



Agreed Order for Cleanup Action Plan, Remedial Design and Construction

The Washington Department of Ecology (Ecology), Chevron, and CC Cole and Sons (doing business as Evergreen Fuel Company) have agreed to a Model Toxics Control Act (MTCA, Chapter 70.105D RCW) Agreed Order for the Evergreen Fuel Company site to:

- finalize a Cleanup Action Plan.
- prepare an engineering Design Report.
- implement the chosen Remedial Action for petroleum-contaminated soil and potentially-contaminated groundwater.

Covich-Williams Company, a fuel distributor, did not sign the Agreed Order.

This Agreed Order is a legal document formalizing an agreement between Ecology and potentially liable persons (PLP's), to ensure that proposed site cleanup activities are conducted in a timely fashion. This Agreed Order is in accordance with MTCA and other applicable laws and regulations.

Your comments on this proposed Agreed Order are welcome through January 3, 2007. The box on page two provides information about where to review the Agreed Order, as well as where to submit comments.

Site Background

The one-acre Evergreen Fuel Company site is located at 661 East Pine Street. The site is bounded to the north by State Route 3; to the east and south by Shelton Yacht Club and Oakland Bay; and to the west by Simpson Timber Company property.

The site has recently been an active bulk fuel storage plant with a warehouse, office building, about 5 above ground petroleum storage tanks, an overhead tanker truck fueling station, and a boat launch.

The site was owned and operated by Standard Oil (now Chevron) from 1913 until May 1980. During that entire

period of time, above ground petroleum storage tanks have existed on the site.

Tanks located on the upland side of Highway 3 are inside a concrete containment area. It is currently owned and operated by CC Cole and Sons (doing business as Evergreen Fuel Company).

Between 1973 and 2003, there were several documented petroleum spills from the site to soil, groundwater, and eventually to surface water (Oakland Bay). One of these spills occurred in March 2003, when the Covich-Williams Company was off-loading No. 2 diesel (home heating oil) to a 27,000-gallon above ground storage tank and overfilled. The diesel spilled down the side of the tank within the containment area (which has a porous soil floor), splashed over the containment wall and into Oakland Bay.

On April 2, 2004, Chevron and CC Cole and Sons entered into an Agreed Order with Ecology (Agreed Order No, DE 03TCPSR-5707) which required completion of the following tasks:

- Perform a number of interim/emergency cleanup actions in response to March 2003 diesel release.
- Prepare and submit to Ecology draft and final Remedial Investigation Work (RI) Plans.
- Implement the final RI Work Plan, and prepare and submit to Ecology draft and final RI Reports, wherein site soils, groundwater and off-shore sediments are studied to determine the extent of contamination at the site.
- Prepare and submit to Ecology the draft and final Feasibility Study (FS) Reports which evaluate a number of remedial action technologies which could be used for site cleanup, and to select a proposed remedial action for the site.
- Prepare and submit to Ecology a draft Cleanup Action Plan, which includes:
 1. A conceptual design for a proposed remedial action at the site.

2. Proposed cleanup standards for site environmental media, such as soil, groundwater, sediments, and surface water.
3. A listing of permits or other regulatory requirements needed to complete the cleanup.

These tasks have been completed by Chevron and CC Cole and Sons as of July 2006. Diesel and gasoline range hydrocarbons have been found in excess of MTCA cleanup standards in the shallow soils and groundwater of the site in areas along the waterway bulkhead. Although seepage of petroleum is sometimes visible from the site bank area, off-shore sediment petroleum contamination has not been found during the RI study.

What Is Being Done?

The Agreed Order requires Chevron and CC Cole and Sons to take the following actions:

- Prepare draft and final Engineering Design Reports to implement the Cleanup Action Plan. The Draft Cleanup Action Plan will become a Final Cleanup Action Plan after Ecology has revised it, based on public review comments received during this public input period.
- Implement Cleanup Action Construction according to the Engineering Design Report.
- Perform site monitoring during construction to:
 - Ensure worker safety.
 - Minimize any environmental impact from the construction work.
- Perform environmental monitoring and reporting after construction to:
 - Ensure that any groundwater seepage to the bay remains in compliance with site cleanup standards.
 - Track the progress of groundwater cleanup.
 - Establish a time at which the cleanup must meet all cleanup goals.
- File with Mason County a Restrictive Covenant, which will restrict land use and other activities at the site. These restrictions will help to eliminate human or environmental exposure to the residual concentrations of petroleum compounds which may exist in the site groundwater after construction.

The Restrictive Covenant will stay in effect until the site groundwater remains in compliance with site cleanup standards.

What Happens Next?

Public comment on the proposed Agreed Order will be considered and the order will be modified, if necessary, based on the comments received. The work specified by the Agreed Order should be completed by Summer 2007.

Ecology Wants Your Comments!

You are invited to review and comment on the proposed Agreed Order through January 3, 2007. The public comment period presents an opportunity to have your ideas and comments heard by Ecology.

Information repositories, which include the Agreed Order, have been set up at the locations listed in the box below. To review more detailed site documents other than those in the information repositories, contact Ecology's Southwest Regional Office records center at (360) 407-6365 to schedule an appointment.

Please submit your written comments to Dom Reale, Site Manager, at the Ecology address listed below. Ecology will review and respond to all comments received, and may revise the Agreed Order.

NOVEMBER 2006

FACT SHEET

Ecology Southwest Regional Office
 Toxics Cleanup Program
 300 Desmond Drive SE
 PO Box 47775
 Olympia WA 98504-7775

PUBLIC COMMENT PERIOD ON AGREED ORDER:

November 27, 2006 to January 3, 2007

Comments and requests for updates should be directed to Dom Reale, Site Manager, at the Ecology address listed above, emailed to drea461@ecy.wa.gov, or call (360) 407-6266.

INFORMATION REPOSITORIES

The Agreed Order can be reviewed at the following locations:

www.ecy.wa.gov/programs/tcp/sites/sites_information.html

www.ecy.wa.gov, then click on "Public Events Calendar"

Shelton Library
 710 West Alder Street
 Shelton, WA 98584-2571
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Ecology Southwest Regional Office
Toxics Cleanup Program
300 Desmond Drive SE
PO Box 47775
Olympia WA 98504-7775