

WAC 197-970 Determination of Nonsignificance (DNS)

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The project involves a remedial action to remove polychlorinated biphenyl (PCB) and petroleum hydrocarbon contamination at the Oline Storage Yard cleanup site in Tacoma. The remedial action consists of excavating PCB contaminated soil and concrete and disposing of them offsite.

The remedial action is directed by Agreed Order No. DE-8796, issued by Ecology to the potentially liable persons for the site and described in the Cleanup Action Plan. The work to be performed has been developed as a result of the following elements, pursuant to Agreed Order No. DE-8796, or as deemed necessary by Ecology:

- Reports for remedial investigation or remedial action work that has been done or is proposed;
- Remedial Investigation/Feasibility Study (RI/FS) Work Plan (Draft and Final);
- Perform Remedial Investigation Work;
- RI Report (Draft);
- Provide Ecology with a Technical Memorandum that includes an opinion on the preferred remedial action to be performed (Draft and Final);
- Prepare Draft and Final Cleanup Action Plan (CAP);
- If necessary, develop Interim Action Work Plan(s) to be approved by Ecology and perform Interim Action(s), including supporting documentation.
- Perform the final Remedial Action (RA) in accordance with the CAP.
- Prepare a Completion Report documenting the results of the RA.

Proponent: Estate of Don Oline.

Location of proposal, including street address, if any: Generally described as 1915 Marine View Drive, Tacoma, WA 98421. County Assessor's Parcel Number 0321362052. Facility Site Number 2452753. Sec 25/T21N/R03E.

Lead agency: Washington State Department of Ecology.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for the DNS.

 This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

 X This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by May 21, 2014.

Responsible Official: Rebecca Lawson, P.E., LHG.

Position/title: Regional Section Manager, Toxics Cleanup Program. Phone: (360) 407-6241.

Address: Southwest Regional Office, P.O. Box 47775, Olympia, WA 98504-7775.

Date: 4/15/14 Signature: Rebecca S. Lawson

You may appeal this determination to (name) _____

At (location) _____

No later than (date) _____

By (method) _____

You should be prepared to make specific factual objections.

Contact _____ to read or ask about the procedures for SEPA appeals.

 X There is no agency appeal.

ENVIRONMENTAL CHECKLIST
OLINE STORAGE YARD
REMEDIAL ACTIONS UNDER AGREED ORDER DE-8796

A. Background

1. Name of proposed project, if applicable: Oline Storage Yard, Remedial Actions under Agreed Order DE-8796

2. Name of applicant: Estate of Don Oline

3. Address and phone number of applicant and contact person:

Estate of Don Oline
C/O Ron Oline
1940 Marine View Drive
Tacoma, WA 98422
253-272-6623

4. Date checklist prepared:

March 12, 2014

5. Agency requesting checklist:

Washington State Department of Ecology

6. Proposed timing or schedule (including phasing, if applicable):

Remedial Action (RA) is expected to be performed in May 2014.

7. Do you have any plans for future actions, expansions, or further activity related to or connected with this proposal? If yes, explain.

Removal of trash and recyclable metallic waste.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Required environmental information, reports, and documents related to the site are listed in the subject Agreed Order.

This project has prepared the following environmental information/reports:

- EPA and Ecology analytical reports for soils, oil, airborne fallout, and trackout;
- Site inventory and inspection report;
- Draft and Final Remedial Investigation (RI) Work Plan;
- Waste Analysis Plan;
- Draft RI Report
- Technical Memorandum including opinion on Preferred Remedial Action (RA);
- Draft Cleanup Action Plan

Once the RA has been performed, a Completion Report will be generated, detailing the results of the RA.

9. Do you know whether applications are pending for governmental approvals of other proposals affecting the property covered by your proposal? If yes, explain.

None known.

10. List any government approvals or permits that will be needed for your proposal, if known.

Final approval of the Cleanup Action Plan. Potentially applicable permits for the work to be completed under the Agreed Order are listed in the Agreed Order; these include permits from federal, state, and local regulatory agencies. However, because the work will be completed under a MTCA Agreed Order, formally obtaining local and state permits (shoreline, critical areas, hydraulic project approvals, etc.) may be exempt; in these cases, Oline would still be required to meet the substantive permit requirements.

11. Give brief, complete description of your proposal, including the proposed use and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include specific information on project description).

The project site is located at 1915 Marine View Drive, Tacoma, WA. The overall property is approximately 6.6 acres with a land use code of 8508 – Quarry Sand Rock. The property was once used as a rock quarry. More recent uses have largely consisted of junk vehicle storage and parts reclamation.

In May 2004, Ecology and TPCHD conducted an Initial Investigation of the property, followed by a Site Hazard Assessment (SHA). The SHA resulted in a WARM ranking of 1, with 1 being the highest priority and 5 being the lowest priority.

In November 2008 reports of waste oil from the site that contained high levels of polychlorinated biphenyls (PCBs) having been given to a waste oil recycler resulted in a joint EPA / Ecology inspection and sampling of stained soils and residual oil in a steel above ground tank. Elevated levels of PCBs were found in both the soil and oil samples.

Based on the above, Ecology provided preliminary notice to Don Oline (operator) and Ron Oline (owner) that they were Potentially Liable Parties (PLPs) for the contamination on the site, and subsequently issued Agreed Order No. DE – 8796 directing the PLPs to take remedial actions at the site.

The project involves a remedial action to remove polychlorinated biphenyl (PCB) and petroleum hydrocarbon contamination at the Oline Storage Yard cleanup site in Tacoma. The remedial action consists of excavating petroleum hydrocarbon and PCB contaminated soil and concrete and disposing of them off-site.

The remedial action is directed by Agreed Order No. DE-8796, issued by Ecology to the potentially liable persons for the site, and described in the draft Cleanup Action Plan.

- 12. Location of the proposal. Give sufficient information to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps and detailed plans submitted with any specific applications related to this checklist.**

The site is generally located at 1915 Marine View Drive, Tacoma, WA. Pierce County Assessor's record is: Section 36, Township 21 N, Range 03 E, Quarter 21: BEG AT A PT 250 FT W OF NE COR GOVT LOT 1 TH CONT W ALG N LI SEC TO A PT 408.15 FT E OF LI JULIAS GULCH RD TH S 10 DEG 37 MIN 12 SEC W 701.32 FT TO A PT ON SLY LI OF TR CYD TO FOSS LAUNCH & TUG CO BY FEE # 1942293 TH S 68 DEG 41 MIN 35 SEC E 306.18 FT THE NELY TO POB EASE OF RECORD OUT OF 2/050 SEG H 2352 BG.

B. Environmental Elements

1. Earth

- a. General description of the site (underline one): Flat, rolling, hilly, mountainous, other.**
Hillside.

- b. What is the steepest slope on the site (approximate percent slope)?**

Upper part of the site is generally flat, with approximately 0 to 15 % slope in various areas. Access to the main part of the site is via an asphalt road that has approximately 30% slope. At the base of the site, adjacent to Marine View Drive is an area that is flat with no slope

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

Predominantly sand and gravel with some underlying loamy soils. The remaining soils are left from previous sand and gravel mining at the site.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

None known.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

It is expected that only near surface scrapping of contaminated soils will occur. If confirmation sampling indicates the need to excavate deeper than 6 – 12 inches, backfill would consist of clean soil or gravel obtained commercially.

Stockpiles of soil or wastes will be protected from erosion by using best management practices (BMP's).

- f. Could erosion occur as a result of grading, filling, construction, or use? If so, generally describe.**

Erosion is unlikely due to the flat nature of the area to be remediated, however protective measures such as silt fencing and straw will be in place during soil removal.

- g. About what percent of the site will be covered with impervious surfaces after project completion (for example, asphalt or buildings)?**

Less than 0.5% is currently covered and no additional impervious surfaces are being added.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

Control measures (e.g. silt fences, straw bales, etc.) will be used as appropriate to minimize erosion during implementation. Best management practices (BMPs) for the temporary construction activities will meet the Washington State Department of Ecology's Stormwater Management Manual for Western Washington. Since much less than 1 acre of the site will be disturbed and there are no pathways from the remediation area to surface water bodies exist, it is expected that a Construction Stormwater General Permit will not be needed.

2. Air

- a. What type of emissions to the air would result from the proposal (i.e. dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.**

The project will involve a minor increase in air emissions associated with minor soil removal and construction equipment.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

No sources which could affect this project have been identified.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Equipment will be maintained in good order, and idling will be limited to the extent practicable to reduce emissions. Fugitive dust will be controlled through the use of BMPs, if found to be necessary.

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Hylebos Waterway is approximately ¼ mile from the remedial action and there is a small stream running along the side of Marine View Drive at the southwest edge of the site that eventually discharges to Hylebos Waterway.

2) Will the project require any work over, in, or adjacent to (within 200') the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.

No.

5) Does the proposal lie within a 100-year floodplain? If so, note the location on the site plan.

No, the upland areas of the site are not within the 100-year floodplain.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No waste materials will be discharged to surface waters.

b. Ground:

- 1) **Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

No.

- 2) **Describe waste materials that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

None.

c. Water Runoff (including storm water):

- 1) **Describe the source of runoff (including storm water) and the method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

The only runoff that would be generated would be from storm water. Erosion control will be performed as stated above; storm water will easily infiltrate the soil.

- 2) **Could waste materials enter ground or surface waters? If so, generally describe.**

There are no existing pathways for waste material to enter surface waters. Groundwater will not be impacted as the contamination that is to be removed is limited to a few inches depth at the surface.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Temporary measures will be taken during the remedial action to control erosion and the transport of sediment from work areas, as noted above.

4. Plants

a. Check or circle types of vegetation found on site:

deciduous tree: alder, maple, aspen, other: small cottonwoods

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

wet soil plants: cattail, buttercup, bullrush, skunk cabbage,

water plants: water lily, eelgrass, milfoil, other:

other types of vegetation: minor amounts of opportunistic weeds and blackberry vines

- b. What kind and amount of vegetation will be removed or altered?**

None.

- c. List any threatened or endangered species known to be on or near the site.**

No threatened or endangered plant species are known to be on the site.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

None.

5. Animals

- a. Underline any birds or animals which have been observed on or near the site or are known to be on or near the site:**

birds: hawk, heron, eagle, songbirds, other: canada geese

mammals: deer, bear, elk, beaver, other: transient coyotes

fish: salmon, trout, herring, shellfish, other: species common to Puget Sound

- b. List any threatened or endangered species known to be on or near the site.**

No threatened or endangered animal species are known to be on the site. The following table is in regards to the aquatic areas of the site or near the site.

Table 1. Species Listed under the ESA Known to be On or Near the Site				
Species Name			ESA Listing Status	Critical Habitat
Common Name	Scientific Name	ESU or DPS*		
Chinook Salmon	<i>(Oncorhynchus tshawytscha)</i>	Puget Sound ESU	Threatened	Designated
Steelhead	<i>(Oncorhynchus mykiss)</i>	Puget Sound DPS	Threatened	Not Designated or Proposed**
Bull Trout	<i>(Salvelinus confluentus)</i>	Puget Sound DPS	Threatened	Designated
Steller Sea Lion	<i>(Eumatopius jubatus)</i>	Eastern DPS	Threatened	Designated
Southern Resident Orca	<i>(Orcinus Orca)</i>	Southern Resident DPS	Endangered	Designated
Humpback Whale	<i>(Megaptera novaeangliae)</i>	N/A	Endangered	Not Designated or Proposed
Marbled Murrelet	<i>(Brachyramphus marmoratus)</i>	N/A	Threatened	Designated
Boccaccio	<i>(Sebastes paucispinis)</i>	Puget Sound/ Georgia Basin DPS	Endangered	Not designated or proposed
Yelloweye Rockfish	<i>(Sebastes ruberrimus)</i>	Puget Sound/ Georgia Basin DPS	Threatened	Not designated or proposed
Canary Rockfish	<i>(Sebastes pinniger)</i>	Puget Sound/ Georgia Basin DPS	Threatened	Not designated or proposed
Pacific Eulachon	<i>(Thaleichthys pacificus)</i>	Southern DPS	Threatened	Proposed

* ESU =Evolutionarily Significant Unit; DPS=Distinct Population Segment

** Critical habitat has been neither designated nor proposed for Puget Sound DPS steelhead. However, on January 10, 2011, NMFS published a proposal to propose critical habitat for Puget Sound DPS steelhead. If critical habitat is designated prior to project completion, the effects of this proposed action on the designated critical habitat will be evaluated at that time.

c. Is the site part of a migration route? If so, explain.

The Tacoma tideflats is part of the Pacific flyway for migrating birds. Adult salmon migrate from Commencement Bay into the Puyallup River, Hylebos Creek, or Wapato Creek systems to spawn, and juveniles migrate downstream into Commencement Bay as smolts.

d. Proposed measures to preserve or enhance wildlife, if any:

None planned.

6. Energy and Natural Resource

a. What kinds of energy (electrical, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

No energy will be required as part of the completed Project.

- b. **Would your project affect the potential use of solar power by adjacent properties? If so, generally describe.**

No.

- c. **What kinds of energy conservation features are included in the plans for this proposal? List other proposed measures to reduce or control energy impacts, if any**

None.

7. **Environmental Health**

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, generally describe.**

The Waste Inventory and RI identified a variety of waste petroleum hydrocarbons in a wide variety of containers. These have all been removed from the site for proper disposal and / or recycling. What is left is a small area of soil that contains petroleum hydrocarbons and PCBs.

- 1) **Describe special emergency services that might be required.**

During work activities there is the potential for an accident which could require medical attention and emergency services. Routine fire protection, police and medical aid provided by and/or within the City of Tacoma are available. Contractors will establish and follow appropriate health and safety plans. No special emergency service needs are anticipated.

- 2) **Proposed measures to reduce or control environmental health hazards, if any:**

Applicable state and federal safety guidelines will be adhered to in the implementation of the proposed Project. Contractors will follow appropriate health and safety plans and shall have United States Department of Labor, Occupational Safety & Health Administration (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) training, as necessary. The need for additional measures is not anticipated.

b. **Noise**

- 1) **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

The site is located in an industrial area. Noise is not expected to affect the project.

- 2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Noise will be generated during implementation of the RA; however, that noise will be consistent with the surrounding industrial areas.

3) Proposed measures to reduce or control impacts, if any:

Restrict construction activities to approved work hours.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

The site, until recently, has been used as a small scrap yard to process recyclable metallic materials and petroleum hydrocarbons. To the northeast is a chemical company specializing in gases; to the northwest is empty property that is also an Ecology cleanup site; to the southwest and southeast is a large scrapping operation.

b. Has the site been used for agriculture? If so, describe.

No.

c. Describe any structures on the site.

One small metal building about the size of a one car garage. One rock crusher / aggregate sorter. Several truck bodies and trailers have been used for storage.

d. Will any structures be demolished?

No.

e. What is the current zoning?

The Project site is zoned "PMI" Port Maritime Industrial District.

f. What is the current comprehensive plan designation of the site?

Not known.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No.

i. Approximately how many people would reside or work in the completed project?

None.

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None needed.

l. Proposed measures to insure the proposal is compatible with existing and projected land uses and plans, if any:

The site use proposed is compatible and consistent with the surrounding uses and with current zoning and comprehensive plan designations for this site. Remedial actions planned during the project will restore contaminated portions of the site to productive use.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable.

c. Proposed measures to reduce or control housing impacts, if any:

Not applicable.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principle exterior building material(s) proposed?

No structures are proposed.

b. What views in the immediate vicinity would be altered or obstructed?

None.

c. Proposed measures to reduce or control aesthetic impacts, if any:

None.

11. Light and Glare

a. What type of light and glare will the proposal produce? What time of day would it mainly occur?

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?**

No.

- c. What existing off-site source of light or glare may affect your proposal?**

None.

- d. Proposed measures to reduce or control light and glare impacts, if any:**

None.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?**

Recreational fishing and boating occur in Commencement Bay and the nearby waterways.

- b. Would the proposed project displace any existing recreational uses? If so, describe.**

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

None needed, as the project does not interfere with any access to recreational opportunities.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, general describe.**

There are no places or objects on or next to the sites known to be listed or proposed for national, state, or local preservation registers.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

None known.

- c. Proposed measures to reduce or control impacts, if any:**

None needed.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

The Project site is accessed via Marine View Drive only, and this will not change during or as a result of the Project.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Pierce Transit does not currently serve the site or the Tacoma Tidelands area. The nearest bus stop is on Route 62 that services Northeast Tacoma and the Brown's Point area.

- c. How many parking spaces would the completed project have? How many would the project eliminate?**

The project will neither create nor eliminate any parking spaces.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

The Project will not generate vehicular trips when it is completed, therefore, peak volumes or times will not be effected.

- g. Proposed measures to reduce or control transportation impacts, if any:**

None.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

No.

- b. Proposed measures to reduce or control direct impacts to public services, if any.**

Not applicable.

16. Utilities

- a. Underline utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

None.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

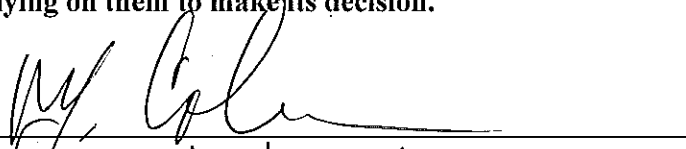
No new utility services will be required for the project or as a result of the completion of the proposed project.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Date Submitted: _____


4/9/2014