



August 17, 2004

Glynis Carrosino, Site Manager  
Department of Ecology  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5952

RE: Comment to the Douglas Management Agreed Order

Dear Ms. Carrosino:

The Department of Natural Resources has reviewed the draft Agreed Order that was negotiated by Douglas Management Company and the Washington State Department of Ecology, and circulated for public on July 20, 2004.

Based upon that review the Department would like to make the following comments:

1. In Paragraph 9, we suggest rewording the first sentence to read "Wood treating activities were performed on PORTIONS of the site by various companies . . ." By adding "portions: to this statement it retains the accuracy of the sentence and leaves open the possibility that wood treating activities may not have taken place on the State portion of the site.
2. In Section II, Paragraph 10, the statement is made that the R.G. Haley used the filled portion of the site. DNR records do not contain any information as to the R.G. Haley use, but do indicate that the filled area was used for an access road to the current Georgia Pacific property at the Cornwall landfill. The Department would like to see the last sentence deleted. Or, alternatively, the sentence should be clarified to identify exactly what the filled State Owned Aquatic Land was used for. If it was just used for access or something innocuous, then that should be described. If included in the final document, this statement should be supported with referenced documentation.
3. In paragraphs 3 and 4, the term adjacency of State owned an aquatic land is used in terms of management responsibility--i.e. DNR manages those aquatic lands. The site map includes not only the filled portion of the harbor area adjacent to the former R.G. Haley wood treatment facility, but also a portion of unfilled harbor area. The AO should indicate that the State Owned Aquatic Lands located waterward of the Georgia Pacific leased harbor area are now included in the Port of Bellingham's PMA--under RCW 79.90.475.



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4. In reference to the site map, Exhibit 1, it should be noted that the State Owned Aquatic Lands located adjacent to Pine Street and Cornwall Ave. are included within the Port's PMA. The current site map also includes private tidelands that the Department believes are owned by Georgia-Pacific (Tideland Block 240 1/2).

Thank you for the opportunity to review the Agreed Order. If you have any questions regarding these comments please contact me at (360) 854-2835.

Sincerely,



Chad Unland, Land Manger  
NW Region, Aquatic Lands

cc: Fran McNair, Aquatic Land Steward  
Sediment Quality Unit, Olympia

-----Original Message-----

**From:** Wendy Steffensen [mailto:waters@re-sources.org]

**Sent:** Friday, August 20, 2004 4:54 PM

**To:** Carrosino, Glynis

**Subject:** RG Haley AO

Wendy Steffensen  
North Sound Baykeeper  
RE Sources  
1155 N. State St., suite 623  
Bellingham, WA 98225

Glynis Carrosino, Site Manager  
Department of Ecology  
NW Regional Office  
3190 160th Avenue SE  
Bellevue, WA, 98008-5452

August 20, 2004.

Dear Ms. Carrosino:

Please find enclosed my comments for the RG.Haley Agreed Order documents. I appreciate having this opportunity to comment and I look forward to working with you as the clean up of this site progresses.

Sincerely,  
Wendy Steffensen  
North Sound Baykeeper

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1) It is not clear what is proposed for the location/ source of the oil seep discovered in 2000. Although temporary containment and a

recovery system are in place, the ultimate source of the seep has not been discussed. Please address the source of the seep, and what is being done to specifically ensure that the source has been remedied.

2) Only Douglas Management is described as being a PLP. However, it appears that several businesses prior to Douglas Management actually contaminated the site. They should also be approached to cover the costs of remediation.

3) It is mentioned that 2 UST's may be on the site but that their location is unknown. It is also mentioned that an 8" concrete pipe is on the site whose function is unknown (may be tied into stormwater). Please detail how investigation of the USTs and concrete pipe will proceed in order to ensure that they do not become contamination sources/ conduits.

4) It has been stated that the future plans of the site by Douglas management will influence the clean-up standards used. Because ownership and land use is not constant and permanent, future land use should not be a factor in deciding the extent to which land should be cleaned. Land and water should be cleaned up to the greatest extent possible, as pollution should not be accepted simply as a matter of course. Additionally, since the Bellingham waterfront, including the Douglas management site, is presently being discussed in terms of future plans and city-wide revitalization, it is not appropriate to think that the plans that Douglas Management has for the site will not change in the future, possibly even in the near future. For this reason, clean up standards must meet the highest standards possible.

5) The Cornwall site and the RG Haley site are linked by groundwater, and in some cases by past practices. It has been stated that Cornwall is contaminated with copper, lead, PCB's, cyanide, NH<sub>3</sub>- N, silver, lead and DEHP/BEP. While some of

these contaminants will be assessed at RG Haley, many will not. It is not evident that the contaminants from Cornwall have not migrated to RG Haley, and vice versa. Please ensure that the extent of contaminants has been elucidated to its full extent, including to the RG Haley site.

6) It is postulated that creosote and CCA may have been used on the RG Haley site to treat wood. A vigorous screen for those constituents should be made on this site, in order to better make that determination.

7) A fairly thorough upland sampling and analysis plan is described in the Agreed Order documents. The same is not true for the intertidal and sediment work. Please include a sampling and analysis plan that would elucidate the extent and nature of contamination of the sediments in the intertidal area.

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Wendy Steffensen  
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