



# Public Participation Plan

## Terminals 5 6 & 7 Uplands Site Marine Drive, Port Angeles

### Toxics Cleanup Program

Washington State Department of Ecology

Southwest Regional Office

Lacey, Washington

May 2023



## Publication Information

This document is available on the Department of Ecology's [Terminals 5 6 & 7 Uplands cleanup site webpage](#).<sup>1</sup>

### Cover photo credit

- Ecology Coastal Atlas 2016

### Related Information

- Cleanup site ID: 15440
- Facility site ID: 97700

## Contact Information

### Toxics Cleanup Program

#### Southwest Regional Office

Nancy Davis

Public Involvement Coordinator

360-489-4971, [nancy.davis@ecy.wa.gov](mailto:nancy.davis@ecy.wa.gov)

Connie Groven

Site Manager

360-584-7037, [connie.groven@ecy.wa.gov](mailto:connie.groven@ecy.wa.gov)

300 Desmond Drive

Lacey, WA 98503

Phone: 360-407-6300

**Website**<sup>2</sup>: [Washington State Department of Ecology](#)

## ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

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

---

<sup>1</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/15440>

<sup>2</sup> <https://ecology.wa.gov/About-us/Contact-Us>

# Department of Ecology's Regional Offices

## Map of Counties Served



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 206-594-0000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
---	---	---------------------------------------	---------------------------------------

Region	Counties served	Mailing Address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	15700 Dayton Ave N Shoreline, WA 98133	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

# Public Participation Plan

---

**Terminals 5 6 & 7 Uplands Site  
Marine Drive  
Port Angeles, WA 98363**

Toxics Cleanup Program  
Washington State Department of Ecology  
Southwest Regional Office  
Lacey, WA

**May 2023**



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# Table of Contents

List of Figures .....	ii
Public Involvement in Contamination Cleanup .....	1
Site contacts.....	1
Public Participation Grants .....	1
Washington’s Cleanup Laws .....	2
Model Toxics Control Act.....	2
State Environmental Policy Act.....	2
Site Information .....	4
Site description .....	4
How the site may have been contaminated.....	5
Hazardous substances suspected at the site .....	6
Cleanup plans.....	6
Area community.....	7
Public Participation Activities .....	8
How we share information with the community .....	8
How to share information with us.....	9
Americans with Disabilities Act.....	10
Plan Amendments.....	11
Glossary.....	11

# List of Figures

Figure 1. Steps in Washington's cleanup process..... 3

Figure 2. Location of the Terminals 5 6 & 7 Uplands site along the shoreline  
of Port Angeles Harbor. .... 4

Figure 3. The Terminals 5 6 & 7 Uplands study area is outlined in orange. The image was taken  
in 2016. Activities on the site may look different today. Areas are not exact. .... 5

# Public Involvement in Contamination Cleanup

The Washington State Department of Ecology (Ecology) developed this public participation plan for cleaning up contamination for the Terminals 5 6 & 7 Uplands site. 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

Southwest Regional Office  
300 Desmond Drive SE  
Lacey, WA 98503

Connie Groven, site manager  
[connie.groven@ecy.wa.gov](mailto:connie.groven@ecy.wa.gov)  
360-584-7037

Nancy Davis, public involvement coordinator  
[nancy.davis@ecy.wa.gov](mailto:nancy.davis@ecy.wa.gov)  
360-489-4971

## 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 information.<sup>3</sup>
- Conduct activities that enhance the public's understanding of, and participation in, the cleanup process.

---

<sup>3</sup> 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.

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

## Washington's Cleanup Laws

Ecology works to clean up contaminated properties throughout the state. Cleanups are construction projects that remove, treat, and/or contain potentially hazardous substances. 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 \(WAC\)](#).<sup>5</sup> Ecology investigates reports of property contamination, and if the contamination is seen as a significant threat to human health or the environment, the contaminated property is placed on the Hazardous Sites List, and the cleanup process begins.

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 can get involved by commenting on the cleanup process.

Under MTCA, the cleanup process generally includes five phases. Each phase includes an opportunity for the public to review and comment on cleanup documents.

### State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans.

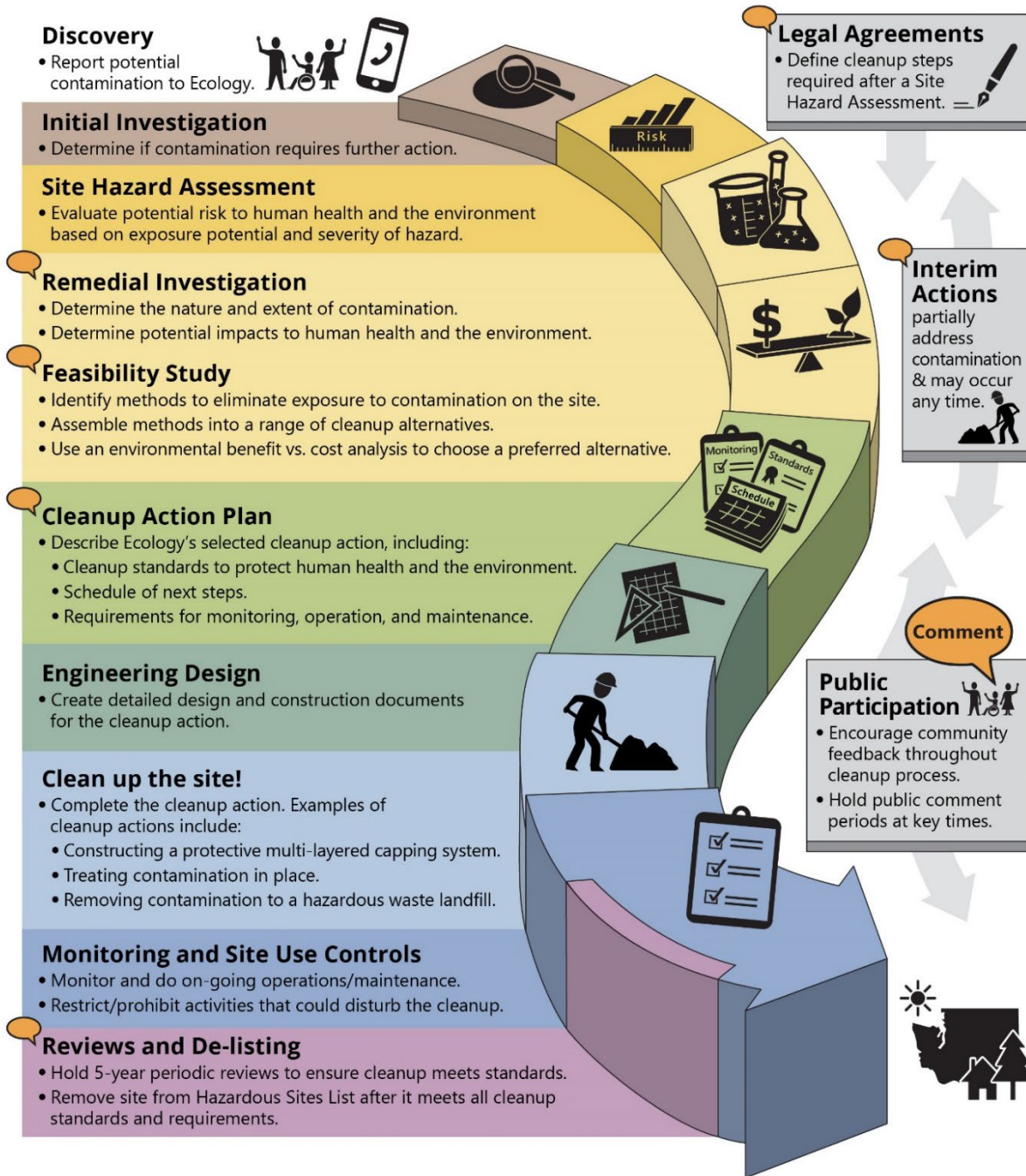
---

<sup>4</sup> <https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Public-participation-grants>

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



# 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 process.<sup>6</sup>

<sup>6</sup> <https://apps.ecology.wa.gov/publications/documents/1909166.pdf>

# Site Information

## Site description

The area of the site is defined by where the contamination has come to be. The full extent of contamination at the Terminals 5 6 & 7 Uplands site is unknown. Until the full extent of contamination is known, the area of investigation is called the study area.

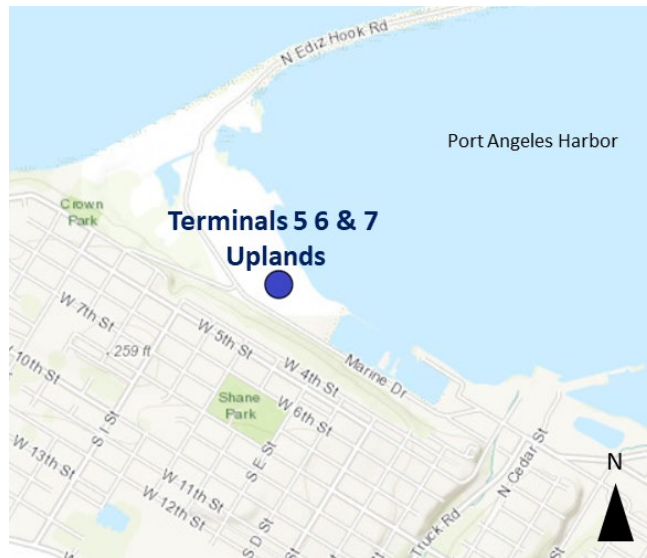


Figure 2. Location of the Terminals 5 6 & 7 Uplands site along the shoreline of Port Angeles Harbor.

The study area is located along the industrial waterfront of Port Angeles. The properties are located at 1313, 1417, and 1608 Marine Drive (parcels 063000190090, 063099190025, 063099190035, 063000505520). The Port of Port Angeles (port) owns the properties.

The area is known as Terminals 5, 6, and 7 and includes the shoreline bank next to the harbor. Over time, fill was used to extend the properties and shape the shoreline for industrial use. Currently, the area is used for log storage, debarking operations, and wood chip and trailer storage.

The port owns about 12.3 acres of Terminals 5 and 6 properties, which it uses as a log yard and storage area. The port also owns Terminal 7 (20 acres), which it uses as a log yard.

In 1958 and 1959, the shoreline at Terminal 7 was filled with dredged sediment from the port's Boat Haven. In the 1970s, there was another large fill event along the shoreline areas of Terminal 5 and 6.

Based on the long history of Tribal presence around the harbor, there is a high probability of cultural resources in the study area. The likely presence of cultural resources in the study area limit investigation and cleanup activities that would disturb the ground. We are coordinating with the Lower Elwha Klallam Tribe on this issue.



Figure 3. The Terminals 5 6 & 7 Uplands study area is outlined in orange. The image was taken in 2016. Activities on the site may look different today. Areas are not exact.

## How the site may have been contaminated

Industrial history shows the properties were used for various purposes including mill operations, wood processing, and log storage. Pentachlorophenol (PCP) and tetrachlorophenol (TeCP) are hazardous chemicals that were used as wood preservatives at the site. A hog fuel boiler burned salt-laden wood that may have contaminated the soil with dioxins and furans. Large aboveground storage tanks of fuel oil and ammonia were present on the properties.

Environmental reports and information about historical operations suggest petroleum hydrocarbons, dioxins/furans, TeCP, PCP, and related compounds may be present in soil and groundwater at levels that require cleanup under the state's cleanup law, the Model Toxics Control Act (MTCA).

Multiple investigations between 1988 and 2002 included sampling of soil and groundwater at the site. Results confirmed releases of hazardous substances, including PCP, total petroleum hydrocarbons, dioxins, and metals have occurred at the site. Based on past studies, there is a likelihood that contamination at the site exceeds levels that require cleanup under the state's cleanup law, the Model Toxics Control Act (MTCA).

Ecology added the site to the Confirmed and Suspected Contaminated Sites List (CSCSL) in 2021. The CSCSL contains all sites waiting for investigation or cleanup or undergoing cleanup.

## Hazardous substances suspected at the site

Ecology has confirmed or suspects the following contaminants may be present in soil and/or groundwater at levels that need to be addressed by MTCA.

- Metals
- PCBs
- Dioxins/Furans
- Halogenated and non-halogenated organics
- Petroleum hydrocarbons

## Cleanup plans

Conditions at the site need to be investigated to determine if contaminants are present at the site that need to be addressed by MTCA regulations. To accomplish this, Ecology and the port, a potentially liable person responsible for cleanup, are entering into a legal agreement, an agreed order. The Agreed Order outlines the responsibilities of the PLP and Ecology to investigate the site and, if necessary, provide for remedial actions where there has been a release or threatened release of hazardous substances. The Agreed Order requires the port to implement the Remedial Investigation Work Plan – Phase 1 to determine whether contaminated soil or groundwater is moving from the study area to the harbor.

The likely presence of cultural resources in the study area may limit investigation and cleanup activities that would disturb the ground. We are working with the Lower Elwha Klallam Tribe on this issue.

Any Party may propose an interim action under this Order. An interim action is a remedial action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance or to provide information for completing the cleanup. If the Parties are in agreement concerning the interim action, the Port shall prepare and submit to Ecology an Interim Action Work Plan, including a scope of work and schedule, by the date agreed to by the Parties. Ecology will provide public notice and opportunity to comment on the Interim Action Work Plan.

The public will have opportunities to review and comment at steps in the cleanup process (see Figure 1). These opportunities include future legal agreements, remedial work plans, any remedial actions, remedial investigation, feasibility study, and the cleanup action plan.

## Area community

The study area is located between Marine Drive and Port Angeles Harbor. The permitted land use is heavy industrial.

Within a 1-mile buffer around the study area, the 2016-2020 American Community Survey (ACS) by the US Census estimates that the residents are in the greater than 60<sup>th</sup> percentile in the state for these attributes (accessed May 9, 2023):

- Low income.
- Unemployment rate.
- Over age 64.
- Low life expectancy.

The ACS-estimated population age 5+ years old who speak English less than very well is 1%, indicating that as a general approach, translating information from English to other languages is not currently warranted for this site. However, Ecology will provide outreach to cultural community organizations in other languages as needed and appropriate following federal guidance.<sup>7</sup>

The Washington Tracking Network Environmental Health Disparities tool uses ranking to help compare health and social factors that may contribute to disparities in a community with other communities in the state. A low ranking is 1 and the highest ranking is 10. Based on this tool, the environmental health disparities rank for this census tract is medium (rank 5) in the state.

The environmental conditions in this census tract that ranked high (rank 8 or above) relative to other tracts in the state were:

- Diesel exhaust PM2.5 emissions (rank 10).
- PM 2.5 concentration (rank 9).
- Population living in poverty <185% of federal poverty level (rank 8).
- Transportation expense (rank 8).
- Low birthweight (rank 8).

We strive to make our public participation efforts as inclusive as possible and welcome your input about how best to reach the nearby community.

The Lower Elwha Klallam Tribe is a federally recognized tribe that owns land near the site and relies on resources that could be affected by the contamination. Ecology will invite the Tribe to be engaged with any decision-making process for this site. Ecology meets regularly with the Tribe online to coordinate with them in the cleanup process. There is ample opportunity to be involved throughout the process on a government-to-government basis.

---

<sup>7</sup> 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).



## 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 1/4-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.

### Postal mailing list

Ecology generates a mailing list that includes addresses within a 1/4-mile radius 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 mailing list as requested. If you would like to be added to the mailing list for this site, please contact Nancy Davis at 360-489-4971 or [nancy.davis@ecy.wa.gov](mailto:nancy.davis@ecy.wa.gov).

### Site Register

Ecology publishes public comment periods, events, and other cleanup notices in the [Site Register](#).<sup>8</sup> To receive the *Site Register* by email, please contact Sarah Kellington at 360-280-3167 or [sarah.kellington@ecy.wa.gov](mailto:sarah.kellington@ecy.wa.gov), or [subscribe online](#).<sup>9</sup>

---

<sup>8</sup> <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data>

<sup>9</sup> [https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic\\_id=WAECY\\_118](https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118)

## Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the *Peninsula Daily News*. We will also publish notice on our [Public Input & Events Listing](#).<sup>10</sup>

## Email lists

Ecology maintains a notification list for persons interested in Port Angeles Harbor and Rayonier Mill sites. People can be added, removed, or change their contact information by contacting [nancy.davis@ecy.wa.gov](mailto:nancy.davis@ecy.wa.gov).

## Ecology's website and social media platforms

We maintain a website for the [Terminals 5 6 & 7 Uplands](#).<sup>11</sup> The website provides information and links to download cleanup documents related to the site.

We may also share information about cleanup sites through [news releases, our blog, and social media](#).<sup>12</sup>

## Places to see print documents

During public comment periods, you can find print documents at the following locations:

Port Angeles Main Library  
2210 South Peabody Street  
Port Angeles, WA 98362  
360-417-8500

Washington Department of Ecology, by appointment  
Southwest Regional Office  
300 Desmond Drive SE  
Lacey, WA 98503

To schedule an appointment to view documents at Ecology, please contact Susan Baxter at 360-407-6365 or [PublicDisclosureSWRO@ecy.wa.gov](mailto:PublicDisclosureSWRO@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

We invite the public to share information with us anytime by phone and email. During specific stages of the cleanup, we will solicit the public to share information with us.

---

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

<sup>11</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/15440>

<sup>12</sup> <https://ecology.wa.gov/About-us/Who-we-are/News>

At a minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods SEPA documents. SEPA documents are often 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 Nancy Davis at 360-489-4971 or [nancy.davis@ecy.wa.gov](mailto:nancy.davis@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 the input we received and respond to significant comments and questions. 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 are finalized.

## Public events

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a hearing, 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 the comment period.

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](mailto:ecyadacoordinator@ecy.wa.gov), or visit our [ADA Website](#)<sup>13</sup>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

---

<sup>13</sup> <https://ecology.wa.gov/About-us/Accessibility-equity/Accessibility>



## 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 Nancy Davis at 360-489-4971 or [nancy.davis@ecy.wa.gov](mailto:nancy.davis@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.

## Glossary

**Agreed Order:** A legal agreement between Ecology and a Potentially Liable Person (see below) to conduct work toward a cleanup.

**Cleanup:** Actions that deal with a release or threatened release of hazardous substances that could affect public health or the environment. Ecology often uses the term "cleanup" broadly to describe response actions or phases of cleanup, such as the Remedial Investigation/Feasibility Study.

**Cleanup Action Plan (CAP):** A plan that explains which cleanup option(s) will be used at a site. The Remedial Investigation and Feasibility Study provide the data and analysis to write a CAP. It also takes into account public comments and public concerns.

**Comment Period:** A time period during which the public can review and comment on various documents and proposed actions. For example, Ecology may hold a comment period to provide community members an opportunity to review and comment on proposed cleanup action alternatives and proposed plans.

**Contaminant:** Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

**Feasibility Study:** This study develops and evaluates cleanup options for a site.

**Groundwater:** Water found beneath the earth's surface that fills spaces between materials such as sand, soil, or gravel. In some aquifers, groundwater occurs in large enough amounts to be used for drinking water, irrigation, and other purposes.

**Interim Action:** A cleanup action that only partially addresses the cleanup of a site.

**Interim Action Work Plan:** A plan that describes the activities required to complete an interim action.

**Model Toxics Control Act (MTCA):** A law passed by Washington voter initiative in 1988. Its purpose is to find, investigate, and clean up places where hazardous substances have been released. It defines Ecology's role and encourages public involvement in cleanup decisions.

**Potentially Liable Person (PLP):** Any individual(s) or company(s) potentially responsible for, or contributing to, the contamination problems at a site. Whenever possible, Ecology requires PLPs to clean up sites.

**Public Notice:** At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city and county) newspaper of largest circulation; and the opportunity for the interested persons to comment.

**Public Participation Plan:** A plan that describes how the public can provide input on the cleanup of the site.

**Remedial Investigation:** This study characterizes the site and defines the type and extent of contamination.

**Remedial Investigation/Feasibility Study (RI/FS):** Two distinct but related studies. They are usually performed at the same time, and together referred to as the "RI/FS." They are intended to:

- Gather the data necessary to determine the type and extent of contamination.
- Establish criteria for cleaning up the site.
- Identify and screen cleanup alternatives for remedial action.
- Analyze in detail the technology and costs of the alternatives.

**Remedial Investigation Work Plan:** A plan that describes how the remedial investigation will be conducted.

**Repository:** A file containing site information and reports for public review. It is usually located in a public building convenient for local residents, such as a public library, school, or city hall.

**Responsiveness Summary:** A summary of oral and/or written public comments received by Ecology during a comment period on key documents, and Ecology's responses to those comments.

**Risk:** The probability that a hazardous substance, when released into the environment, will cause an adverse effect in the exposed humans or living organisms.

**Site:** Any area where a hazardous substance, other than a consumer product in consumer use, has come to be located.