



# Public Participation Plan For Laurel Station Cleanup Site Bellingham, Washington



April 2014

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## 1.0 INTRODUCTION

The Washington State Department of Ecology (Ecology) has developed this public participation plan under the Model Toxics Control Act (MTCA), to promote meaningful community involvement during cleanup of the Laurel Station Cleanup Site in Bellingham, Washington. The cleanup at Laurel Station will address contamination resulting from historic releases of petroleum products. It is located at 1009 East Smith Road, Bellingham, Washington and is owned by Trans Mountain Pipeline (Puget Sound) LLC.

This plan outlines and describes the tools and approaches Ecology uses to inform the public about site activities and identifies opportunities for the community to become involved. This plan is intended to address potential community concerns regarding the cleanup action and defines the types of public participation activities that will take place as part of the cleanup process. It is based on MTCA regulations (WAC 173-340-600 "Public Notice and Participation"). Ecology is committed to an open dialogue with the community to ensure that interested parties receive information as well as provide input during the decision-making process.

In 2014, Ecology and Trans Mountain negotiated a legal agreement called a Consent Decree that formally describes their working relationship and outlines the scope of cleanup work that Trans Mountain will implement. Trans Mountain will complete the cleanup actions at this site under a Cleanup Action Plan. The work will be done with Ecology's oversight and approval.

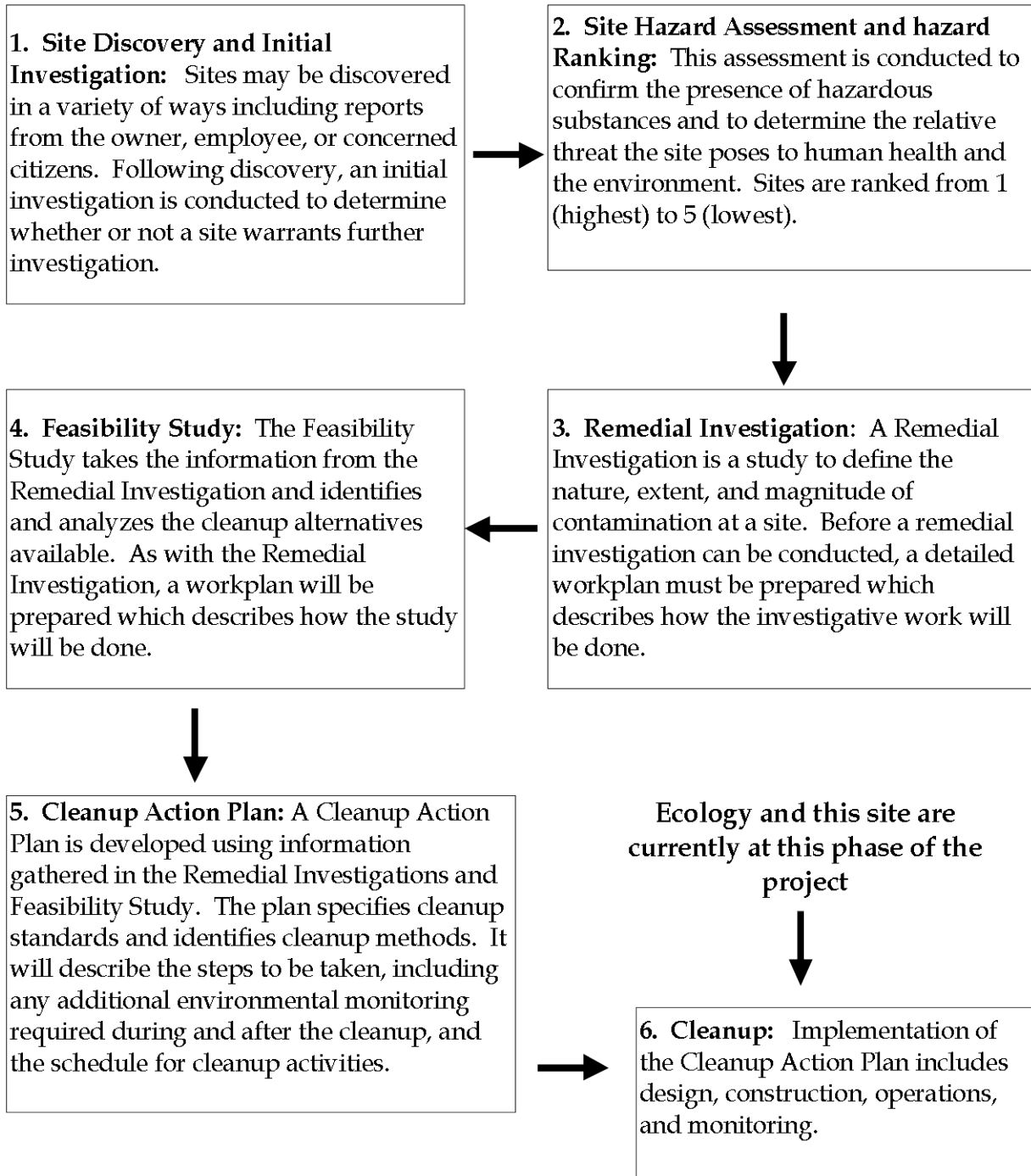
This Public Participation Plan applies to the following four key documents concerning cleanup and public comment at the Laurel Station:

1. Draft Consent Decree
2. Draft Cleanup Action Plan (Exhibit A of the Consent Decree)
3. Draft Remedial Investigation/Feasibility Study Report.
4. State Environmental Policy Act (SEPA) Environmental Checklist and Ecology's Determination of Non-significance (Exhibit C of the Consent Decree). SEPA is applicable to this site during implementation of the proposed Cleanup Action Plan. The SEPA checklist evaluates the environmental impacts of the proposed cleanup tasks to be conducted at this site. Ecology reviewed this checklist and determined that implementing this cleanup will cause no significant adverse environmental impacts (Determination of Non Significance, Exhibit C of the Consent Decree).

A comment period will provide opportunities for the public or interested parties to review, ask questions, and submit comments on these documents.

## 2.0 STEPS IN THE CLEANUP PROCESS

The MTCA rules detail each step in the cleanup process to ensure that cleanups are sufficiently 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.



### 3.0 PROJECT SCHEDULE FOR LAUREL STATION SEQUENCE OF TECHNICAL AND PUBLIC INVOLVEMENT ACTIVITIES

The following table presents the project schedule and sequence of technical and public involvement activities for the cleanup.

Schedule	Activity	Public Participation/ Communications Activity
April, 2014	Prepare documents	<ul style="list-style-type: none"> <li>◆ The fact sheet was mailed the week of 4/07/14</li> <li>◆ Documents for public review: Consent Decree, Cleanup Action Plan, Remedial Investigation/Feasibility Study (RI/FS), State Environmental Policy Act-Determination Non-Significance, and this <b>Public Participation Plan (PPP)</b></li> </ul>
April 18 – May 19, 2014	Public Comment Period	<ul style="list-style-type: none"> <li>◆ The Public comment period for the draft Consent Decree, draft Cleanup Action Plan, draft Remedial Investigation/Feasibility Study Report, draft SEPA Environmental Checklist and Determination, and draft Public Participation Plan.</li> <li>◆ May, 2014: Review and evaluate public comments and revise document(s) if appropriate.               <ul style="list-style-type: none"> <li>◆ May, 2014: Ecology prepares responses to comments and the Responsiveness Summary.</li> </ul> </li> </ul>
July 2014 – 2020	Implement Consent Decree	<ul style="list-style-type: none"> <li>◆ Implement Cleanup Action Plan.</li> <li>◆ Conduct Compliance Monitoring Plan.               <ul style="list-style-type: none"> <li>◆ Prepare Progress Reports.</li> <li>◆ Prepare Closure Report</li> <li>◆ Request Notice of Completion.</li> </ul> </li> </ul>
Estimated 2020	Public Comment Period	<ul style="list-style-type: none"> <li>◆ Write a fact sheet for the Notice of Completion and Ecology request to close the Consent Decree and delist site from state Hazardous Sites List.               <ul style="list-style-type: none"> <li>◆ Conduct a Public Comment Period.</li> </ul> </li> </ul>
Estimated 2020	Close Consent Decree	<ul style="list-style-type: none"> <li>◆ Finalize Notice of Completion, close Consent Decree and Delist the Site from the state’s Hazardous Sites List.</li> </ul>

#### 4.0 LAUREL STATION SITE LOCATION & BACKGROUND

Laurel Station is an existing oil pipeline pump station located at 1009 East Smith Road, approximately 4 miles north of the City of Bellingham, in Whatcom County, Washington. The station is surrounded by approximately 15 acres of developed land and an additional 135 acres of undeveloped or agricultural land.

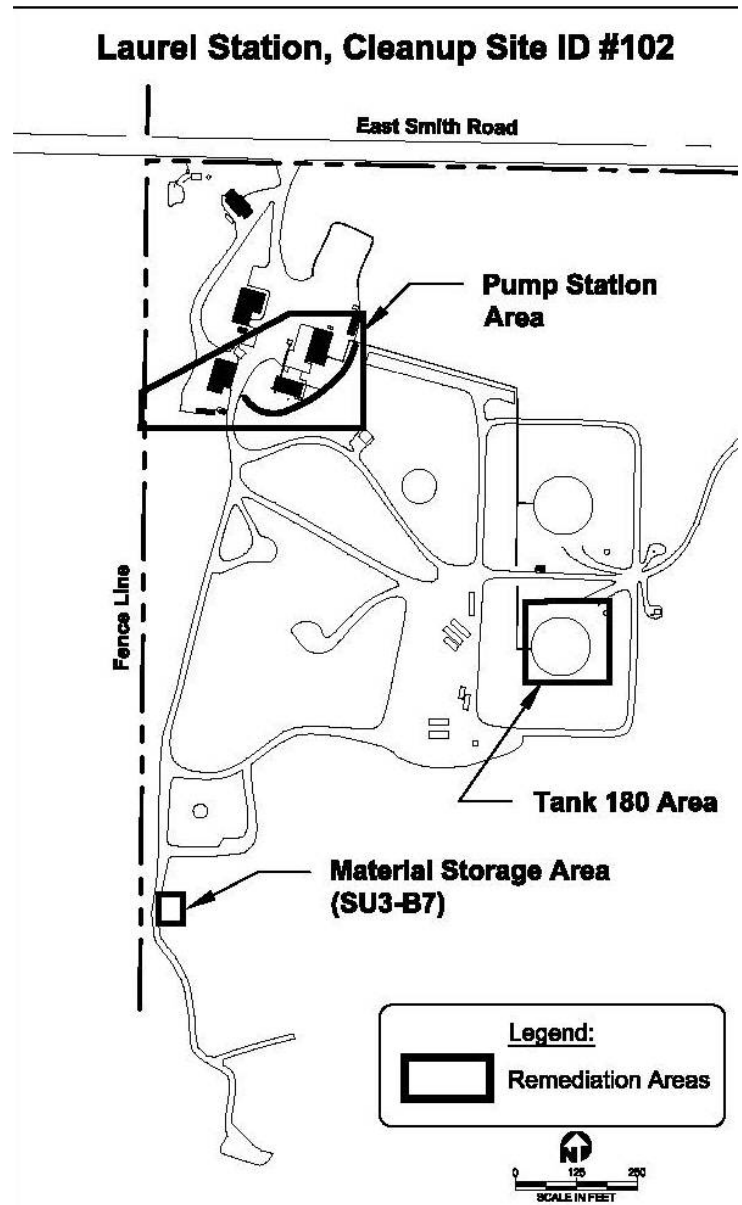
Laurel Station is listed in Ecology's Confirmed and Suspected Contaminated Sites List and in Ecology's databases under Facility Site ID #2893 and Cleanup Site ID #102.

Laurel Station was constructed in 1956, and is used to transport crude oil via pipeline from Edmonton, Alberta, Canada, to refineries at Ferndale and Anacortes, Washington.

The facility currently consists of 20-inch and 16-inch pipelines, a pump station, associated storage tanks, and support buildings.

Petroleum contamination at the Site resulted from historic releases of crude oil and natural gas condensate.

The proposed cleanup will include excavation and removal of three small areas of contaminated soil (see map), where accessible, and installation of a small treatment system to address inaccessible soil.



## 5.0 PUBLIC PARTICIPATION

The purpose of this Public Participation Plan is to promote public understanding and participation in the cleanup activities planned for this site. This section of the plan addresses how Ecology will share information and receive public comments and community input for the site.

Ecology urges the public to become involved in the cleanup process. Information will be provided regularly to offer opportunities 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 course of cleanup.

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 South, Senior Engineer, Site Manager  
Washington State Department of Ecology  
Toxics Cleanup Program - Northwest Regional Office  
3190 160<sup>th</sup> Ave SE  
Bellevue, WA 98008  
Phone: (425) 649-7200  
E-mail: david.south@ecy.wa.gov

**For Community Involvement questions, please contact:**

Nancy Lui, Community Outreach  
Washington State Department of Ecology  
Toxics Cleanup Program - Northwest Regional Office  
3190 160<sup>th</sup> Ave SE  
Bellevue, WA 98008  
Phone: (425) 649-7117  
E-mail: nancy.lui@ecy.wa.gov

**For questions for Trans Mountain Pipeline (Puget Sound) LLC., please contact:**

Michael Droppo, Environmental Manager  
E-mail: Mike\_Droppo@kindermorgan.com  
Phone: 1-855-514-6602

## 5.1 Goal of this Public Participation Plan

MTCA states that public participation is intended to encourage a coordinated and effective public involvement tailored to the public's needs at a particular facility. 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 following documents for the Laurel Station Site:
  - Legal Agreement: Consent Decree
  - Draft Cleanup Action Plan (Exhibit A of the Consent Decree)
  - Draft Remedial Investigation/Feasibility Study (RI/FS) Report
  - State Environmental Policy Act (SEPA) Environmental Checklist and Determination (Exhibit C of the Consent Decree)
  - Public Participation Plan
- To encourage interactive communication and collaboration among Ecology, Trans Mountain, and the community
- To meet the public participation requirements under MTCA regulations.

## 5.2 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, making decisions, and preparing responsiveness summaries for public comments received, and keeping the public informed.

## 5.3 Public Outreach Activities

A 30-day public comment period will be scheduled when this site is delisted from the Hazardous Sites List. A formal public notice for the comment period will include the following:

- a. A fact sheet will be mailed to the neighboring community and surrounding areas.
- b. A newspaper advertisement will be placed in the Bellingham Herald.
- c. A notice will be published in Ecology's Site Register and Ecology's Public Calendar.
- d. All public documents will be available on Ecology's website for public review, and at public locations such as libraries.



A 30-day public comment period will be scheduled for Periodic Reviews. A Periodic Review comment period will include the following:

- a. A notice will be published in Ecology's Site Register and Ecology's Public Calendar.
- b. All public documents will be available on Ecology's website for public review, and at public locations such as libraries.

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

Ecology uses comment periods as its primary method 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. Verbal comments are taken if a public hearing is held. After the formal comment period, Ecology reviews all comments received and may respond in a document called a Responsiveness Summary.

Ecology will consider the need for changes or revisions to draft documents 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.

#### **5.5 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. 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 comments on the draft documents.

#### **5.6 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 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.

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 [nancy.lui@ecy.wa.gov](mailto:nancy.lui@ecy.wa.gov) or at (425) 649-7117. Please indicate you would like assistance with the “**Laurel Station Site.**”

<p><b>Bellingham Public Library- Central</b>                  210 Central Avenue CS-9710                  Bellingham, WA 98227-9719</p> <p>Phone#: (360) 778-7323</p>	<p><b>Washington State Department of Ecology</b>                  3190 160th Ave., S.E.                  Bellevue, WA 98008</p> <p>Call to schedule an appointment: Sally Perkins                  (425) 649-7190                  (425) 649-4450 FAX                  E-mail: <a href="mailto:sally.perkins@ecy.wa.gov">sally.perkins@ecy.wa.gov</a>                  Hours: Tuesday – Thursday                  8 AM – 12:00 PM and 1:00 – 4:30 PM</p>
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## 5.7 Site Register and Public Events Calendar

Ecology’s Toxics Cleanup Program uses a 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 Seth Preston by phone at (360) 407-6848 or email [seth.preston@ecy.wa.gov](mailto:seth.preston@ecy.wa.gov) and reference “Site Register request”.

### Ecology’s Site Register website

[http://www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html)

### Ecology’s Public Involvement Calendar website

<http://apps.ecy.wa.gov/pubcalendar/calendar.asp>

## 5.8 Mailing List

Ecology has compiled and maintained a list of interested parties, organizations, 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 [nancy.lui@ecy.wa.gov](mailto:nancy.lui@ecy.wa.gov) or at (425) 649-7117. In the subject line, please indicate “**Laurel Station Site**” mailing list.

## **5.9 Ecology Website**

Information on the cleanup work at Laurel Station Site is also available online:  
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=102>

## **6.0 PUBLIC PARTICIPATION AND 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.

Information on the guidelines and application for Public Participation Grants may be found at Ecology's website:  
<http://www.ecy.wa.gov/programs/swfa/grants/ppg.html>.

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. Please call Ecology's Laurel Station site manager David South, if you have questions at [david.south@ecy.wa.gov](mailto:david.south@ecy.wa.gov) or (425) 649-7200.

## **6.1 Public Participation Plan Amendments**

Ecology developed this plan in compliance with the MTCA regulations (Chapter 173-340 WAC). It will be reviewed as cleanup progresses and may be revised if necessary. Proposed revisions may be submitted to Ecology's site manager, David South, for review and consideration. Ecology will determine final approval of the plan as well as any revisions.

## APPENDIX A: GLOSSARY

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

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

**COCs:** Chemicals of Concern means 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.

**Data Gap Work Plan:** Work plan outlines tasks to investigate and characterization soil and groundwater information necessary to complete Remedial Investigation (RI) and Feasibility Study (FS).

**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.

**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.

**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.

**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.

**State Environmental Policy Act (SEPA):** State Environmental Policy Act is the Washington State regulation to inform and involve the citizens and businesses

about proposed work that may involve investigation and/or remedial actions on land, water, or air within Washington State.

**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.

**Underground Storage Tank (UST) area:** An area at a property that contains underground storage tank or tanks and connected underground piping for the storage and containment of liquids and are defined in the rules adopted under Chapter 90.76 RCW. Frequently these liquids may be a fire hazard and for public safety they are stored underground.