

Lora Lake Apartments Public Participation Plan

April 2010



The Lora Lake Apartments Property Boundary Map
15001 Des Moines Memorial Drive South, Burien Washington

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TABLE OF CONTENTS

1.0 INTRODUCTION	3
Steps in the Cleanup Process.....	4
Site Background and Map	5
Cleanup Work to be Performed.....	6
2.0 CONTAMINANTS OF CONCERN	6
3.0 PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITY	6
Roles and Responsibilities	8
Public Outreach Activities	9
Formal Public Comment Period	9
Public Meetings and Hearings.....	10
Information Repositories	10
Site Register and Public Events Calendar	11
Mailing List.....	11
Ecology and Port of Seattle Web sites.....	11
Port of Seattle Notification Information	11
4.0 PUBLIC PARTICIPATION GRANTS AND TECHNICAL ASSISTANCE	12
GLOSSARY	13

1.0 INTRODUCTION

The Washington State Department of Ecology (Ecology) has developed this public participation plan pursuant to the **Model Toxics Control Act (MTCA)**, to promote meaningful community involvement prior to implementation of remedial action at the **Lora Lake Apartments Site (Site)**. This Site is located at 15001 Des Moines Memorial Drive South, Burien, Washington 98148. It is listed in Ecology's known and suspected contaminated sites list with **Facility Site ID number 1880040**.

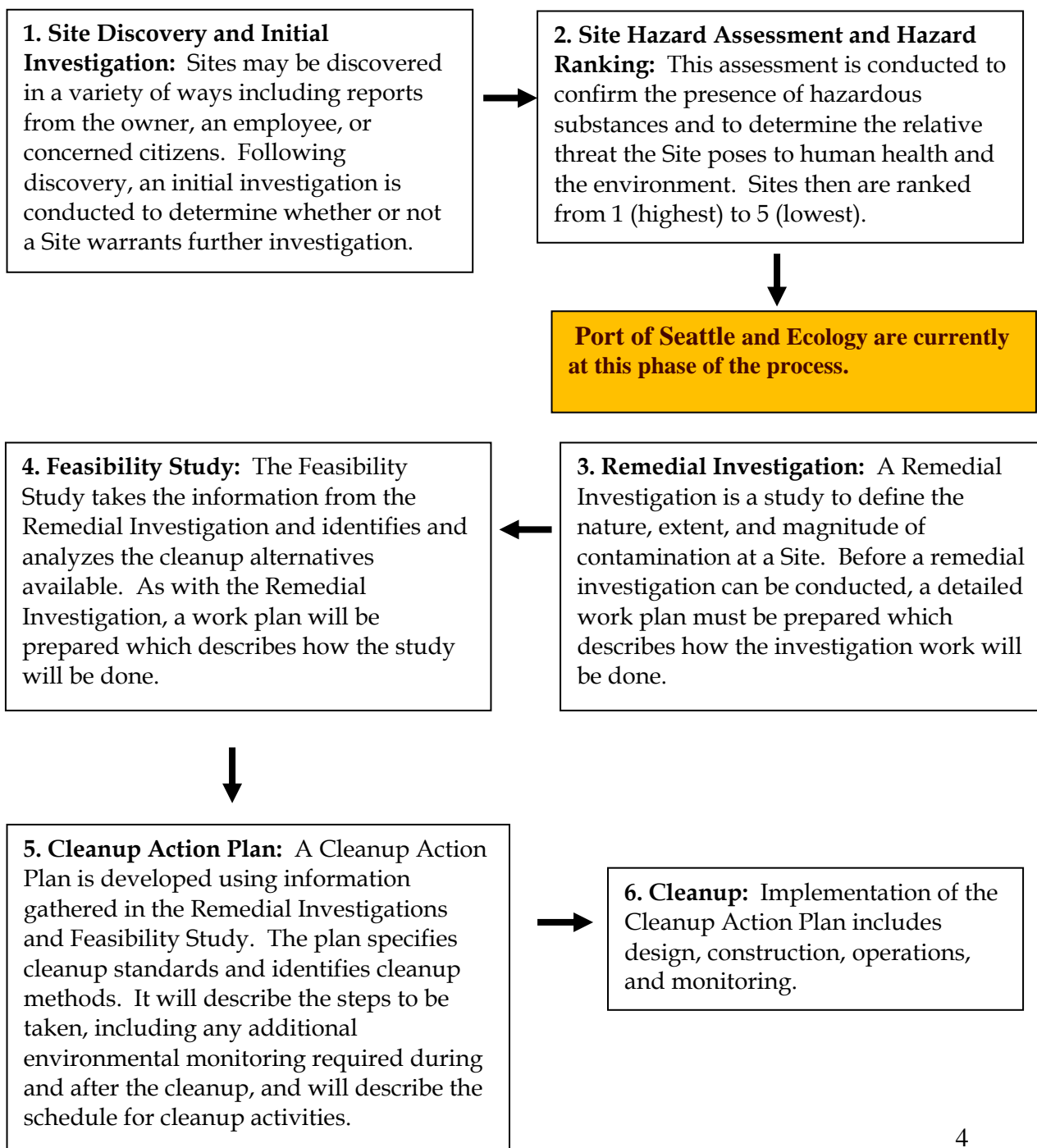
This **Public Participation Plan (PPP)** outlines and describes the tools and approaches that Ecology uses to inform the public about site activities and identifies opportunities for the community to become involved. The PPP aims at addressing potential community concerns regarding the remedial action, and defines the types of public participation activities that will take place as a part of the cleanup process. It is based on Ecology's MTCA regulations (WAC 173-340-600 Public Participation). Ecology is committed to an open dialogue with the community to ensure that interested parties receive information as well as the opportunity to provide input during the decision-making process.

The Port of Seattle also the **potentially liable party (PLP)** negotiated a legal agreement with Ecology called an **Agreed Order**. The Agreed Order describes the working relationship and outlines the scope of work to be implemented. The PLP will complete the remedial action outlined in the Agreed Order. The tasks covered by the Agreed Order are to complete the **Remedial Investigation (RI)**, and to develop a **Feasibility Study (FS)**. The purpose of the RI is to determine the nature and extent of contamination on the Site. The FS will use the results of the RI to evaluate and select effective measures to prevent releases of contamination from the Site.

Following completion of the draft RI/FS report, additional public involvement activities may be scheduled. The public involvement activities will be modified based on the public comments received for this Site and MTCA requirements. This will include public notifications and comment periods where appropriate.

Steps in the Cleanup Process

The MTCA rules detail each step in the cleanup process to ensure that cleanups are thorough and protective of human health and the environment. The chart below defines these steps and how they apply to the project Site. Legal documents such as “**Agreed Orders**” or “**Consent Decrees**” further define some of the steps and associated time frames. The current Agreed Order takes the Site through Step 4. An Agreed Order or Consent Decree will be issued for the Cleanup Action Plan.



Site Background

The Site is located at 15001 Des Moines Memorial Drive South, in Burien, Washington (see figure). This Site was an orchard and private residence prior to 1940. During the 1940s and 1950s, the Site was used by Novak Barrel Cleaning Company. Operations included cleaning barrels that previously contained hazardous materials. From approximately 1960 to 1981, Burien Auto Wrecking operated at the Site. In the 1980s the Site was purchased by a developer, and in 1987 the Lora Lake Apartment complex was built. In 1998 the Port of Seattle bought the Site, part of which was required for the third runway's protection zone (RPZ). Above-ground structures have been demolished. Foundations and asphalt paving remain. The portion of the Site not required for the RPZ is to be redeveloped for future uses compatible with Site zoning, which is Airport Industrial 1.

Site Map of Lora Lake Apartments



Lake Apartments Property Boundary Map

15001 Des Moines Memorial Drive South, Burien Washington

Cleanup Work to be Performed

The proposed work tasks (or actions) under this Agreed Order are to complete the Remedial Investigation (RI) and Feasibility Study (FS). The RI will establish the nature and extent of the contamination. This will allow Ecology to define the entire area needing remediation, known as the "Site." The FS will identify and evaluate the possible cleanup alternatives for the Site.

The work plan for the RI/FS is part of the Agreed Order, and will be reviewed and revised as necessary for approval by Ecology. Following are the steps involved:

- The Port writes the draft RI/FS work plan
- Ecology approves the draft RI/FS work plan, subject to public comment
- The draft RI/FS work plan goes out for public comment
- Ecology makes final changes based on the public comment
- The Port completes the RI/FS work
- The Port writes the draft RI/FS report
- Ecology approves the draft RI/FS report, subject to public comment
- The draft RI/FS report goes out for public comment.

The Port is currently implementing an interim action to assess the quality of stormwater entering and leaving the Site. This work is considered part of the RI/FS work, but was implemented first to shorten the time frame in which the RI/FS is conducted. Future actions may include additional interim actions, if necessary. Upon completion of the RI/FS a new legal agreement to implement the Ecology-approved final Cleanup Action Plan (CAP) will be finalized.

2.0 CONTAMINANTS OF CONCERN

Former activities at the Site released hazardous substances to Site soils and groundwater. Hazardous substances identified by investigations conducted to date include polycyclic aromatic hydrocarbons, petroleum products, pentachlorophenol, dioxin, tetrachloroethene, trichloroethene, 1,2-dichloroethane and arsenic.

3.0 PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITY

The purpose of this Public Participation Plan is to promote public understanding and participation in the cleanup process for this Site. The goals of this plan are:

- To identify people and organizations with an interest or potential interest in the Site.
- To promote public understanding and to identify community concerns related to the:
 - Agreed Order.
 - Public Participation Plan. Remedial Investigation and Feasibility Work Plan.
 - Remedial Investigation and Feasibility Report.
- To encourage interactive communication and collaboration between Ecology, Port of Seattle, and the community.
- To meet the public participation requirements under MTCA.

This section addresses how Ecology will keep the public informed about Site activity and provide opportunities for being involved in the cleanup.

Ecology will continue to use a variety of tools to facilitate public participation in the planning and cleanup of this Site. These tools are:

- Formal comment periods.
- Responsiveness Summary summarizing public comments and Ecology's reply to these comments.
- Fact sheets.
- Public meeting (if requested by 10 or more persons).
- Information repositories.
- Site register notices.
- Web tools including a web-based Events calendar.
- Newspaper advertisement

Ecology will consider input provided by the community when developing work plans, reports, and final cleanup action plans for the Site.

Ecology urges the public to become involved in the remedial action process. Information will be provided regularly to support and encourage the public to review materials and provide comments. This plan is intended to be a flexible working document that will be updated as community concerns emerge and/or more information becomes available during the cleanup process. To arrange for a briefing with project staff, ask questions, or provide comments on the plan or other aspects of the cleanup, please contact one of the persons listed below.

For technical questions, please contact:

David L. South, Site Manager
Washington State Department of Ecology
Toxics Cleanup Program – Northwest Regional Office
3190 160th Ave SE
Bellevue, WA 98008
Phone: 425-649-7200
E-mail: dsou461@ecy.wa.gov

For community involvement questions for Department of Ecology, please contact:

Nancy Lui, Community Outreach
Washington State Department of Ecology
Toxics Cleanup Program – Northwest Regional Office
3190 160th Ave SE
Bellevue, WA 98008
Phone: 425-649-7117
E-mail: nlui461@ecy.wa.gov

For community outreach questions for the Port of Seattle, please contact:

Marlys St. Laurent
Port of Seattle Public Affairs
Seattle-Tacoma International Airport
P.O. Box 68727
Seattle, WA 98168-0727
Phone: 206-787-4604
E-mail: st.laurent.m@portseattle.org

Roles and Responsibilities

Ecology maintains overall responsibility and approval authority for the activities outlined in this plan, in accordance with MTCA requirements. Ecology conducts public comment periods as required by MTCA, which include receiving comments, reviewing comments and making decisions, preparing a Responsiveness Summary if needed, and if substantial changes to the documents are approved by Ecology, then another public comment period will be held.

Public Outreach Activities

A 30-day public comment period will be scheduled for each major phase of the project. A formal public notice for each of the comment periods will include the following:

- A Fact Sheet will be distributed to the neighboring community and surrounding areas.
- A newspaper advertisement will be placed in the local area newspaper.
- A notice will be published in Ecology's Site Register and Ecology's Public Calendar.
- All public documents will be available at the neighborhood library or community center, Ecology's Northwest Regional Office, and on Ecology's web site for public review.
- A public meeting will be held if 10 or more people request a meeting during the public comment period.
- Ecology site manager and community outreach specialist will be available to discuss issues about the Site.

Formal Public Comment Period

Comment periods are the primary method Ecology uses to get feedback from the public on proposed cleanup decisions, which Ecology presents as draft documents. Comment periods usually last for 30 days and are required at key points during the investigation and cleanup process before final decisions are made.

During a comment period, the public can comment in writing through letters or email. Verbal comments are taken if a public hearing is held. After a formal comment period, Ecology reviews all comments received and determines if a **Responsiveness Summary** is necessary. A **Responsiveness Summary** is a document which summarizes all comments received during the comment period and Ecology's response to those comments.

During the comment period, please send your written comments by letter or email to:

David L. South, Site Manager
Washington State Department of Ecology
Toxics Cleanup Program - Northwest Regional Office
3190 160th Ave SE
Bellevue, WA 98008
Phone: 425-649-7200
E-mail: dsou461@ecy.wa.gov

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

Public Meetings and Hearings

Public meetings may be held at key points during the cleanup process. Ecology may also offer public meetings for actions expected to be of particular interest to the community. If ten or more people request a public meeting or hearing during the 30-day comment period, Ecology will hold a public meeting for the purpose of taking comments on the draft documents.

Information Repositories

Information repositories are convenient places where the public can go to read and review Site information (see below). The information repositories are often at libraries or community centers to which the public has access. During the comment period, the Site documents will be available for review at each repository that is listed below. Documents remain at the repositories for the entire duration of the project.

The entire Site file is available for review at Ecology's Northwest Regional Office by appointment. For special accommodations or translation assistance, please contact Nancy Lui at nlui461@ecy.wa.gov or at 425-649-7117 and please indicate you would like assistance with the "**Lora Lake Apartments Site.**" Persons with hearing loss call 711 for Washington Relay Service. Persons with speech disability call 877-833-6341.

The information repositories for the Lora Lake Apartments Site will be located at:

Burien Library
400 SW 152nd Street
Burien, WA 98166
206-243-3490

Washington State Department of Ecology
3190 160th Ave. S.E.
Bellevue, WA 98008
Call for an appointment: Sally Perkins
425-649-7190
425-649-4450 FAX
E-mail: sper461@ecy.wa.gov
Hours: Tuesday - Thursday, 8 am-Noon and 1-4:30 pm

Site Register and Public Events Calendar

Ecology's Toxics Cleanup Program uses the Site Register and web-based Public Involvement Calendar to announce all of its public meetings and comment periods as well as additional Site activities. To receive the Site Register in electronic or hard copy format, contact Linda Thompson by email at ltho461@ecy.wa.gov or by telephone at 360-407-6069. The Site register is available on Ecology's web Site at http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html

The Public Involvement Calendar is available on Ecology's web site at <http://apps.ecy.wa.gov/pubcalendar/calendar.asp>

Mailing List

Ecology has compiled and maintains a list of interested parties, organizations, businesses and residents living near the cleanup Site. This list will be used to disseminate information via mail (fact sheets, Site updates, public notices, etc.). If you are not on the mailing list for this Site and wish to be added, please contact Nancy Lui at nlui461@ecy.wa.gov or at 425-649-7117. In the subject line, please indicate "Lora Lake Apartments Site" mailing list.

Ecology Web site

Information on the cleanup is available online at Ecology's web site: http://www.ecy.wa.gov/programs/tcp/Sites/loraLakesAps/loraLakesAps_hp.html

Port of Seattle Web site:
www.portseattle.orgcommunityenvironment/

Port of Seattle Notifications

The Port of Seattle notified the public about the demolition through the airport community newsletter, which was mailed to 2239 households around Sea-Tac Airport, and is posted on the Port web site along with a link to Ecology's web site.

For more information, please contact:
Don Robbins, Senior Environmental Program Manager
Port of Seattle Environmental Department
Phone: 206-787-4918
E-mail: robbins.d@portseattle.org

4.0 PUBLIC PARTICIPATION GRANTS AND TECHNICAL ASSISTANCE

Citizen groups living near contaminated Sites may apply for public participation grants during open application periods. These grants help citizens receive technical assistance in understanding the cleanup process and create additional avenues for public participation. Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the Site. For more information about the public participation grant, please go to Ecology's web site at:
<http://www.ecy.wa.gov/programs/swfa/grants/ppg.html>

GLOSSARY

Agreed Order: A legal document issued by Ecology which formalizes an agreement between the department and potentially liable persons (PLPs) for cleanup actions needed at a site. Orders are subject to public comment. If an order is substantially changed, an additional comment period may occur.

Aquifer: A layer of water-bearing rock beneath the earth's surface.

Cleanup: The implementation of a cleanup action, or interim action.

Cleanup Action: Any remedial action, except interim actions, taken at a site to eliminate, make less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with WAC 173-340-350 through 173-340-390.

Chemicals of Concern (COCs): Hazardous substances that are of particular concern at this site.

Comment Period: A time period during which the public can review and comment on various documents and proposed actions. For example, a comment period may be provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans.

Consent Decree: A legal document approved and issued by a court, which formalizes an agreement reached between the state and potentially liable persons (PLPs) on the actions needed at a site. A decree is subject to public comment. If a decree is substantially changed, an additional comment period is provided.

Containment: A container, vessel, barrier, or structure, whether natural or constructed, which confines a hazardous substance within a defined boundary and prevents or minimizes its release into the environment.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

Comment Period: A time period during which the public can review and comment on various documents and proposed actions.

Environment: Any plant, animal, natural resource, surface water (including underlying sediments), ground water, drinking water supply, land surface (including tidelands and shorelands) or subsurface strata, or ambient air within the state of Washington.

Facility: 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 or, placed, or otherwise come to be located.

Facility Site ID #: Site specific number assigned by Ecology for the Ecology known and suspected contaminated sites database.

Feasibility Study: The Feasibility Study takes the information from the Remedial Investigation and identifies and analyzes the cleanup alternatives available. As with the Remedial Investigation, a workplan will be prepared which describes how the study will be done.

Groundwater: Water found beneath the earth's surface that fills pores between materials such as sand, soil, or gravel. In some aquifers, ground water occurs in sufficient quantities that it can be used for drinking water, irrigation and other purposes.

Hazardous Substance: Any material that poses a threat to public health and/or the environment. Typical hazardous substances are materials that are toxic, corrosive, ignitable, explosive, or chemically reactive.

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.

Interim Action: Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

Model Toxics Control Act (MTCA): Refers to RCW 70.105D approved by voters in the state of Washington in November 1988. The implementing regulation is WAC 173-340 and was amended in 2001.

Potentially Liable Person: 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 Notice: At a minimum, adequate notice mailed to all persons who have made a timely request to Ecology and notice to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and the opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Remedy or remedial action: Means any action or expenditure consistent with the purposes of chapter 70.105D RCW to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities with respect to any release or threatened release of a hazardous substance and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

Remedial Investigation: A Remedial Investigation is a study to define the nature, extent, and magnitude of contamination at a site. Before a remedial investigation can be conducted, a detailed workplan must be prepared which describes how the investigation work will be done.

Responsiveness Summary: A compilation of all questions and comments into a document open for public comment and their respective answers/replies by Ecology. The responsiveness summary is mailed, at a minimum, to those who provided comments, and its availability is published in the Site Register.

Runway Protection Zone (RPZ): A Federal Aviation Administration designated area, trapezoidal in shape, that is located off the end of a runway. The RPZ's function is to enhance the protection of people and property on the ground. This protection is achieved through airport ownership of the RPZ area. Land uses prohibited within the RPZ are residences and places of public assembly (churches, schools, hospitals, office buildings, shopping centers, etc.).

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.

Site Discovery and Initial Investigation: Sites may be discovered in a variety of ways including reports from the owner, and employee, or concerned citizens. Following discovery, an initial investigation is conducted to determine whether or not a site warrants further investigation.

Site Hazard Assessment and Hazard Ranking: This assessment is conducted to confirm the presence of hazardous substances and to determine the relative threat the site poses to human health and the environment. Sites then are ranked from 1 (highest) to 5 (lowest).

Site Register: Publication issued every two weeks of major activities conducted statewide related to the study and cleanup of hazardous waste sites under the Model Toxics Control Act. To receive this publication, please call (360) 407-7200.

Toxicity: The degree to which a substance at a particular concentration is capable of causing harm to living organisms, including people, plants and animals.