

Responsiveness Summary
Agreed Order No. 17992 and Public Participation Plan
Former Grays Harbor Paper
Comment Period: June 4, 2024 – September 12, 2024
Public Hearing: September 4, 2024

This document addresses questions and comments received by the Washington State Department of Ecology (Ecology) during the public comment period for the Former Grays Harbor Paper draft Agreed Order 17992 and the accompanying *Public Participation Plan*.

Public Engagement

On June 4, 2024, Ecology published notice in *The Daily World* of the public comment period for the draft Agreed Order 17992 beginning on June 4, 2024, with the comment period closing on July 9, 2024. Ecology posted notice of the comment period on Ecology's website and in the *Washington State Contaminated Sites Register*. In addition, Ecology sent notices of the comment period by mail to about 1,200 people located near the cleanup site and sent email notices to those who had requested to be on Ecology's interested parties list for the site.

Ecology received requests to hold a public hearing on the Draft Agreed Order and *Public Participation Plan*. Ecology extended the comment period through September 12, 2024 and held a public hearing on September 4, 2024 at the Timberland Hoquiam Public Library at 6:00 PM. Ecology published notice of the public comment period extension and hearing in *The Daily World* on August 13, 2024. Ecology published a notice of the public hearing and comment period in the *Washington State Contaminated Sites Register* on August 22, 2024. In addition, Ecology sent notices of the hearing by mail to about 1,200 people located near the cleanup site and sent email notices to those who had requested to be on Ecology's interested parties list for the site.

Tribal Engagement

Prior to the public comment period, on April 4, 2024 Ecology provided the draft Agreed Order 17992 via email to tribal groups and offered to meet or accept comments prior to beginning the public comment period in accordance with the *Tribal Engagement Plan* associated with this site. Ecology notified tribal groups via email of the public comment period on June 4, 2024, and of the extension of the public comment period and scheduled hearing on August 7, 2024.

Comments Received & Changes Made

We received comments from individuals and organizations during the comment period. Ecology carefully reviewed all the comments received. No changes were made to the draft Agreed Order 17992. One change was made in the *Public Participation Plan* as noted under Ecology response to comments 13, 14, and 17. A copy of the final Agreed Order and *Public Participation Plan*, including this Responsiveness Summary will be sent to all interested parties upon issuance and posted on the Ecology website at : <https://apps.ecology.wa.gov/cleanupsearch/site/2262> .

1. Brian Shay (City of Hoquiam) (Comment 1 of 2)

Thank you for sending. If I read this correctly, based upon the timelines and deliverables it will be approximately 3 years before any cleanup actually begins. Is that correct? If so, my formal comment would be that the timeline is unacceptable. I believe that formal cleanup should be initiated within 6

months of the agreed upon order based upon how long the company has been aware of the contamination and how long it has been since the site was demolished. The company has ample resources to expedite this process.

2. Brian Shay (City of Hoquiam) (Comment 2 of 2)

The cleanup of this site should be expedited much quicker than outlined as in the draft agreed order. Within the plan, RYAM has 12 months to complete the investigative work which can be completed in six months or less. This plan should include a requirement to have a fully clean site within 18 months of execution of the agreement. The former Rayonier Paper was demolished over 6 years ago. Ecology has been working on a draft cleanup agreement for the past 5 years which if implemented then could have seen this site cleaned up by now. The contamination on this site has prevented the property from being purchased on multiple occasions which cost the City of Hoquiam and the Washington State with much needed new industry and family wage jobs. The contamination is in extreme close proximity to critical aquatic and salmon habitat that should further prioritize this site for a quicker restoration.

Ecology Response to Comments 1 and 2

While there is some data available regarding historic contamination, these investigations were not performed under Ecology supervision via the formal Model Toxics Control Act (MTCA) process. The full extent of the contamination has not been determined for this large and complex site at this time.

Ecology is legally required to work through the cleanup process according to the MTCA law, which includes a thorough sampling investigation before site remediation can begin. The information gathered will ensure thorough and protective cleanup at the site.

For complicated sites, the cleanup process can take years to complete. However, note that Agreed Order 17992 also includes an option for an "interim action" which can expedite the cleanup process in certain areas of the site. If at any point during the cleanup process, an area of contamination is found on the site that poses an immediate concern regarding human health or the environment, Ecology will require RAMP to remediate that area of the site using an "interim action" prior to the completion of the cleanup process for the entire site.

3. Marantha Hay (Comment 1 of 2)

My name is Marantha Hay and I live at 2120 Sumner Ave, which is just across the road from where the contaminated site is located. I'd like someone to come to my house and test my water to ensure it is safe to drink. Can you put me in touch with the right people for this?

4. Marantha Hay (Comment 2 of 2)

My name is Marantha Hay and I live at 2120 Sumner Ave., just across the street from the contaminated site. I am very concerned about the quality of my water, and whether or not it is safe to drink. I would like someone to come to my home and test my water, and ensure that these toxic chemicals are not present. If they are, I would like to be provided drinking water immediately.

Ecology Response to Comments 3 and 4

Currently Ecology does not have any evidence that contamination from the Former Grays Harbor Pulp and Paper Mill site is affecting drinking water quality. The first step in the cleanup process

requires RAMP to evaluate potential contamination at the site and to develop a conceptual site model, which will show migration pathways of pollutants through all environmental media . As mentioned in Ecology's Response to Comments 1 and 2, if an area of contamination is found on the site that poses an immediate concern regarding human health or the environment, Ecology will require RAMP to remediate that area of the site using an "interim action" prior to the completion of the cleanup process for the entire site.

Please note that Ecology does not implement the Safe Drinking Water Act (SDWA). The SDWA creates limits on contaminants in drinking water and requires periodic monitoring of drinking water to ensure it does not exceed these standards for public water systems.

If you receive drinking water from the City of Hoquiam, the City of Hoquiam Public Works department is responsible for ensuring compliance with the SDWA. Please contact the City of Hoquiam Public Works for information about drinking water quality:

<https://www.cityofhoquiam.com/page/public-works> . Information dated 2017 from the City of Hoquiam indicates that the water source for the City of Hoquiam is surface waters from Davis Creek and the West Fork of the Hoquiam River. This is roughly seven miles north of the Former Grays Harbor Pulp and Paper Mill.

If you receive drinking water from a private well, private well owners are responsible for ensuring the safety of their drinking water. Information regarding well testing is available at the following link: <https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/331-349.pdf>

5. Lee First (Twin Harbors Water Keeper) (Comment 1 of 2)

In Re: Grays Harbor Paper LP, Draft Agreed Order

Ms. Toffol,

Thank you for this opportunity to comment on the above referenced draft document. I have not completed my review, but I wanted to share a major concern, so that it is addressed during the cleanup process.

The first page of the fact sheet that was recently distributed includes a map of the site, outlined in red. It lists the address of the sites as The site is located at 801 23rd Street in Hoquiam (Grays Harbor County), WA. It lists Rayonier A.M. Properties LLC as the current owner/potentially liable party (PLP). The Draft Agreed Order includes a lot of information that indicates that past practices may have resulted in pollution outside of the boundaries of the pulp mill that are indicated on the map.

From my limited research, I believe that there are additional property owners in the general area of the site, including but not limited to City of Hoquiam, Port of Grays Harbor, and Hoquiam Riverview Properties.

Please update the Agreed Order to require sampling/characterization of all adjacent properties, including Rennie Island. Please include the areas where past practices piped effluent and/or wastewater into the Harbor, and areas where effluent and/or wastewater was piped to Rennie Island.

Thanks for this opportunity to comment.

Lee First

Ecology Response to Comment 5

Ecology apologizes that the flyer advertising the public comment period included a misleading diagram. MTCA law does not limit cleanup to property lines. MTCA defines the cleanup site as anywhere we determine contamination has come to lie. This means spills that happened due to site operations that occurred on adjacent properties, or have migrated onto adjacent properties, will be addressed by Ecology as part of the cleanup process.

The Agreed Order does not limit where sampling will occur. Once the Agreed Order is in place, RAMP must look at historical releases and operating practices at the mill to determine where and what to sample for. Until they complete this sampling as approved by Ecology, we are unable to determine the extent and location of the contamination. Ecology may require RAMP sample adjacent properties if we have credible evidence that there may be contamination in these areas. Additionally, the sampling process may be iterative. If it appears we have not determined the “boundary” of an area of pollution based on initial sampling efforts, Ecology may require additional sampling over a wider area, including properties outside of the footprint where the pulp and paper mill historically operated.

*Exhibit B of the Agreed Order includes states that the remedial investigation work plan (which includes sampling) must cover these requirements for the following areas, at a **minimum**: former pulp and paper mill areas, Rennie Island impoundments, and areas in proximity to Outfalls 1 and 2 (see DNR Lease 51-080843-A and 51-080843-B for locations), **and areas within the Hoquiam River and Grays Harbor where the Site history and the conceptual site model indicate that contaminants of concern from the operation of the pulp and paper mill may be present.***

Ecology did not make the changes to the Agreed Order the commenter requested based on the above discussion.

6. Lee First (Twin Harbors Water Keeper) (Comment 2 of 2)

Last week, I sat down with a person who worked at the pulp mill for 30 years, along with his three older brothers. He was a backtender, and his job was to test pulp fiber as it was run through the machines.

He told me that every now and then they'd blow a gasket in the “Sulfate Department,” and it was almost impossible to breathe. When that happened, chemicals from the cooking process spilled everywhere, people walked through it, and it dissolved their shoes. To clean it up, everything went down the drain, and nothing was contained – it went into the Harbor.

He told me that the plant was run into the ground, and the workers couldn't shut it down without an "OK" from the New York owners. So, the pulp that was unfit for paper was dumped, lots of it. Anything that was not up to standards was simply dumped, and there was no trucking of anything off site. When the pulp mill was shut down and the paper mill took over, waste from the paper mill was contained and trucked away.

We now know from several independent investigations that certain contaminants are found in the site's groundwater and soil. I request that a much larger, more thorough investigation be accomplished. Because a lot of waste was dumped on Rennie Island, I request a thorough investigation occur out there. Please investigate the sediment including the area around the former pipe from the facility to Rennie Island. Please test for pentachlorophenol, a toxic pollutant associated with the pulping process. If sediment has been dredged in the vicinity of the pipeline and other places, and I know it has, please investigate the places that sediment from this area was placed for pentachlorophenol, PCBs, mercury, and other metals.

Before I moved to the Chehalis watershed, I was a long-time resident of Bellingham. Georgia Pacific released mercury into Bellingham Bay during the operation of its chlor-alkali plant. Moreover, the industrial fill-land upon which Georgia Pacific still sits is contaminated with petroleum compounds, mercury, metals, and caustic soda.

The Georgia Pacific project calls for the removal of half a million cubic yards of contaminated material from the Whatcom Creek Waterway and the 37-acre Georgia Pacific Aerated Stabilization Basin (ASB) which is where the waste all went from that facility. So, they're going to remove half a million cubic yards of contaminated material as part of that cleanup and they are going to create of two miles of enhanced near-shore habitats, and eventually transform the Aerated Stabilization Basin into a "Clean Ocean Marina," complete with new salmon habitats, fish passageways, and nearly a mile of public access around the breakwater.

This place has a toxic legacy, and this cleanup is a really important first step. I look forward to watching this project unfold, and I hope that we can achieve a similar result here in Grays Harbor. Thank you for the opportunity to testify.

Ecology Response to Comment 6

Agreed Order 17992 includes requirements for a sampling investigation. Agreed Order 17992 does not define where sampling will occur or what pollutants will be sampled for. This will be determined as part of the Remedial Investigation Work Plan, required under Agreed Order 17992. Sampling locations and pollutants of concern will be identified based on historical releases and operating practices at the mill, as well as the conceptual site model (CSM) developed for the site. The CSM will show migration pathways of pollutants through all environmental media. Rennie Island and sediments in adjacent waterways will be included in the investigation as mentioned under the response to the previous comment.

7. Savannah Rose (Twin Harbors Waterkeeper)
Re: Grays Harbor Paper Cleanup – Public Comment

As a non-profit corporation dedicated to protecting water quality in Washington State, Twin Harbors Waterkeeper would like to express its appreciation that Ecology and Rayonier are finally taking steps

to clean up the contaminated former Grays Harbor Paper. However, we have some concerns about the cleanup plans.

This cleanup should be taken very seriously. As Ecology acknowledges, the contaminants present at this site, including total petroleum hydrocarbons (TPH), polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), and toxic metals like lead and mercury, are known to have severe impacts on both human health and the environment. The soil, groundwater, and nearby sediments are all affected, and the potential for these contaminants to further spread or impact the Hoquiam River, Chehalis River Estuary, and Grays Harbor is of great concern.

The urgency to get the former Grays Harbor Paper site cleaned up cannot be stressed enough. This area is at risk for flooding, sea level rise, and tsunamis. Flooding of this site mobilizes the pollutants and may carry contaminants to nearby homes, businesses, and schools. Hoquiam residents have expressed concern to Twin Harbors Waterkeeper that past floods might have brought contaminants into their yards where their children and pets play. The pollutants at this particular site pose a higher risk to the community because it is located in a flood zone and, therefore, should be cleaned up as quickly as possible.

Ecology Response to Comment 7

This comment requests prompt cleanup action. See Ecology response to comments 1 and 2 for our response to this request.

This comment also expresses concerns regarding pollution travelling off the pulp and paper mill property. As discussed in our response to the previous comment, before determining sampling locations, the PLP is required develop a “conceptual site model” which will show migration pathways of pollutants through all environmental media. This will help inform sampling decisions.

See also Ecology response to comment 3 regarding sampling in areas outside of the pulp and paper mill footprint.

8. Savannah Rose (Twin Harbors Waterkeeper)
 - I. Drinking Water Contamination

It is important that this site is cleaned up thoroughly and promptly. Grays Harbor gets its drinking water from underground aquifers—porous rock formations below the ground that hold water—via numerous deep and shallow wells around the county. Ecology and Rayonier need to make sure that the contaminants from the site have not and will not reach our water supplies. The only reference to an investigation into this matter in the Agreed Order is on page 7 where Ecology states, “The no further action letter [in response to Rayonier’s 1993 investigation of the ‘Silvichemical Area’] stated that levels of chromium VI in the upper aquifer were unknown at the time of the issuance of the letter.” (emphasis added).

Ecology Response to Comment 8

See Ecology response to comments 3 and 4 regarding drinking water.

While there are historical sampling results available for this facility, these sampling efforts were performed outside of the formal MTCA process and focused on limited areas of the site. The agreed order requires additional sampling that Ecology and the PLP will use to inform the cleanup process.

9. Savannah Rose (Twin Harbors Waterkeeper)
- II. Impact on Nearby Schools and Neighborhoods

Children are among the most vulnerable to the effects of environmental toxins, and any exposure—whether through contaminated soil, water, or air—can have long-lasting consequences on their health and development. Ensuring that the cleanup is thorough and that all contaminants are properly managed is essential to protect our children and their future.

In addition, the people who live in the neighborhoods surrounding the site are at risk of exposure to harmful substances. Many of these residents are already facing challenges due to the high unemployment rates and low-income levels in our community. The cleanup must prioritize these residents' health and safety by ensuring that all contaminated areas are fully remediated and that no residual risks remain.

Ecology Response to Comment 9

Comment noted. Ecology will establish the cleanup standards later in the process and the public will have the opportunity to review and comment on those proposed standards before we finalize them.

10. Savannah Rose (Twin Harbors Waterkeeper)
- III. Impact on Workers

The workers who are employed in and around the site also deserve protection. Whether they are involved in the cleanup efforts or work in nearby businesses, their exposure to contaminants must be minimized. Proper safety measures, monitoring, and protective equipment are critical during the remediation process to ensure that workers are not harmed.

Ecology Response to Comment 10

The Remedial Investigation Work Plan includes a requirement for a Health and Safety Plan (HASP). The purpose of the HASP is to identify and mitigate health and safety risks for workers performing work associated with the remedial investigation. Work performed under the remedial investigation is not anticipated to result in any significant off-site impacts.

11. Savannah Rose (Twin Harbors Waterkeeper)
- IV. Impact on the Economy and Waterfront Access

Furthermore, the successful cleanup of this site has the potential to revitalize the local economy by making the area safer and more attractive for new businesses and investments. A comprehensive cleanup that includes the waterfront areas will not only protect the environment but also allow us

to reclaim and enjoy our natural resources. Restoring safe access to the waterfront will provide recreational opportunities, improve public health, and strengthen our connection to the natural beauty of Grays Harbor. However, these benefits can only be realized if the cleanup is done thoroughly and responsibly.

Ecology Response to Comment 11

Comment noted. As noted in Ecology's response to comment 9, Ecology will establish the cleanup standards later in the process and the public will have the opportunity to review and comment on those proposed standards before we finalize them.

12. Savannah Rose (Twin Harbors Waterkeeper)

V. Inadequate Cleanup Measures

Rayonier's previous insufficient attempts at cleaning areas of the site does raise concerns with how it will handle the cleanup going forward. Ecology needs to hold Rayonier accountable and closely monitor Rayonier's Remedial Investigation Work Plan, Remedial Investigation, Remedial Investigation Report, Feasibility Study, and Draft Cleanup Action Plan. We want to ensure that Ecology and Rayonier will address the following inadequate cleanup measures identified in the Agreed Order during the cleanup process:

Silvichemical Area Investigation: Chromium contamination was investigated in 1993, but the levels of chromium VI in the upper aquifer were unknown, leaving uncertainty about the thoroughness of the cleanup.

Boneyard Area: Independent cleanup efforts took place here, addressing contaminants like TPH, PCBs, and lead. However, the "No Further Action" letter issued by Ecology does not guarantee that all risks were fully mitigated.

Former Log Yard Area: Although some contaminated soil was removed, lead levels still exceeded cleanup standards, indicating that the remediation was insufficient.

Finishing Area: Contaminants including TPH, lead, chromium, PCBs, and PAHs were found in soil and groundwater. Some excavation was done, but the investigation was not under a consent decree, raising concerns about the adequacy of the cleanup.

Landfill Base Area: Contaminants like PAHs, lead, chromium, TPH, and BTEX were detected, with TPH levels still exceeding cleanup standards. The lack of comprehensive follow-up raises concerns about ongoing environmental risks.

Sediment Contamination: Sediments near the site's wastewater outfalls were found to exceed state sediment cleanup standards for mercury and PCBs, failing biological tests. It appears that not all contaminated sediments were adequately remediated.

Gasoline and Maintenance Area: Benzene, TPH, lead, and other chemicals were found in soil and groundwater. Although some remediation took place, contamination still exceeded safe levels as recently as 2017.

Powerhouse Area: No. 6 fuel oil contamination persisted despite earlier cleanup efforts. Groundwater monitoring from 1993-1995 showed concentrations of TPH, PAHs, and other contaminants above screening values, indicating the inadequacy of past remediation.

Utility Chase Area: A ruptured oil line in 1992 caused contamination that persisted even after some soil was excavated. TPH and PAHs still exceeded safe levels, highlighting the insufficiency of the cleanup.

Warehouse Area: Soil and groundwater contamination with chromium, lead, TPH, and PCBs was detected in 1993. The extent of the cleanup is unclear, suggesting that risks may remain.

Hog Fuel Storage Area: Historical contamination with chromium, lead, and TPH was detected, with groundwater monitoring showing ongoing exceedances of safe thresholds from 1992-1995, indicating inadequate cleanup.

Shoreline Contamination: Groundwater monitoring from 1992-1995 detected TPH, lead, chromium, and other hazardous substances along the shoreline, with no comprehensive cleanup action taken, posing ongoing risks.

Paper Machine Area: Contamination with TPH and PCBs exceeded cleanup levels, and even after some soil was excavated, significant contamination remained. Ecology did not issue a "No Further Action" letter, indicating that the cleanup was incomplete.

Ecology Response to Comment 12

Comment noted. The public will have the opportunity to review and comment on the Remedial Investigation, which will provide the results of the site characterization.

13. Savannah Rose (Twin Harbors Waterkeeper)

VI. Conclusion

While we appreciate the steps that have been taken so far, including the development of the Agreed Order between Ecology and Rayonier, we believe that the cleanup process must be both comprehensive and expedited. The Agreed Order outlines necessary actions such as a remedial investigation and feasibility study, but these must be conducted with the utmost thoroughness and transparency.

We strongly urge the Department of Ecology and Rayonier to ensure that the cleanup plan addresses all areas of contamination comprehensively, including those that may have been previously overlooked or inadequately addressed.

Furthermore, the community must be kept informed and involved throughout the entire cleanup process. Public participation is a critical component of the MTCA, and we call on the Department of Ecology to ensure that all public comment periods, meetings, and updates are widely advertised and accessible to all residents, including the Latino community and local Native American tribes. The Agreed Order makes no mention of the local tribes, but the Public Participation Plan does briefly refer to a Tribal Engagement Plan. It is essential that the voices of those who live, work, and study near the site are heard and that our concerns are taken seriously.

Finally, we would like to emphasize the importance of adhering to the agreed-upon timelines. Any delays in the cleanup process could have serious consequences for our community, and we urge all parties involved to prioritize the health and safety of our residents by completing the cleanup as swiftly as possible.

In conclusion, we support the efforts to remediate the Grays Harbor Paper Mill site, but we also demand that the cleanup be thorough, transparent, and timely. The future of our community depends on it.

Thank you for your attention to this critical matter. We look forward to your response and to a cleaner waterfront in Hoquiam.

Sincerely,

Savannah Rose Policy Director

Twin Harbors Waterkeeper

Ecology Response to Comment 13

See the first page of this document for information regarding tribal engagement.

The Public Participation Plan for this site has been updated to state that we will provide announcements for public meetings, comment periods, or hearings in Spanish. Ecology is able to provide interpretation services at our public meetings or hearings, and this can be done most efficiently when they are requested in advance of the public meetings or hearings.

14. Jessenia Lopez

Oral Testimony:

Primeramente, me gustaría agradecer al Departamento de Ecología por involucrarse en el mejoramiento de la limpieza de nuestra comunidad. Asisto a esta audiencia para pedir que se siga proporcionando información en español conforme continúe el proceso de limpieza. En mi experiencia personal la organización llamada Twin Harbors Waterkeepers se ha involucrado mucho en la comunidad y en poder compartir la información a nuestra comunidad hispana. Además, la organización llamada Rise también hace un buen trabajo en poder compartir la información por medios sociales y por medios escritos a nuestra comunidad. Muchas gracias.

Translation:

First, I'd like to thank the Department of Ecology for being involved in improving the cleanup of our community. I am attending this meeting to ask that you continue to provide information in Spanish as the cleanup process moves along. In my personal experience, the Twin Harbors Waterkeepers organization has been very involved in the community and in sharing the information with our Hispanic community. The Rise organization has also done a good job of sharing information with our community through social media and printed materials. Thank you very much.

Ecology Response to Comment 14

The Public Engagement Plan for this site has been updated to state that we will provide announcements for public meetings, comment periods, or hearings in Spanish. As mentioned in the response to comment 13, Ecology is able to provide interpretation services at public meetings or hearings, and we can do this most efficiently when they are requested in advance of the public meetings or hearings.

15. Lys Burden and Others

To Whom It May Concern:

My family and I have been informed about the toxic pollution left by Grays Harbor Paper, LLC, the last industrial business to use two sites on the shores of Grays Harbor. These sites are located on the east side of the Hoquiam River, where it enters the Harbor, and Rennie Island, both places where toxic substances were either stored in or discarded into unlined and lined lagoons. We are anxious to hear that these sites will be completely cleaned up, as this is such a sensitive area for wildlife, human habitation and water quality in Grays Harbor alike.

We are Washington residents, who live on the Olympic Peninsula farther north, but we have friends who live in Grays Harbor City and Aberdeen, so we are quite concerned about the health of their lands and waters. We are taxpayers and voting constituents in the same legislative and congressional districts as Grays Harbor.

We note that Rennie Island has a large stretch of estuary terrain to the west. It must have been a thriving place for wildlife, especially salmon smolts, once upon a time, as they acclimated to the sea. We sincerely hope these lands and waters can and will be restored to environmental health in the next few years. Such a restoration would be another small step to help endangered salmon return to our rivers, bays and ocean waters.

We also note the plethora of beach and bay side state parks and wildlife refuges in this area. It certainly behooves us to clean up these upstream lands and waters that are in such close proximity to so many sites enjoyed by so many people, camping, fishing and recreating in and on the water.

Please do justice to these once healthy and beautiful environments and the salmon, who are struggling to be alive.

Dan and Lys Burden, Mike and Dan Brant

Ecology Response to Comment 15

Comment noted.

16. Barbara James and Others

Information from recent newspaper articles and mailers notifies the public of a draft clean-up plan for the Rayonier Industrial site formerly located at 801 23rd Street in Hoquiam, Washington. A public comment period is available, but a public hearing will be conducted only if 10 or more people request it.

After wading through the documents on the DOE website, as adjoining landowners we are very concerned about previous poisons and pollutants leaching and wafting onto our properties from the now abandoned Rayonier A.M. sites.

How the site became contaminated: Industrial practices and historical land use by the mill owners and operators has resulted in air, soil, and groundwater contamination at the site that exceeded existing standards for effluents and emissions. Previous independent investigations conducted by previous site owners and operators have detected the following contaminants in soil or groundwater at the sites.

- Total petroleum hydrocarbons (TPH) from diesel, gasoline, and oil
- Polycyclic aromatic hydrocarbons (PAHs)
- Polychlorinated biphenyls (PCBs)
- Metals including lead, chromium, and mercury
- Benzene, Toluene, Ethylbenzene, Xylene (BTEX)
- Volatile Organic Carbons (VOCs)

Rayonier Inc. conducted independent investigations and remedial actions at the site, including on both the paper mill and pulp mill properties, beginning in 1993. Records show there had been releases of hazardous substances at the site into soil and groundwater that present a threat to human health and the environment.

These hazardous pollutants are not contained by property line fences.

Based on the foregoing facts, Ecology believes the remedial actions required by this Order are in the public interest.

Per DOE, RAMP (Rayonier A.M. Properties LLC) shall prepare a Remedial Investigation Work Plan (Work Plan). The Work Plan shall include an overall description and schedule of all RI activities. The Work Plan shall clearly describe the project management strategy for implementing and reporting on RI activities.

Leaving the fox in charge of the henhouse?

We are seriously concerned about air, groundwater, and soil contamination from historically exceeding standards for effluents and emissions, including mitigated and non-mitigated leakages and accidents. The DOE has determined no public informational meeting is necessary unless at least ten people request one.

We request a public informational hearing to better inform adjoining landowners of actions previously taken, the out-of-compliance findings, and the remedial investigation plan implementation.

Ecology Response to Comment 16

Ecology held a public hearing for the draft Agreed Order 17992 and Public Participation Plan on September 4, 2024 at the Timberland Hoquiam Public Library.

See Ecology response to comment 5 regarding contamination beyond property lines.

PLPs are responsible for conducting investigations and preparing documents and reports required by Agreed Order 17992. All documents will be reviewed and approved by Ecology. Many of the documents will also have a public comment period, allowing the public to review and provide comments on the documents before Ecology approves them. Having the PLP involved in the cleanup process in this way is beneficial in a few ways, including maintaining the PLPs responsibility for the cleanup of the site and allowing the work to occur without requiring additional resources from Ecology. It is a legal pathway through the cleanup process.

17. Debra Ellers (Great Old Broads for Wilderness)

Re: Grays Harbor Paper Administrative Order and Public Participation

Dear Department of Ecology Staff,

I write to you on behalf of the North Olympic Peninsula Broadband (“NOP BB”), a chapter of the Great Old Broads for Wilderness, a national conservation organization with over 8,500 members nation-wide. NOP BB currently has 34 members, who engage in activities such as hiking, bird-watching and paddling kayaks and canoes around the Olympic Peninsula and Washington coast, including the Grays Harbor area. Our organization is vitally concerned with restoring contaminated sites for the benefit of the public and wildlife, and enhancing recreational opportunities. I am providing the following issues for consideration.

Currently, this site is valuable waterfront property with no public access and no economic future without a thorough and effective cleanup.

This site is harmful to people, pets, wildlife and the environment as a whole. It needs to be cleaned-up quickly and thoroughly to allow for future community and public uses.

The community needs a public hearing to learn more about the site and the cleanup process.

Ecology should provide Spanish translation and outreach to advertise the hearing and public comment period.

Ecology must consult with the interested Tribes with traditional territories in this area, and include them in decision-making in a meaningful way during the clean-up and future uses and management.

Please ensure that I am placed on your list to receive notices of actions and future comment periods.

Broad Regards,

Debra Ellers, Leader

North Olympic Peninsula Broadband Debra4stuff@gmail.com

Ecology Response to Comment 17

This comment requests a quick cleanup. See Ecology response to comments 1 and 2 for response.

Ecology held a public hearing for the draft Agreed Order 17992 and Public Participation Plan at the Timberland Hoquiam Library on September 4, 2024 at 6:00 P.M. Ecology advertised the public hearing in both English and Spanish.

The Public Engagement Plan for this site has been updated to state that we will provide announcements for public meetings, comment periods, or hearings in Spanish. Ecology is able to provide interpretation services at public meetings or hearings, and we can do this most efficiently if they are requested in advance of the public meetings or hearings.

18. Anonymous

When there weren't gates or no trespassing signs, this was a regular walking site for many locals. On 09/19/2021, saw two labels that seemed to imply "asbestos" was present. See attached photos.



Photo 1. Photo included with comment.



Photo 2. Photo included with comment.



Photo 3. Photo included with comment

Ecology Response to Comment 18

Comment noted.

19. Rebecca Durr

I would like to request a public hearing concerning the dangers of contamination and possible cleanup of this abandoned industrial waste site.

Ecology Response to Comment 19

Ecology held a public hearing for the draft Agreed Order 17992 and Public Participation Plan at the Timberland Hoquiam Library on September 4, 2024 at 6:00 P.M.

20. Craig Zora

RE: Grays Harbor Paper LP, Draft Agreed Order

Ms. Toffol,

Thank you for this opportunity to make a comment on the above referenced draft document. Before any cleanup can begin, the extent and nature of contamination need to be thoroughly assessed.

In the Agreed Order outfall pipes and submerged pipelines are mentioned.

Agreed Order 5.15 Treated effluent was discharged through an outfall pipe into Grays Harbor. Filter

backwash and overflow from the freshwater treatment system was also discharged through a different outfall into the mouth of the Hoquiam River.

Agreed Order 5.17 The former pulp and paper mill areas are near the Hoquiam River and Grays Harbor. Operations during RYAM's predecessors' operation of the pulp mill included occasionally pumping spent sulfite liquor from the mill, via a submerged pipeline beneath the waterway between the mill and Rennie Island, for storage in an impoundment on Rennie Island.

Agreed Order 5.24 A September 1994 Sediment Studies Report documented contaminated sediment near the site's wastewater outfalls.....

Attached is a DNR application (dated 1/8/2014) for two wastewater outfalls. In addition there is a DNR Harbor Area lease and two DNR pipeline easements for the submerged pipeline between the mill and Rennie Island. A Public Disclosure Request (see attachment) has been submitted to the DNR and the first installment will be available July 25, 2024. Please review all these documents in determining the extent of contamination.

Thank you.



WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

Application for Use of State-owned Aquatic Lands

Applicant Name:	Harbor Paper, LLC.
County:	Grays Harbor County
Water Body:	Grays Harbor
Type of Authorization - Use:	Easement – (2) wastewater outfalls
Authorization Number:	51-089452
Term:	12 years
Description:	This agreement would allow the continued use of State-owned aquatic lands for the sole purpose of (2) wastewater outfalls. It is located on Grays Harbor, in Grays Harbor County, Washington.

Figure 1. Information included with the comment.

Harbor Paper, LLC.
Authorization No. 51-089452
Authorized Use: Wastewater outfall
Location: Grays Harbor, Grays Harbor County



Vicinity Map

Every attempt was made to use the most accurate and current geographic data available. However, due to multiple sources, scales, and the currency of the data used to develop this map Washington Department of Natural Resources cannot accept responsibility for errors and omissions in the data. Furthermore, this data is not survey grade information and cannot be substituted for an official survey. Therefore, there are no warranties that accompany this material.

Legal Description

OUTFALL NO. 1
 SE SE Section 12 Township 17N Range 10W

OUTFALL NO. 2
 SE SW Section 12 Township 17N Range 10W

Prepared By: CAZ Date: 1/8/2013

Figure 2. Information included with the comment

June 12, 2024 Tue 11:42 AM

Good morning,

The Washington State Department of Natural Resources (DNR) received your public disclosure request on June 10, 2024. All identifiable records responsive to your request will be provided to you pursuant to Chapter 42.56 RCW.

You requested:

- All Aquatic leases and easements (current and expired) associated with Grays Harbor Paper LP.

Please be advised that, pursuant to RCW 42.56.120, DNR uses the default fee schedule. If DNR uses an outside vendor for the duplication service, the charge to you will be the cost charged by the vendor, plus the cost of shipping. However, records may also be viewed in person for no fee.

DNR is in the process of making a diligent and good faith effort to locate records that are responsive to your request. We estimate that your first installment of records will be available on or about **July 25, 2024**.

If responsive records become available sooner, we will certainly forward it to you.

Should you have any questions, please contact our office.

Warm Regards,

Myles Akyea

Litigation & Public Disclosure Coordinator

Washington State Department of Natural Resources (DNR)

564-669-1104

www.dnr.wa.gov/publicdisclosure

Figure 3. Information Included with the comment

Ecology Response to Comment 20

Ecology received the documents that DNR provided to you that you forwarded to Ecology. Ecology anticipates that Rennie Island, and outfall areas will be included in the sampling investigation at the site. Ecology will review the records provided to determine if there are additional in-water areas that should be sampled.

21. Christine Popowich
To Whom It May Concern,

I would like to request a public hearing about this old Grays Harbor Paper Site. I live in Grays Harbor County, these issues are of great importance in the community as they impact the quality of our lives. Responsible environmental clean-up is in my opinion, one of the most important things we can do to keep our community healthy and safe. Contamination has gone on too long in the name of business interests. There is a new little park not far from this site and it is frequently full of parked cars and people overlooking the river. We need more places like this that are safe to explore. I do think with more outreach the public would be very interested in how this process takes place. I also

work with low income families and their preschool children in Hoquiam, and what a great learning experience for them and all community members. They need to know they have a voice and a stake in what happens in their neighborhood that will impact their families' lives.

Ecology Response to Comment 21

Ecology held a public hearing for the draft Agreed Order 17992 and Public Participation Plan at the Timberland Hoquiam Library on September 4, 2024 at 6:00 P.M.

22. Kim Benish

Hello, I am wondering if bioremediation techniques will be used on this site? And if not, why not. Thank you Kim

Ecology Response to Comment 22

The cleanup plan has not been created yet for this facility. Potential cleanup technology options will be evaluated during the Feasibility Study section of the Agreed Order, which will include another public comment opportunity.

23. Arthur Grunbaum (Friends of Grays Harbor)

In Re: Grays Harbor Paper LP, Draft Agreed Order

Ms. Toffol,

Thank you for this opportunity to comment on the above referenced draft document. We have not finished our review, but did notice this particular omission and wanted to make sure that the concern outlined below became part of the process.

We note that the plant which produced a monocyclic aromatic aldehyde-phenol containing methoxy, or vanillin was not considered in this draft agreed order.

In 1988 ITT Rayonier announced it would increase its vanillin ex-lignin capacity from 800 MTons/yr to 1500 MTons/yr and ran that part of the plant until it closed in January 1993. The plant likely emitted a variety of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) during its operation. It likely involved solvents like methanol, ethanol, benzene, terpenes, and toluene for extraction and purification. In addition, some of the VOCs above, like benzene and toluene are also classified as HAPs.

Depending on the process, chlorinated organic compounds like chloroform or tetrachloroethylene could be of concern.

Contamination of the soil and groundwater could result in more specialized treatment and disposal during the remedial cleanup process.

What residuals from that operation could still be present at the site? What, if any, hazards could be attributed to these?

Thank you,

R.D.

Arthur (R.D.) Grunbaum, President

Ecology Response to Comment 23

Per correspondence with RAMP, the vanillin plant was located North of the railroad tracks near Bay Ave and 22nd St. This property is no longer owned by RAMP.

While the vanillin plant was an auxiliary facility to the pulp and paper mill, this cleanup will focus on contamination caused by operation of the pulp and paper mill proper.

However, if contamination from the pulp and paper mill is found to have migrated offsite of where the pulp and paper mill was operated, those areas will also become part of the cleanup.

24. John Barry

I'm a former employee of Grays Harbor Paper and it's my understanding that the property was purchased by a Taiwanese couple. Since they now own the property aren't they responsible for the remaining cleanup and/or remediation, or was there an agreement established, upon purchase of the property, that previous ownership would bear the costs and responsibilities of any and all remaining cleanup.

Ecology Response to Comment 24

In 2017, Peter and Irene Sing purchased a portion of the former Grays Harbor Paper property. Ecology determines potentially liable parties (PLPs) under cleanup law according to the Revised Code of Washington (RCW) 70A.305.040. In general, MTCA defines PLPs as current property owners, or property owners at the time of the release of hazardous substances. Ecology has named both Rayonier A.M. Properties LLC (RAMP) and Peter and Irene Sing as PLPs. However, only RAMP is a "subject PLP", meaning they are the party signing on to and agreeing to the requirements under the Agreed Order.

Under MTCA, liability is "joint and several". This means that Ecology does not divide liability or responsibilities for the cleanup among the PLPs. While Ecology may name several PLPs, only one needs to sign on to an Agreed Order for the MTCA process to proceed.

While RAMP is the only PLP subject to the Agreed Order, this does not prohibit them from taking legal action to recover costs from other PLPs. Taking such actions is entirely up to RAMP and is outside of Ecology's purview and the MTCA process. Any legal agreement that may exist between current and previous property owners has no effect on Ecology's procedures under MTCA.

25. John Reid

Please we need the harbor cleaned up ! It's a danger to humans and wildlife, seabeds ,salmon and all fisheries. The future is bleak for the Grays Harbor if this is not promptly cleaned. Toxic to all life. Please help us ! Thank you. John Reid

Ecology Response to Comment 25

This commenter is requesting prompt cleanup action. See Ecology response to comments 1 and 2 for response.

26. Donna Albert (Comment 1 of 8)

Landau Associates provided a "Current Environmental Conditions Report" to WA Dept of Ecology in March 2017, based mostly on testing done in the mid-90's, on behalf of Rayonier Advanced Materials. Rayonier was at the time putting the site up for sale, and industrial development was anticipated. All of my comments and questions below are based on this report.

It is not clear to me that Ecology observed or monitored the tests in the "Current Environmental Conditions Report" (which were done nearly 30 years ago). Did the company responsible for the pollution provide the testing?

Ecology Response to Comment 26

The sampling data in the 2017 report is meant to be a summary of historical sampling data. The 2017 report is not intended to be a comprehensive evaluation of contamination currently on the site. The 2017 report was submitted by RAMP to Ecology to provide information, but was not subject to Ecology review or approval. The sampling in the 2017 report was done independently by RAMP and was not performed under the formal MTCA process. Agreed Order 17992 requires RAMP to perform an additional investigation to determine what the site is contaminated with, the location of contamination, and the potential migration pathways for any contamination.

The sampling was performed by RAMP or its predecessors, or a third party hired by RAMP or its predecessors.

Please note that the site characterization data provided in the Remedial Investigation report required by the agreed order will be made available for public comment before it is approved by Ecology.

27. Donna Albert (Comment 2 of 8)

In general, the top of the water table is noted at between 2 and 10 feet down (1.3.2 Hydrology), which is at depths where much of the toxic pollution was found in soils about 30 years ago. How will you determine whether all contaminated soils were removed? If there is still contaminated soil, have the pollutants moved? Is it getting into the water from soils or from under buried structures as the tides ebb and flow?

Figure 3 shows groundwater historical data. There appear to be chemicals in the water above MCTA allowed concentrations all along the boundaries of the site where it meets the water. Is this still getting into the water and affecting aquatic life? How about the slime the shorebirds depend on for nourishment at the nearby National Wildlife Refuge (of course, the shorebirds don't stop at the refuge boundary)?

Ecology Response to Comment 27

The 2017 report is not intended to be a comprehensive evaluation of contamination currently on the site. See response to Comment 26.

Before sampling locations are determined, RAMP is required to develop a "Conceptual Site Model". The model will identify pathways through which pollutants can migrate (i.e., soil contaminating groundwater, soil contaminating surface water) and will inform where sampling will occur.

28. Donna Albert (Comment 3 of 8)

Have the methods to identify and quantify toxic pollutants improved in the last 30 years?

I don't think you can assume pollutants soils or in the water table have not moved in thirty years, or will not move in the future. The tides and groundwater movement alone could move pollutants. If the source of the pollution that is getting into the water is not cleaned up, and a new activity such as the proposed pellet mill is allowed to operate on this site, I am concerned that a combination of the tides, the increased pressure of heavy stationary equipment, intense vibrations from hammermills and other stationary equipment, and movement of many large vehicles with heavy loads flexing the pavement will cause groundwater to move and dislodge pollutants in soils.

Ecology Response to Comment 28

The 2017 report is not intended to be a comprehensive evaluation of contamination currently on the site. See responses to Comments 26 and 27 for how contamination will be evaluated for the site.

The proposed pellet mill is not associated with this cleanup site. It is located two miles west of this cleanup site at 411 Moon Island Rd.

29. Donna Albert (Comment 4 of 8)

Boneyard Area, #1 on map: Elevated TPH, PCB, lead and chromium levels were identified in the soil and groundwater. The area was capped and institutional controls were in place. What is the "cap" made of, and is it still there? Is it permeable? What are those institutional controls? Has this pollution moved? The entire edge of the Boneyard Area bordering on the water appears to have chemical concentrations exceeding MTCA Method A CUL (Figure 3).

Ecology Response to Comment 29

Ecology records indicate that the cap was made of asphalt. Ecology has records that suggest a deed restriction was put in place to ensure that subsurface water is not used for drinking water.

Ecology has not made any determination as to the current condition or effectiveness of the cap. Ecology will evaluate the need for sampling in or near this area as part of the review and approval of the Remedial Investigation Work Plan.

30. Donna Albert (Comment 5 of 8)

Paper Mill, #2 on map (Figure 1), Note 1 says "Previous sample locations in Paper Mill parcel not shown due to high density." The description in the report (2.2.1 Paper Machine Area, Cleanup Site ID nos. 1172 and 2262) says the paper mill was owned by Rayonier 1920s -1992, then Grays Harbor

Paper 1993-2013. Soils were sampled from 52 locations beneath the then standing paper machine building. Concentrations exceeded the 1993 MTCA cleanup levels for TPH-D, TPH-O, and PCBs, prompting Ecology to designate the former Paper Machine Area as a cleanup site (ID no. 1172, and later ID No. 2262).

In response to investigation results that indicated a release to the environment, a cleanup action was undertaken to remove soils with chemical concentrations of concern. Several remedial excavations were conducted in 1995 which removed approximately 380 tons of TPH-contaminated soil and 292 tons of PCB contaminated soil and wood debris from beneath the paper machine building. Approximately 100 confirmation samples were subsequently collected from the base and sidewalls of the excavations. TPH and PCB concentrations exceeding the 1993 MTCA cleanup levels remained. In a letter dated March 15, 1996, Rayonier AM petitioned Ecology to review the results of the interim action and to issue a "No Further Action Determination" (NFA). Ecology did not issue a NFA determination. Data is available in Tables 2 and 3 in the report. Figure 2 shows areas where MTCA cleanup levels are exceeded.

(It is not clear to me if/why soil sampling locations and results where soil was later removed are not included.) There are places where TPH concentrations and PCB concentrations still exceed the cleanup level. Excavations were discontinued due to physical constraints of the building structural components (note that now, the building has been removed - has this site been tested to find probable contamination which could not be reached when the building was there? There is no groundwater data available for this area, in this report. Why? That should be something that can be gathered now. Has the contamination that has remained in the soils moved? Is it in the groundwater (which may be 2-10 feet below ground level, depending on topography)? In Figure 3, there are Chemical Concentrations Exceeding MTCA Method A CUL in the groundwater along the edge of the Chehalis River on both sides of the Paper Mill site, but no test locations are shown along the edge of the Chehalis River where it borders the Paper Mill site (There are also Chemical Concentrations Exceeding MTCA Method A CUL in the groundwater along the edge of the Hoquiam River to the west of the Paper Mill site, where the river borders the Boneyard Area.) In the Landau Associates "Current Environmental Conditions Report" which Rayonier provided to WA Dept of Ecology, Rayonier makes the point that this area is not under the ownership or control of Rayonier AM. Does that mean that the results of any testing that may exist are in a report that was done for Grays Harbor Paper? I didn't see that report, but I could have missed it. At any rate, it is obvious that the soils that could not be reached under the building should now be tested (if it has not been), and that groundwater should also be tested since contaminants are likely to have moved, especially this close to the river where there are also tides.

Ecology Response to Comment 30

The 2017 report is not intended to be a comprehensive evaluation of contamination currently on the site. See response to Comment 26. The area RAMP mentions that is "not under the ownership or control" of RAMP is currently owned by Peter and Irene Sing. However, this area will still be investigated under the Agreed Order for this site. If there is any historical sampling data for this area, Ecology will request that RAMP submit it as part of the "Data Summary Report" required by Agreed Order 17992.

31. Donna Albert (Comment 6 of 8)

Former Finishing Area, #4 on map: Remedial excavations for TPH contamination. Was all the contamination removed?

Ecology Response to Comment 31

Ecology has not made any determination that all contamination from the Former Finishing Area has been removed. Although an NFA was issued for this area, NFA letters do not constitute a settlement between a PLP and the Department of Ecology. See also response to Comment 26.

32. Donna Albert (Comment 7 of 8)

Silvachemical Area, #7 on map: Elevated chromium levels in soils and groundwater. Other pollutants were tested for. Were they found? In what quantities? If I'm reading the map correctly there is an Ash Pond in this area. I see some testing near one edge, but not under the Ash Pond. What was in the Cooling Pond, and should there have been testing there? Testing locations within the Silvachemical Area, and south of the Silvachemical Area along the water (south of the Cooling Pond) appear to have chemical concentrations exceeding MTCA Method A CUL (Figure 3). Is this pollution still there? Has it moved? I did not have time to look at all the documents provided by Ecology, or even at all the locations on this site in the Landau report.

Ecology Response to Comment 32

See Ecology response to comment 26.

33. Donna Albert (Comment 8 of 8)

I did not find information on the outfalls or Rennie Island, other than in the list of releases or spills, so I did not try to comment on those, but those places are obviously likely to be very contaminated. I do not know how to comment on the damage that the larger spills did in the river itself. Please require the responsible parties to provide the actual current location, identities and concentrations of toxic pollutants in soils and groundwater, and remove them from all locations on this entire site, especially taking whatever actions are necessary to protect and restore the rivers, estuary, and wildlife.

Thank you for your work, and thank you for considering my comments.

Donna Albert, PE (retired)

Ecology Response to Comment 33

Rennie Island and wastewater outfalls will be included in the investigation. See "Task 2" on Page 30 of Agreed Order No. 17992. See also response to Comment 26.