



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
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Memorandum

TO: TCP Site File

FROM: Anthony Wenke, Natural Resource Scientist and Project Manager

SUBJECT: Concurrence with National Parks Service No Action Determination

SITE: Seattle City Light Newhalem Penstock (FSID 10891, CSID 12673)

DATE: March 5, 2025

This memo provides written notification that the Washington State Department of Ecology (Ecology) concurs with the National Park Service (NPS) decision to select the No Action alternative for the Newhalem Penstock Site (Site). The NPS was the lead authority under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), to lead remedial actions taken at the Site. On September 25, 2023, the NPS issued an Action Memorandum¹ to recommend and document the No Action decision pertaining to previous releases of hazardous substances at the Site following time-critical removal action (TRCA). The No Action alternative was chosen because risks to public health or welfare or the environment because of the release or threat of release of hazardous substances at the Site were addressed by the TRCA. The Engineering Evaluation/Cost Analysis (EE/CA)² conducted at the Site determined no unacceptable risks remain at the Site.

Site description

The Site is located within North Cascades National Park Service Complex, Washington. The penstock is part of the Newhalem Creek Hydroelectric Facility project, operated by Seattle City Light (SCL). In 2014 SCL initiated a saddle replacement project. During project reconnaissance, contaminated soil was discovered metals and polycyclic aromatic hydrocarbons (PAHs) greater than project screening levels. In 2015, Ecology added the Site to the Confirmed and Suspected Contaminated Sites List (CSCSL). And in 2016, NPS

¹ <https://apps.ecology.wa.gov/cleanupsearch/document/152633>

² <https://apps.ecology.wa.gov/cleanupsearch/document/152634>

issued an Action Memorandum authorizing a TCRA for contaminated soil in conjunction with a SCL's penstock saddle replacement project. In 2016-2017, SCL removed a total of 171 tons of contaminated soil from the Site and the creosote piling sources of PAHs. Following completion of the TCRA, an EE/CA was performed to fully characterize the extent of the contamination at the Site, evaluate risk to human health and ecological receptors, and evaluate removal alternatives.

No Further Action is Necessary determination

We have determined that effective September 25, 2023, no further remedial action is necessary to cleanup contamination at the Site under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. Ecology has also determined that no post-cleanup controls or monitoring are necessary under MTCA. We based this decision on the findings presented in the EE/CA. Further, the EE/CA emphasized project adherence to Washington State MTCA as a project Applicable Reporting and Administrative Requirement (ARAR). Prior to finalizing the EE/CA report, NPS coordinated with State of Washington Department of Ecology to ensure that State ARARs were considered. Ecology bases our concurrence on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in Chapter 70A.305 RCW and Chapter [173-340](https://app.leg.wa.gov/WAC/default.aspx?cite=173-340) WAC³ (collectively called "MTCA").

³ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340>

