



Public Participation Plan

**Whitten Oil 1 cleanup site
370 W 5th, Colville, Stevens County**

Toxics Cleanup Program

Washington State Department of Ecology
Eastern Region Office
Spokane, Washington

November 2024

Document Information

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

Cover photo credit

- Tetra Tech, 2024

Related Information

- Cleanup site ID: 9440
- Facility site ID: 49354234

Contact Information

[Toxics Cleanup Program](#)²

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¹ <https://apps.ecology.wa.gov/cleanupsearch/site/16994>

² <https://ecology.wa.gov/About-us/Who-we-are/Our-Programs/Toxics-Cleanup>

³ <https://ecology.wa.gov/ADA>

Department of Ecology's Region 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	PO Box 330316 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 47600 Olympia, WA 98504	360-407-6000

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Public Involvement in Contamination Cleanup

The Washington Department of Ecology (Ecology) developed this public participation plan (plan) in cooperation with Whitten Oil, Inc. and Whitty's LLC, the parties responsible for cleanup as former and current operators, respectively, of the Whitten Oil 1 cleanup 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

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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 information
- Conduct activities that enhance the public's understanding of, and participation in, the cleanup process

For more information about public participation grants, please contact Laura Busby at 360-280-5088 or laura.busby@ecy.wa.gov and Jill Krumlauf at 360-790-5771 or jill.krumlauf@ecy.wa.gov. You may also visit the [Public Participation Grant webpage](#).⁴

Washington's Cleanup Laws

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 Contaminated 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, Washington's cleanup process includes multiple steps (see Figure 1), with opportunities for the public to review and comment on cleanup documents. A partial cleanup (called an interim action) can occur at any time during the cleanup process. The public is provided an opportunity to review and comment on planned interim action work as well.

⁴ <https://ecology.wa.gov/PPG>

⁵ <https://apps.ecology.wa.gov/publications/publications/9406.pdf>

State Environmental Policy Act

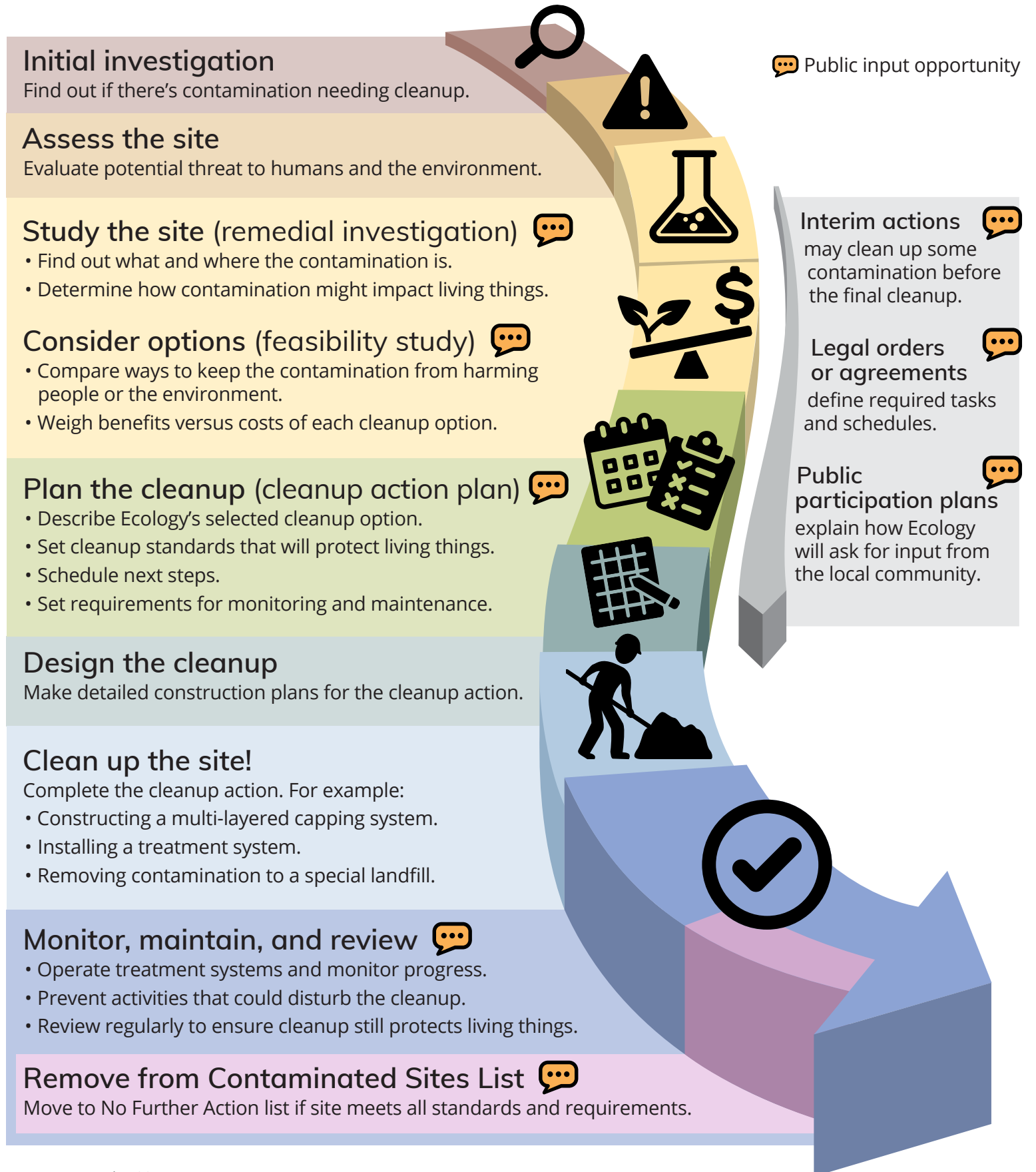
MTCA cleanups also require evaluation under the State Environmental Policy Act (SEPA; [Chapter 197-11 WAC](#)⁶). Under SEPA, the potential for significant adverse environmental impacts from a project or action must be evaluated by state and local agencies when making decisions. This evaluation is subject to public review and comment in parallel with cleanup documents.

⁶ <https://app.leg.wa.gov/WAC/default.aspx?cite=197-11>

Washington's Cleanup Process



Public participation plans and comment periods are only required for cleanups under a legal agreement with Ecology. Otherwise, all cleanups follow the same steps. The steps are defined by Washington's cleanup law, the Model Toxics Control Act.



Site Information

Land use

The 1.4-acre site has been used to distribute petroleum products since the late 1930s. Whitten Oil began operating there in 1973. The site includes a gas station, carwash, and convenience store (site map, Appendix B), and is now run by Whitty’s LLC.

How the site became contaminated

In 1989, workers removed six underground storage tanks and surrounding contaminated soil. A seventh underground storage tank was closed in place under the former gas station building. Further investigation found more soil and groundwater contamination.

Contamination

[Petroleum](#)⁷ and [volatile organic compounds](#)⁸ (VOCs) are in soil and groundwater.

Businesses and homes within the City of Colville get drinking water from the city. This water is regularly tested under the Washington Department of Health’s regulations and is safe for drinking. Therefore, there is no perceived threat to drinking water from this release.

However, if contamination spreads under nearby buildings, it can cause harmful vapors to build up inside them. This is called vapor intrusion (Figure 2). Ecology is requiring the investigation and cleanup to assess and prevent vapor intrusion and to prevent the contamination spreading further.

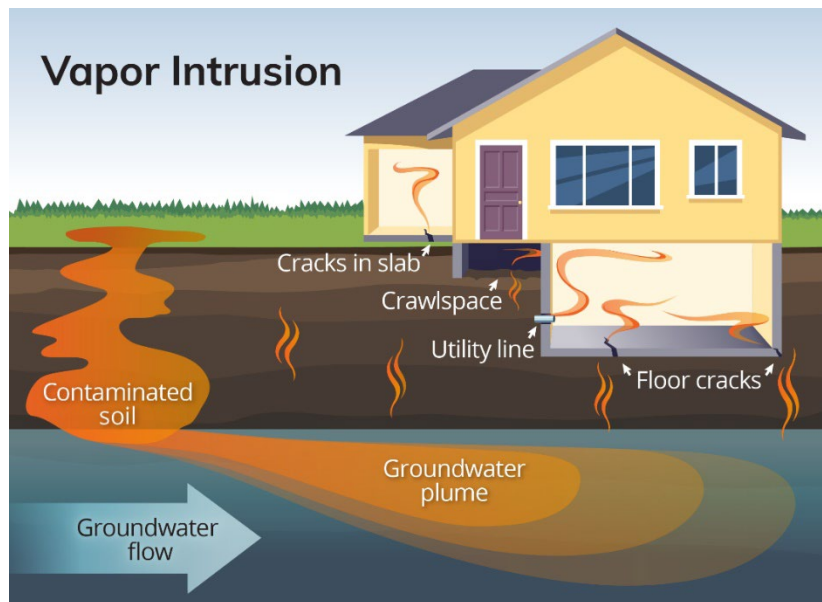


Figure 2. Vapor intrusion can occur when contamination spreads under buildings.

⁷ <https://wwwn.cdc.gov/TSP/substances/ToxSubstance.aspx?toxid=75>

⁸ <https://www.epa.gov/indoor-air-quality-iaq/what-are-volatile-organic-compounds-vocs>

Cleanup plans

Since 2017, groundwater has been sampled twice a year under Ecology's Voluntary Cleanup Program. In 2018, levels of petroleum and VOCs in groundwater began to increase. In 2023, Ecology decided additional investigation and further cleanup are necessary because the extent of groundwater contamination is unknown and may be affecting nearby homes.

In May 2024, Ecology invited the parties responsible for cleanup to negotiate an Agreed Order. The order requires Whitten Oil, Inc. (former owner) and Whitty's LLC (current owner) to complete a remedial investigation and feasibility study. The remedial investigation will determine the full extent of petroleum and VOCs in soil, groundwater, and air, and the feasibility study will evaluate cleanup options.

Area community

The site is in the historic northern end of downtown Colville, which has a population of 4,955. Colville is the county seat of Stevens County and lies in the Colville River Valley about 0.5 miles east of the Colville River and 10 miles east of the Kettle River and Columbia River. The town is formed around the junction of U.S. Highway 395 and State Highway 20 at the base of Colville Mountain. The nearest communities are Kettle Falls to the northwest and Chewelah to the south. An area map is in Appendix A.

Mining and lumber industries have supported the local economy throughout Colville's history. The site is near one of the community's main employers, Vaagen Bros Lumber Mill. Its proximity to the Colville National Forest and Lake Roosevelt also make recreation and tourism economic drivers.

According to the 2020 Census, the Colville population was 85% White, 9% Hispanic, and 1% each American Indian and Pacific Islander, with a small number of people reporting as Black, Asian, or some other race. The population is 48% male and 52% female. Most people (78%) are over 18, with 24% being over 65. Twenty-two percent are under 17, with 7% being under 4. Forty percent of households are low income making less than \$50,000 per year, and 60% own their homes.

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.⁹ Language data from the Census is limited. The languages most widely spoken in households with limited English speaking in the Colville area are only identified as "other Indo-European" and "Asian-Pacific Island." However, it appears this only applies to about nine people. When appropriate, Ecology will provide outreach in other languages if needed.

⁹ 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).

We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

Tribal engagement

The Confederated Tribes of the Colville Reservation and the Spokane Tribe of Indians are federally recognized tribes that could be affected by the contamination. Ecology has notified the Tribes about this site. We will ensure the Tribes are engaged with any decision-making process for this site and have ample opportunity to be involved throughout the process on a government-to-government basis.

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.

However, to be included in the formal site record, comments about the site investigation, cleanup alternatives, or cleanups 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's 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.

We email public comment period notices to relevant local, state, and federal government contacts.

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.

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

Postal mailing list

Ecology maintains a mailing list that includes addresses within a 1/4-mile radius of the site. 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 Erika Beresovoy at 509-385-2290 or Erika.Beresovoy@ecy.wa.gov.

Contaminated Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Contaminated Site Register](#).¹⁰ To receive the *Contaminated Site Register* by email, please [subscribe online](#),¹¹ or contact Sarah Kellington at sarah.kellington@ecy.wa.gov or 360-280-3167.

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the *Colville Statesman Examiner*. We will also publish notice on our [Public Input & Events Listing](#).¹²

Ecology's website and social media platforms

We maintain a website for the [Whitten Oil 1 site](#).¹³ The website provides site information, and you may download cleanup documents.

We may also share information about cleanup sites through [news releases, our blog, and social media](#).¹⁴

Places to see print documents

During public comment periods, you can find print documents at the following location:

Washington Department of Ecology
Eastern Region Office
4601 N. Monroe St.
Spokane, WA

To schedule an appointment, please contact Miriam Robbins at 509-329-3415 or Miriam.Robbins@ecy.wa.gov.

If you would like to be mailed print documents, please contact Erika Beresovoy at 509-385-2290 or Erika.Beresovoy@ecy.wa.gov.

¹⁰ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹¹ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118

¹² ecology.wa.gov/Events/Search/Listing

¹³ <https://apps.ecology.wa.gov/cleanupsearch/site/9440>

¹⁴ ecology.wa.gov/About-us/Get-to-know-us/News

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

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods for SEPA documents. SEPA documents are often made 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 Erika Beresovoy at 509-385-2290 or Erika.Beresovoy@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 all 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 become final.

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 it.

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.

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 Erika Beresovoy at 509-385-2290 or Erika.Beresovoy@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.

Appendix B. Site map

