



PUBLIC PARTICIPATION PLAN

Cowlitz BP
101 Mulford Road
Toledo, Washington

Prepared by
Washington State Department of Ecology
Southwest Regional Office
Toxics Cleanup Program
300 Desmond Drive
Olympia, Washington 98504-7775

December 2009 Updated March 2024

TABLE OF CONTENTS

INTRODUCTION	3
SITE BACKGROUND	3
Site Description	3
Site History	3
Current Activity	3
MODEL TOXICS CONTROL ACT	
Steps in a cleanup process	4
PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES	5
Public Involvement Activities	5
Information Repositories	6
Points of Contact.....	7
FIGURES	
Figure 1. Model Toxics Cleanup Process	8
Figure 2. Site location.....	9

INTRODUCTION

The Washington State Department of Ecology (Ecology) has developed this public participation plan pursuant to the Model Toxics Control Act (MTCA) and Agreed Order No. DE 5236 to promote meaningful community involvement during the investigation and cleanup of Cowlitz BP cleanup site. This plan outlines and describes the tools that Ecology uses to inform the public about Site activities and identifies opportunities for the community to become involved.

SITE BACKGROUND

The site is located at 101 Mulford Road in Toledo, on the east side of I-5 at the Vader-Ryderwood exit. It consists of an operating gas station and mini-mart and a former gas station across the street on the south side of Mulford Road.

The site, which includes three parcels, was purchased in 1947 by Charles Vineyard and used for farming for eight years. In 1955, it was divided into separate lots and leased.

Former Gas Station Property

The former gas station property, one of the three parcels making up this site, was located on the south side of Mulford Road. It was leased to General Petroleum Corporation, Olson Brothers Garage, Inc and then used as a Mobil service station and restaurant. In 1984, the station was shut down and demolished. Currently, only a building foundation exists on this property.

In 1992, three underground storage tanks (USTs) were removed from the property. Testing revealed that residual gasoline and diesel range hydrocarbons were present in soil above state cleanup standards. Contaminated soil was removed from the tank area and treated on site. However, some contamination remained in the excavation area.

Active Gas Station and Mini-Mart Property

The rest of the site (two parcels) is located on the north side of Mulford Road. An active gas station and mini-mart are currently on the site. Texaco leased this property from 1955-1980 and used it as a gas station. They constructed a building, underground storage tanks and piping.

In 1986, after purchasing the gas station, Ron and Sherri Smith removed the USTs and discovered petroleum contamination in soil above state cleanup standards. In 1991, Ecology issued an Enforcement Order (legal document) to Frank Vineyard to begin investigation and cleanup of the active gas station property.

Combined Property Cleanup

During the investigation at the active gas station, contaminated groundwater was discovered on the former gas station property. The former gas station and the active gas station properties were then merged into one cleanup site.

The Remedial Investigation (RI) and Feasibility Study were completed in 1993. A supplemental RI was conducted in 1995. A Cleanup Action Plan to complete site cleanup was finalized in 1994.

During a site visit in 1994, Ecology discovered that the ground surface at the former gas station had been graded, and a storage tank and piping had been installed. In addition, some model single family homes had been placed where cleanup actions were planned. Monitoring wells established in this area could not be found.

In 2001, Ecology entered into another Agreed Order with Charles Vineyard, Bob and Sherri Smith and Texaco to implement new cleanup actions and monitor groundwater on the former gas station property. However, in 2005 Ecology concluded that the cleanup was not successful.

CURRENT ACTIVITY

The Washington Department of Ecology and Texaco Downstream Properties, Inc (TDPI) are entering into an Agreed Order (legal agreement) to continue investigation and cleanup of the Cowlitz BP site in Toledo. Ecology is requiring TDPI to complete the following:

- A Feasibility Study to examine cleanup alternatives.
- An Interim Action (partial cleanup action) to remove contaminated soil from part of the site.
- A draft Cleanup Action Plan which will outline the chosen cleanup actions and how they will be implemented.
- Continued groundwater monitoring at the site.

NEXT STEPS

- Ecology will review and consider all comments received during the comment period.
- Ecology will create a Responsiveness Summary, containing all comments and Ecology responses. It will be posted online and sent to all who commented and will become part of the permanent public record.
- TDPI will prepare an Interim Action Work Plan to outline steps for removing contaminated soil from the site. The Interim Action will take place once the work plan goes through a 30-day public comment period and is approved by Ecology.
- TDPI will prepare a Feasibility Study and draft Cleanup Action Plan which will describe what cleanup alternatives will be taken. Once Ecology approves the work plan, the final cleanup actions will be taken.

MODEL TOXICS CONTROL ACT CLEANUP STAGES

The Model Toxics Control Act (MTCA) defines each stage of the cleanup process to protect human health and the environment. Figure 1 on page 8 details these stages.

In addition to the steps in the figure, interim actions (partial cleanup actions) may be taken during steps 1 through 5 (the investigation) to reduce or eliminate pollution that poses an immediate threat to human health or the environment.

PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES

The purpose of this Public Participation Plan is to promote public understanding and participation in the cleanup process for this site. This section of the plan addresses how Ecology will keep the public informed about site activity and provide opportunity for comment and involvement.

Ecology will use a variety of tools to facilitate public participation in the planning and cleanup of this MTCA site. Ecology will consider and implement input provided by the community whenever possible. The following is a list of the public involvement activities that Ecology will use, their purpose and a description of when and how they will be used in this site cleanup.

Formal Public Comment Period

Comment periods are the primary method Ecology uses to get feedback from the public on proposed cleanup decisions. Comment periods usually last for 30 days and are required at key points during this cleanup process before final decisions are made. During a comment period, the public can comment in writing (email or letter) or in person (during a public meeting or hearing).

Public Meetings and Hearings

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

Responsiveness Summaries

After every public comment period, Ecology reviews and may respond to all comments received, both oral and written. This is compiled into a responsiveness summary. Ecology considers changes or revisions based on the input from the public. If significant changes are recommended, then a second comment period is held. If significant changes are recommended, then the draft documents will be finalized. The responsiveness summary will be available upon request and included with the other pertinent site documents in the Information Repositories listed below.

Information Repositories

Information repositories are convenient places where the public can go to read and review site information. The information repositories are often at libraries or community sites where public has access. During the comment period, the site documents will be available for review at each repository. Each site will have at least two repository sites established. Site information will remain at repositories for the duration of the cleanup. Ecology's Central files can also make copies of the documents for a fee.

The information repositories for this site are:

- Washington State Department of Ecology, Southwest Regional Office
Toxics Cleanup Program, 300 Desmond Dr., Lacey, WA 98503. Phone (360) 407-6365
- Ecology Web site: <https://apps.ecology.wa.gov/cleanupsearch/site/7025>
- Winlock Timberland Library 322 NE First Street, Winlock, WA 98596. Phone: (360) 785-3461

Mailing list

Ecology has compiled a list of interested parties and organizations and residents living in proximity to the cleanup site. This list will be used to disseminate information via mail (fact sheets, site updates, public notices). If you would like to be added to the mail list, please contact Nancy Davis at 360-489-4971 or nancy.davis@ecy.wa.gov.

Site Register and Public Events Calendar

Ecology's Toxics Cleanup Program uses its bimonthly 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 subscribe at https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118. It is also available on Ecology's website at <https://ecology.wa.gov/regulations-permits/guidance-technical-assistance/site-register-lists-and-data>.

Fact Sheets / Updates

Ecology will mail out fact sheets to persons and organizations interested in the Cowlitz BP Pipeline site to inform them of public meetings and comment periods as well as important site activities. Ecology may also mail an update about the progress of site activities.

Newspaper Display Ads

Ecology may place ads in the local paper to announce public comment periods and public meetings or hearings for this site. *The Chronicle* will be used to publish information about this site.

Ecology Web Site

Information related to this site and materials available for public comment will be posted on Ecology's web site at <https://apps.ecology.wa.gov/cleanupsearch/site/7025>.

Translation Service

Ecology will provide translation services to any resident who requests them. This service can include written material, live translation during public meetings or telephone inquiries. Please contact Nancy Davis, Public Involvement Coordinator at 360-489-4971 or nancy.davis@ecy.wa.gov for a translated copy of this or any other documents related to this site.

Plan Updates

This Public Participation Plan is meant to be a dynamic guide for informing and involving the community in the decision-making process at the Site. This plan may be updated as the project proceeds.

Public Points of Contact

For project-related questions, contact Steve Teel at the Washington State Department of Ecology at 360-890-0059 or by email at steve.teel@ecy.wa.gov.

For copies of this document or questions about public involvement, contact Nancy Davis at the Washington State Department of Ecology at 360-489-4971 or by email at nancy.davis@ecy.wa.gov.

Public Participation Grants

As part of the Model Toxics Control Act, Ecology developed a public participation grant program to promote public participation during cleanups. Public Participation Grants provide funding to community groups to help involve the public in the investigation and cleanup of contaminated properties. The grants also help develop and carry out programs that promote the state's solid or hazardous waste management priorities.

For cleanup sites, non-profit groups or groups of three or more unrelated individuals can apply for grants to fund outreach and education efforts for the community that is impacted by the cleanup. Past projects have helped people understand the cleanup and how to comment on cleanup proposals during public comment periods. Grant funds may be used to pay for technical experts who help people understand cleanup issues. They can also be used to hold meetings, workshops and other events that help to inform people. In addition, printing and distribution of reports, brochures and other materials may be covered.

For more information about this grant program, visit <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/public-participation-grants>.

Figure 1. Steps in the Model Toxics Act Cleanup Process



Figure 2. Cowlitz BP cleanup area

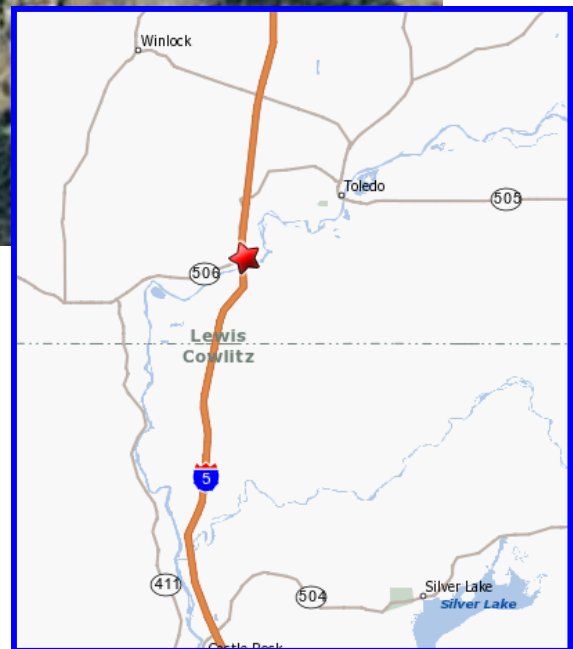



Diagram Key

 = Approximate area of known soil contamination with levels above state cleanup standards.