



RESPONSIVENESS SUMMARY

Tacoma Redevelopment Properties

Facility Site ID#: 1263

Cleanup Site ID#: 3677

February 20 – March 24, 2014 Public Comment Period

Consent Decree Amendment

**Prepared by
Washington State Department of Ecology
Southwest Regional Office
Toxics Cleanup Program
Lacey, Washington**

March 2014

Site Information

Address: 1933 Dock Street, Tacoma

Site Manager: Marv Coleman

Public Involvement Coordinator: Natalie Graves

From February 20 through March 24, 2014 the Department of Ecology (Ecology) held a public comment period for the Tacoma Redevelopment Properties cleanup site. The amendment adds a new PLP, **Henry Foss Group LLC**, for the property called **Site 1** (see map below). The original consent decree (CD) was finalized in 1994. Each time a property within the redevelopment area is sold, the new owner is added to the CD.

Site 1 Location



Comments Received

Comments from Mr. Tom Ebenhoh were received in emails dated March 5, 2014

Comment #1:

Mr. Coleman:

I've reviewed the Amendment to the CD and my comment is I believe the new PLP (Henry Foss Group LLC) should agree to cleanup actions, especially at Site 1 and within the designated redevelopment area that may have been impacted/contaminated from Site 1. Based on the Amendment information, it mentions they are not agreeing to any cleanup actions.

Thank you - respectfully request acknowledgment of receipt of this e-mail.

Comment #2:

Mr. Coleman: I would amend my comment that they should agree to at least share the burden of cleanup actions.

Thank you again -
Tom

Ecology Response

Dear Mr. Ebenhoh,

Thank you for your comments regarding the Tacoma Redevelopment Properties cleanup site (Site 1), located at 1933 Dock Street in Tacoma.

You commented that the Henry Foss Group LLC should agree to cleanup actions or at least share in the burden of cleanup actions at the site. The fact sheet that we published for the comment period stated, “By joining the consent decree, the new PLP accepts legal responsibility for the property they bought. In this case, they are not agreeing to any cleanup actions.” This language was not included in the consent decree amendment.

To clarify the above statement, the Henry Foss Group LLC accepts environmental responsibility for the site. The amendment makes the environmental responsibilities that are in the original Consent Decree enforceable for the party, or parties, to the agreement.

In this particular case, Site 1 had already gone through an Ecology approved cleanup in 2006. The cleanup resulted in some contaminated soils and groundwater left on the site, contained within an Ecology approved cap. Additional cleanup is not needed nor being required by Ecology at this time. The statement in the fact sheet was referring to this.

However, if the site’s cap is breached and contamination is found, the Henry Foss Group LLC is required to properly manage and dispose of the material. They would also need to take samples to document the location and extent of contamination that might need removal. These actions are a function of the Consent Decree and Cleanup Action Plan since Henry Foss Group is now a party to those via the thirteenth consent decree amendment.

If such work needs to be performed, it will be overseen by Ecology. Both myself, as Site Manager, and inspectors from Ecology’s Water Quality Program oversee the work as it is being performed and communicate frequently with the contractors and owners regarding the work. Thanks again for your interest; we are pleased when we can participate in the ongoing improvement along the Thea Foss Waterway.

Sincerely,

Marv Coleman, Site Manager/Inspector
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