



Response to Comments

Cleanup Action Plan for SemMaterials LP Spokane

Public comment period: August 26 – September 25, 2024
Facility Site ID: 16655424, Cleanup Site ID: 3229

Toxics Cleanup Program

Washington State Department of Ecology
Spokane, Washington

October 2024

Document Information

This document is available on the Washington Department of Ecology's [SemMaterials LP Spokane cleanup site page](#).¹

Related Information

- Facility site ID: 70525886
- Cleanup site ID: 16913

Contact Information

[Toxics Cleanup Program](#)²

Eastern Regional Office
4601 North Monroe Street
Spokane, WA 99205

Katie Larimer, Site Manager
509-319-6602, katie.larimer@ecy.wa.gov

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¹ <https://apps.ecology.wa.gov/cleanupsearch/site/3229>

² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites>

³ <https://ecology.wa.gov/About-us/Accountability-transparency/Our-website/Accessibility>

Toxics Cleanup in Washington State

Accidental spills of dangerous materials and past business practices have contaminated land and water throughout the state. The Washington Department of Ecology (Ecology) Toxics Cleanup Program (TCP) works to remedy these situations through cleanup actions. TCP cleanup actions range from simple projects requiring removal of a few cubic yards of contaminated soil to large, complex projects requiring engineered solutions.

Contaminated sites in Washington are cleaned up under the [Model Toxics Control Act](#)⁴ (MTCA, Chapter 173-340 Washington Administrative Code [WAC]), a citizen-mandated law passed in 1989. This law sets standards to ensure toxics cleanup protects human health and the environment and includes opportunities for public input.

Public Comment Period Summary

Ecology held a comment period August 26 through September 25, 2024, for the following draft documents for the SemMaterials LP Spokane cleanup site:

- Cleanup Action Plan, which explains the activities we propose to finish environmental cleanup at this site
- Consent Decree, the legal agreement requiring the parties responsible for cleanup to complete the cleanup plan that includes a scope of work and schedule
- Public Participation Plan, our plan explaining how we will inform the community and offer opportunities for input

Ecology appreciates the comments we received from two organizations. We address them in the Response to Comments section that begins on Page 4. We finalized the documents without making changes.

Site Background

ERGON Asphalt & Emulsions, LLC, now operates the asphalt plant SemMaterials formerly operated. The facility receives and stores petroleum products used to manufacture asphalt and sealants. The site has been used for petroleum-related operations since 1955.

Husky Oil Company of Delaware (now merged with Marathon Oil Company) operated the facility from the 1970s until 1982. Koch Materials operated the facility from 1983 to 2005. SemMaterials and its successors have operated the facility since 2005. BNSF Railway Company owns the property.

⁴ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

In December 1992, three petroleum storage tanks were removed from the northeast corner of the site. During the tank removal, petroleum-contaminated soil was found.

A full investigation to determine the extent and locations of contamination at the site was completed in 2013. Petroleum, naphthalene, and polycyclic aromatic hydrocarbons were found in soil.

Response to Comments

The comment letters are printed verbatim. Ecology’s responses follow the comments. The letters are in alphabetical order based on the commenter’s last name.

Index of comments received

Everyone who submitted comments is listed in Table 1 in alphabetical order by their last name, followed by the date we received their comments and the page on which their comments are printed as received. Contact information (postal and email addresses and phone numbers) has been omitted.

Table 1. Index of comments received

Name	Organization	Date received	Page
Bill Griffin	Metal Rollforming Systems	August 27, 2024	4
Kasey Wilberding	Spokane Regional Health District	September 24, 2024	5

Bill Griffin, received via email August 27, 2024

I received notification for the SemMaterials proposed cleanup. As an adjacent landowner at 4511 N Freya street I would like assurances that there is not risk or chance of contamination onto my property.

Ecology’s response

Thank you for your comment. Ecology appreciates your concern as an adjacent landowner regarding the proposed cleanup at the SemMaterials Site. The selected cleanup action does not pose a risk of contamination being spread to your property because contaminated material on the site will be covered with a protective cap, and any contaminated material produced during construction will be disposed of off-site at a permitted facility.

Kasey Wilberding, received via email September 24, 2024



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Spokane, WA 99201-2095

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SRHD.org



Agency Comments

September 24, 2024

Katie Larimer, Site Manager
WA State Dept. of Ecology
4601 N. Monroe St.
Spokane, WA 99205

Ecology Facility Site ID: 16655424
Ecology Cleanup Site ID: 3229
Project Description: SemMaterials Draft Cleanup Action Plan
Address: 4327 N Thor St
Parcel(s): 35032.4401

The Spokane Regional Health District has completed a review of the information provided in the SEPA Environmental Checklist. The following comments are offered for consideration:

Solid Waste Program Comments

1. All demolition/construction debris and contaminated soils must be transported to a permitted solid waste disposal facility designated to accept the specific waste. No on-site burning or burying of debris will be allowed.
2. If the site of the proposed project requires fill or grading, and clean soil or rock are used, no action is required by the Health District. If the fill includes inert waste such as concrete or asphalt it shall not exceed 250 cubic yards without obtaining an inert waste landfill permit. Sites requiring an inert waste landfill permit shall comply with WAC 173-350-410. Any other regulated solid waste placed on the site shall meet the requirements of the Chapter 173-350 WAC.
3. Inert wastes such as concrete can be utilized if crushed, rendered, or processed into an engineered specified aggregate recycled material in accordance with ASTM standards and it is certified and signed by an engineer licensed in the state of Washington. These recycled inert waste materials are considered processed as a product and are exempt from inert waste permitting requirements.

Thank you for the opportunity to comment on the project. For questions regarding these comments call 509-324-1653.

Sincerely,

A handwritten signature in black ink that reads "Kasey Wilberding".

Kasey Wilberding, M.S, REHS/RS
Technical Advisor
Environmental Public Health Division

Ecology's response

Thank you for your comments.

1. The selected cleanup action is unlikely to generate demolition or construction debris because it does not include the demolition of any structures. Some contaminated soil may be excavated during construction of the caps; if any contaminated soil is excavated during the cleanup action, it will be removed from the site and disposed at a properly permitted facility.
2. The selected cleanup action does not call for fill or grading.
3. See answer to #2.