



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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September 15, 2014

Paul Schmidt
City Administrator
City of Chelan
135 E Johnson Ave
Chelan, WA 98816

RE: Agreed Order Comments – Ecology Responsiveness Summary

- Site Name: Chelan Chevron
- Site Address: 232 E Woodin Ave, Chelan
- Facility/Site ID #: 77751227
- Cleanup Site ID #: 6660

Dear Mr. Schmidt:

The Department of Ecology (Ecology) thanks you for your interest and emailed comments, dated July 24, 2014, regarding the Chelan Chevron Agreed Order. The Public Comment Period for this Agreed Order ran from June 25, 2014 to July 25, 2014, in accordance with the State Environmental Policy Act (SEPA) and Model Toxics Control Act (MTCA). The City of Chelan's input was the only set of comments we received. Therefore this letter also serves as Ecology's "Responsiveness Summary" for the Public Comment Period. Below is a summary of the City of Chelan's comments and Ecology's response to those comments.

City of Chelan Comments:

- Comment #1: Document Review Location – it is noted from the DOE Publication for the Chelan Chevron Agreed Order Publication (#14-09-007) the North Central Regional Library Branch in Chelan is listed as an available location to review documents for the Chelan Chevron Agreed Order. However, upon visiting the NCRL Branch here in Chelan on July 23, 2014, the Library Staff had no knowledge of any documents or arrangements made for the Chelan Chevron Agreed Order to be made available for public review. As such, there were no documents available for public review at the Chelan Library concerning the Chelan Chevron Agreed Order as published by the DOE.
- Comment #2: The City of Chelan requests to be informed any cleanup planning process to be assured of review for any remedial actions that could impact City residents and

private/public property. On November 1, 2012 Valerie Bound from the Central Regional Office sent a letter to Eric Hetrick of Chevron which stated in part:

"You should be aware that during a recent meeting with the City of Chelan, Ecology obtained assurances that they are supportive of a variety of remediation approaches, and further meetings to outline specifics should be planned. There are a number of issues where we need their support (e.g., environmental covenants and soil management plans (discussed above) as well as plans for remedial activities), and Ecology is willing to facilitate those meetings to achieve desired outcomes."

The City of Chelan requests the above quoted sentiment be continued and retained for the remainder of the Chelan Chevron clean-up effort.

- Comment #3: An Excavation permit for removal and placement of soil will be required. If the amount is greater than 100 cubic yards, environmental review under SEPA is necessary.
- Comment #4: Any work or development within 200 feet of Lake Chelan, measured from the ordinary high water mark, will require a Shoreline Substantial Development Permit. Development is defined by the Shoreline Management Act and the City's Shoreline Master Program as "The use consisting of the construction or exterior alteration of a structure or structures, dredging, drilling, dumping, fillings, removal of natural resources... or any project of a permanent or temporary nature subject to regulation under the Act.
- Comment #5: A pre-application conference is required prior to Shoreline permit submittal. This department encourages use of this pre-application conference prior to any work being commenced in order to determine what permits and regulations apply. Shoreline permits are approximately a 90 day process.

Ecology's Response:

- Comment #1: On July 24, 2014, Frosti Smith (Ecology) spoke with Gloria Groves, the head librarian, who indicated she found the documents a few minutes after you had left, and they were at the library. She noted that you were the only person who asked to see them. Norm Peck (Ecology) emailed you this information, also on July 24, 2014. I hope you were able to view the documents and I apologize for the inconvenience.
- Comments #2- 6: Prior to the construction of any remedy or ground-breaking activities, the City will be consulted on plans, substantive requirements, permitting requirements, etc. The following is a synopsis of how our process works and at what points consultation with the City of Chelan will be built-in. However, if you would like additional or earlier communications, please let us know. The current Agreed Order will lead to a Feasibility Study that identifies and evaluates cleanup alternatives for the site, resulting in a preferred alternative (or two). Ecology must approve the

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final Feasibility Study (i.e. the remedy or remedies selected). Once the Feasibility Study is finalized and approved, a Cleanup Action Plan will be drafted and approved. When the Cleanup Action Plan (CAP) is completed, a new concurrent SEPA/MTCA Public Comment Period will occur. It is during the CAP formulation stage that Ecology and Chevron will be working closely with the City to discern substantive permit requirements, which are normally incorporated into the CAP and Order or Consent Decree, and that will be the subject of the SEPA/MTCA Comment Period once completed.

Although I was out on maternity leave at the time, I understand that my colleagues, Frosti Smith and Norm Peck, helped follow up on your July 24, 2014 email. I hope their July 24, 2014 email reply and this letter have been helpful. However, please do not hesitate to contact me with additional questions. I can be reached at (509)454-7833 or laura.klasner@ecy.wa.gov. Thanks again for your support of investigation activities to date, as well as for your recent input on the Agreed Order. I look forward to working towards cleanup goals with you and the City of Chelan.

Sincerely,



Laura Klasner, P.E.
Site Manager, TCP-CRO

cc: Bob Goedde, Mayor, City of Chelan
Craig Gildroy, Planning Director, City of Chelan
Dwane Van Epps, Public Works Director, City of Chelan