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**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**Northwest Region Office**

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February 3, 2025

Betsy Wareham  
West Sound Marina, Inc  
PO Box 119  
Orcas, WA 98280  
([betsy@westsoundmarina.com](mailto:betsy@westsoundmarina.com))

**Re: Ecology's Re-evaluation of Application – Voluntary Cleanup Program**

- **Site name:** West Sound Marina
- **Site address:** 525 Deer Harbor Road, Orcas, WA 98280
- **Facility/Site ID:** 12312587
- **Cleanup Site ID:** 15333

Dear Betsy Wareham:

The Department of Ecology (Ecology) received your application for the Standard Voluntary Cleanup Program (VCP) for the West Sound Marina facility (Site). Following an initial review of the Site, Ecology did not accept your application into the Standard VCP process and noted site-specific conditions related to sediment impacts that were not appropriate and too complex to manage under the VCP<sup>1</sup>. In October 2024, Ecology visited the Site and met with you to discuss these findings and initiate discussions about entering an agreed order or consent decree. In response to those discussions, Ecology decided to re-evaluate the suitability of this Site for enrollment in the VCP—emphasizing our evaluation on whether permitting exemptions and/or additional considerations could factor into a different outcome.

We appreciate your initiative and interest in the Standard VCP process, but upon additional consideration have decided not to accept your application.

**Reason and Next Steps**

In addition to the factors and considerations noted in our August letter, we based our re-evaluation on the relative complexity of the Site, following Policy 940: VCP and Sediment Sites<sup>1</sup>.

We determined this Site is too complex for the VCP process due to several site-specific issues that will require significant technical support from a sediment specialist:

- The Site is within and has the potential to impact a water body under federal authority.

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<sup>1</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/2409057.html>

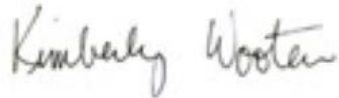
- The sediment area is not sufficiently characterized to determine the vertical and horizontal depths—additional characterization is required under SMS and MTCA. However, contamination is likely to extend into deep-water depths.
- Cleanup actions would likely require significant coordination and multiple federal, state and local permits.
- Contamination known to date poses a risk to human health and the environment and includes chemicals that are bioaccumulative.
- Areas known and/or suspected to be impacted include critical habitat for species under the Federal Endangered Species Act.

You are welcome to proceed with independent remedial actions at the Site. Alternatively, we encourage you to continue discussions with me by phone at 425-324-1658 or by email at [kim.wooten@ecy.wa.gov](mailto:kim.wooten@ecy.wa.gov) about entering an agreed order or consent decree with Ecology.

#### Contact Information

We are committed to working with you to reach the prompt and effective cleanup of your Site. Should you have any questions, please contact Anthony Wenke by phone at 425-515-5993 or by email at [anthony.wenke@ecy.wa.gov](mailto:anthony.wenke@ecy.wa.gov).

Sincerely,



Kimberly Wooten  
Section Manager  
Toxics Cleanup Program, NWRO

cc: Rosemary Wareham, co-owner West Sound Marina, ([warehamrosemary@gmail.com](mailto:warehamrosemary@gmail.com))  
Ted Deshler, Coho Environmental LLC ([tad.deshler@cohoenvironmental.com](mailto:tad.deshler@cohoenvironmental.com))  
Anthony Wenke, Ecology, ([anthony.wenke@ecy.wa.gov](mailto:anthony.wenke@ecy.wa.gov))  
Ecology Site file