



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Southwest Region Office
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February 17, 2026

City of Olympia
C/O Mark Barber
City Attorney
PO Box 1967
Olympia, WA 98507-1967
mbarber@ci.olympia.wa.us

Re: Comments on Request to Disturb Cap to Perform Subsurface Investigation

- **Site Name:** East Bay Redevelopment
- **Address:** 315 Jefferson St NE, Olympia, Thurston County, WA 98501
- **Agreed Order:** DE 14072
- **Facility/Site No.:** 5785176
- **Cleanup Site ID No.:** 407
- **Environmental Covenants No.:** 5007920 (Lot 5) and 5083046 (Lots 6 and 7)

Dear Mark Barber:

Thank you for submitting the electronic copy of the subsurface exploration work plan (plan) for review to the Department of Ecology (Ecology).¹ The plan was submitted for Ecology review because the three City-owned lots where the work is to be performed (Lots 5, 6, and 7) are subject to environmental covenant restrictions to ensure that residual contaminated soil continues to be contained beneath a protective cap. The environmental covenants for these lots prohibit any activity or land-disturbing work that will compromise the integrity of the cap, without prior written approval by Ecology.

The plan's proposed subsurface exploration includes the following activities:

- **Geotechnical Investigation.** This purpose of this investigation is to develop geotechnical considerations for potential redevelopment of the three lots. For this investigation, two push probe cone penetration tests (CPTs) and one soil boring installed by mud rotary will be advanced to a depth of approximately 120 feet. Proposed investigation locations are shown on plan Figure 3 (attached).

¹ GeoEngineers, 2026, Subsurface Exploration Work Plan, East Bay Redevelopment Site, Lots 5, 6, and 7, January 19.

- **Utilities Investigation.** The purpose of this investigation is to confirm the locations of subsurface utilities installed in 2010 during Hands On Children’s Museum (HOCM) construction. Figure 3 shows the three proposed locations on Lot 6 where utilities investigation excavations are to occur. These locations will be installed using either an excavator, air knife, or hand methods and each excavation footprint will be less than 25 square feet and at depths less than 10 feet below ground surface (bgs).
- **Environmental Investigation.** The purpose of this investigation is to characterize soil that may be excavated as part of potential redevelopment for potential onsite reuse or off-property disposal. The plan states that the number, locations, and depths of the borings will be determined later based on the locations of the new building and utilities and that up to 15 borings may be advanced to depths less than 20 feet bgs.

Please revise the plan to incorporate the following comments and then resubmit for Ecology review and approval.

1. **Section 1.0, Introduction:** Please add that the proposed redevelopment (new building construction and HOCM expansion) cannot occur until an amendment to Ecology Agreed Order DE 14072 is prepared and issued. Ecology review of the plan is separate from the Agreed Order amendment process.
2. **Section 1.0, Introduction, last paragraph, last sentence:** This sentence states that the proposed subsurface exploration activities will be performed in general accordance with the Long-Term Operations & Maintenance Plan (Pioneer, 2023)² for the East Bay Redevelopment Site. **However, the plan does not include sufficient detail to meet the requirements of Pioneer (2023).** Section 5 of the Long-Term Operations & Maintenance Plan states that in the case of intrusive soil work, a soil management plan will be required. The soil management plan must detail the locations and depths of soil activities, the soil amount to be excavated and/or backfilled, sources of imported soil, testing and disposal procedures for potentially contaminated soil, and handling techniques and best management practices (BMPs) to be utilized, and the proper permits and standards to be implemented. **The plan does not include all of these items (see additional comments below).**
3. **Section 3.0, Proposed Subsurface Exploration, 3rd bullet, environmental investigation:** Delete this item. Deletion is necessary because the number, location, and depths of the borings are not specified. Also, it is not appropriate to perform this amount of intrusive work until after the Agreed Order Amendment has been issued.

² Pioneer Technologies Corporation (Pioneer), 2023, Long-Term Operations & Maintenance Plan, East Bay Redevelopment Site, September.

4. **Section 3.1, Geotechnical Investigation:** Additional detail is needed regarding the investigation derived waste (IDW) that will be generated from the installation of the two CPT and the single mud rotary boring. How much IDW will be generated from each? Since CPT is a direct push method, will any IDW be generated? The plan only mentions IDW containing drill cuttings and water. The mud rotary drilling method requires the addition of drilling fluids (commonly referred to as “mud”). The plan needs to include details on the specific drilling fluids that will be added, how drilling fluids will be handled and contained, and the volume of drilling fluids that will be used. Also, since drilling fluids will be in contact with and will contain contaminated soil, drilling fluids will need to be handled as IDW also.
5. **Section 3.2, Utilities Investigation:** Additional details are needed regarding the volume of soil and groundwater IDW that will be generated and how soil and groundwater IDW will be handled and managed for each of the possible investigation methods (excavator, air knife, and hand methods).
6. **Section 3.3, Environmental Investigation:** As stated above, this investigation shall be deleted from the work plan because the number, location, and depths of the borings are not specified. Also, it is not appropriate to perform this amount of intrusive work until after the Agreed Order Amendment has been issued.
7. **Section 4.1, Soil Handling Techniques:** The plan does not state the specific best management practices (BMPs) that will be used. Please add these details and include the minimum thickness for plastic sheeting that will be used beneath and for covering stockpiles.
8. **Section 4.3, Applicable Permits and Standards:**
 - a. **1st paragraph, last sentence:** Delete the words “cleanup action” from this sentence because the work involved relates to investigation, not cleanup.
 - b. Add the appropriate regulatory citations to each of the bullet items. For example, add Chapter 173-340 WAC to the first bullet).
 - c. **2nd bullet:** State Environmental Policy Act (SEPA) requirements do not seem to be appropriate to include. Please delete or explain why they are applicable.
 - d. **3rd bullet:** “Worker Safety Regulations” need to include Occupational Safety and Health Administration (OSHA) and Washington Industrial Safety and Health Act (WISHA) regulations (29 CFR 1920.120 and Chapter 296-62 WAC) for workers on hazardous waste sites.
 - e. **5th bullet, Historical and Cultural Resource Protection:** Add that prior to ground disturbing activities, a cultural review process shall be completed. This process initiates consultation with Ecology, Tribes, and the Department of Archaeology and

Historic Preservation (DAHP). The consultation process should begin after Ecology reviews and approves the revised plan. The consultation process is begun by filling out the Washington Department of Ecology Cultural Resources Review Form and submitting it to tcpulturalresources@ecy.wa.gov at least six weeks prior to any planned ground disturbing work.

- f. Add the Minimum Standards for Construction and Maintenance of Wells (Chapter 173-160) as a requirement for boring installation and decommissioning.
9. **Section 4.4, Waste Management:** Revise the plan to indicate that IDW will be transported and disposed of off-site promptly after plan investigation work is completed. Delete the sentence that states that “containerized wastes will remain on site until redevelopment” because Ecology has not issued an Agreed Order Amendment for this activity.
 10. **Section 4.5, Restoration:** Add detail regarding the type of import material that will be used and its source. Please note that chemical analysis needs to be performed on import material prior to use unless it is from an established sand and gravel quarry. If import material analysis is necessary, Ecology needs to review and approve the source and an Ecology-approved list of analytes needs to be used.
 11. **Section 4.6, Screening Levels:** Additional description is needed regarding how the cleanup levels and remediation levels shown in the table are “applicable for the work scope proposed at the subject property.”
 12. **Section 5.0, Contact Information:** Remove the mention of “CAP amendment requirements for changes and/or development at the site” from the table. Also, please revise the language in the “When to Contact” portion of the table so that it accurately matches the scope of work in the plan.
 13. **Section 7.0, Reporting:** Remove reference to “proposed redevelopment objectives” because Ecology has not yet issued an Agreed Order Amendment for redevelopment.
 14. **Figure 3, Subject Property:**
 - a. Remove the Site Boundary dashed line from the figure because it is inaccurate and this boundary is already shown in Figure 2.
 - b. In the legend, replace “proposed” with “potential” for the building, softscape, hardscape, and asphalt areas. Add a note that an Ecology Agreed Order Amendment needs to be issued before redevelopment can occur.
 - c. Remove the date from the boring and CPT locations in the legend.

If you have any questions, please contact me at steve.teel@ecy.wa.gov or (360) 890-0059.

Sincerely,



Steve Teel, LHG
Cleanup Project Manager/Hydrogeologist
Toxics Cleanup Program
Southwest Regional Office

Enclosure (1): Figure 3 – Subject Property

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Ecology Site File

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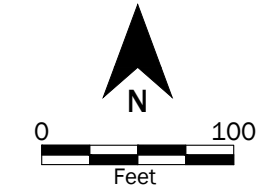


- Legend**
- Site Boundary
 - - - Proposed Building
 - Proposed Softscape
 - Proposed Hardscape
 - Proposed Asphalt
 - B-1 Proposed Boring by GeoEngineers, 2025
 - CPT-1 Proposed Cone Penetration Test by GeoEngineers, 2025
 - Proposed Pothole Locations

Source: Aerial from Google Earth Pro, dated 06/24/2024

Coordinate System: Washington State Plane, South Zone, NAD83, US Foot

Disclaimer: This figure was created for a specific purpose and project. Any use of this figure for any other project or purpose shall be at the user's sole risk and without liability to GeoEngineers. The locations of features shown may be approximate. GeoEngineers makes no warranty or representation as to the accuracy, completeness, or suitability of the figure, or data contained therein. The file containing this figure is a copy of a master document, the original of which is retained by GeoEngineers and is the official document of record.



Subject Property	
Hands On Children's Museum Olympia, Washington	
	Figure 3