



Responsiveness Summary

Draft Cleanup Action Plan, SEPA Checklist, DNS Determination
North Colfax Petroleum Contamination

CSID 11557
FSID 4272

Public Comment Period February 6, 2013 through March 7, 2013

Prepared by
Washington State Department of Ecology
Eastern Regional Office
Toxics Cleanup Program
Spokane, WA

March 2013

**North Colfax Petroleum Contamination
Draft Cleanup Action Plan
Responsiveness Summary**

The Washington State Department of Ecology (Ecology) held a 30-day public comment period from February 6 through March 7, 2013 for the Draft Cleanup Action Plan. The purpose of this Responsiveness Summary is to present Ecology's responses to comments submitted during the public comment period.

Ecology would like to thank those who commented. Based on the comments received, no changes will be required to Draft Cleanup Action Plan for the North Colfax Petroleum Cleanup Site. The Draft Cleanup Action Plan is therefore final.

The Draft Cleanup Action Plan will be implemented under the authority of the Model Toxics Control Act (MTCA) Cleanup Regulations (chapter 173-340 WAC). Monitored Natural Attenuation will continue to reduce petroleum contamination identified in the soils beneath the Site, and thus reduce groundwater contamination identified in the shallow aquifer beneath the Site. Ground water beneath the Site will continue to be monitored as part of the final cleanup.

The Responsiveness Summary is organized as follows:

- I. Index of comments received.
- II. Comments (copies of original letters and electronic emails are included in this summary)
- III. Ecology's responses to comments received during the public comment period.

I. INDEX OF COMMENTS RECEIVED DURING THE PUBLIC COMMENT PERIOD.

Comments were received February 6, 2013 through March 7, 2013.

No comments were received outside of the comment period

1. Letter from Mr. Guy Moura, Historical Preservation Officer, The Confederated Tribes of The Colville Reservation, Postmarked February 6, 2013 and received February 11, 2013.
2. Letter from Ms. Phyllis Loehden electronic email dated February 17, 2013 and received February 17, 2013.

II. COMMENTS (Copies of original letters and electronic emails are included in this summary. See following page.)

LETTER NO. 1



The Confederated Tribes of the Colville Reservation
History/Archaeology Program
P.O. Box 150, Nespelem, WA 99155

(509) 634-2693
(509) 643-2694



February 6, 2013

RECEIVED

HA: U13-041
13.0044

FEB 11 2013

DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

Doug Ladwig, Site Manager
WA Department of Ecology
4601 N. Monroe St.
Spokane, WA. 99205-1295

RE: North Colfax Petroleum Contamination site

Ms. Ladwig:

Please be advised your proposed undertaking lies within the traditional territory of the Palus Tribe. The Palus Tribe is a constituent member of and represented by the Confederated Tribes of the Colville Reservation [Colville Confederated Tribes (CCT)]. The CCT is governed by the Colville Business Council (CBC). The CBC delegated to the Tribal Historic Preservation Officer (THPO) the responsibility of representing the CCT with regard to cultural resources management issues throughout the traditional territories of our constituent tribes under Resolution 1996-29. This area includes most of eastern Washington, parts of northeastern Oregon, south central British Columbia, and parts of north central Idaho. In 1996, the CCT also entered into an agreement with the National Park Service to assume state historic preservation officer responsibilities as outlined in Section 101 (d) (2) of the National Historic Preservation Act. The assumption agreement explicitly tasks the THPO to advise and assist Federal and State agencies and local governments in carrying out their historic preservation responsibilities and for the CCT to carry out their responsibilities for review of federal undertakings in regard to cultural resources matters.

We received your letter requesting comments regarding the *North Colfax Petroleum Contamination site*. The project entails clean up of the containment soils and groundwater and a Determination of Non-Significance for cleanup action was issued. Although there are no recorded pre-contact sites in the containment area there is the potential that clean-up efforts could unearth previous non-recorded sites, especially given the location at the confluence of the Palouse River and South Fork of the Palouse River. Therefore the **THPO requests that an Inadvertent Discovery Plan be in place prior to the cleanup efforts and that all work will cease should any cultural resources or human remains be unearthed and THPO be contacted immediately.**

These comments are based on information available to us at the time of the project review. We reserve the right to revise our comments as information becomes available. If you have any questions or concerns, please contact Arrow Coyote at (509) 634-2736. Thank you for your time and efforts related to this matter. If you wish to speak to me, my information is below.

Sincerely,

Guy Moura
Tribal Historic Preservation Officer
(509) 634-2695 office; (509) 634-2694 FAX

cc: Gretchen Kaehler, DAHP
File (AC)
Chron.

LETTER NO. 2 (ELECTRONIC)

From: Phyllis Loehden [<mailto:pjl3318@msn.com>]
Sent: Sunday, February 17, 2013 2:58 PM
To: Ladwig, Douglas E. (ECY)
Subject: Colfax Contamination Site

February 17, 2013

To Doug Ladwig.

The alarm went off this morning at 0557. The Coast to Coast program on Radio 590 AM was just finishing. The speaker was commenting on a mushroom product that neutralizes soil from oil contamination and that it is approved of by the EPA.

If this is an effective treatment, would it be a considered treatment for the clean up of the toxic sites in Colfax? If so, this product could offer a simpler and more economic solution than the proposed alternatives.

Sincerely,

Phyllis Loehden

III ECOLOGY'S RESPONSES TO COMMENTS RECEIVED DURING THE PUBLIC COMMENT PERIOD

(Note: Quoted comments are provided exactly as submitted.)

Ecology received two written comments from the public concerning the proposed Draft Cleanup Action Plan for North Colfax Petroleum Contamination. One comment concerned historic tribal lands. The second comment addressed alternative cleanup methods. Ecology responses are presented in chronological order of the comments received for the Draft Cleanup Action Plan.

Response to questions and comments received from The Confederated Tribes of The Colville Reservation Letter No. 1:

“We received your letter requesting comments regarding the *North Colfax Petroleum Contamination Site*” The project entails cleanup of the containment soils and groundwater and a Determination of Non-Significance for cleanup action was issued. Although there are no recorded pre-contact sites in the containment area there is potential that the clean-up efforts could unearth previous non-recorded sites, especially given the location at the confluence of the Palouse and South Fork of the Palouse River. Therefore the **THPO requests that an Inadvertent Discovery Plan be in place prior to the cleanup efforts and that all work will cease should any cultural resources or human remains be unearthed and THPO be contacted immediately.**”

Ecology Response: Ecology will include the requirements for an Inadvertent Discovery Plan in the Statement of Work for the North Colfax Petroleum Contamination Site. Be advised most of the subsurface work conducted at the Site was completed prior to Ecology's involvement. The current work will include maintaining the surface covers and continue ground water monitoring. Any future work that will include excavation of soils will be completed in accordance with your request.

Response to question received from Phyllis Loehden Letter No. 2 via electronic email.

“The alarm went off this morning at 0557. The Coast to Coast program on Radio 509 AM was just finishing. The speaker was commenting on a mushroom product that neutralizes soil from oil contamination and that it is approved of by the EPA.

If this is an effective treatment, would it be considered treatment for the clean up of the toxic sites in Colfax. If so, this product could offer a simpler and more economic solution than the proposed alternatives.”

Ecology Response: The work conducted at the site prior to proposing the Draft Cleanup Action Plan included completion of a remedial investigation and feasibility study (RI/FS). In the feasibility study the consultant for the potential liability parties evaluated different cleanup actions to meet the Model Toxics Control Act expectations for the final cleanup of the Site. As part of the process a public comment period was held from January 31 through February 29, 2012 for the RI/FS. No comments were received at that time.

The majority of the contaminated soils have been removed from the areas of the Site with contamination, and some small areas of soil contamination remain. Ground water beneath the Site has improved since the initial work began. The RI/FS demonstrated that natural biodegradation is occurring in the ground water beneath the Site; monitored natural attenuation

(MNA) was deemed the most cost effective and prudent cleanup alternative at the Site. At this time your suggested mushroom product will not be considered in the final cleanup action at the Site because the majority of contaminated soils have already been removed. Should conditions change, the mushroom product may be evaluated at that time.