
Whatcom Waterway Site Bellingham



Legal Agreement Amendments Available for Public Review

The Washington Department of Ecology (Ecology), the Georgia-Pacific Corporation (G-P), and the Port of Bellingham (Port) are proposing to amend two existing legal agreements (called *agreed orders*) by adding the Port to the documents as a signatory. The original agreed orders between Ecology and G-P were finalized in 1996 and 2000, after notice and opportunity for public review. The first agreed order required G-P to perform an environmental study (called a *remedial investigation/feasibility study or RI/FS*) of the Whatcom Waterway site (Site) in Bellingham, Washington. The second agreed order required G-P to implement an interim cleanup of the G-P Log Pond, a sub-area of the Whatcom Waterway site.

G-P completed the interim cleanup of the G-P Log Pond in 2001 and has made significant progress on completing a RI/FS of the Site. However, the Port recently obtained ownership of a large portion of the Site from G-P including properties that are part of the Site, such as the G-P Log Pond and the Aerated Stabilization Basin (ASB). As a result, the Port now shares liability for cleaning up the Site and must be added to the legal agreements that currently exist between Ecology and G-P.

Comments Encouraged!

The draft agreed order amendments are currently available for public comment. Your comments are welcome through **April 16, 2005**. The box at the right contains information on where to view the documents and how to submit written comments. Ecology will respond in writing to all comments received and may make changes to the documents as a result of them. If these changes are significant, the revised agreed order amendments will once again be made available for public review.

Whatcom Waterway Site Background

G-P has owned and operated a pulp and paper mill located directly adjacent to the Whatcom Waterway in Bellingham, Washington since the 1960's (see Figure 1). In 1965, G-P constructed a chlor/alkali plant at the mill complex to produce chlorine and sodium hydroxide for use in bleaching and pulping wood fiber. The chlor/alkali plant discharged mercury laden wastewater directly into the Whatcom Waterway.

March 2005

**Public Comment Period:
03/16/05 - 04/16/05**

**Questions, written comments,
or to be added to the site
mailing list:**

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**Documents can be reviewed at
the following locations:**

Department of Ecology
Bellingham Field Office
1204 Railroad Avenue, Ste 200
(360) 738-6250

Bellingham Public Library
210 Central Avenue, Bellingham
(360) 676-6860

Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452
(425) 649-7190

Ecology's Website:
[http://www.ecv.wa.gov/programs/
tcp/sites/blhm_bay/sites/bel_bay
sites.html](http://www.ecv.wa.gov/programs/tcp/sites/blhm_bay/sites/bel_bay_sites.html)

Publication Number 05-09-001

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Beginning in 1971, the mercury discharge was controlled through process changes and wastewater treatment improvements. The direct discharge of wastewater into the Whatcom Waterway from the chlor/alkali plant, and from the pulp mill itself, was discontinued in 1979 following construction and operation of G-P's ASB wastewater treatment system. The chlor/alkali plant closed in 1999.

Initial environmental investigations of the Site identified mercury in sediment at concentrations that exceed standards under the Washington State Model Toxics Control Act (MTCA; Chapter 173-340 Washington Administrative Code [WAC]) and Sediment Management Standards (SMS; Chapter 173-204 WAC). As a result, Ecology and G-P entered into an agreed order (Agreed Order DE 95TC-N399) in 1996 which directed G-P to perform a RI/FS of the Site. A RI/FS and an Environmental Impact Statement (EIS) were completed in 2000 after public review and comment.

The RI/FS identified mercury as the main contaminant of concern, located on properties within and adjacent to the Whatcom and I & J Street Waterways. The RI/FS also presented and evaluated a range of cleanup alternatives and identified a preferred cleanup approach. The EIS evaluated the Bellingham Bay Comprehensive Strategy, a guidance document developed by a multi-organizational partnership that integrates sediment cleanup, control of pollution sources, habitat restoration and aquatic/shoreline land use on a bay-wide scale. The EIS also evaluated a range of remedial alternatives for the Whatcom Waterway site and other cleanup sites around the bay.

Ecology and G-P entered into another agreed order (Agreed Order for Interim Action No. 00TCPNR-1418) in 2000 which directed G-P to remediate the mercury contaminated sediment present in the G-P Log Pond, a sub-area of the Whatcom Waterway site. Consistent with the agreed order, G-P placed a clean sand layer, followed by a clean finer-grained native silt layer on the

G-P Log Pond sediment to an average depth of seven feet. G-P placed this overly thick cap not only to achieve the required containment of contaminated sediments, but also to voluntarily restore historically lost habitat in this area of Bellingham Bay. The restoration component of the cleanup was performed with the guidance of the Bellingham Bay Comprehensive Strategy. Monitoring of the G-P Log Pond cap indicates that it has effectively isolated contaminants from the aquatic environment and that historically lost habitat has been restored. The agreed order requires continued physical, chemical, and biological monitoring of the G-P Log Pond to ensure the long term effectiveness of the interim action.

G-P's pulp mill closed in 2001 which resulted in a new remedial alternative for the Site after G-P determined a portion of its ASB could potentially be used as a disposal facility for contaminated sediments. This new remedial alternative was evaluated through the development of a Supplemental FS and a Supplemental EIS which were issued in 2002 for public review and comment.

Since 2002, the Port and the City of Bellingham have worked closely with the local community to define a path forward for changing land use on the Bellingham waterfront from traditional heavy industrial conditions to a mixed use environment. To that end, the Port acquired all of G-P's waterfront property on January 20, 2005, including properties within the Site. This property transaction is the first in a series of steps that will change the current land uses at the Site.

Proposed Legal Agreement Amendments

The proposed agreed order amendments will add the Port as a signatory to the existing agreed orders between Ecology and G-P. This will result in the Port being co-responsible for completing a RI/FS which will include a remedial alternative consistent with the proposed land

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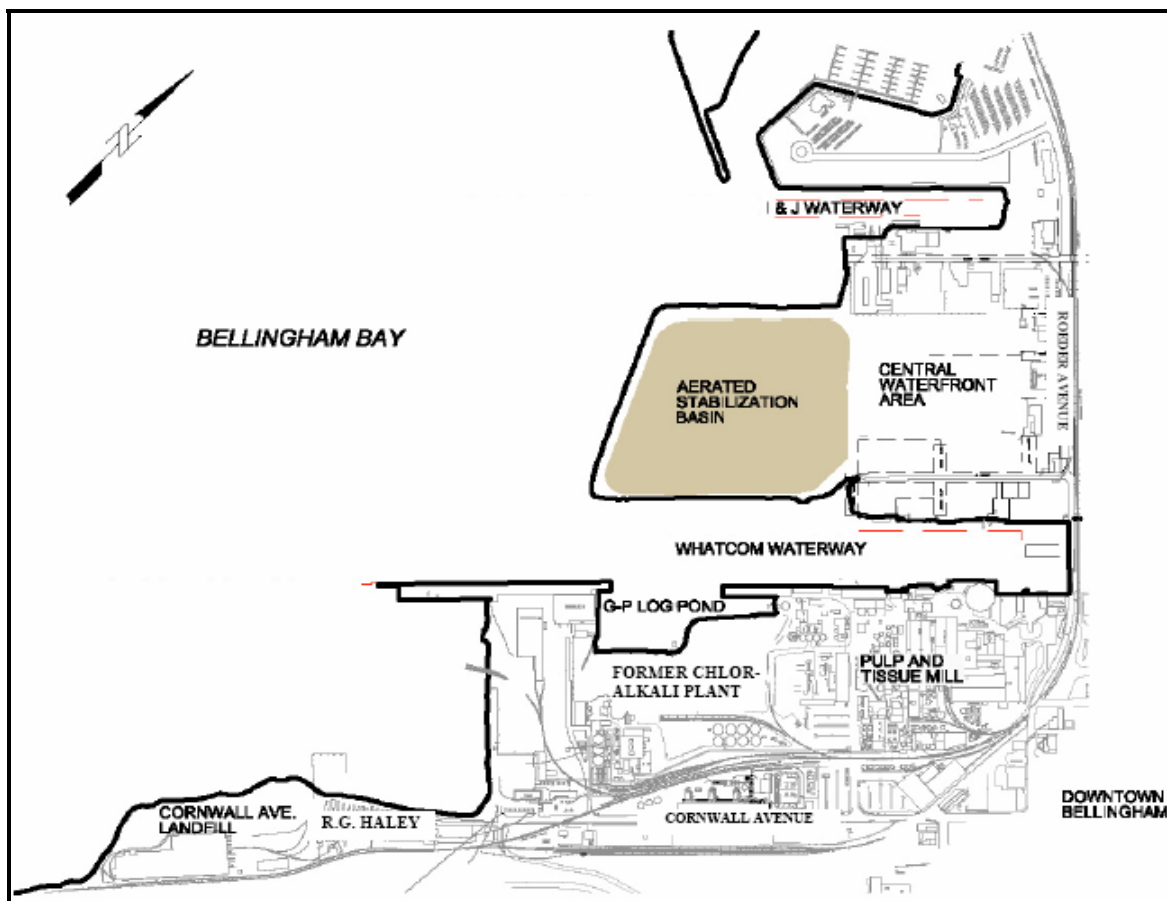
use changes at the Site, and for finishing the monitoring of the G-P Log Pond interim cleanup action.

Next Steps

After the agreed order amendments are finalized, a draft Supplemental RI/FS for the Whatcom Waterway site and a draft EIS Addendum to the Bellingham Bay Comprehensive Strategy will be completed for public

review. The Supplemental RI/FS will include additional environmental data gathered since the original RI/FS was completed in 2000, and will also evaluate a new remedial alternative that is consistent with the proposed land use changes at the Site. The EIS Addendum will update information presented in the original and supplemental EIS. These draft documents are scheduled to be completed for public review and comment in mid-2005.

Figure 1



Publication Number 05-09-001

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