlife areas.

Comment from: Robin Taylor

Comment I-3-1

I have used the Plantation Range off and on for 30 years. I've trained there, competed there, and prepared for many a hunting season with family. The publicly-viewable facts say it all: "While the amount of lead is above Clean Water Act standards for aquatic life, the tests are below the standard for drinking water." To wit; the runoff is so clean we'd give it to schoolchildren to drink.

1. Reopen the range during the research phase. The existing pollutants were deposited slowly over 40 years and DO NOT represent an imminent threat. There is no reason to stop using the range while a cleanup solution is found. 2. As I understand it, Whatcom County has done ZERO lead reclamation on the rifle/shotgun range site -- in 30-plus years of constant use! Where is the lead management plan? Other ranges nearby (Custer, Lynden, Bellingham. .) have been doing mechanical reclamation as part of their lead management plans for decades. Simple steps like mining out the lead in the "hotspots" (the bullet impact areas in the backstops), and reclaiming the lead shot left on the ground from the shotgun range should reduce the already-low runoff levels even further. Again, reopen the range during the research process, and begin doing the obvious, commonplace maintenance that Parks should have been doing all along.

Response

The US Environmental Protection Agency has determined that there is no amount of lead that is safe for people to consume. It accumulates in our bodies and damages our central nervous system. There is an action level for lead, and thus far, the creek is below the human health action level. However, this does not mean the water is safe to drink freely.

Plantation Rifle Range is a community resource that has been in operation for over 50 years. It is not safe for the range to operate during the cleanup process. It would not be physically safe for cleanup workers to be present on a live firing range. Additionally, it would not be acceptable to continue contaminating the range. The range must be modified so that lead can be captured and collected regularly. Whatcom County is doing their best to clean up, redesign, and return a more functional, and more environmentally responsible, range to the community.

Here are several links to additional resources for lead waste and lead toxicity:

[Lead waste - Washington State Department of Ecology](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Lead-waste)¹³

[Facts about lead and its human effects - King County](https://kingcounty.gov/depts/health/environmental-health/toxins-air-quality/arsenic-lead/about-lead.aspx)¹⁴

[Learn about Lead | US EPA](https://www.epa.gov/lead/learn-about-lead)¹⁵

¹³ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Lead-waste>

¹⁴ <https://kingcounty.gov/depts/health/environmental-health/toxins-air-quality/arsenic-lead/about-lead.aspx>

¹⁵ <https://www.epa.gov/lead/learn-about-lead>

Comment from: Janet Migaki

Comment I-4-1

the Plantation Rifle Range should be held accountable for the pollution it allowed to happen. Plantation Rifle Range is responsible for ALL clean up costs and costs related to restoring the area to original pristine conditions.

Should they go bankrupt, as expected, then follow next steps in recovering costs and demanded full clean-up .

Should they go bankrupt, let it be a lesson learned, and require laws that require companies pay into an environmental cleanup fund for future environmental cleanup

Response

We agree that the right thing to do is to clean up the contamination. The way our state's cleanup law (the Model Toxics Control Act) is written, the polluter pays. We do not yet know if one or both of the outdoor ranges can be redesigned and retrofitted to reopen safely. The cleanup gives the County an opportunity to assess, design, and redevelop the outdoor ranges. Without access to an appropriate outdoor range, sportsmen will practice in other areas, unmanaged for shooting activities. This can pose health and safety risks for other members of the public. We prefer that shooting practice be done where the bullets can be collected.

Comment from: Patrick Daly

Comment I-5-1

I would like to voice my support for the cleanup of the range. Plantation is a community staple that has given generations of new and old shooters a place to learn proper firearm etiquette, handling, safety, and firing. Cleaning the hazardous material and allowing this range to operate for generations to come will be doing our kids, and our kids' kids a tremendous service.

Response

We agree that the right thing to do is to clean up the contamination. We do not yet know if one or both of the outdoor ranges can be redesigned and retrofitted to reopen safely. The cleanup gives the County an opportunity to assess, design, and redevelop an outdoor ranges. Without access to an appropriate outdoor range, sportsmen will practice in other areas, unmanaged for shooting activities. This can pose health and safety risks for other members of the public. We prefer that shooting practice be done where the bullets can be collected.

Comment from: Jonathan Sears

Comment I-6-1

Ever since the closure of plantation rifle range it has made the surrounding forest lands more dangerous, it has put a lot of pressure on the DNR with the influx of shooters trying to find

public land to shoot on. Citizens of Whatcom and Skagit County have no easily available places to shoot rifles now that Plantation is closed. This forces people to use public land which is in short supply as it is. There has to be a responsible public outlet for citizens to use and exercise their 2nd amendment right.

Response

We do realize that closing a range means surrounding public lands are used for target practice. Whatcom County and Ecology are working together to expedite the cleanup and to determine how the range can be modified to safely manage lead waste. The cleanup gives the County an opportunity to assess, design, and redevelop the outdoor ranges.

Comment from: Anonymous

Comment I-7-1

Clean the entire area. Remove all structures. Restore the creek's natural flow. Close the range permanently. End lease from timber company.

Response

We agree that the right thing to do is to clean up the contamination. We do not yet know if one or both of the outdoor ranges can be redesigned and retrofitted to reopen safely. The cleanup gives the County an opportunity to assess, design, and redevelop the outdoor ranges. Without access to an appropriate outdoor range, sportsmen will practice in the wilderness. We prefer that rifle practice be done where the bullets can be collected. Ecology's role is to ensure that businesses' operations do not contaminate the environment.

Comment from: Steph Grimm

Comment I-8-1

The environmental and community costs of the Plantation Rifle Range outweigh any benefits.

Response

Ecology's role at this site is to make sure contamination is cleaned up and ensure that any future operations do not contaminate the environment.

Comment from: Jeff Grimm

Comment I-9-1

It is alarming that a recreational activity is causing incredible potential harm to our local ecosystem due to contamination. Furthermore, this harm is being subsidized by the county taxpayers.

The range is also an annoyance due to the sound of guns firing. We live about 3 miles away and can hear the firing (when the site was active).

Response

Plantation Rifle Range will clean up the existing contamination and redesign the outdoor range to prevent negative environmental impact. Your concerns about noise will be shared with the County.

Comment from: Shawna Burt

Comment I-10-1

After cleanup, the ranges should be closed permanently.

Response

Plantation Rifle Range will clean up the existing contamination. It will reopen an outdoor range only if it can be redesigned and retrofitted to prevent negative environmental impact. The cleanup gives the County an opportunity to assess, design, and redevelop the outdoor ranges. Without access to an appropriate outdoor range, sportsmen will practice in other areas, unmanaged for shooting activities. This can pose health and safety risks for other members of the public. We prefer that shooting practice be done where the bullets can be collected.

Comment from: Tyler Irwin

Comment I-11-1

I am in full support of fully expediting any effort to remediate and reopen the Plantation Range. This facility has been a staple for recreational shooting for decades and any support from the state and local organizations needed to help further the cause for reopening this range should be accepted and expedited as well.

Response

Ecology will oversee the cleanup of contamination at Plantation Rifle Range and Whatcom County will need to redesign and retrofit Plantation Rifle Range to prevent negative environmental impact. Without access to an appropriate outdoor range, sportsmen will practice in other areas, unmanaged for shooting activities. This can pose health and safety risks for other members of the public. We prefer that shooting practice be done where the bullets can be collected.

Comment from: Cam MacKenzie

Comment I-12-1

I am a supporter of Plantation Rifle Range. While we must balance our environmental responsibility, PRR is a local and affordable option that has helped me practice shooting sports and encourage others to learn safe firearms handling. I am in full support of expediting the clean-up process to create a safe and accessible shooting range for our community.

Thank you for your time and consideration. I find PPR to be a valuable part of my Bellingham experience and look forward to its return.

Response

Whatcom County is striving to remediate and redesign Plantation Rifle Range so that they can reopen to the public.

Comment from: Justin Campbell

Comment I-13-1

I believe that the public greatly benefits from the Plantation Rifle Range's continued operation, and that the service it provides also necessitates increased investment, such as immediate lead cleanup and abatement. Additionally, I believe that the range should also make available and sell lead free ammunition for use upon the premises.

Thank you for your time and consideration.

Response

Cleaning up and redesigning the range will require investment. Whatcom County is working diligently to clean up and redesign the range. The sale of lead-free ammunition on the premises is an interesting idea that we will share with the County.

Comment from: Tim Surratt

Comment I-14-1

I was a volunteer Range Safety Officer and Firearms Instructor at Plantation from about 2010 to 2020. As such I am pretty familiar with the operation of the range. I have a few points to make regarding the scope of the project, in particular the areas considered and the material that may be present.

First, regarding the outdoor small bore range. If you look carefully at the geometry of actual usage, which is to say where a bullet would go based on target placement, then the area you should treat should go at least 50 yards past the 'berm' at the end of the range. At times target frames were used that were over 6 feet tall. Place a 6 foot tall frame at the 21 foot line then consider the trajectory of a bullet fired from shoulder height at a target on the top of said stand. Shooters often put 4 or 6 targets on a target frame. I have witnessed bullet impacts well over the berm, perhaps 25 - 30 yards up the hill on a regular basis.

Second, as your various reports state, no mitigation has been done since the range opened. In fact, if you have access to records of the original design, you will find that the berm on this range was originally much higher than it is currently. This means that in later years of operation it was more likely that bullets would go over the berm. When the site is repaired, the berm needs to be raised to the appropriate height. Further, a maximum height of target frames should be specified to reduce bullets past the end of the range.

Third, the use of the facility by law enforcement has resulted in a more varied pattern of bullet dispersal. For example, I came to the range on days after law enforcement use to find evidence of rounds have ricocheted off of the steel panels on the left side of the range, in some instances at head height. There are houses several hundred yards downrange that have found stray bullets on their property. During normal hours of operation, shooting was constantly monitored and I can not remember a firearm every being discharged at an elevation that would clear the hill behind the range. No such statement can be made for law enforcement usage. Further, there may be some number of live rounds (cartridges) downrange on both the small bore and high power ranges as law enforcement would simply cycle their firearms and keep shooting in their exercises and never appeared to have cleaned up. This was so prevalent that a number of shooters would 'scavenge' for live rounds during cease fires when shooters could go downrange.

The essence of this comment is that I encourage you to go beyond simple site analysis to consider the operation characteristics of the facility, especially the small bore range, in your plan for remediation. It is also the case that few personnel who currently work at the range have operational knowledge or experience with the small bore range in particular. I can be contacted either for more information or for suggestions of others with whom to talk.

Response

Thank you for this detailed information. Your personal recollection supports our observations that the berm on the small bore range was shot over (based on visible tree damage). The remedial investigation phase of the project will delineate where contamination has come to rest, and then the final cleanup plan will be designed. In addition, there is need to redesign the outdoor range to allow for bullets to be captured behind the targets for reclamation and to prevent errant shots from 'missing' the collection devices behind the targets. There will be additional opportunities for public comment when we get to the cleanup planning and design phases of this work.

Comment from: Joseph Crum

Comment I-15-1

I agree with the interim action to expedite the clean up process. This is the only publicly available range of it's kind. This is an invaluable resource to the sportsmen in the area and allows for the safe use of firearms. Delayed clean up action pushes firearm use into possible dangerous situations or discharge into other wildlife areas where no clean up will occur.

Response

The County is trying to remediate and redesign Plantation Rifle Range as soon as safely possible. We also realize that providing a safe and well-designed place for shooting practice protects our wildlife areas.

Comment from: Andrew Rathvon

Comment I-16-1

I have been a life long user of the Plantation range and fully support cleaning it up and updating the facility too.

Facilities like Plantation are necessary to provide a safe place to shoot and teach our children gun safety and marksmanship. Without Plantation you would see a significant increase in shooting in potentially unsafe and unregulated locations.

Response

It is Ecology's intent to support the cleanup and potential reopening of the Plantation Rifle Range outdoor ranges. We also realize that providing a safe and well-designed place for shooting practice protects our wildlife areas.

Comment from: Stephen Murdock

Comment I-17-1

My family lives and works in Whatcom County. We enjoy and appreciate the safe, controlled and affordable opportunity for target shooting that PRR provides and we wholeheartedly support any effort within reason that will allow the range to reopen to the public as soon as possible.

Response

It is Ecology's intent to support the cleanup and potential reopening of the Plantation Rifle Range outdoor ranges. We also realize that providing a safe and well-designed place for shooting practice protects our wildlife areas.

Comment from: Elan Engel

Comment I-18-1

Please make the cleanup happen quickly. This is a great community resource and has been missed.

Response

The County is trying to remediate and redesign Plantation Rifle Range as soon as safely possible. We also realize that providing a safe and well-designed place for shooting practice protects our wildlife areas.

Comment from: Josh Wilder

Comment I-19-1

Please repair the range as needed. There is a huge shortage of shooting ranges in Western Washington. To close this one without a replacement will impact many and drive shooters to spots that are not ideal.

Response

We agree that the right thing to do is to clean up the contamination. This cleanup process will allow the County an opportunity to assess, design, and redevelop the outdoor ranges. Without access to an appropriate outdoor range, sportsmen will practice in other areas, unmanaged for shooting activities. This can pose health and safety risks for other members of the public. We prefer that shooting practice be done where the bullets can be collected.

Comment from: Gerald G.

Comment I-20-1

I am in full support of any remediation necessary to cleanup and reopen this outdoor range. A safe place to use firearms is vital for firearms safety education. This site has been used for decades by thousands of people for decades now.

Response

The County is trying to remediate and redesign Plantation Rifle Range as soon as safely possible. We also realize that providing a safe and well-designed place for shooting practice protects our wildlife areas.

Comment from: Cindy Cole

Comment I-21-1

The park department should proceed with clean up of the site as soon as possible. When the site passes inspection and no longer has lead contamination it should be permanently closed. The parks and recreation department has not followed the rules for operating a rifle range. I do not think they should be allowed to operate a rifle range and put the health and wellbeing of the environment at risk. Thank you

Response

Whatcom County must clean up the existing contamination and redesign the outdoor range to prevent negative environmental impact. Ecology is responsible for ensuring that their cleanup meets the standards in the law. It is also Ecology's responsibility to ensure that all operating rifle ranges follow environmental protection laws. It is Whatcom County's decision whether or not to reopen the range.

Comment from: Donald Goodman

Comment I-22-1

Thank you for the opportunity to comment. As a resident of Lake Samish (Finney Creek runs through my property) I fully support the cleanup of contamination at the Plantation Rifle Range. I also support the continued use of the Plantation Rifle Range in such a manner to reduce the impact of rounds in the soil on the environment in the future.

Response

Ecology is committed to making sure contamination at this site is cleaned up. The County is working to bring an improved range back for public use as soon as possible.

Comment from: Mike Silvers

Comment I-23-1

every outdoor shooting range operating club in the state has for a long time wanted to recycle lead from ranges. many have asked DOE for guidance. the clubs can remove spent bullets, separate the lead and copper jackets . that technology is available. the work can be done safely by volunteers. the copper alone will bring enough returns to make a sizeable return to the clubs. some of the reclaimed lead would go back into the berms, as cast bullets. cutting the amount of lead going into the ground . some sold as reclaimed lead. the net effect is a very positive effect on the clubs and the environment the clubs want to protect. the problem is the absolute stone wall by the department of ecology . the department refuses to allow any information on regulations to be made available to the public.

Response

You have asked the agency about recycling lead and copper from the ranges repeatedly over the past several months. We have provided information to you that is within the scope of the Ecology's work and we have provided you with additional resources. There isn't a safe way for volunteers to separate the lead from copper. Such separation involves heating, and heating lead releases toxic lead fumes. Recycling of lead products must be done by trained staff in a facility with an appropriate air handling system to capture the lead fumes.

Here are several links to additional resources for lead waste and lead toxicity:

[Lead waste - Washington State Department of Ecology](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Lead-waste)¹⁶

[Facts about lead and its human effects - King County](https://kingcounty.gov/depts/health/environmental-health/toxins-air-quality/arsenic-lead/about-lead.aspx)¹⁷

[Learn about Lead | US EPA](https://www.epa.gov/lead/learn-about-lead)¹⁸

¹⁶ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Lead-waste>

¹⁷ <https://kingcounty.gov/depts/health/environmental-health/toxins-air-quality/arsenic-lead/about-lead.aspx>

¹⁸ <https://www.epa.gov/lead/learn-about-lead>

Comment from: Keith Fredrikson

Comment I-24-1

Thank you for taking comments on the Plantation Rifle Range cleanup process.

I would like to see a significant change in the way this rifle range and all rifle ranges are treated by regulatory agencies. I understand that there are 17,000 rifle ranges in the United States and that the EPA does not regulate them. I hope the the DOE is being more proactive and protective of the environment here in this state. I would like to see the Department of Health involved in this cleanup process. My neighbors around Lake Samish take drinking water from that lake, so the DOH should monitor the downstream lead levels.

I am also concerned that there may be wetlands contaminated with lead on or near the range. All areas contaminated with lead should be delineated to determine if they are wetlands.

This range, like all others have a long history of operating without regulatory oversight. What mechanisms will the DOE put in place to make sure that this site will not become contaminated again? How is that possible if this land is used as a rifle range in the future?

It is very important to me that the costs of cleanup are born by the people who put the lead there. That means the operators and the shooters. The EPA made it clear publicly that the railroad company responsible for the train wreck and contamination in East Palestine Ohio would be made to pay for cleanup. I want the DOE to do the same thing here. There is no reason that non shooters should be made to pay for this, either in financial terms or in degraded human health.

Protect the land, the ecology. That is your department. This was once a beautiful pristine landscape. It is now contaminated in a slow train wreck. Please make this right and ensure that it stops happening in this state.

Response

Plantation Rifle Range must clean up the existing contamination wherever it has come to be, in the soil, or in the wetlands, or in the creek. If the outdoor range is reopened, it must be redesigned, equipped, and operated in a way that prevents negative environmental impact. Ecology is responsible for ensuring that their cleanup meets the standards in the law. We inspect all facilities generating hazardous waste, including rifle ranges, to ensure that they operate in compliance with laws designed to protect our environment. Is it up to the county whether they will reopen the range or not. They must balance the needs of all residents.

Comment from: Richard Kiene

Comment I-25-1

As a citizen who has used Plantation Rifle Range and its several uses for firearms it has been an integral part of the community. Understanding that the projectiles used by many if not all weapons used for target practice, sighting a weapon for hunting and the simulation of real action for bird hunting accuracy is a valuable part of the community. It is a very necessary part

in the pursuit of safe weapon handling and training on the use of firearms for hunts of wild-game and varmints, training of individuals on the safe use of firearm weapons for accuracy. PRR is a valuable resource for hunters honing their skills for recreational, target, open field hunting which until hunting requirements for projectiles changed from lead to steel was common place throughout the USA. It is recognized that lead is a toxin (as well as smaller amounts of other components of ammunition) and needs to be mitigated at PRR, that said a long and prolonged time frame for clean up of PRR will be detrimental to the community. Why? Because like other facets of our human existence people will seek the least course of resistance and thus find less safe places to do so, putting the whole community at a larger risk of unsafe activity. That is why I support a well organized and reliable clean up, in a timely fashion for the community at large but not a protracted bureaucratic struggle. In the pursuit of cleanup reactionary people need to coexist so that others may also enjoy their activities. Lastly, all law enforcement departments, bureaucracies have/also use/used this facility in their jobs of public safety. Thank You for the opportunity to comment on a timely, cleanup.

Response

Ecology and Whatcom County have entered into an expedited settlement agreement and implemented an interagency agreement to allow an interim cleanup action. It may seem slow, but this cleanup is moving much more quickly than our standard process. The County is doing all they can to work with Ecology to clean up the range and restore a more functional and environmentally responsible range as soon as possible. We realize that a lack of safe, well-designed places to shoot pushes people into wilderness areas to practice. We are working with Whatcom County to provide a safe and well-designed range for shooting practice—one that also protects our wildlife areas.

Here are several links to additional resources for lead waste and lead toxicity:

[Lead waste - Washington State Department of Ecology](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Lead-waste)¹⁹

[Facts about lead and its human effects - King County](https://kingcounty.gov/depts/health/environmental-health/toxins-air-quality/arsenic-lead/about-lead.aspx)²⁰

[Learn about Lead | US EPA](https://www.epa.gov/lead/learn-about-lead)²¹

Comment from: Jon Pulver

Comment I-26-1

As a Whatcom County resident who lives on Lake Samish and is directly affected by the potential hazardous waste exposure of this facility, I appreciate the effort and expense that is going into the remediation to address the runoff from the Plantation Rifle Range. I also, as a

¹⁹ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Lead-waste>

²⁰ <https://kingcounty.gov/depts/health/environmental-health/toxins-air-quality/arsenic-lead/about-lead.aspx>

²¹ <https://www.epa.gov/lead/learn-about-lead>

lifelong resident of the County, recognize the benefit of the facility and would like to stress the importance of it as a resource for the community.

Having grown up in Whatcom County, I remember driving up Blanchard Mountain and seeing the wrecked cars and TV's that had been shot and hearing the gunshots going off on hikes up to Lizard and Lilly lake. With the development of that area over the past few decades there has been a drop off, however recently the amount of gunfire heard in that area has gone up. The Plantation Rifle Range has provided a regulated and safe facility for responsible gun owners to zero and practice for decades. Allowing it to close will drive shooters onto the logging roads and areas where other people are recreating and inadvertently cause a hazard to far more people in the long run.

The Plantation Rifle Range has always been ridiculously inexpensive to use, so increasing the rates exponentially for that facility would be a minimal nuisance to the users given the cost of ammunition, gas and firearms associated with shooting. I would suggest that spending the money to update the design in order to have a modern and sustainable rifle range is a good long term investment for the community. Driving the hunting and shooting community onto unregulated DNR and logging roads is reckless and endangers hikers and bikers who utilize those resources. Especially with the development of Blanchard, Galbraith and surrounding areas into biking and hiking destinations, it's extremely important to the community that shooting and any firearm related activities be relegated to areas that are designed to enable a safe environment for the community.

Response

Ecology will make sure contamination at this site is cleaned up. The County is working to bring an improved range back for public use as soon as possible. We also realize that providing a safe and well-designed place for shooting practice protects our wilderness areas and people recreating in those areas.

Comment from: Anne Cantrell

Comment I-27-1

I reside to the north of Plantation Rifle Range and they border on my property.

I would like to request a public meeting for the cleanup of Plantation Gun Range as I believe there are more interested neighbors as indicated my a meeting with them.

We have indications that perimeter land abutting Plantation has experienced bullet intrusions and we would like to ensure that the clean up would include our neighborhood as well with a perimeter radius of affected locations as the range firing line.

I would like to hear from experts as there are wells in our neighborhood that could be affected. The point is that Plantation hasn't just impacted their boundaries, but it has gone beyond. I think that a public meeting could air concerns with the our community as well as there have been public comments that in roads surrounding that bullets have gone by with people testifying of such in the Galbraith biking park.

As a citizen, we all have to follow rules with pollution, wetlands, and other sensitive ecological impacts and Whatcom County Parks Dept is not excluded. This is public concern, not just something that requires no public input.

Thanks. Anne Cantrell

Response

This request for a meeting is the first we have received. Ecology is committed to making sure contamination at this site is cleaned up. The “site” includes everywhere contamination has come to rest, not just the Plantation Rifle Range property. We are working with the County to offer well testing for neighbors that might be affected by Plantation Rifle Range and its lead contamination.

If the County reopens an outdoor range, the new range will have to be designed and equipped to ensure that all bullets fired end up in the collection containment. We also realize that providing a safe and well-designed place for shooting practice protects our wildlife and recreation areas.

Comment from: Received via voice mail, anonymous caller

Comment I-28-1

“My idea is to put up walls on the sides and have them shoot into something that stops and catches the bullets so they can be recycled and don’t go into the creek or stormwater.”

Response

We are working with Whatcom County to provide a safe and well-designed range for shooting practice—one that also protects our wildlife areas. The cleanup gives the County an opportunity to assess, design, and redevelop the outdoor ranges. Without access to an appropriate outdoor range, sportsmen will practice in other areas, unmanaged for shooting activities. This can pose health and safety risks for other members of the public. We prefer that shooting practice be done where the bullets can be collected.

Comments #29-#51 from Whatcom County

County comments on the draft agreed order were submitted during the public comment period to speed up the process.

Comment 29

Section I. Introduction: Pg. 2 – Clarify that the indoor range is not included as part of the Agreed Order and/or that it is not subject to the closure. The County desires to operate the Indoor range for the benefit of the public and local law enforcement agencies, when it is able and it is appropriate.

Response to I-29-1

Ecology agrees that the indoor range will not be part of the Agreed Order and has modified the language in the introduction. See proposed redlines to the order's introduction; see also modified Exhibit A.

Comment 30

Section IV: Pg. 5, N. – Edit parties – strike “Parks & Recreation”

Response to I-30-1

Edit made to that definition paragraph in the Agreed Order.

Comment 31

Pg. 5, O. – Edit PLPs description – Remove reference to Bertch Timberlands, LLC. Strike “Parks & Recreation”

Response to I-31-1

Ecology struck “Parks and Recreation” in that definition paragraph in the Agreed Order. With respect to the reference to Bertch Timberlands LLC in the definition of PLPs, Ecology has named Bertch Timberlands as a PLP for this site.

Comment 32

Section V:

Pg. 6, C. – Strike “Ruby Creek” and replace with “Unnamed Creek”. The County cannot find reference to the creek in question being named “Ruby Creek.” State and Federal databases, including the USGS Geographic Names Information System, does not provide an official name for this stream.

Response to I-32-1

The reference to Ruby Creek can be found in *Lake Samish Basin Comprehensive Stormwater Plan*, written by Wilson Survey/Engineering, prepared for Whatcom County (June 1, 2012).

Comment 33

Section VI

Pg. 10, I – Ecology identifies that it has determined that an interim action is warranted under WAC 173-340-430. Ecology does not state what that interim action is in this section.

Response to I-33-1

Whatcom County received the draft Agreed Order from Ecology for review. The draft version was not finalized, including the section about the interim action. An interim action is warranted and needed for Plantation Rifle Range. An “interim action” under the Model Toxics Control Act’s regulations is an action that includes providing “a partial cleanup, that is, clean up hazardous substances from all or part of the site, but not achieve cleanup standards.” See WAC 173-340-430(2)(b). The Agreed Order requires the County to perform closure requirements of the Dangerous Waste Management Units at the site, pursuant to WAC 173-303-610. These closure site actions include the removal of soils containing or contaminated with dangerous wastes. Thus, the closure constitutes an interim action under MTCA.

Comment 34

Section VII Pg. 12, D – Can you share Ecology’s initial thoughts on the need for Environmental (Restrictive) Covenants?

Response to I-34-1

Ecology is striking that sub-section of the “Work to be Performed” section of the Agreed Order. There may be a possibility later that an environmental covenant will need to be recorded for the property as part of MTCA’s institutional control requirements. Institutional controls, which include environmental covenants, are required in cases where: (1) contamination remains at a site in concentrations that exceed the established Method A or B cleanup levels; (2) where Method C is used to establish cleanup levels at a site; (3) where soil cleanup levels are established based on industrial land use at a sites, and (4) where a conditional point of compliance is used at a site. See WAC 173-340-440(4).

Comment 35

Pg. 13, 1. – Any restrictive covenants negotiations and agreements should include Bertch Timberlands, LLC, as they are the landowner.

Response to I-35-1

If it is determined later that an environmental covenant is required for the site, Bertch Timberlands LLC, the property owner, will need to agree to record an environmental covenant for its parcel.

Comment 36

Pg. 14, G – references Section VI.H, should this reference be VI.I?

Response to I-36-1

Edit made to that paragraph of the Agreed Order’s “Work to be Performed” section.

Comment 37

Pg. 15, K – Can you clarify if this project is eligible for reimbursement of remedial action costs under the agreed order? If so, is there an estimated value?

Response to I-37-1

Whatcom County will need to contact Ecology's Toxic Cleanup Program Financial Assurances Unit for questions concerning its eligibility for a future remedial action grant, pursuant to WAC 173-322A-320. Ecology is not accepting applications for remedial action grants at this time. The next solicitation will occur in the first quarter of 2024 for potential funding in the 2025–27 biennium.

Comment 38

Section IX Pg. 15, A. – Can you provide an estimate of remedial costs that County will be obligated to pay?

Response to I-38-1

Ecology does not provide cost estimates for remedial costs (for example, costs incurred for undertaking remedial investigations, feasibility studies, interim actions, or final cleanups).

Comment 39

Pg. 16, B – The project coordinator for the County is: Christ Thomsen, 3373 Mount Baker Highway, Bellingham, WA 98226, 360.778.5850, cthomsen@co.whatcom.wa.us

Response to I-39-1

Ecology has updated the Agreed Order.

Comment 40

Pg. 18, D. Access – County requests the consideration of a change to this section. There is the probability that the Indoor Range will be in operation during at least a portion of the duration of the Agreed Order. To protect the health and welfare of the public, County employees, and Ecology employees the County needs to preserve control over access to portions of the indoor range. The County would agree to make access available once any safety and public use considerations are addressed.

Response to I-40-1

Ecology has updated the Agreed Order to exclude the indoor range and will also consider including specific language in the Closure Plan or Remedial Investigation Work Plan to address this.

Comment 41

Exhibit A: Request modification to the Facility diagram to exclude the Small-bore indoor range. From our understanding, it is not subject to the Agreed Order.

Response to I-41-1

Ecology has updated Exhibit A.

Comment 42

Exhibit B: Pg. 3, 1.4 – the facility dimensions for both the small-bore and high-power appear inaccurate. The County estimates the small-bore range at ~ 20,000 SF and the high-power range at ~230,000 SF. These are conservative estimates. We anticipate they may grow through site characterization.

Response to I-42-1

Yes, Ecology agrees the facility dimensions for both the small and high-power ranges are likely inaccurate as they were both estimates. The actual dimensions will be determined during cleanup activities.

Comment 43

Pg. 3, 1.5 – Current text states “The EPA guidance requires that bullets and shot be removed from the range surfaces and impact berms at least once per year for recycling or disposal.” The County could not find this statement or reference in the EPA’s *Best Management Practices for Lead at Outdoor Shooting Ranges, E{A-902-B-01-001, Revised June 2005*. BMP 3.3, Lead Removal and Recycling does state that ranges in regions with high precipitation and/or with acidic soil conditions may require more frequent lead recovery since the potential for lead migration is greater, where regions with little precipitation or alkaline soils, spent bullets may be allowed to accumulate on the soil for a longer time between reclamation events. Range design and use patterns are among other considerations when determining the frequency of lead reclamation. The County recommends determining future lead reclamation frequency based on analysis, design, records, etc.

Response to I-43-1

Within EPA’s *Best Management Practices for Lead at Outdoor Shooting Ranges*, it states “the NRA recommends a frequency of one to five years for lead cleanup, even on ranges with minimal use” (Chapter III – Page III-16). Additionally, it states “there are several operational activities that should be conducted throughout the year to facilitate reclamation” (Chapter III – Pages III-15). Ecology updated language in Exhibit B (Closure Plan) to be more similar to EPA guidance.

The frequency of lead reclamation will be determined during the range’s redesign phase of the cleanup.

Comment 44

Pg. 6 – 3.2 Decontamination – Are there other decontamination methodologies that can be considered for equipment washing that would produce minimal additional waste requiring treatment?

Response to I-44-1

Ecology updated language within Exhibit B stating equipment will be decontaminated using appropriate decontamination methods until they meet the clean debris surface standard. Whatcom County will need to investigate these alternative options.

Comment 45

Pg. 13, Appendix A – Cost estimate does not include full closure costs. It only includes work contracted under the IAA. Revise to include total cost estimate.

Response to I-45-1

Ecology updated language within the Exhibit to reflect the cost estimate using Ecology funds. Ecology does not provide cost estimates for closure cleanup. Whatcom County will need to estimate their own costs for remaining closure cleanup.

Comment 46

Pg. 18, Figure 3 - Request modification to the Facility diagram to exclude the Small-bore indoor range. From our understanding, it is not subject to the Agreed Order.

Response to I-46-1

Ecology has updated this figure.

Comment 47

Exhibit C: Pg. 1, Purpose – Revise the SOW to include lead reclamation and project closeout tasks

Response to I-47-1

Ecology will review and update the Scope of Work.

Comment 48

Pg. 5, TASK 4– Is the work of the ESA and/or the IAA considered Interim Actions? If so, should they be referenced in this section?

Response to I-48-1

No, the work required by the Interagency Agreement (IAA) is not considered an Interim Action. The IAA provides funding for Whatcom County to conduct an investigation to characterize facility conditions (as set forth in IAA's Appendix A). The IAA will not be referenced in the Scope of Work.

Comment 49

Pg. 7, Task 6 – SEPA COMPLIANCE section seems to refer to a different project than ours and references “City of Seattle permitting”

Response to I-49-1

Ecology will update Exhibit C.

Comment 50

Pg. 8, Task 7 – Better define responsibilities regarding public participation roles and responsibilities

Response to I-50-1

Task 7 – Public Participation section defines responsibilities of Ecology and the PLP. Additionally, the Agreed Order provides the public participation roles and responsibilities.

Comment 51

Exhibit D: Pg. 1 – there appears to be a typo in the Completion Times for *Agency Review Draft RI Report Sections*. It states “300 calendar days following Agency approval...” I assume this should be “30 calendar days following Agency approval.”

Response to I-51-1

Ecology will edit this section of Exhibit D to state “30 calendar days.”