



RESPONSIVENESS SUMMARY

**R.G. Haley International Corporation, Inc. Site
Bellingham, Washington**

AGREED ORDER DOCUMENTS

May, 2005

ISSUED BY:

WASHINGTON STATE DEPARTMENT OF ECOLOGY

TOXICS CLEANUP PROGRAM

Introduction

On July 20, 2004 the draft Agreed Order documents (draft Agreed Order, draft public participation plan) for the R.G. Haley International Corporation site (Site) in Bellingham were issued for a 30-day public comment period.

Public involvement activities related to this public comment period included:

- Distribution of a fact sheet describing the Site and the draft Agreed Order documents through a mailing to over 700 people, including neighboring businesses and other interested parties;
- Publication of a paid display ad in *The Bellingham Herald*, dated July 18, 2004;
- Publication of notice in the Washington State Site Register, dated July 20, 2004;
- Posting of the draft Agreed Order documents on the Ecology web site; and
- Providing copies of the draft Agreed Order documents through information repositories at Ecology's Bellingham Field Office and Northwest Regional Office, and the Bellingham Public Library – Downtown Branch.

A total of two (2) comment letters or e-mails were received regarding the draft Agreed Order documents, as follows:

1. **Washington Department of Natural Resources** (Unland; letter)
2. **RE Sources** (Steffensen; e-mail)

A minor revision was made to the draft Agreed Order documents clarifying that the State Owned Aquatic Lands are included in the Port of Bellingham's Port Management Agreement. No other revisions were needed at the completion of the public comment period, though the comments were noted and present opinions that will be taken into consideration for the development of the draft remedial investigation/feasibility study (RI/FS) documents.

The comment letters are summarized below along with Ecology's response to the comments. Copies of the comment letters are also attached.

Background

The Site, located at 500 Cornwall Avenue, consists of approximately six acres of upland and aquatic areas. Previous owners of the upland area, including R.G. Haley International Corporation, Inc., performed activities related to wood treatment, including drying, treating with pentachlorophenol (PCP) in carrier oil, and storage. All wood treatment processes ceased in 1985, and Douglas Management Company purchased the upland portion of the Site in 1990. Douglas Management Company has never conducted any activities at the Site.

In 2001, an oil seep was observed discharging into Bellingham Bay from the shoreline along the northern boundary of the Site. An investigation revealed that portions of the Site were contaminated with chemicals consistent with the Site's former use as a wood treatment facility.

The contaminants were found at levels exceeding state regulatory cleanup levels in surface water, shallow ground water, sediment and soil. As a result, the Site is subject to the investigation and cleanup requirements of the Washington State Model Toxics Control Act (MTCA). The visible release of contamination from the Site into Bellingham Bay was controlled through the installation of a barrier wall and a product recovery system. The temporary contaminant recovery system continues to operate and routine monitoring has confirmed that the contaminants have been effectively contained on-site.

The Agreed Order requires Douglas Management Company to complete a RI/FS. This study will summarize existing environmental conditions at the Site, present and evaluate a range of cleanup alternatives, and identify a preferred cleanup approach. It will build on previous Site investigations and will provide the information necessary for Ecology to select a preferred alternative for Site cleanup. The RI/FS will detail:

- Results of previous investigations.
- The nature and extent of contamination for soil, sediment, groundwater and surface water.
- Other important Site information relevant to Site cleanup.
- Multiple alternatives for cleanup of the Site, including evaluation of those alternatives against MTCA criteria including effectiveness, implementability, and cost-effectiveness.
- Definition of a preferred alternative.

The RI/FS is scheduled to be issued for public review and comment in late 2005.

Comments Received and Ecology Response

Comment # 1 – Washington Department of Natural Resources (Unland; letter)

Comment Summary:

Appears to support the investigation, and recommended clarification that the State Owned Aquatic Lands are included in the Port of Bellingham's Port Management Agreement.

Response:

Paragraph 3 and 4 of the Agreed Order added this clarification and the verbiage now states "these State Owned Aquatic Lands (located westward of the Georgia Pacific leased harbor area) are currently included in the Port of Bellingham's Port Management Agreement (re RCW 79.90.475)

Comment # 2 – RE Sources (Steffenson; e-mail)

Comment Summary

Appears to support the investigation. Concerned how the Site may be redeveloped in the future. Questioned why there was a thorough upland sampling and analysis plan attached to the Agreed Order, yet the same not true for the intertidal and sediment work.

Response:

The remedial investigation/feasibility study will summarize existing environmental conditions at the R.G. Haley site, present a range of alternatives, and identify a preferred cleanup approach. If future use or redevelopment considerations are known, they will be considered, but will not be the sole influence to developing a preferred alternative for Site cleanup. The sediment scope of work is attached to the Agreed Order. The sediment workplan is a deliverable under the Agreed Order, which is why it was not available for this review.

PUBLIC COMMENTS