

Everett Smelter Site

Enforcement Order Issued for Site Cleanup



Public Comment on Enforcement Order

The Washington State Department of Ecology (Ecology) has issued an Enforcement Order to ASARCO, Inc., requiring cleanup of the Everett Smelter Site. The Order requires Asarco to implement Ecology's Final Cleanup Action Plan for the residential and commercial part of the site, called the Upland Area, and to perform a feasibility study of potential cleanup actions for the industrial and port portion of the site along the Snohomish River, called the Lowland Area.

Site Background

This approximately 686-acre site is located in northeast Everett, Snohomish County, Washington; the site is contaminated by arsenic, lead, and other metals. The contamination was caused by emissions from the Everett Smelter between 1894 and 1912, and by material left behind when the smelter was demolished between 1912 and 1915. The property was sold in various parcels between 1915 and 1936, and homes were built on many of the parcels.

Studies and interim cleanup activities were performed at the site from 1990 to 1999. In May 1999, Ecology began cleanup of yards at residential properties. Contaminated soil in yards at 38 homes has been cleaned up. Another 19 yards have been sampled and Ecology will clean up more yards this summer. Ecology issued a Final Cleanup Action Plan for the Upland Area in November 1999. Cleanup alternatives for the Lowland Area must be developed and evaluated.

Asarco filed suit in 1998 challenging the constitutionality of most of its liability for the site. The suit was filed prior to development of a cleanup action plan for the site and prior to Ecology issuing any order to Asarco to clean up the site. A superior court decision upheld Asarco's liability for some parts of the site and rejected it for others. Both Ecology and Asarco appealed to the Washington State Supreme Court. On March 21, 2002 the Court dismissed the suit, indicating that it had been filed prematurely. The Court indicated that the issues could be raised again at an appropriate time.

What This Order Requires

This Order requires Asarco to begin implementing Ecology's Final Cleanup Action Plan for the Upland Area which includes cleanup of homes and commercial properties.

Material with high arsenic concentrations is to be removed from the Fenced Area of the site (just south of State Route 529 and between Hawthorne and East Marine View Drive). The Fenced Area was the location of the smelter's arsenic processing plant, and has much higher arsenic concentrations than the rest of the site.

April 2002

PUBLIC COMMENT PERIOD

April 10 through May 9, 2002

SEND WRITTEN COMMENTS TO AND CONTACT FOR INFORMATION:

David L. South, Site Manager
Department of Ecology
3190 160th Avenue SE
Bellevue WA 98008
(425) 649-7200
dsou461@ecy.wa.gov

INFORMATION REPOSITORIES

Documents can be reviewed at the following locations:

Everett Public Library
2702 Hoyt Avenue
Everett, WA
(425) 257-8000

ASARCO Everett Information Center
545 Hawthorne Street
Everett, WA
Call for hours: (425) 259-0822

Department of Ecology
3190 160th Avenue SE
Bellevue WA 98008
Call Sally Perkins for an appointment
Phone: (425) 649-7190

Ecology's web site:
<http://www.ecy.wa.gov/programs/tcp/sites/sites.html>

For special accommodation needs or language translation assistance, call Rebekah Padgett, Ecology's Public Involvement Specialist at (425) 649-7257, or (425) 649-4259 (TDD).

Ecology is an equal opportunity and affirmative action agency.

Publication #02-09-004

Asarco has estimated that there are up to 25,000 cubic yards of material in the Fenced Area with arsenic concentrations in excess of 3,000 parts per million. Of this material, an estimated 10,000 to 15,000 cubic yards has arsenic concentrations in excess of 10,000 parts per million. This material is dangerous to anyone who might contact it. It is also the source of contamination to storm water and ground water. Asarco has reported that water samples collected during rainstorms from manholes near the Fenced Area show arsenic concentrations 78 times the city's arsenic limit for wastewater.

After the material with the highest arsenic concentrations is removed from the Fenced Area, a consolidation facility for some of the less-contaminated soil from home cleanup is to be constructed within this portion of the site. The consolidation facility will have room for only part of the less-contaminated soil; most of the contaminated soil from home cleanup will be sent to an off-site landfill permitted to accept such waste.

The Order also requires Asarco to perform a feasibility study of cleanup alternatives for contaminated soil and groundwater in the Lowland Area of the site.

What Happens Next

Asarco is to prepare engineering plans to conduct the cleanup and begin field work by April 30, 2003. Cleanup of homes will involve sampling to determine what soil must be removed, excavation of the contaminated soil, backfilling, placing topsoil and sod, and re-landscaping.

Commercial areas will be sampled and soil excavated and replaced as necessary. Most of the commercial areas are paved, which is sufficient containment, so work beyond sampling will not be as extensive in commercial areas as for homes.

Removal of material with high arsenic concentrations within the Fenced Area is to be completed by October 1, 2004. After removal of that material, a consolidation facility will be constructed, filled with soil from areas with the lower arsenic concentrations within the site, and covered with clean soil.

The Upland Area is to be cleaned up by 2009.

The Feasibility Study for the Lowland Area is to be completed in the latter half of 2003. A public comment period will be held when the draft of this study has been prepared. Ecology will then prepare a cleanup action plan for the Lowland Area.

Public Comment on the Enforcement Order

Ecology is holding a public comment period from April 10 to May 9, 2002, during which you may comment on the Enforcement Order. The Enforcement Order is available for review at the information repositories listed on the first page of this fact sheet. Other pertinent site documents also are at these information repositories.

A public meeting is not planned for this Enforcement Order. However, one will be held if ten or more people so request.

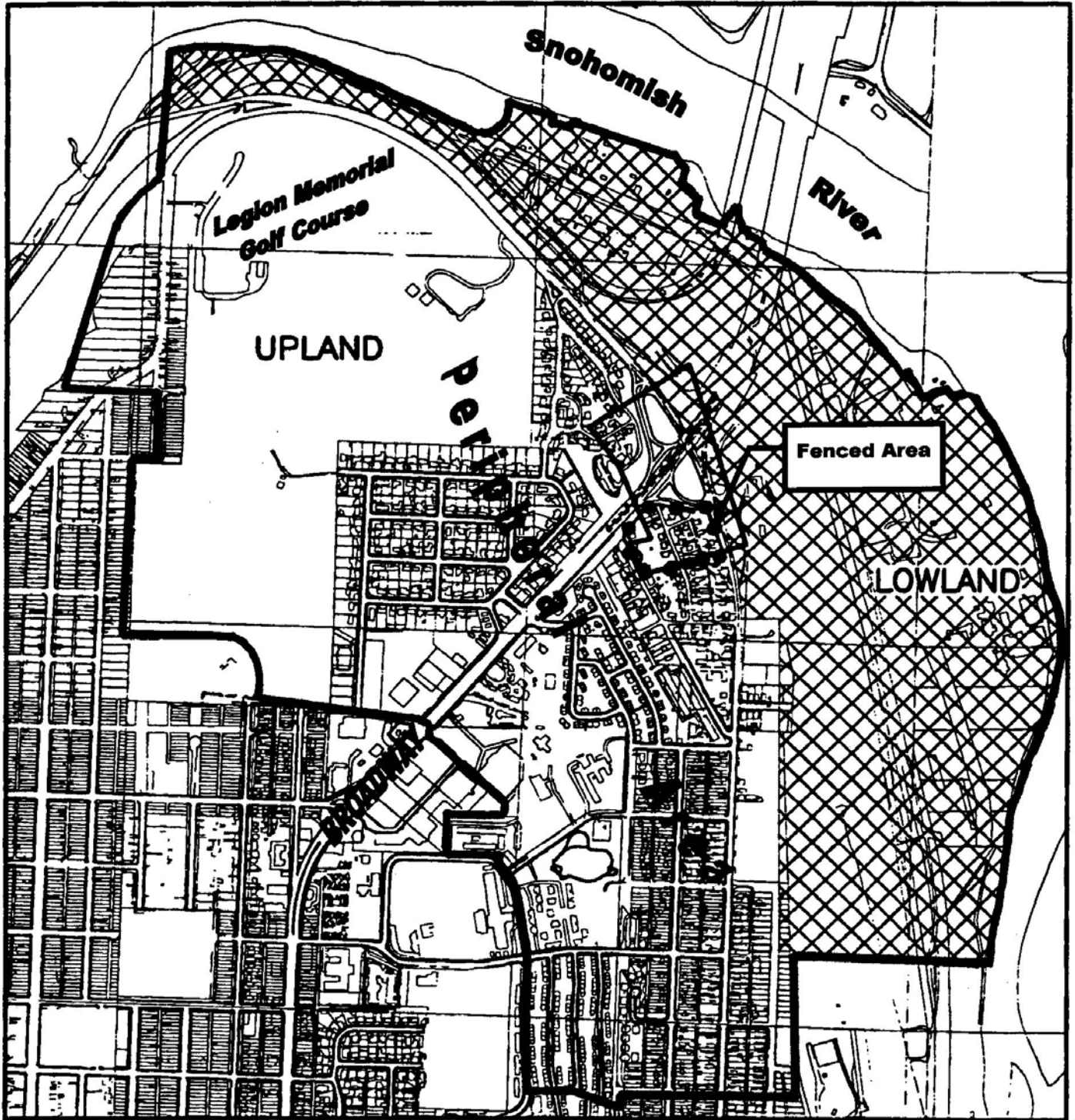
Ecology Would Like Your Input!

You have an opportunity to review the Enforcement Order and to comment on this Enforcement Order. Please send your comments before May 9, 2002, to David L South, Site Manager, at the address given below. Comments may be sent by regular mail, e-mail, or voice mail.




Please mark "Everett Smelter Comment" on the envelope or in the subject line of your e-mail.

FOR MORE INFORMATION:

David L. South, Ecology Site Manager
Washington State Department of Ecology
3190 160th Avenue SE
Bellevue, WA 98008
(425) 649-7200
dsou461@ecy.wa.gov



EXPLANATION:

-  COMMUNITY PROTECTION MEASURES AREA
-  FORMER ARSENIC TRIOXIDE PROCESSING AREA
-  HISTORIC SMELTER PLANT BOUNDARY

NOTE:

1. THE PERIPHERAL AREA IS THAT PART OF UPLAND AREA OUTSIDE OF THE FORMER ARSENIC TRIOXIDE PROCESSING AREA.



SCALE



1200 0 1200 FEET