



DEPARTMENT OF
ECOLOGY
State of Washington

EXHIBIT E

PUBLIC PARTICIPATION PLAN

**Port of Tacoma Earley Business Center
401 Alexander Ave.
Tacoma, Washington**

Prepared by
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INTRODUCTION

Department of Ecology has developed this Public Participation Plan to promote meaningful community involvement during the investigation and cleanup of the Port of Tacoma Earley Business Center (EBC) site. This plan describes the tools that Ecology uses to inform the public about site activities and identify opportunities for the community involvement.

LOCATION AND SITE BACKGROUND

A. The ECB site consists of those impacted areas identified in the Agreed Order that are located on approximately 80 acres in the Tacoma tideflats, at 401 Alexander Avenue (see map on page 7).

B. The earliest known uses of the property on which these areas or sites are located included a World War I era shipyard and sawmill. Shipbuilding recommenced during World War II, with ships constructed on intertidal shipways and support work conducted upland and on wharfs/piers along the waterways. After World War II until approximately 1960, the wharfs/piers and some of the upland facilities at the shipyard were used for ship repair, dismantling and salvage.

C. The Port of Tacoma purchased the EBC property in 1960 and is the current owner. Since 1960, the EBC property has been leased to various Port tenants for commercial and industrial purposes, including freight hauling and distribution, furniture manufacturing, fishing fleet outfitting and support drilling services, lumber milling, and vessel mooring, maintenance, decommissioning and dismantling. From the mid-1960s until 1995, the WA State National Guard leased portions of the EBC under and near Pier 23 for moorage, vessel maintenance, and training. The United States Army Reserve has leased the same approximate footprint for training and other marine-related purposes since 1995. For the purposes of this Agreed Order, the US Government leasehold and owned infrastructure within the EBC will be referred to as "Pier 23".

D. In 1983, the US Environmental Protection Agency (EPA) placed approximately 10 square miles of shallow water, shoreline, and upland areas located within Commencement Bay on the National Priorities List as the CBN/T Superfund Site. The mouth of the Hylebos Waterway on the north side of the EBC was identified as a problem area within the larger CBN/T Superfund Site. The Port and Occidental Chemical Corporation are conducting remedial activities to address this problem area under a 2005 RD/RA Consent Decree for the Mouth of the Hylebos Waterway and the Statement of Work appended thereto (Civil Action C-05-5103FDB).

Site Contamination

Environmental investigations previously completed on EBC property have identified the

presence of contaminants in discrete areas of soil, sediment, and groundwater.

Cleanup Activities

Cleanup activities at the EBC site fall under Washington's Model Toxics Control Act (MTCA) and accompanying regulations. MTCA has procedures for the cleanup of contaminated sites to standards that are safe for both human health and the environment. Ecology is responsible for implementing and enforcing MTCA. For more information, visit Ecology's website: <http://www.ecy.wa.gov/biblio/ftc94129.html>.

Under the current Agreed Order with Ecology, the Port and Ecology have identified specific impacted areas on the property that are to be covered by the Agreed Order. The Port of Tacoma will finish investigating contamination in these areas. The port must then write a Remedial Investigation and Feasibility Study report, which describes all contamination at the site and evaluates cleanup options. This report will include information from these areas. Ecology, with the Port's assistance, will then draft a Cleanup Action Plan, which outlines the final cleanup steps. Certain other impacted areas on this property are being addressed under different administrative mechanisms.

SITE CLEANUP PROCESS

Toxic sites are cleaned up in stages, described below. Each stage has a related report or plan that the public is welcome to review and comment on.

Remedial Investigation & Feasibility Study (RI/FS) - The RI/FS looks at the extent and type of pollution on the site. It is used to evaluate possible human health and environmental impacts, and to find cleanup alternatives.

Interim Actions - Ecology may sometimes take or require Interim Actions to partially clean up a site before the final cleanup plan is complete.

Cleanup Action Plan (CAP) - The CAP describes the cleanup methods and how they will meet Ecology's cleanup standards.

Cleanup - Toxic substances are removed from the site, contained on the site, or treated to make them less toxic. Ecology will make sure that the CAP has been followed and can require that the site be monitored. Major changes to the CAP require a public notice before they can be finalized.

Delisting - Ecology keeps track of toxic cleanup sites on the Hazardous Sites List. Once cleanup is complete, the public will have a chance to comment before a site is taken off the list.

More information about toxic cleanups is available on Ecology's Web site:
http://www.ecy.wa.gov/programs/tcp/cu_support/cu_process_steps_defns.htm.

PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES

The purpose of this Public Participation Plan is to promote public understanding and participation in the cleanup activities planned for this site. This section of the plan describes how Ecology will share information and receive public comments on the site activities. The following is a list of the public involvement activities that Ecology will use, their purposes, and descriptions of when and how they will be used during cleanup of the EBC site.

Formal Public Comment Periods

Comment periods are the primary method Ecology uses to get feedback from the public on proposed cleanup decisions. They usually last 30 days and are required at key points during the investigation and cleanup process before final decisions are made. During a comment period, the public can comment in writing. Verbal comments are taken if a public hearing is held. After comment periods, Ecology reviews all comments received and may respond in a document called a Responsiveness Summary. Ecology considers the need for changes or revisions to a document or decision based on input from the public. If significant changes are made, a second comment period may be held. If no significant changes are made, the draft document(s) will be finalized.

Public Meetings and Hearings

Public meetings may be held at key points during the investigation and cleanup process. Ecology also may offer public meetings for actions expected to be of particular interest to the community. These meetings will be held at locations convenient to the community. A public meeting will also be scheduled if ten or more people request one.

Information Repositories

Information repositories are places where the public may read and review site information, including documents that are the subject of public comment. Ecology has three repositories for the EBC cleanup:

- Tacoma Public Library, 1102 Tacoma Avenue, Tacoma, WA 98402, (253) 591-5666.
- Citizens for a Healthy Bay, 917 Pacific Avenue, Suite 100, Tacoma, WA 98402, (253) 383-2429.
- Washington State Department of Ecology, 300 Desmond Drive, Lacey, WA 98516. Please call (360) 407-6045 for an appointment.

Site information also will be posted on Ecology's Web site: <https://fortress.wa.gov/ecy/gs/Website.aspx?csid=2395>

Site Register

Ecology's Toxics Cleanup Program uses its bimonthly Site Register to announce all of its public meetings and comment periods, as well as many other activities. To receive the Site Register in electronic or hard copy format, contact Seth Preston at (360) 407-6848 or by e-mail at Seth.Preston@ecy.wa.gov. It is also available on Ecology's Web site: http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html.

Mailing List

Ecology has compiled a mailing list for the site. It includes neighbors, public agencies, and other known interested parties. The list will be maintained at Ecology's Southwest Regional Office and will be updated as needed. Please contact Michael Bergman at (360) 407-0067 or by e-mail at Michael.Bergman@ecy.wa.gov if you would like to be involved or have your address added to or deleted from this mailing list.

Fact Sheets

Ecology will mail fact sheets to persons and organizations interested in the Port site cleanup to inform them of public meetings and comment opportunities and important site activities. Ecology also may mail fact sheets about cleanup progress.

Newspaper Display Ads

Ecology will place ads in the Tacoma News Tribune to announce public comment periods and public meetings or hearings for the site.

Plan Update

This Public Participation Plan may be updated as the project proceeds. If an update is necessary, the revised plan will be submitted for public comment.

Contacts

For questions or more information about this plan or the EBC cleanup, please contact:

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Tacoma Port Earley Business Center Site includes certain identified areas on the property located at 401 Alexander Ave., Tacoma

GLOSSARY

Agreed Order: A legal agreement between Ecology and a potentially liable person to conduct work toward a cleanup.

Cleanup: Actions taken to deal with a release, or threatened release of hazardous substances that could affect public health or the environment. The term "cleanup" is often used broadly to describe various response actions or phases of cleanup.

Cleanup Action Plan (CAP): A document that explains which cleanup alternative(s) will be used at sites for the cleanup. The cleanup action plan is based on information and technical analysis generated during the remedial investigation/feasibility study and consideration of public comments and community concerns.

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

Groundwater: Water found beneath the earth's surface that fills pores between materials such as sand, soil, or gravel. In some aquifers, ground water occurs in sufficient quantities that it can be used for drinking water, irrigation and other purposes.

Information Repository: A file containing current information, technical reports, and reference documents available for public review. The information repository is usually located in a public building that is convenient for local residents such as a public school, city hall, or library.

Model Toxics Control Act (MTCA): Legislation passed by citizens of the State of Washington through an initiative in 1988. Its purpose is to identify, investigate, and clean up facilities where hazardous substances have been released. It defines the role of Ecology and encourages public involvement in the decision making process. MTCA regulations are administered by the Washington State Department of Ecology.

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

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 building, structure, installation, equipment, pipe or pipeline, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

Toxicity: The degree to which a substance at a particular concentration is capable of causing harm to living organisms, including people, plants and animals.