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# PUBLIC PARTICIPATION PLAN

FRENCHIES FILL N FOOD  
FACILITY/SITE ID # 72493319  
MOXEE, WASHINGTON

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Prepared by

Washington State Department of Ecology

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## **INTRODUCTION**

The Washington State Department of Ecology (Ecology) has developed this draft public participation plan in accordance to the Model Toxics Control Act (MTCA) to promote meaningful community involvement during the investigation and cleanup of the Frenchies Fill N Food Site (Site) in Moxee, Washington. Public participation is an integral part of Ecology's responsibilities under the MTCA. Ecology's goal is to provide the public with timely information and meaningful opportunities for participation that are commensurate with each site. Public participation plans are intended to encourage coordinated and effective public involvement tailored to the public's needs at a particular facility. This draft public participation plan describes the tools that Ecology plans to use to inform the public about the Site and identifies opportunities for the community to become involved.

## **LOCATION AND SITE BACKGROUND**

### **Location**

The Site is located at s106 E Moxee Avenue, Moxee, Washington (see figure on page 2).

### **Site Background**

The Site is currently a restaurant and hair salon and has historically been used as a gas station and auto servicing station. Previous environmental investigations of the Site indicate the presence of hazardous substances in soil and groundwater above state cleanup standards including petroleum constituents. As a result, the Site is subject to the investigation and cleanup requirements of the Model Toxics Control Act (MTCA) administered by Ecology.

# Site Location Map



**Notes:**  
 1. The locations of all features shown are approximate.  
 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.  
 Data Sources: ESRI Data & Maps, Street Maps 2008.  
 Projection: NAD 1983, UTM Zone 10 North.

## **HOW THE SITE WILL BE CLEANED UP**

### **Investigation and Study**

Initial work at the Site will focus on completing a site investigation that takes into account any data gaps. Once complete, the investigation will provide information on the type, level, location, and sources of contamination at the site. Next, a technical memo will be prepared outlining two to three cleanup alternatives for cleanup, as well as a no action alternative. The memo will evaluate options based on both environmental benefit and cost.

### **Cleanup**

After Ecology has reviewed the memo, we will select a cleanup option and describe it in a draft Cleanup Action Plan (CAP). We will provide the draft CAP for public review and comment prior to finalization. Actual cleanup will begin when the CAP is implemented. This includes design, construction, operation and monitoring of cleanup actions.

## **KEY COMMUNITY CONCERNS**

Ecology has preliminarily identified the following concerns and interests that may apply to the investigation and cleanup of the Site:

- Protection of human health and the environment
- Opportunities for public involvement
- Compliance with regulatory requirements

Additional public concerns may be identified over the course of the Site cleanup through public comment periods; community interviews; surveys; meetings; and other contacts with individuals, community groups, or organizations.

## **PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES**

The purpose of this public participation plan is to promote public understanding and participation in the MTCA activities planned for this site. This section of the plan addresses how Ecology and the current property owner will share information and receive public comments and community input on the Site activities.

### **Public Involvement Activities**

Ecology uses a variety of activities to facilitate public participation in the planning and cleanup of MTCA sites. The following is a list of the public involvement activities that Ecology will use, their purposes, and how they will be used during the cleanup of the Site.

#### ***Formal Public Comment Period***

Public comment periods usually last 30 days and are the primary method Ecology uses to get

feedback from the public on proposed cleanup decisions. Public comment periods are required on all agreed orders, consent decrees, and enforcement orders. Public comment periods are also required for all Ecology-conducted remedial actions.

During a comment period, the public can comment in writing. Verbal comments are taken if a public hearing is held. After formal comment periods, Ecology reviews all comments received and may respond in a document called a *responsiveness summary*. A responsiveness summary is a summary of oral and/or written public comments received by Ecology during a comment period on key documents, and Ecology's responses to those comments.

Ecology will consider the need for changes or revisions based on input from the public. If significant changes are made, then a second comment period may be held. If no significant changes are made, then the draft document(s) will be finalized.

### ***Public Meetings***

Public meetings may be held at key points during the investigation and cleanup process. Ecology also may offer public meetings for actions expected to be of particular interest to the community. These meetings will be held at locations convenient to the community.

### ***Information Repositories***

During the comment period, the site documents will be available for review at information repositories. Ecology can also make copies of documents for a fee.

For this Site, the information repositories are:

- Moxee Library, 255 W Seattle, Moxee, Washington, Phone: (509) 575-8854
- Department of Ecology, Central Regional Office, 15 W Yakima Avenue, Ste 200, Yakima, Phone (509) 575-2490

Information on the Site will also be posted on the Ecology website at:  
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=6570>

### ***Site Register***

The Site Register is published by Ecology bi-monthly to inform the public of:

- Activities related to the study and cleanup of contaminated sites
- Public meetings/hearings and public comment periods
- Discussion or negotiations of legal agreements
- Availability of cleanup reports
- Hazard rankings of sites

If you would like to be placed on the Site Register's e-mailing list, complete the electronic form at [http://www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html).

### ***Mailing List***

Ecology has compiled a mailing list for the Site. The list includes individuals, groups, public agencies, elected officials, private businesses, potentially affected parties, and other known interested parties. The list is maintained at Ecology's Central Regional Office and will be updated as needed.

### ***Fact Sheets***

Ecology will mail fact sheets to persons and organizations interested in the Site to inform them of public meetings and comment opportunities and important site activities. Ecology may also mail fact sheets about the progress of site activities.

### ***Newspaper Ads***

At a minimum, Ecology will place an ad in the *Yakima Herald-Republic* to announce public comment periods and public meetings or hearings for the Site.

### **Plan Update**

This public participation plan may be updated as the project proceeds. If an update is necessary, the revised plan will be submitted to the public for comment.

### **Public Points of Contact**

If you have questions or need more information about this plan or this Site, please contact the following person:

Laura Klanser, Site Manager  
Washington State Department of Ecology  
Central Regional Office  
15 W Yakima Avenue, Suite 200  
Yakima WA 98902  
(509) 454-7833

## GLOSSARY

**Cleanup:** Actions taken to deal with a release, or threatened release of hazardous substances that could affect public health and/or the environment. The term "cleanup" is often used broadly to describe various response actions or phases of remedial responses such as the remedial investigation/feasibility study.

**Cleanup Action Plan (CAP):** A document that explains which cleanup alternative(s) will be used at sites for the cleanup. The Cleanup Action Plan is based on information and technical analysis generated during the remedial investigation/feasibility study and consideration of public comments and community concerns.

**Comment Period:** A time period during which the public can review and comment on various documents and Ecology or EPA actions. For example, a comment period is provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans. Also, a comment period is held to allow community members to review and comment on draft feasibility studies.

**Consent Decree:** A formal legal document, approved and issued by a court, which formalizes an agreement reached between the state (and EPA if involved) and the potentially liable person(s) on what will take place during the remedial investigation/feasibility study and/or cleanup action. A Consent Decree is similar to an Agreed Order except that a Consent Decree goes through the courts. Consent Decrees are subject to public comment. If a decree is substantially changed, an additional comment period is provided.

**Feasibility Study (FS):** This study uses information obtained in a remedial investigation to develop and evaluate a range of cleanup options for a site.

**Information Repository:** A file containing current information, technical reports, and reference documents available for public review. The information repository is usually located in a public building that is convenient for local residents such as a public school, city hall or library.

**Model Toxics Control Act (MTCA):** Legislation passed by the state of Washington in 1988. Its purpose is to identify, investigate, and clean up facilities where hazardous substances have been released. It defines the role of Ecology and encourages public involvement in the decision making process. MTCA regulations became effective March 1, 1989 and are administered by the Washington State Department of Ecology.

**Potentially Liable Person (PLP):** Any individual(s) or company(s) potentially responsible for, or contributing to, the contamination problems at a site. Whenever possible, Ecology requires these PLPs, through administrative and legal actions, to clean up sites.

**Public Participation Plan:** A plan prepared to encourage coordinated and effective public involvement designed to the public's needs at a particular site.

**Remedial Investigation:** This study characterizes the site and defines the type and extent of



contamination.

**Remedial Investigation/Feasibility Study:** Two distinct but related studies. They are usually performed at the same time, and together referred to as the "RI/FS." They are intended to:

- Gather the data necessary to determine the type and extent of contamination;
- Establish criteria for cleaning up the site;
- Identify and screen cleanup alternatives for remedial action; and
- Analyze in detail the technology and costs of the alternatives.

**Responsiveness Summary:** A summary of oral and/or written public comments received by Ecology during a comment period on key documents, and Ecology's responses to those comments. The responsiveness summary is especially valuable during the Cleanup Action Plan phase at a site when it highlights community concerns.

**Site:** Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited stored, disposed of, or placed, or otherwise come to be located.