

Consent Decrees to Implement Cleanup Action Plan are Now Available for Public Review and Comment

Consent Decrees to Implement Cleanup Action Plan

The Washington State Department of Ecology (Ecology) and Murray Pacific Corp (Murray Pacific) are entering into a Consent Decree to continue cleaning up contamination at the B&L Woodwaste site, located along the border of Milton and Fife, Washington. This legal document requires Murray Pacific to implement the Cleanup Action Plan. See page 3 for more information about the cleanup remedy.

A second consent decree is proposed between Ecology and Wasser and Winters Company and Louisiana Pacific Corporation (Louisiana Pacific), requiring partial funding for the cleanup. The Louisiana Pacific Consent Decree requires payment of \$1 million to help fund the implementation of the cleanup action plan.

Ecology Wants Your Input!

Ecology is asking for your comments on the two Consent Decrees for the B&L cleanup site. You are invited to:

- **Review** the Consent Decrees at the repository locations and posted on the website (See text box to the right for more information).
- **Send** your comments to Ecology for consideration. **Comments will be accepted May 26 through June 26, 2008.**

Site Cleanup Moves Forward!

The draft Cleanup Action Plan (CAP) was finalized after public comment in July 2007. Since then, Ecology has been in bankruptcy court proceedings with Asarco and settlement negotiations with Asarco, Murray Pacific, Wasser and Winters and Louisiana Pacific related to those proceedings.

The majority of cleanup funding will come from the Asarco bankruptcy proceedings. Murray Pacific and Louisiana Pacific will contribute additional funding. Negotiations with Murray Pacific and Louisiana Pacific resulted in the proposed Consent Decrees. The site owner, Executive Bark, Inc. is not a party to the proposed consent

Comments Accepted

May 26 through June 26, 2008

Submit Comments and Technical Questions to:

Dom Reale, Site Manager
Project Manager
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SWRO Toxics Cleanup Program
P.O. Box 47775
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Phone: (360) 407- 6266
E-mail: Drea461@ecy.wa.gov

Public Involvement Contact:

Meg Bommarito
Phone: (360) 407- 6255
E-mail: mbom461@ecy.wa.gov

Document Review Locations

Pierce County Library

1000 Laurel Street
Milton WA 98354
(253) 922-2870

Tacoma Main Library

1102 Tacoma Avenue South
Tacoma, WA 98402
(253) 591-5666

Citizens for a Healthy Bay

917 Pacific Avenue Suite 100
Tacoma, WA 98402
(253) 383-2429

WA Department of Ecology Southwest Regional Office

300 Desmond Drive SE
Lacey, WA 98503

By appointment only:
Contact Debbie Nelson,
dene461@ecy.wa.gov or
(360) 407-6365

Ecology's Toxics Cleanup Website

http://www.ecy.wa.gov/programs/tcp/sites/B_L_Woodwaste/B_L_woodwaste_hp.htm

decrees, nor has Executive Bark participated in the settlement discussions with Ecology. Although Asarco is not a party to the proposed consent decree, it is contributing to the cleanup through the bankruptcy settlement with Ecology.

Based on information gathered during the bankruptcy proceedings, Ecology is confident that the total funding received from these sources will be sufficient to implement the Cleanup Action Plan.

The Consent Decree with Murray Pacific will require them to:

- Complete an archeological survey of the area to determine if cultural artifacts are present.
- Design and build the cleanup remedy detailed in the CAP.
- Start up and perform initial operation and maintenance of the cleanup remedies.

Ecology (using funds from the settlement) will take on responsibility for the long-term maintenance and operation of the cleanup systems after installation, start up and initial operations are completed.

After the public comment period has ended, Ecology will consider all comments received and may make changes to the Consent Decrees. Ecology will then oversee implementation of the Cleanup Action Plan.

Site Background

The B&L Woodwaste landfill was used from mid 1970's until the early 1980's. Woodwaste, mixed with soil and Asarco slag, originating from log sort yards in Commencement Bay were taken to this site for disposal. The Asarco slag leached arsenic into the soils and groundwater.

In 1982, the Commencement Bay Nearshore/Tideflats area, including Hylebos Waterway and the B&L Woodwaste site, were added to the National Priorities List by the Environmental Protection Agency (EPA). The B&L Woodwaste site, which includes the landfill and surrounding ditches and

What is a Consent Decree?

A Consent Decree is a court-approved, legal agreement between Ecology and the potentially liable parties (PLPs) for the cleanup of a polluted site. This agreement ensures that the cleanup meets state standards and protects human health and the environment.

wetlands, was named as a source of arsenic, copper and lead.

In 1992, Ecology issued an Enforcement Order requiring Asarco, Inc. and other responsible parties (Murray Pacific, Louisiana-Pacific and Executive Bark) to do the following:

- Consolidate woodwaste on the 18 acre property into an 11 acre landfill.
- Construct a multi-layer capping system to prevent rain from flushing contamination from the waste.
- Install and operate a groundwater monitoring well system.
- Create a plan to address any failure of the remedy.

In response to a discovery of elevated arsenic in groundwater at the site, Ecology completed an extensive study of the wetland area and found:

- Dissolved arsenic levels in the groundwater in a nearby wetland were above cleanup standards.
- Some waste at the bottom of the landfill was in contact with the water table during the winter months.
- Plants and animals in the nearby wetland did not appear to be experiencing any toxic effects.

In 2002, Asarco's funds became unavailable and they were unable to complete the rest of the Cleanup Action Plan. In 2005, Ecology amended the original Enforcement Order and required the PLPs to complete:

- Evaluation of potential remedies to contain the release of contaminated groundwater from the site.

B&L Woodwaste

- Investigation of the wetland area to determine what remedial action is needed.

since that time. Murray Pacific has contributed to the evaluation of potential remedies and preparation of the Cleanup Action Plan.

In 2005, Asarco entered into bankruptcy proceedings and has not contributed towards cleanup efforts

How Will the Site Be Cleaned Up?

The Cleanup Action Plan for the B&L Woodwaste site requires cleanup remedies in three areas; the landfill and surrounding ditches, the wetlands, and the end of the plume.

End of Plume

- Groundwater in the area will be treated to stop movement of arsenic beyond the wetland.
- Long term monitoring to ensure arsenic levels are below Model Toxic Control Act standards.

Wetlands

- Treatment will be used to remove arsenic from the groundwater plume in the wetland.

Landfill and Surrounding Ditches

- Installation of a perimeter slurry wall around the landfill to provide a barrier that prevents contaminated groundwater from moving away from the landfill.
- Removal and treatment of contaminated water from beneath the capped landfill.
- Excavation and disposal of contaminated sediments in the drainage ditches.





WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

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Olympia, WA 98504-7600

B&L Woodwaste Cleanup Site

Ecology Seeks Public Comment on Two Consent Decrees to Implement the Cleanup Action Plan.

Public Comment Period:
May 26 through June 26, 2008

Facility Site ID #: 1203

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