



Public Participation Plan Budd Inlet Sediments Site Olympia, Washington

Facility Site ID: 3097108

Cleanup Site ID: 2245

For the

Toxics Cleanup Program

Washington State Department of Ecology
Olympia, Washington

June 2023

Publication Information

This document is available on the Department of Ecology's [Budd Inlet Sediments cleanup site page](#).¹

Contact Information

Toxics Cleanup Program

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ADA Accessibility

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

¹ <https://apps.ecology.wa.gov/cleanupsearch/site/2245>

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

Department of Ecology's Regional Offices

Map of Counties Served



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

Public Participation Plan

Budd Inlet Sediments Site Olympia, WA

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

June 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.....	5
Previous cleanup actions	5
Details of the second amendment to AO DE 6083	6
Area community.....	7
Public Participation Activities	7
How we share information with the community	7
How to share information with us.....	9
Americans with Disabilities Act.....	10
Plan Amendments	10
Glossary	10

List of Figures

Figure 1. Steps in Washington's cleanup process.....	3
Figure 2. Budd Inlet Sediments site location.	4
Figure 3. Budd Inlet contamination areas..	4
Figure 4. Budd Inlet showing Port, Study Area, and Federal Navigation Channel	6

Public Involvement in Contamination Cleanup

The Washington State Department of Ecology (Ecology) developed this public participation plan (plan) for cleaning up contamination for the Budd Inlet Sediments site (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

Sandy Smith, Site Manager
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Matt Fuller, Public Involvement Coordinator
360-485-5340, matt.fuller@ecy.wa.gov

Public Participation Grants

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

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

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

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

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

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 \(WAC\)](#).⁵ 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.

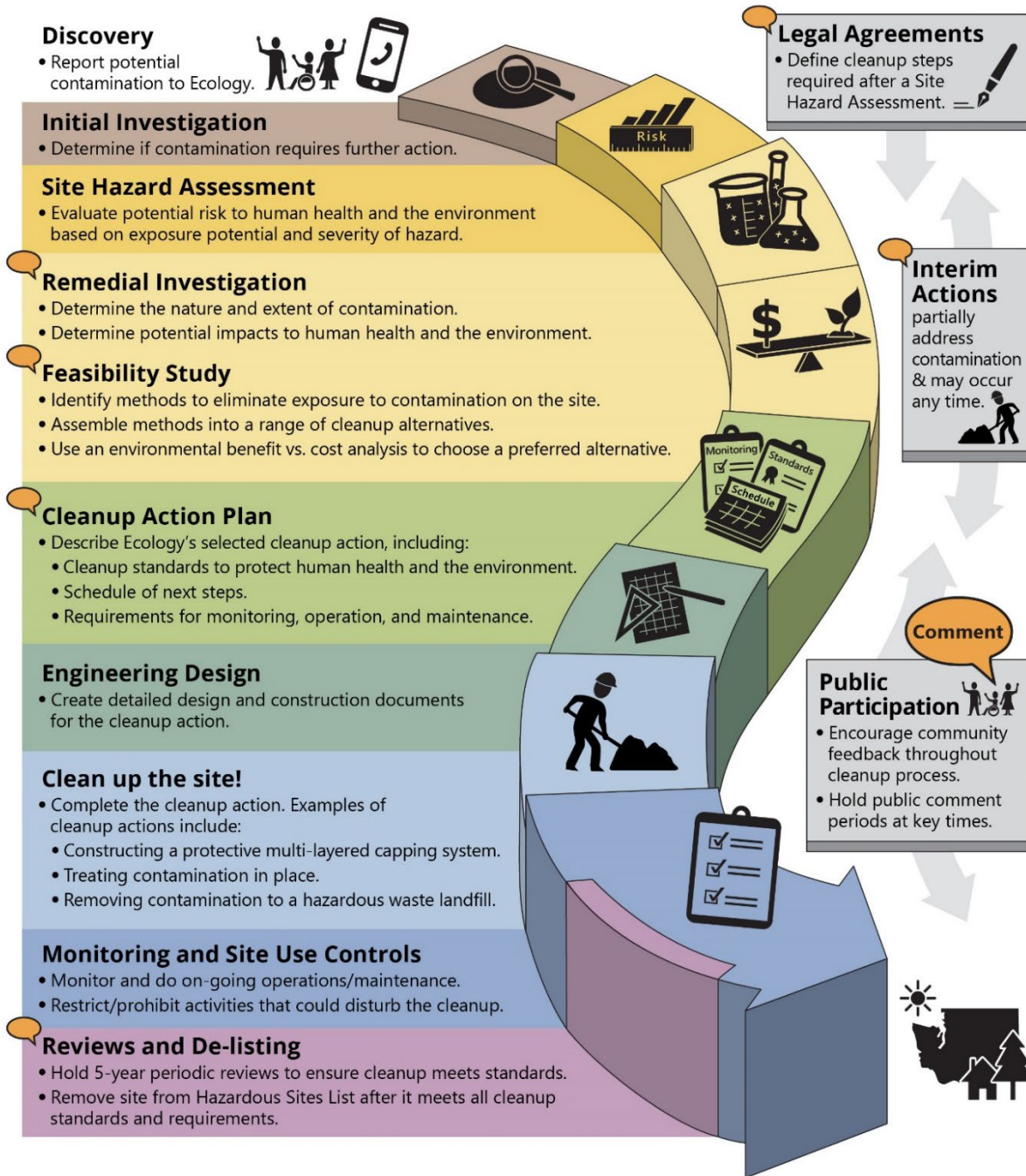
Under MTCA, the cleanup process generally includes multiple phases. Each phase includes an opportunity for the public to review and comment on cleanup documents.

State Environmental Policy Act

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

⁵ <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.⁶

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

Site Information

Site description

Budd Inlet is a Puget Sound Initiative Site. It is one of the bays Ecology is prioritizing for cleanup for a healthy Puget Sound. The Budd Inlet Sediments project deals with contamination of sediment—the sand, mud, and silt under the water—throughout the inlet, rather than contamination from one specific source. The Port of Olympia (Port) is a potentially liable person (PLP) responsible for cleanup at the Site.



Figure 2. The Site is in Olympia surrounded by downtown, as well as West Bay Dr NW and East Bay Dr NW.

Ecology began a Budd Inlet sediment investigation in April 2007 after the Port of Olympia found elevated levels of dioxins in an area scheduled for maintenance dredging. Dioxins and Polycyclic Aromatic Hydrocarbons (PAHs) were found above state cleanup levels in some areas of the inlet (see Figure 3).

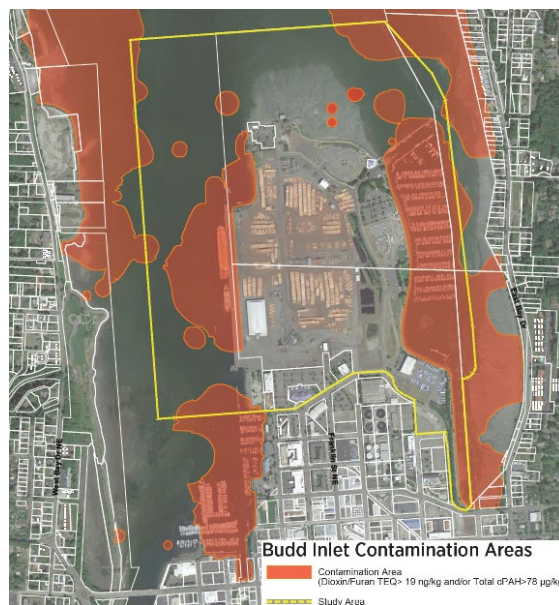


Figure 3. Map of Budd Inlet indicating areas where contamination in sediment exceeds regional background levels. The yellow line indicates the boundaries of the Study Area that was created with the 2012 Agreed Order Amendment 1.

How the Site may have been contaminated

Most likely, the contamination came from historical industries located on shore from the 1920s to 1980s. Previously, there were several lumber industries in the area. Historical sawmills, plywood manufacturing, a veneer factory, and other lumber-related facilities often burned salt-laden wood, which is a source of dioxin contamination. A wood treatment facility used a chemical called pentachlorophenol, which was a source of dioxin contamination. Historical stormwater runoff has also been a likely source of contamination. A Sediment Dioxin Source Study available on the Site webpage provides more detailed information.

Hazardous substances suspected at the Site

Ecology's 2007 sediment investigation found dioxins and PAHs above the state cleanup level in some areas of the southern part of the inlet (closest to Olympia). Maps and documents at the site webpage show the location and levels of contamination. In some areas of the inlet, dioxins are below the cleanup level. Note that the color on the map (Figure 3) is estimated and may not reflect actual levels. The presence of carcinogenic PAHs also varies across the inlet. The Port is planning to collect additional data to clearly locate areas with contamination.

What are dioxins and PAHs? Both are groups of chemicals that have similar effects on living things. They are made when burning coal, gas, garbage, or other organic (carbon-containing) substances. Dioxins are an impurity in pentachlorophenol. With exposure in sufficient amounts and over time, some of the chemicals are carcinogenic (cancer causing). Others have possible effects to reproduction or child development.

Dioxins and PAHs do not break down easily in the environment and as a result, are found everywhere. Most people are exposed to small amounts as they go about their daily lives. The main way people can be exposed to these contaminants is by eating fish or shellfish raised in the contaminated area. A second way is by having skin contact with the contaminated sediment.

Previous cleanup actions

In 2008, the Port and Ecology signed Agreed Order (AO) DE 6083 that required the Port to remove contaminated sediment from parts of two shipping berths and evaluate the effectiveness of dredge methods. In compliance with the AO, the Port completed two remedial actions: (a) an Interim Action to remove elevated concentrations of dioxin in sediment from portions of the berth area adjacent to its docking facility in West Bay of Budd Inlet (see Figure 4), and (b) a pilot study assessment of the characteristics of the in-place sediments and analysis of the benefits of proposed dredging technologies for future cleanup of Budd Inlet.

The First Amendment to the AO was signed in 2012. Under the AO, the Port has conducted additional remedial actions including investigations into the nature and extent of contamination in a Study Area around the Port's peninsula in Budd Inlet (Figure 4), investigation into potential sources of contamination to sediments near the Port's peninsula, and preparation of an Investigation Report. As required under the First Amendment, the Port is preparing an identification and analysis of remedial action alternatives to address sediments

containing contaminants above applicable cleanup levels in the Study Area. The First Amendment to the AO also includes preparation of a draft Interim Action Plan to address sediment contamination at the Study Area within the Site.



Figure 4. Map of Budd Inlet indicating the Port Management Area (PMA), the Study Area as well as the Federal Navigation Channel and berthing area limits.

Details of the second amendment to AO DE 6083

Amendment 2 to AO DE 6083 amends the AO expanding the work that is to be performed at the Site. Under this second amendment to the AO, the Port will:

- Prepare a draft version of the Interim Action Plan for public review
- Prepare a final version of the Interim Action Plan
- Prepare a memorandum on pre-remedial design data gaps and an investigation work plan to fill the gaps
- Perform the pre-remedial design investigation described in the work plan
- Prepare a pre-remedial design data report
- Prepare engineering design and permitting documents for the interim action

Area community

The Site is surrounded by industrial, commercial, and residential properties, along with some parks and open spaces nearby. There are several other Ecology cleanup sites nearby.

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.⁷ Within a quarter mile radius of the Budd Inlet Sediments Site, there are non-English languages that are spoken. When appropriate, Ecology will provide outreach in other languages. 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 Squaxin Island Tribe is a federally recognized tribe that owns land and relies on resources that could be affected by the contamination at the Site. Ecology will invite the Tribe to be engaged with any decision-making process for this Site. There is opportunity to be involved throughout the process on a government-to-government basis. Ecology will also communicate with the Nisqually Indian Tribe, Quinault Indian Nation and the Confederated Tribes of the Chehalis Reservation regarding the work at this Site.

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. To be included in the formal site record, comments 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 is 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.

⁷ 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).

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

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 Matt Fuller at 360-485-5340 or matt.fuller@ecy.wa.gov.

Site Register

Ecology publishes public comment periods, events, and other cleanup notices in the [Site Register](#).⁸ To receive the *Site Register* by email, please contact Sarah Kellington at 360-407-7466 or sarah.kellington@ecy.wa.gov, or [subscribe online](#).⁹

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in *The Olympian*. We will also publish notice on our [Public Input & Events Listing](#).¹⁰

Email lists

Ecology maintains an email notification list for persons interested in the Budd Inlet site. People can be added, removed, or change their contact information by contacting Matt Fuller at 360-485-5340 or by email at matt.fuller@ecy.wa.gov.

Ecology's website and social media platforms

We maintain a website for the [Budd Inlet Sediments Site](#).¹¹ 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](#).¹²

Document repositories

At this time, document repositories are open, and during public comment periods you can find print documents at the following locations.

Olympia Timberland Library

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

⁹ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118

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

¹¹ <https://apps.ecology.wa.gov/gsp/sitepage.aspx?csid=2245>

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

313 8th Avenue SE
Olympia, WA 98402
360-352-0595

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

Please contact the library to determine if an appointment is necessary for viewing documents. To schedule an appointment to view documents at Ecology, please contact Susan Baxter at 360-407-6365 or 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.

At a minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods for 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 Matt Fuller at 360-485-5340 or matt.fuller@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 meeting, we will hold one if 10 people request it, and this

may cause us to extend a public comment period, so the meeting occurs during 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, or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Plan Amendments

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it, as necessary. You may suggest amendments to Matt Fuller at 360-485-5340 or matt.fuller@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.

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.

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.

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.