STATE OF WASHINGTON
GRANT COUNTY SUPERIOR COURT

STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY, Plaintiff, v. City of Moses Lake, Defendant.	NO. CONSENT DECREE

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I. INTRODUCTION

A. In entering into this Consent Decree (Decree), the mutual objective of the Washington State Department of Ecology (Ecology) and the City of Moses Lake (Defendant) is to provide for remedial action at a facility where there has been a release or threatened release of hazardous substances. This Decree requires Defendant to undertake the following remedial action(s):

(1) Excavation of soils contaminated with soil indicator analytes at concentrations exceeding cleanup levels.

(2) Transport of contaminated soils to an approved permitted landfill.

(3) Backfill with clean soils to grade.

(4) Quarterly monitoring of groundwater of wells in the East Portion of the Site for a minimum of one year.

(5) Institutional controls in the form of restrictive covenants, fences, signs, and the maintenance of these controls.

Ecology has determined that these actions are necessary to protect human health and the environment.

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B. The Complaint in this action is being filed simultaneously with this Decree. An Answer has not been filed, and there has not been a trial on any issue of fact or law in this case. However, the Parties wish to resolve the issues raised by Ecology's Complaint. In addition, the Parties agree that settlement of these matters without litigation is reasonable and in the public interest, and that entry of this Decree is the most appropriate means of resolving these matters.

C. In signing this Decree, the Parties agree to its entry and agree to be bound by its terms.

D. By entering into this Decree, the Parties do not intend to discharge non-settling Parties from any liability they may have with respect to matters alleged in the Complaint. The Parties retain the right to seek reimbursement, in whole or in part, from any liable persons for sums expended under this Decree.

E. This Decree shall not be construed as proof of liability or responsibility for any releases of hazardous substances or cost for remedial action nor an admission of any facts; provided, however, that the Defendant shall not challenge the authority of the Attorney General and Ecology to enforce this Decree.

F. The Court is fully advised of the reasons for entry of this Decree, and good cause having been shown:

Now, therefore, it is HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

II. JURISDICTION

A. This Court has jurisdiction over the subject matter and over the Parties pursuant to Chapter 70.105D RCW, the Model Toxics Control Act (MTCA).

B. Authority is conferred upon the Washington State Attorney General by RCW 70.105D.040(4)(a) to agree to a settlement with any potentially liable person if, after public notice and any required hearing, Ecology finds the proposed settlement would lead to a more expeditious cleanup of hazardous substances. RCW 70.105D.040(4)(b) requires that such a settlement be entered as a Consent Decree issued by a court of competent jurisdiction.

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C. Ecology has determined that a release or threatened release of hazardous substances has occurred at the Site that is the subject of this Decree.

D. Ecology has given notice to Defendant of Ecology's determination that Defendant is a potentially liable person for the Site, as required by RCW 70.105D.020(16) and WAC 173-340-500.

E. The actions to be taken pursuant to this Decree are necessary to protect public health and the environment.

F. This Decree has been subject to public notice and comment.

G. Ecology finds that this Decree will lead to a more expeditious cleanup of hazardous substances at the Site in compliance with the cleanup standards established under RCW 70.105D.030(2)(e) and Chapter 173-340 WAC.

H. Defendant has agreed to undertake the actions specified in this Decree and consents to the entry of this Decree under MTCA.

III. PARTIES BOUND

This Decree shall apply to and be binding upon the Parties to this Decree, their successors and assigns. The undersigned representative of each party hereby certifies that he or she is fully authorized to enter into this Decree and to execute and legally bind such party to comply with the Decree. Defendant agrees to undertake all actions required by the terms and conditions of this Decree. No change in ownership or corporate status shall alter Defendant's responsibility under this Decree. Defendant shall provide a copy of this Decree to all agents, contractors, and subcontractors retained to perform work required by this Decree, and shall ensure that all work undertaken by such agents, contractors, and subcontractors complies with this Decree.

IV. DEFINITIONS

Except as specified herein, all definitions in RCW 70.105D.020 and WAC 173-340-200 apply to the terms in this Decree.

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A. Site: The Site, referred to as the Moses Lake City Maintenance Facility Site, and is generally located at 835 East Penn Street, Moses Lake, in Grant County, Washington. The Site is more particularly described in Exhibit A to this Decree, which is a detailed Site diagram. The Site constitutes a Facility under RCW 70.105D.020(4).

B. Parties: Refers to the Washington State Department of Ecology and the City of Moses Lake.

C. Defendant: Refers to the City of Moses Lake.

D. Consent Decree or Decree: Refers to this Consent Decree and each of the exhibits to the Decree. All exhibits are integral and enforceable parts of this Consent Decree. The terms "Consent Decree" or "Decree" shall include all exhibits to the Consent Decree.

V. STATEMENT OF FACTS

Ecology makes the following findings of fact without any express or implied admissions by Defendant.

(1) The Site is located on East Penn Street in Moses Lake, Washington.

(2) The City of Moses Lake (the City) is the owner and operator of the property at 835 East Penn Street, Moses Lake, Washington (the Property). The Property covers a four acre area at the intersection of Block Street and Wheeler Road (Exhibit A). The City used the Property to store, maintain, and fuel city vehicles from the 1950s through the present.

(3) One 500-gallon diesel underground storage tank (UST), one 1000-gallon diesel UST, one 6000-gallon regular gasoline UST, one 8000-gallon unleaded gasoline UST, one 500-gallon used oil UST, and one unknown capacity (less than 6000 gallon) regular gasoline UST were all located on the Property.

(4) Evidence of a compromised tank was noted in the 1970s when the unknown capacity regular gasoline UST was removed. Remedial action and cleanup is reported to have occurred but no written records have been found. Petroleum contaminated soil was

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noted in 1986 when the 500-gallon diesel UST was replaced with the 1000-gallon diesel UST. Remedial action is reported to have occurred at the location of the 500-gallon tank also. In 1990, at the request of the Department of Ecology, a soil sample was collected from a test pit at the location of the old 500-gallon diesel UST. Results confirmed the presence of petroleum contaminated soil.

(5) In certified correspondence dated November 7, 1991, Ecology notified the City of the preliminary finding of potential liability and requested comment on that finding.

(6) In certified correspondence dated January 3, 1992, Ecology notified the City of their status as potentially liable persons with regard to the release of hazardous substances at the City of Moses Lake Maintenance Facility.

(7) In March 1992, the City completed a Remedial Investigation (RI) to assess the nature, concentration, and source of the petroleum discovered during the removal of the 500-gallon diesel UST. The RI concluded that the petroleum contaminated soil was a result of leaks from the diesel UST and spills related to fueling and maintenance of vehicles. Groundwater was not determined to be affected. An unknown amount of contaminated soil was removed.

(8) In November 1992, the four remaining USTs (6,000-gallon regular gasoline, 8,000-gallon unleaded gasoline, 1,000-gallon diesel, and 500-gallon waste oil) were decommissioned and removed by the City. During the removal, petroleum contaminated soil was discovered in the excavations. Consequently, the City conducted further assessment of the contamination. Test pit and excavation pit soil samples showed concentrations of aged gasoline, diesel, and lead exceeding cleanup levels. Groundwater sampling from the excavations and two on-site monitoring wells showed aged gasoline and lead concentrations exceeding cleanup levels.

(9) In February 1993, Ecology performed a site hazard assessment. The Site was evaluated through the Washington Ranking Method (WARM) and ranked a 4. In July of 1994,

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the ranking was revised to a 2 to better account for the risk from contaminated groundwater.

(10) In January 1994, a consultant to the City performed an RI/FS independent of Ecology for areas of the Site known to be contaminated but not yet cleaned up. Two areas of soil contamination, one by diesel and one by gasoline, were discovered, and a plume of gasoline contamination was detected in groundwater. As a result, in early 1995 the City installed an air sparge and vapor extraction system to remediate contaminated groundwater. Thereafter, the City determined that the contaminants had been lowered to below action levels and the system was turned off in April 1997. No excavation of soil took place.

(11) In June 1995, during excavation for a sweeper pit, petroleum contaminated soil and waste oil filters were discovered. The contaminated soil and waste materials were excavated.

(12) In late 2001, the City purchased adjoining property to the west to build a new shop. During test pit investigations, petroleum contaminated soil was discovered, and although groundwater was not tested, it is assumed to be impacted.

(13) In November 2002, Ecology and the City entered into Agreed Order No. 02-TCPER-4684 to complete an RI/FS on the original and the newly-purchased maintenance facility properties to determine the nature and extent of contamination at the Site and to evaluate remedial alternatives for the Site.

(14) Under the Agreed Order, the City submitted the City of Moses Lake Maintenance Facility Remedial Investigation/Feasibility Study (December 2003). The RI/FS presents the results of soil and groundwater sampling. Ecology approved the RI/FS on January 23, 2004.

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(15) Thereafter, Ecology prepared a Cleanup Action Plan for the Site that determined the contaminants of concern, selected the cleanup alternative, and outlined the remedial actions to be taken.

VI. WORK TO BE PERFORMED

This Decree contains a program designed to protect human health and the environment from the known release, or threatened release, of hazardous substances or contaminants at, on, or from the Site.

(1) Defendant shall implement the Cleanup Action Plan (Exhibit B).

(2) Defendant shall perform all tasks and submit to Ecology all deliverables set forth in the Scope of Work and Schedule (Exhibit C) in the manner and within the timeframes provided for therein. The Scope of Work and Schedule (Exhibit C) will serve as a detailed description of the work elements outlined in the Cleanup Action Plan.

(3) The Remedial Action Plan is described in Exhibit C and is subject to review and approval by Ecology before the Defendant performs work under that plan. The Remedial Action Plan will include a general description and schedule of work to be performed. The Defendant shall incorporate Ecology's comments on the drafts into the final version of the document. Upon approval, the Remedial Action Plan, including the schedule of work, shall become an integral and enforceable part of this Decree, and shall be complied with by the Defendant.

(4) Within ten (10) days of entry of this Decree, Defendants shall record with the Grant County Auditor's Office the Restrictive Covenant attached to this Decree as Exhibit D and provide Ecology with proof of such recording.

(5) Defendant agrees not to perform any remedial actions outside the scope of this Decree unless the Parties agree to modify the Scope of Work to cover these actions. All work conducted by Defendants under this Decree shall be done in accordance with Chapter 173-340 WAC unless otherwise provided herein.

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VII. DESIGNATED PROJECT COORDINATORS

The project coordinator for Ecology is:

Sandra Treccani

Department of Ecology

Eastern Regional Office

4601 N. Monroe

Spokane, WA 99205-1295

The project coordinator for Defendant is:

Gerry McFaul, City Engineer

Municipal Services Department

City of Moses Lake

321 S. Balsam St. P.O. Box 1579

Moses Lake, WA 98837

Each project coordinator shall be responsible for overseeing the implementation of this Decree. The Ecology project coordinator will be Ecology's designated representative for the Site. To the maximum extent possible, communications between Ecology and Defendant and all documents, including reports, approvals, and other correspondence concerning the activities performed pursuant to the terms and conditions of this Decree shall be directed through the project coordinators. The project coordinators may designate, in writing, working level staff contacts for all or portions of the implementation of the remedial work required by this Decree. The project coordinators may agree to minor changes to the work to be performed without formal amendments to this Decree. Minor changes will be documented in writing by Ecology. Substantial changes shall require amendment of this Consent Decree.

Any Party may change its respective project coordinator. Written notification shall be given to the other Parties at least ten (10) calendar days prior to the change.

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VIII. PERFORMANCE

All work performed pursuant to this Decree shall be under the direction and supervision, as necessary, of a licensed professional engineer or licensed hydrogeologist, or equivalent, with experience and expertise in hazardous waste site investigation and cleanup. Defendant shall notify Ecology in writing of the identity of such engineer(s) or hydrogeologist(s), or others, and of any contractors and subcontractors to be used in carrying out the terms of this Decree, in advance of their involvement at the Site.

Any construction work performed pursuant to this Decree shall be under the supervision of a professional engineer or a qualified technician under the direct supervision of a professional engineer. The professional engineer must be registered in the State of Washington, except as provided in RCW 18.43.130.

IX. ACCESS

Ecology or any Ecology authorized representative shall have full authority to enter and freely move about all property at the Site that Defendant either owns, controls, or has access rights to at all reasonable times for the purposes of, *inter alia*: inspecting records, operation logs, and contracts related to the work being performed pursuant to this Decree; reviewing Defendant's progress in carrying out the terms of this Decree; conducting such tests or collecting such samples as Ecology may deem necessary; using a camera, sound recording, or other documentary type equipment to record work done pursuant to this Decree; and verifying the data submitted to Ecology by the Defendant. Defendant shall make all reasonable efforts to secure access rights for those properties within the Site not owned or controlled by Defendant where remedial activities or investigations will be performed pursuant to this Decree. Ecology or any Ecology authorized representative shall give reasonable notice before entering any Site property owned or controlled by Defendant unless an emergency prevents such notice. All Parties who access the Site pursuant to this paragraph shall comply with the approved Health and Safety

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Plans. Ecology employees and their representatives shall not be required to sign any liability release or waiver as a condition of site property access.

X. SAMPLING, DATA REPORTING, AND AVAILABILITY

With respect to the implementation of this Decree, Defendant shall make the results of all sampling, laboratory reports, and/or test results generated by it or on its behalf available to Ecology and shall submit these results in accordance with Section XI of this Decree.

Ground water sampling data shall be submitted to Ecology according to the requirements of WAC 173-340-840(5). These submittals shall be provided to Ecology in accordance with Section XI of this Decree.

If requested by Ecology, Defendant shall allow split or duplicate samples to be taken by Ecology and/or its authorized representative of any samples collected by Defendant pursuant to the implementation of this Decree. Defendant shall notify Ecology seven (7) days in advance of any sample collection or work activity at the Site. Ecology shall, upon request, allow split or duplicate samples to be taken by Defendant or its authorized representative of any samples collected by Ecology pursuant to the implementation of this Decree provided it does not interfere with Ecology's sampling. Without limitation on Ecology's rights under Section IX, Ecology shall notify Defendant prior to any sample collection activity unless an emergency prevents such notice.

In accordance with WAC 173-340-830(2)(a), all hazardous substance analyses shall be conducted by a laboratory accredited under Chapter 173-50 WAC for the specific analyses to be conducted, unless otherwise approved by Ecology.

XI. PROGRESS REPORTS

Defendant shall submit to Ecology written monthly Progress Reports that describe the actions taken during the previous month to implement the requirements of this Decree. The Progress Reports shall include the following:

A. A list of on-site activities that have taken place during the month;

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B. Detailed description of any deviations from required tasks not otherwise documented in project plans or amendment requests;

C. Description of all deviations from the Schedule (Exhibit C) during the current month and any planned deviations in the upcoming month;

D. For any deviations in schedule, a plan for recovering lost time and maintaining compliance with the schedule;

E. All raw data (including laboratory analyses) received by Defendant during the past month and an identification of the source of the sample; and

F. A list of deliverables for the upcoming month if different from the Schedule.

All Progress Reports shall be submitted by the tenth (10) day of the month in which they are due after the effective date of this Decree. Unless otherwise specified, Progress Reports and any other documents submitted pursuant to this Decree shall be sent by certified mail, return receipt requested, to Ecology's project coordinator.

XII. RETENTION OF RECORDS

During the pendency of this Decree and for ten (10) years from the date this Decree is no longer in effect as provided in Section XXVIII, the Defendant shall preserve all records, reports, documents, and underlying data in its possession relevant to the implementation of this Decree and shall insert a similar record retention requirement into all contracts with project contractors and subcontractors. Upon request of Ecology, Defendant shall make all records available to Ecology and allow access for review within a reasonable time.

XIII. TRANSFER OF INTEREST IN PROPERTY

No voluntary conveyance or relinquishment of title, easement, leasehold, or other interest in any portion of the Site shall be consummated by Defendant without provision for continued operation and maintenance of any containment system, treatment system, and/or monitoring system installed or implemented pursuant to this Decree.

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Prior to Defendant's transfer of any interest in all or any portion of the Site, and during the effective period of this Decree, Defendant shall serve a copy of this Decree upon any prospective purchaser, lessee, transferee, assignee, or other successor in said interest; and, at least thirty (30) days prior to any transfer, Defendant shall notify Ecology of said transfer. Upon transfer of any interest, Defendant shall restrict uses and activities to those consistent with this Consent Decree and notify all transferees of the restrictions on the use of the property.

XIV. RESOLUTION OF DISPUTES

A. In the event a dispute arises as to an approval, disapproval, proposed change, or other decision or action by Ecology's project coordinator, the Parties shall utilize the dispute resolution procedure set forth below.

(1) Upon receipt of the Ecology project coordinator's decision, Defendant has fourteen (14) days within which to notify Ecology's project coordinator of its objection to the decision.

(2) The Parties' project coordinators shall then confer in an effort to resolve the dispute. If the project coordinators cannot resolve the dispute within fourteen (14) days, Ecology's project coordinator shall issue a written decision.

(3) Defendant may then request regional management review of the decision. This request shall be submitted in writing to the Eastern Region Toxics Cleanup Program Section Manager within seven (7) days of receipt of Ecology's project coordinator's decision.

(4) Ecology's Regional Section Manager shall conduct a review of the dispute and shall issue a written decision regarding the dispute within thirty (30) days of the Defendant's request for review.

(5) If the Defendant finds Ecology's Regional Section Manager's decision unacceptable, Defendant may then request final management review of the decision. This request shall be submitted in writing to the Toxics Cleanup Program Manager within seven (7) days of receipt of the Regional Section Manager's decision.

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(6) Ecology's Program Manager shall conduct a review of the dispute and shall issue a written decision regarding the dispute within thirty (30) days of the Defendant's request for review. The Program Manager's decision shall be Ecology's final decision on the disputed matter.

B. If Ecology's final written decision is unacceptable to Defendant, Defendant has the right to submit the dispute to the Court for resolution. The Parties agree that one judge should retain jurisdiction over this case and shall, as necessary, resolve any dispute arising under this Decree. In the event Defendant presents an issue to the Court for review, the Court shall review the action or decision of Ecology on the basis of whether such action or decision was arbitrary and capricious and render a decision based on such standard of review.

C. The Parties agree to only utilize the dispute resolution process in good faith and agree to expedite, to the extent possible, the dispute resolution process whenever it is used. Where either Party utilizes the dispute resolution process in bad faith or for purposes of delay, the other Party may seek sanctions.

D. Implementation of these dispute resolution procedures shall not provide a basis for delay of any activities required in this Decree, unless Ecology agrees in writing to a schedule extension or the Court so orders.

XV. AMENDMENT OF CONSENT DECREE

This Decree may only be amended by a written stipulation among the Parties that is entered by the Court, or by order of the Court. Such amendment shall become effective upon entry by the Court. Agreement to amend the Decree shall not be unreasonably withheld by any Party.

Defendant shall submit any request for an amendment to Ecology for approval. Ecology shall indicate its approval or disapproval in a timely manner after the request for amendment is received. If the amendment to the Decree represents a substantial change, Ecology will provide public notice and opportunity for comment. Reasons for the disapproval of a proposed amendment to the Decree shall be stated in writing. If Ecology does not agree to any proposed

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amendment, the disagreement may be addressed through the dispute resolution procedures described in Section XIV of this Decree.

XVI. EXTENSION OF SCHEDULE

A. An extension of schedule shall be granted only when a request for an extension is submitted in a timely fashion, generally at least thirty (30) days prior to expiration of the deadline for which the extension is requested, and good cause exists for granting the extension. All extensions shall be requested in writing. The request shall specify

(1) The deadline that is sought to be extended;

(2) The length of the extension sought;

(3) The reason(s) for the extension; and

(4) Any related deadline or schedule that would be affected if the extension were granted.

B. The burden shall be on Defendant to demonstrate to the satisfaction of Ecology that the request for such extension has been submitted in a timely fashion and that good cause exists for granting the extension. Good cause includes, but is not limited to:

(1) Circumstances beyond the reasonable control and despite the due diligence of Defendant including delays caused by unrelated third parties or Ecology, such as (but not limited to) delays by Ecology in reviewing, approving, or modifying documents submitted by Defendant; or

(2) Acts of God, including fire, flood, blizzard, extreme temperatures, storm, or other unavoidable casualty; or

(3) Endangerment as described in Section XVII.

However, neither increased costs of performance of the terms of the Decree nor changed economic circumstances shall be considered circumstances beyond the reasonable control of Defendant.

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C. Ecology shall act upon any written request for extension in a timely fashion. Ecology shall give Defendant written notification in a timely fashion of any extensions granted pursuant to this Decree. A requested extension shall not be effective until approved by Ecology or, if required, by the Court. Unless the extension is a substantial change, it shall not be necessary to amend this Decree pursuant to Section XV when a schedule extension is granted.

D. An extension shall only be granted for such period as Ecology determines is reasonable under the circumstances. Ecology may grant schedule extensions exceeding ninety (90) days only as a result of:

(1) Delays in the issuance of a necessary permit which was applied for in a timely manner; or

(2) Other circumstances deemed exceptional or extraordinary by Ecology; or

(3) Endangerment as described in Section XVII.

XVII. ENDANGERMENT

If, for any reason, Ecology determines that any activity being performed at the Site is creating or has the potential to create a danger to human health or the environment, Ecology may direct Defendant to cease such activities for such period of time as it deems necessary to abate the danger. Defendant shall immediately comply with such direction.

If, for any reason, Defendant determines that any activity being performed at the Site is creating or has the potential to create a danger to human health or the environment, Defendant may cease such activities. Defendant shall notify Ecology's project coordinator as soon as possible, but no later than twenty-four (24) hours after making such determination or ceasing such activities. Upon Ecology's direction, Defendant shall provide Ecology with documentation of the basis for the determination or cessation of such activities. If Ecology disagrees with Defendant's cessation of activities, it may direct Defendant to resume such activities.

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If Ecology concurs with or orders a work stoppage pursuant to this section, Defendant's obligations with respect to the ceased activities shall be suspended until Ecology determines the danger is abated, and the time for performance of such activities, as well as the time for any other work dependent upon such activities, shall be extended, in accordance with Section XVI, for such period of time as Ecology determines is reasonable under the circumstances.

Nothing in this Order shall limit the authority of Ecology, its employees, agents, or contractors to take or require appropriate action in the event of an emergency.

XVIII. COVENANT NOT TO SUE

A. Covenant Not to Sue: In consideration of Defendant's compliance with the terms and conditions of this Decree, Ecology covenants not to institute legal or administrative actions against Defendant regarding the release or threatened release of hazardous substances covered by this Decree.

This Decree covers only the Site specifically identified in Exhibit A and those hazardous substances that Ecology knows are located at the Site as of the date of entry of this Decree. This Decree does not cover any other hazardous substance or area. Ecology retains all of its authority relative to any substance or area not covered by this Decree.

This Covenant Not to Sue shall have no applicability whatsoever to:

(1) Criminal liability;

(2) Liability for damages to natural resources;

(3) Any Ecology action, including cost recovery, against potentially liable persons not a party to this Decree.

If factors not known to Ecology at the time of entry of the settlement agreement are discovered and present a previously unknown threat to human health or the environment, the Court shall amend this covenant not to sue.

B. Reopeners: Ecology specifically reserves the right to institute legal or administrative action against Defendant to require it to perform additional remedial actions at the

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Site and to pursue appropriate cost recovery, pursuant to RCW 70.105D.050 under the following circumstances:

(1) Upon Defendant's failure to meet the requirements of this Decree, including, but not limited to, failure of the remedial action to meet the cleanup standards identified in the CAP (Exhibit B);

(2) Upon Ecology's determination that remedial action beyond the terms of this Decree is necessary to abate an imminent and substantial endangerment to human health or the environment;

(3) Upon the availability of new information regarding factors previously unknown to Ecology, including the nature or quantity of hazardous substances at the Site, and Ecology's determination, in light of this information, that further remedial action is necessary at the Site to protect human health or the environment; or

(4) Upon Ecology's determination that additional remedial actions are necessary to achieve cleanup standards within the reasonable restoration time frame set forth in the CAP.

C. Except in the case of an emergency, prior to instituting legal or administrative action against the Defendant pursuant to paragraph B. above, Ecology shall provide the Defendant with fifteen (15) calendar days notice of such action.

XIX. CONTRIBUTION PROTECTION

With regard to claims for contribution against Defendant, the Parties agree that Defendant is entitled to protection against claims for contribution for matters addressed in this Decree as provided by RCW 70.105D.040(4)(d).

XX. LAND USE RESTRICTIONS

Because institutional controls are required at the Site pursuant to WAC 173-340-440(4), Defendant agrees that a Restrictive Covenant (Exhibit D) shall be recorded with the office of the Grant County Auditor within ten (10) days of the effective date of this Decree. The Restrictive

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Covenant shall restrict future uses of the Site. Defendant will provide Ecology with a copy of the recorded Restrictive Covenant within thirty (30) days of the recording date.

XXI. FINANCIAL ASSURANCES

Pursuant to WAC 173-340-440(11), Defendant shall maintain sufficient and adequate financial assurance mechanisms to cover all costs associated with the operation and maintenance of the remedial action at the Site, including institutional controls, compliance monitoring, and corrective measures.

Within sixty (60) days of the effective date of this Decree, Defendant shall submit to Ecology for review and approval an estimate of the costs that it will incur in carrying out the terms of this Decree, including operation and maintenance and compliance monitoring. Within sixty (60) days after Ecology approves the aforementioned cost estimate, the Defendant shall provide proof of financial assurances sufficient to cover all such costs in a form acceptable to Ecology.

Defendant shall adjust the financial assurance coverage and provide Ecology's project manager with documentation of the updated financial assurance for:

1. Inflation, annually, within thirty (30) days of the anniversary date of the entry of this Decree; or if applicable, the modified anniversary date established in accordance with the following subparagraph, or if applicable, ninety (90) days after the close of the Defendant's fiscal year if the financial test or corporate guarantee is used, and

2. Changes in cost estimates, within thirty (30) days of issuance of Ecology's approval of a modification or revision to the CAP that results in increases to the cost or expected duration of remedial actions. Any adjustments for inflation since the most recent preceding anniversary date shall be made concurrent with adjustments for changes in cost estimates. The issuance of Ecology's approval of a revised or modified CAP will revise the anniversary date established in subparagraph (1) above to become the date of issuance of such revised or modified CAP.

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XXII. INDEMNIFICATION

Defendant agrees to indemnify and save and hold the State of Washington, its employees, and agents harmless from any and all claims or causes of action for death or injuries to persons or for loss or damage to property arising from or on account of acts or omissions of Defendant, its officers, employees, agents, or contractors in entering into and implementing this Decree. However, the Defendant shall not indemnify the State of Washington nor save nor hold its employees and agents harmless from any claims or causes of action arising out of the negligent acts or omissions of the State of Washington, or the employees or agents of the State, in implementing the activities pursuant to this Decree.

XXIII. COMPLIANCE WITH APPLICABLE LAWS

A. All actions carried out by Defendant pursuant to this Decree shall be done in accordance with all applicable federal, state, and local requirements, including requirements to obtain necessary permits, except as provided in RCW 70.105D.090.

B. Pursuant to RCW 70.105D.090(1), the substantive requirements of Chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW and of any laws requiring or authorizing local government permits or approvals for the remedial action under this Decree that are known to be applicable at the time of entry of the Decree have been included in Exhibit B, the CAP, and are binding and enforceable requirements of the Decree.

Defendant has a continuing obligation to determine whether additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Decree. In the event either Defendant or Ecology determines that additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Decree, it shall promptly notify the other party of this determination. Ecology shall determine whether Ecology or Defendant shall be responsible to contact the appropriate state and/or local agencies. If Ecology so requires, Defendant shall promptly consult with the appropriate state and/or local agencies and provide Ecology with written documentation

ATTORNEY GENERAL OF WASHINGTON
Ecology Division
PO Box 40117
Olympia, WA 98504-0117
FAX (360) 586-6760

from those agencies of the substantive requirements those agencies believe are applicable to the remedial action. Ecology shall make the final determination on the additional substantive requirements that must be met by Defendant and on how Defendant must meet those requirements. Ecology shall inform Defendant in writing of these requirements. Once established by Ecology, the additional requirements shall be enforceable requirements of this Decree. Defendant shall not begin or continue the remedial action potentially subject to the additional requirements until Ecology makes its final determination.

Ecology shall ensure that notice and opportunity for comment is provided to the public and appropriate agencies prior to establishing the substantive requirements under this section.

C. Pursuant to RCW 70.105D.090(2), in the event Ecology determines that the exemption from complying with the procedural requirements of the laws referenced in RCW 70.105D.090(1) would result in the loss of approval from a federal agency which is necessary for the state to administer any federal law, the exemption shall not apply and the Defendant shall comply with both the procedural and substantive requirements of the laws referenced in RCW 70.105D.090(1), including any requirements to obtain permits.

XXIV. REMEDIAL AND INVESTIGATIVE COSTS

The Defendant agrees to pay costs incurred by Ecology pursuant to this Decree and consistent with WAC 173-340-550(2). These costs shall include work performed by Ecology or its contractors for, or on, the Site under Chapter 70.105D RCW, including remedial actions and Decree preparation, negotiations, oversight and administration. These costs shall include work performed both prior to and subsequent to the entry of this Decree. Ecology costs shall include costs of direct activities and support costs of direct activities as defined in WAC 173-340-550(2). Defendant agrees to pay the required amount within ninety (90) days of receiving from Ecology an itemized statement of costs that includes a summary of costs incurred, an identification of involved staff, and the amount of time spent by involved staff members on the project. A general statement of work performed will be provided upon request. Itemized statements shall be

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prepared quarterly. Pursuant to WAC 173-340-550(4), failure to pay Ecology's costs within ninety (90) days of receipt of the itemized statement will result in interest charges at the rate of twelve percent (12%) per annum, compounded monthly.

XXV. IMPLEMENTATION OF REMEDIAL ACTION

If Ecology determines that Defendant has failed without good cause to implement the remedial action, in whole or in part, Ecology may, after notice to Defendant, perform any or all portions of the remedial action that remain incomplete. If Ecology performs all or portions of the remedial action because of the Defendant's failure to comply with its obligations under this Decree, Defendant shall reimburse Ecology for the costs of doing such work in accordance with Section XXIV of this Decree, provided that Defendant is not obligated under this section to reimburse Ecology for costs incurred for work inconsistent with or beyond the scope of this Decree.

XXVI. PERIODIC REVIEW

As remedial action, including ground water monitoring, continues at the Site, the Parties agree to review the progress of remedial action at the Site, and to review the data accumulated as a result of monitoring the Site as often as is necessary and appropriate under the circumstances. At least every five years after the initiation of cleanup action at the Site, the Parties shall meet to discuss the status of the Site and the need, if any, for further remedial action at the Site. Ecology reserves the right to require further remedial action at the Site under appropriate circumstances. This provision shall remain in effect for the duration of the Decree.

XXVII. PUBLIC PARTICIPATION

Ecology shall maintain the responsibility for public participation at the Site. However, Defendant shall cooperate with Ecology, and shall:

A. If agreed to by Ecology, prepare drafts of public notices and fact sheets at important stages of the remedial action, such as the submission of work plans, remedial investigation/feasibility study reports, cleanup action plans, and engineering design reports. As

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appropriate, Ecology will edit, finalize, and distribute such fact sheets and prepare and distribute public notices of Ecology's presentations and meetings;

B. Notify Ecology's project coordinator prior to the preparation of all press releases and fact sheets, and before major meetings with the interested public and local governments. Likewise, Ecology shall notify Defendant prior to the issuance of all press releases and fact sheets, and before major meetings with the interested public and local governments. For all press releases, fact sheets, meetings, and other outreach efforts by Defendant that do not receive prior Ecology approval, Defendant shall clearly indicate to its audience that the press release, fact sheet, meeting, or other outreach effort was not sponsored or endorsed by Ecology;

C. Participate in public presentations on the progress of the remedial action at the Site. Participation may be through attendance at public meetings to assist in answering questions, or as a presenter;

D. In cooperation with Ecology, arrange and/or continue information repositories at the following locations:

(1) Big Bend Community College, 7662 Chanute Street NE, Moses Lake, WA; and

(2) Ecology's Eastern Regional Office at 4601 N Monroe, Spokane, WA.

At a minimum, copies of all public notices, fact sheets, and press releases; all quality assured monitoring data; remedial actions plans and reports, supplemental remedial planning documents, and all other similar documents relating to performance of the remedial action required by this Decree shall be promptly placed in these repositories.

XXVIII. DURATION OF DECREE

The remedial program required pursuant to the Decree shall be maintained and continued until Defendant has received written notification from Ecology that the requirements of this Decree have been satisfactorily completed. This Decree shall remain in effect until dismissed by this Court. When dismissed, Section XVIII, Covenant Not to Sue, and Section XIX, Contribution Protection, shall survive.

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XXIX. CLAIMS AGAINST THE STATE

Defendant hereby agrees that it will not seek to recover any costs accrued in implementing the remedial action required by this Decree from the State of Washington or any of its agencies. This Section does not restrict or prohibit Defendant from applying for grant funding from the Local Toxics Control Account for a portion of the costs incurred in implementing this Decree. Except as provided above, however, Defendant expressly reserves its right to seek to recover any costs incurred in implementing this Decree from any other potentially liable person.

XXX. EFFECTIVE DATE

This Decree is effective upon the date it is entered by the Court.

XXXI. PUBLIC NOTICE AND WITHDRAWAL OF CONSENT

This Decree has been the subject of public notice and comment under RCW 70.105D.040(4)(a). As a result of this process, Ecology has found that this Decree will lead to a more expeditious cleanup of hazardous substances at the Site in compliance with the cleanup standards established under Chapter 173-340 WAC.

If the Court withholds or withdraws its consent to this Decree, it shall be null and void at the option of any party and the accompanying Complaint shall be dismissed without costs and without prejudice. In such an event, no party shall be bound by the requirements of this Decree.

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY	CHRISTINE O. GREGOIRE Attorney General
_____	_____
James Pendowski Program Manager Toxics Cleanup Program	JOSEPH E. SHORIN III, WSBA 19705 Assistant Attorney General
Date: _____	Date: _____

ATTORNEY GENERAL OF WASHINGTON
Ecology Division
PO Box 40117
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CITY OF MOSES LAKE

Joseph K. Gavinski
City Manager

Date: 8-26-04

ENTERED this _____ day of _____ 20____.

JUDGE
Grant County Superior Court

ATTORNEY GENERAL OF WASHINGTON
Ecology Division
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Olympia, WA 98504-0117
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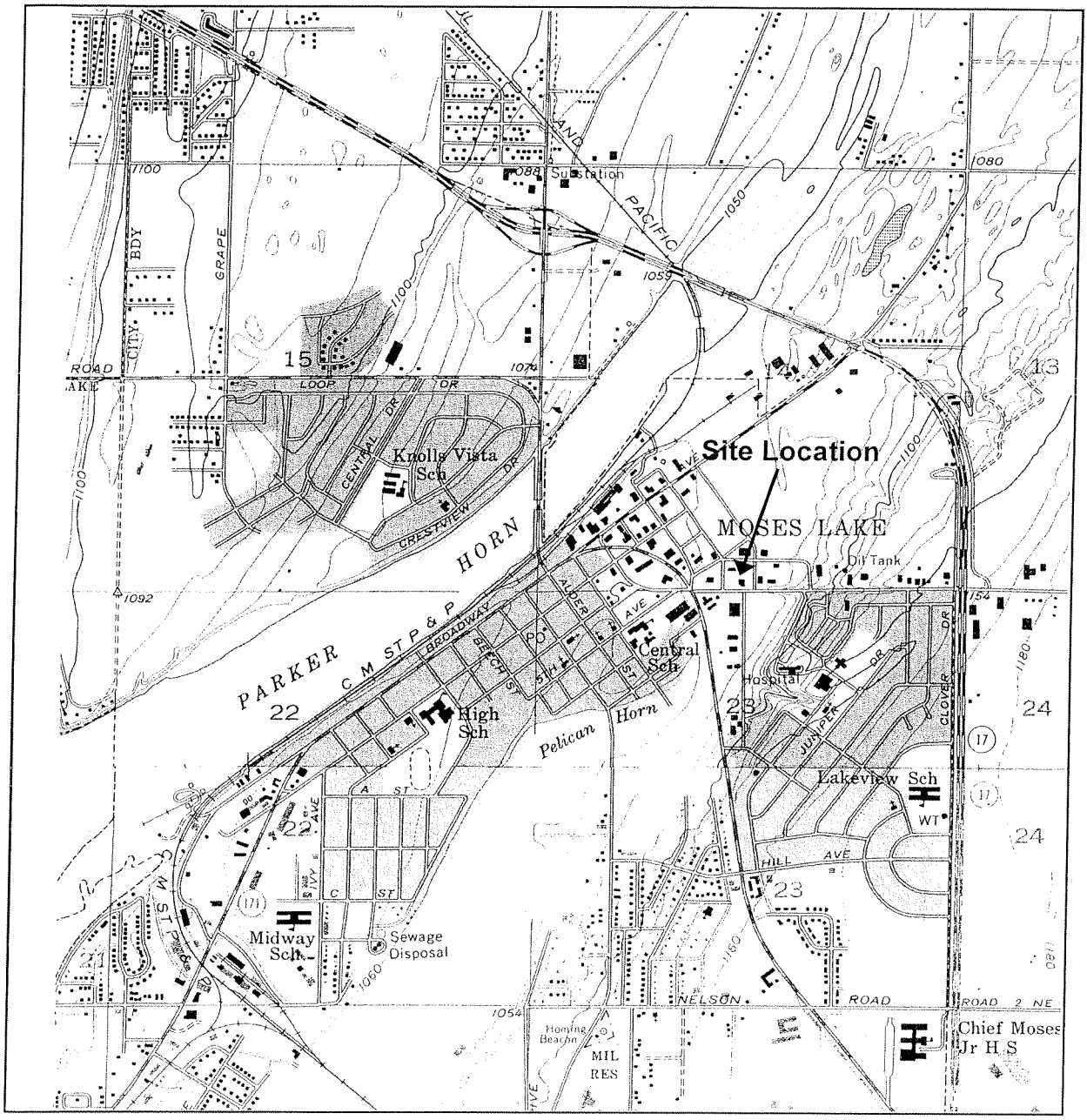
EXHIBIT A. SITE DIAGRAM



SCALE 1:24 000

1 0 1 MILE

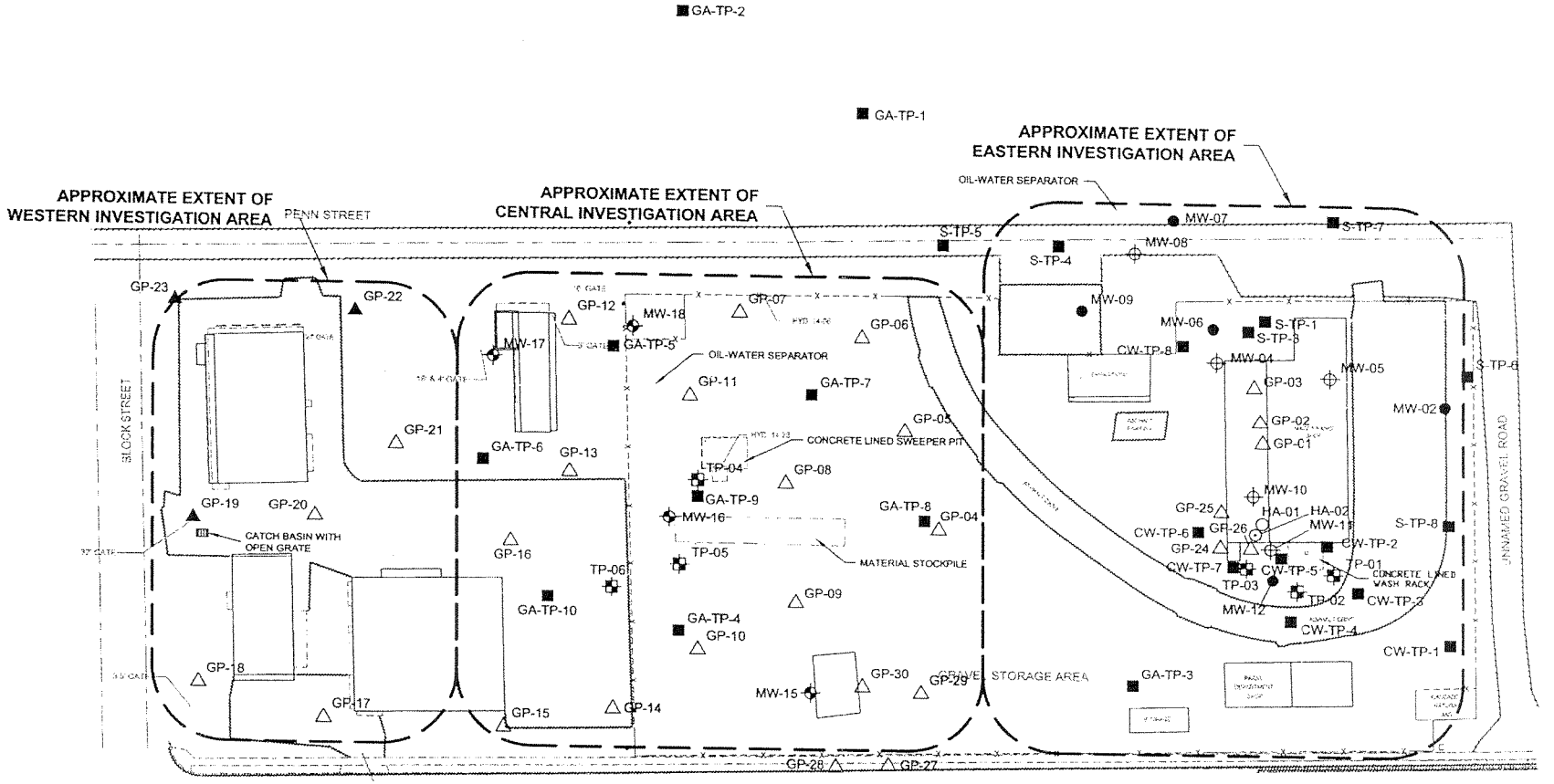
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 .5 0 1 KILOMETER

CONTOUR INTERVAL 10 FEET

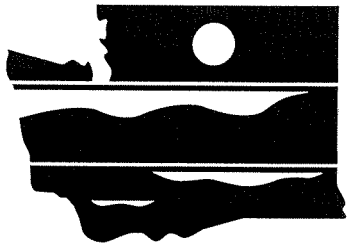
NATIONAL GEODETIC VERTICAL DATUM OF 1929

QUADRANGLE LOCATION



MODIFIED FROM GOLDER 2003

EXHIBIT B. CLEANUP ACTION PLAN



DRAFT CLEANUP ACTION PLAN

Moses Lake City Maintenance Facility
Moses Lake, WA

August 2004
Washington Department of Ecology
Toxics Cleanup Program
Eastern Regional Office
Spokane, WA

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1.0 INTRODUCTION

This report presents the Washington State Department of Ecology's proposed cleanup action for the Moses Lake City Maintenance Facility (Site), located at 819 E Penn Street, Moses Lake, in Grant County, Washington (Figure 1). This Cleanup Action Plan (CAP) is required as part of the site cleanup process under the Model Toxics Control Act (MTCA), Ch. 70.105D RCW, implemented by the Washington State Department of Ecology (Ecology). The cleanup action decision is based on the Remedial Investigation/Feasibility Study (RI/FS) and other relevant documents in the administrative record.

This CAP outlines the following:

- The history of operations, ownership, and activities at the Site;
- The nature and extent of contamination as presented in the RI;
- Cleanup levels for the Site that are protective of human health and the environment;
- The selected remedial action for the Site; and
- Any compliance monitoring and institutional controls that are required.

1.1 DECLARATION

Ecology has selected this remedy because it will be protective of human health and the environment. Furthermore, the selected remedy is consistent with the preference of the State of Washington as stated in RCW 70.105D.030(1)(b) for permanent solutions.

1.2 APPLICABILITY

Cleanup levels specified in this cleanup action plan are applicable only to the Moses Lake City Maintenance Facility Site. They were developed as a part of an overall remediation process under Ecology oversight using the authority of MTCA, and should not be considered as setting precedents for other sites.

1.3 ADMINISTRATIVE RECORD

The documents used to make the decisions discussed in this cleanup action plan are on file in the administrative record for the Site. Major documents are listed in the reference section. The entire administrative record for the Site is available for public review by appointment at Ecology's Eastern Regional Office, located at N. 4601 Monroe Street, Spokane, WA 99205-1295.

1.4 PREVIOUS WORK

The CAP presents a brief description and history of the Moses Lake City Maintenance Facility Site. Results from applicable studies and reports are summarized to provide background information pertinent to the CAP. These studies and reports include:

- Final Remedial Investigation/Feasibility Study (Golder Associates, 2003)

2.0 SITE BACKGROUND

2.1 SITE HISTORY

The Site covers a 7.2 acre area at the intersection of Block Street and Wheeler Road in Moses Lake, WA (figure 1). It is comprised of the original 4.7 acre city maintenance facility, and a 2.5 acre property bounding and immediately west of the original facility.

The original 4.7 acre Moses Lake City Maintenance Facility is owned by the City of Moses Lake (City) and has been in operation since the 1950s. Present on the site are maintenance and office buildings, and stockpiles of gravel. Activities that occurred on the site included the repair and maintenance of city vehicles, storage of road and miscellaneous repair materials, and storage of pesticides and herbicides. Up until 1992, the fueling of city vehicles also took place at the site. In 1992 all diesel and gasoline tanks were decommissioned and removed, and city vehicles are now fueled off-site.

The City purchased the 2.5 acre adjacent property in September 2001. It consists of several storage and shop buildings. Various companies have operated on the property, including metal fabrication and welding, janitorial services, and tractor sales and repair.

2.2 SITE INVESTIGATIONS

A series of investigations have taken place to aid in determining the type, amount, extent, and source of the petroleum hydrocarbon contamination. The following paragraphs chronologically list the separate activities and investigations that have taken place at the site. Reports documenting these investigations can be found at Ecology's Eastern Regional Office in Spokane.

In the early 1970s, an unknown capacity regular gasoline underground storage tank (UST) was removed. Evidence of a compromised tank was noted, and remedial action and cleanup is reported by city personnel to have occurred though no written records have been found.

Petroleum contaminated soil was noted in 1986 when a 500-gallon diesel UST was replaced with a 1,000-gallon diesel UST. Remedial action is reported by city personnel to have occurred here also, though no written records have been found.

In 1990, at the request of the Department of Ecology, the City collected a soil sample from a test pit in the vicinity of the old 500-gallon diesel UST. Results confirmed the presence of petroleum contaminated soil at concentrations above the 1990 MTCA Method A cleanup levels of 200 mg/kg diesel.

In March 1992, the City conducted a Remedial Investigation (RI) independent of Ecology to assess the nature, concentration, and source of the petroleum discovered during the removal of the 500-gallon diesel UST in the eastern portion of the Site. Four groundwater monitoring wells were installed and eight test pits were excavated. The RI concluded that the petroleum contaminated soil was a result of leaks from the diesel UST and spills related to fueling and

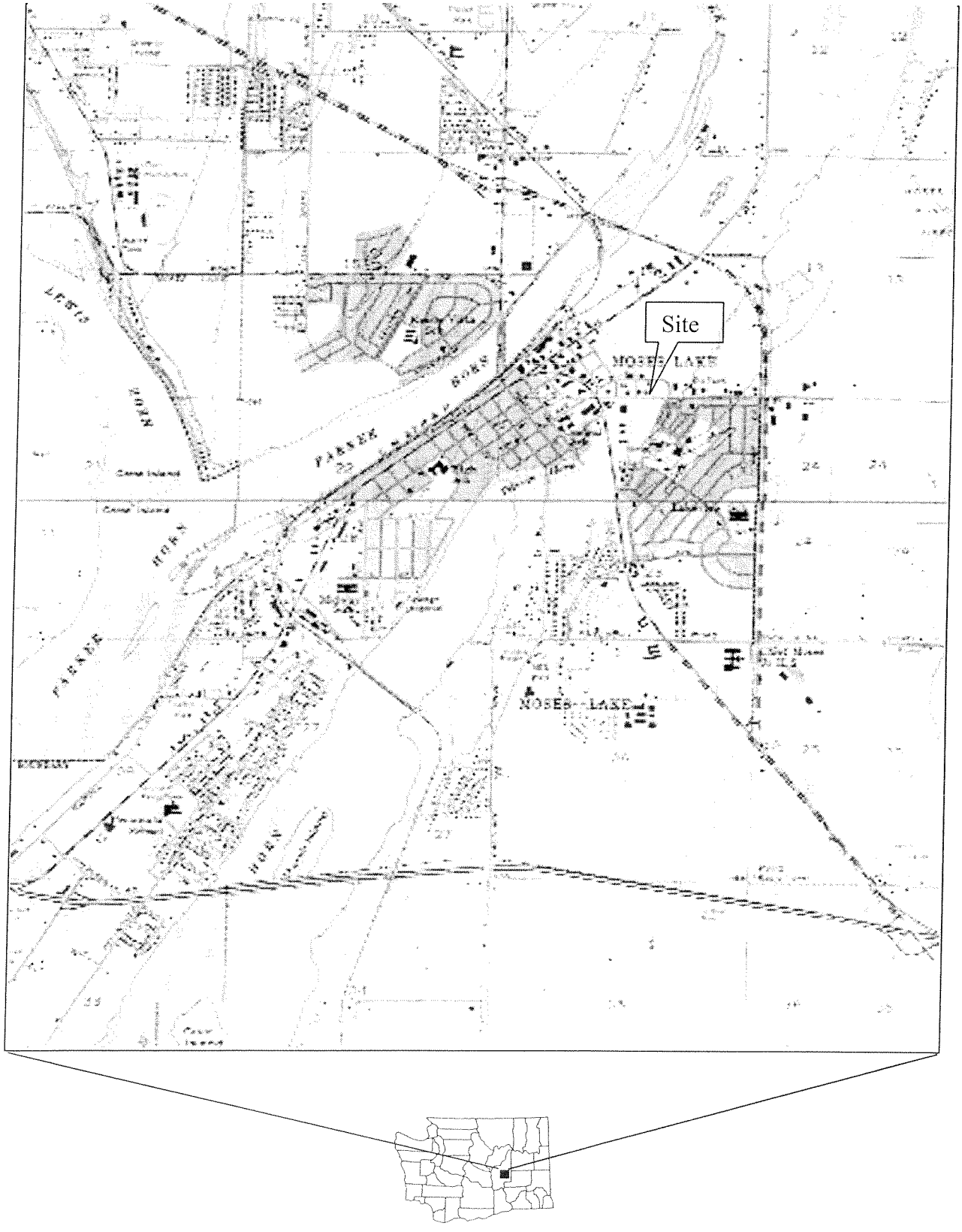


Figure 1. Site Map

maintenance of vehicles. Groundwater was determined not to be affected. An unknown amount of contaminated soil was excavated and removed to an off-site location for treatment or disposal.

In November 1992, the City contracted to decommission and remove the four remaining USTs – the 6,000-gallon regular gasoline, 8,000-gallon unleaded gasoline, 1,000-gallon diesel and 500-gallon waste oil tanks. Approximately 425 cubic yards of gasoline-impacted soil were removed from around the gasoline tanks. In addition, petroleum contaminated soil was discovered in the diesel and waste oil excavations. Test pit soil samples showed contamination with aged gasoline, diesel, and lead exceeding cleanup levels. Groundwater samples from the excavations and two on-site monitoring wells showed aged gasoline, oil, and lead exceeding cleanup levels. In February 1993, contaminated soil in the vicinity of the waste oil tank was removed.

In 1993 and 1994, the City contracted to complete a second RI/FS independent of Ecology for areas known to be contaminated but not yet cleaned up. Specific areas of concern were the former UST storage of gasoline, diesel and waste oil, vehicle parking, and a storm water/groundwater collection system that discharged to a storm drain. Ten monitoring wells and eighteen soil borings were installed as part of the investigation. Two areas of soil contamination, one by diesel and one by gasoline, were discovered, and a plume of dissolved gasoline in groundwater was discovered emanating from the area of the former gasoline USTs. As a result, in the summer of 1994 an air sparge and vapor extraction system was installed to remediate contaminated groundwater. It was determined by the City's consultants that the contaminants had been lowered to below action levels and the system was turned off in April 1997.

In June 1995, during excavation of the sweeper pit, petroleum contaminated soil and waste oil filters were discovered. The contaminated soil and waste materials were excavated.

In 2001, when the City purchased the neighboring property to the west, ten test pits were excavated to support future development of the property. Diesel- and heavy oil-impacted soil was found in two test pits near the western edge of the original property. Although not evaluated, groundwater was observed to be potentially impacted.

2.3 Physical Site Characteristics

2.3.1 Topography and Climate

The Site is at an elevation of around 1100 feet and is relatively flat, with a maximum slope of about 30%. The elevation is generally lowest at the western portion of the Site, rising up towards the eastern edge of the property. There is a fill slope up to ten feet high at the southern edge of the property.

The region is semi-arid, receiving between 5 and 12 inches of precipitation annually. The majority of the precipitation occurs in winter and early spring in the form of snow. The annual mean temperature is about 50°F.

2.3.2 Regional Geology

The geology in the vicinity of the Site is primarily basalt flows of the Columbia Plateau overlain by Pliocene sediments and Pleistocene flood deposits (Golder, 2003). Geologic maps show that the Pleistocene flood deposits are thin to non-existent at the Site. Due to the Site's proximity to Moses Lake, it is indicated that the Pliocene sediments of the Ringold Formation are likely overlain by finer-grained lacustrine deposits on a regional scale.

2.3.3 Hydrogeology

Groundwater at the Site flows toward the northwest and follows the general surface topography. Site hydrogeology is characterized by a surficial unconfined unit overlying a laterally discontinuous semi-confining aquitard (Golder, 2003). The unconfined unit is comprised of wetland and fluvial deposits, along with fill material. Fill materials are composed of sand with various amounts of silt, gravel, and cobble and trace debris including wood fragments, asphalt, and concrete. Fill thicknesses on-site vary from 1.5 to 8 feet, and usually are indicators of where previous excavations took place. The wetland and fluvial deposits are made up of fine to medium sands with some silt or gravel. The finer grained materials indicate wetland deposits, and coarser grained materials are the fluvial deposits. Wetland deposits typically overlie the fluvial deposits at the Site. The semi-confining unit is reported to be of the Ringold Formation, generally made up of dense sands and silts intermingled with dense cemented layers called caliche. Although the thickness of the Ringold Formation is quite large, the caliche layers can be comparatively thin and discontinuous.

Groundwater occurs in the wetland and fluvial deposits, and is encountered at a depth of 2 to 7 feet below ground surface (bgs). In areas where more shallow groundwater was observed, it was noted to occur in areas of surficial fill, indicating that the fill may have a lower permeability (Golder, 2003). Slug tests were performed to estimate the hydraulic conductivity of the units between 3 to 4 feet bgs down to 15 feet bgs. These units would be the surficial fill and the wetland and fluvial deposits. Hydraulic conductivities are estimated at $6.9x10^{-5}$ to $2.4x10^{-4}$ ft/s. In slug tests done prior to the most recent RI/FS, hydraulic conductivity measurements of units interpreted to be part of the Ringold Formation showed values of $1.6x10^{-5}$ to $5.2x10^{-5}$ ft/s. Although the measured conductivities are fairly close, the slug test provides an average conductivity across the screened interval, thereby minimizing the effects of a lower permeability layer such as the caliche. In reality, the presence of a significant caliche layer near the top of the formation can impede groundwater movement enough such that a perched zone is created. At the Site, well logs indicate that such a caliche unit is present in the upper zones of the Ringold Formation, which would account for the presence of groundwater at shallower depths.

3.0 Nature and Extent of Contamination

3.1 Soil

Specific areas of soil have been contaminated by petroleum compounds. Historical releases have resulted in the contamination and subsequent removal of isolated areas of soil. The current work was completed to assess the entire property, including the recently purchased facility to the west,

for any impacts to soil or groundwater. To help delineate specific affected areas, the Site was broken into three parts; the West Portion, the Central Portion, and the East Portion (figure 2). Test pits (TP), soil borings (GP), hand auger borings (HA), and in some cases monitoring wells (MW) were installed in each portion of the Site to determine if soil was impacted (figure 2, table 1). Soil was analyzed for a variety of compounds, including gasoline (Gx), diesel (Dx), volatile organic compounds (VOC), polynuclear aromatic hydrocarbons (PAH), ethylene dibromide (EDB), polychlorinated biphenyls (PCB), and metals including lead (Pb) and arsenic (As), as shown in Table 1. These compounds were selected because of their use or association with petroleum products. In some cases, a hydrocarbon ID (HCID) test was performed as a general screening for the presence of any petroleum hydrocarbon compounds.

Results of soil testing during the RI/FS show that isolated areas of soil are contaminated with petroleum hydrocarbons, xylene (a constituent of fuels), and lead. In the Eastern Portion of the Site, oil-range petroleum hydrocarbons were detected below cleanup levels at one location at a depth of about 2 feet. Central Portion soil appears to be contaminated with diesel, oil, and gasoline range petroleum hydrocarbons to a maximum depth of around 4 feet. Lead and xylene were detected in only some of the samples. West Portion soil did not show contamination above cleanup levels by any of the selected chemicals.

It is unknown exactly how much soil on the Site is affected. Originally, petroleum contamination was located very near to the original sources of the releases. Highly contaminated soil was excavated during the various remedial actions in the past, but not all contaminated soil was removed during those events. Because some areas were incompletely excavated and because there were numerous areas at the Site that handled petroleum products, the areal extent of the resulting soil contamination is discontinuous. Precipitation infiltration likely caused petroleum contamination to slowly move and spread, causing more soil to become contaminated. Because soil contamination investigations only take samples at specific locations within the Site, it is difficult to estimate the exact location and size of the impacted areas.

3.2 GROUNDWATER

Groundwater historically was contaminated by petroleum releases at the Site, but these were reported to have been addressed through the installation and operation of a groundwater treatment system. As part of the most recent RI/FS, groundwater was investigated to determine if there was any impact from the most recent discoveries of contaminated soil. Groundwater was sampled from six of the original existing monitoring wells, from four newly installed monitoring wells, from one hand auger location, and from nine of thirty temporary boreholes. Table 1 shows which locations were sampled, and for which compounds.

In the Eastern Portion of the Site, four to six inches of floating petroleum product in MW-11 was observed. Groundwater and product samples showed it to be diesel fuel. Groundwater samples of wells and test pits in the vicinity of MW-11 did not show either a product layer or significant contamination with petroleum hydrocarbons. The product is thought to be residual contamination from incomplete soil excavations. As diesel concentrations in this well exceeded cleanup levels, it is considered a groundwater contaminant. The Western and Central Portions had no petroleum constituents exceeding groundwater cleanup levels.

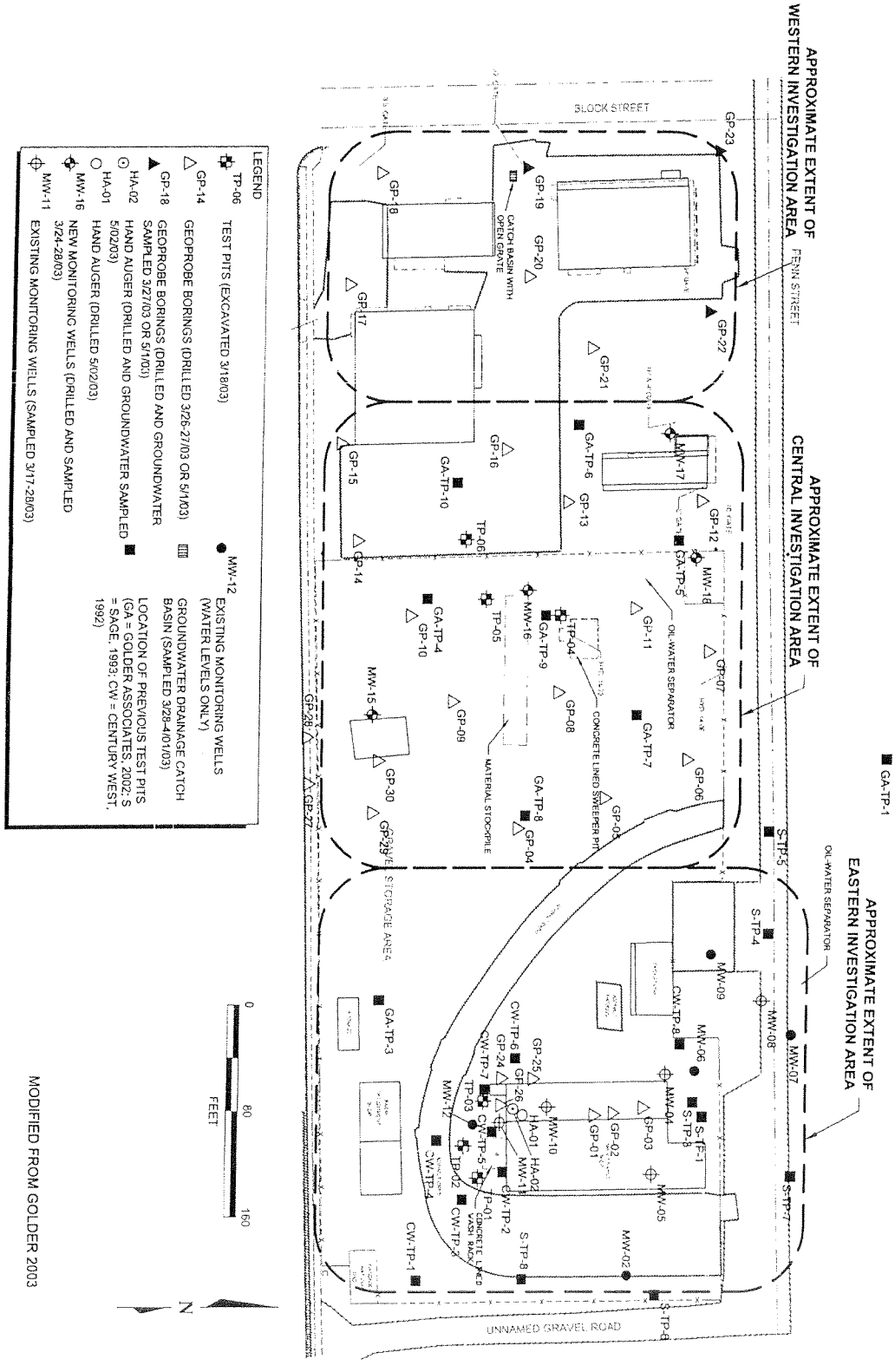


Figure 2. Area and Sampling Locations

	Soil Sample	Groundwater Sample
Eastern Portion		
TP-01 to TP-03	HCID, Dx	
GP-01 to GP-03	Dx	
GP-24	Dx	
GP-25	Dx	Dx
GP-26	Dx	
MW-02		As
MW-04		Dx, Gx, VOC, EDB, Pb, As
MW-05		Dx, Gx, VOC, EDB, Pb, As
MW-08		Dx, Gx, VOC, EDB, Pb, As
MW-10		Dx, Gx, VOC, EDB, Pb, As
MW-11		Dx, Gx, VOC, EDB, PAH, PCB, Pb, As
HA-01	Dx	
HA-02	Dx	Dx
Central Portion		
TP-04 to TP-06	Dx, Gx, VOC, PAH, PCB, EDB, Pb	
GP-04 to GP-16	Dx, Gx	
GP-27 & GP-28	Dx	HCID
GP-29 & GP-30	Dx	
MW-15	HCID	Dx, Gx, As
MW-16	Dx, Gx, VOC, PCB, PAH, EDB, Pb	Dx, Gx, VOC, EDB, PAH, PCB, Pb, As
MW-17 & MW-18	HCID	HCID, As
Western Portion		
GP-17	Dx, Gx, metals	
GP-18	Dx, Gx, metals	Dx, Gx, VOC, PAH, PCB, EDB, metals
GP-19 and GP-22	Dx, Gx, metals	Dx, Gx, VOC, PAH, PCB, EDB, metals, Pb
GP-20 to GP-23	Dx, Gx, metals	Dx, Gx, VOC, PAH, PCB, EDB, metals

Table 1. Sampling Matrix

Western, Central, and Eastern Portion groundwater samples showed levels of arsenic exceeding the Method A cleanup criteria. Due to the relatively consistent levels of arsenic across the Site, and the fact that arsenic was not used in site operations, it was suspected to be a background concentration. Focused sampling was done to determine what was the area background of arsenic. Samples were collected from all wells at the Site, and wells MW-2 and MW-15 were determined to be upgradient wells. Statistical analysis of the upgradient data showed that area background levels were in fact higher than Method A cleanup levels. Therefore, arsenic concentrations detected in site groundwater samples are statisticaly within the calculated background concentrations.

3.3 Risks to Human Health and the Environment

The Site is zoned light industrial with no anticipated future change of use. Properties in the immediate vicinity of the maintenance facility are zoned commercial. The facility is completely fenced and access is only permitted to city staff and approved personnel. Because of the controlled access, trespassing is not likely but may occasionally occur.

Due to the shallow somewhat perched nature of groundwater and the presence of neighboring wetlands, it is possible, but not likely, that groundwater can pond on the ground surface at the Site. Communications with site personnel indicate water has ponded on the surface in the past during high precipitation events, but this could be precipitation and not groundwater. Although a subsurface shallow drain system is installed to prevent this from happening, it is possible that during high precipitation events groundwater might be present at the surface.

Exposures to human populations could occur through contact with contaminated surface or subsurface soil, or contact with contaminated groundwater reaching the surface. As soil contamination is several feet below the surface, there should not be a potential exposure to contaminated windblown soil. Potential exposed populations include on-site workers (either employees of the city or contracted workers) and unauthorized trespassers to the properties.

Exposure to environmental receptors could occur via contact by birds or small mammals with potentially ponded contaminated water. As explained, the likelihood of such an event occurring is fairly small. Due to the nature of Site use (vehicle use, hard gravel ground surface, materials storage), it is unlikely that significant plant populations would be present.

4.0 Cleanup Standards

MTCA requires the establishment of cleanup standards for individual sites. The two primary components of cleanup standards are cleanup levels and points of compliance. Cleanup levels determine the concentration at which a substance does not threaten human health or the environment. All material that exceeds a cleanup level is addressed through a remedy that prevents exposure to the material. Points of compliance represent the locations on the site where cleanup levels must be met.

4.1 OVERVIEW

The process for establishing cleanup levels involves the following:

- determining which method to use;
- developing cleanup levels for individual contaminants in each media;
- determining which contaminants contribute the majority of the overall risk in each media (indicators); and
- adjusting the cleanup levels downward based on total site risk.

The MTCA Cleanup Regulation provides three options for establishing cleanup levels: Methods A, B, and C.

- Method A may be used to establish cleanup levels at routine sites or sites with relatively few hazardous substances.
- Method B is the standard method for establishing cleanup levels and may be used to establish cleanup levels at any site.
- Method C is a conditional method used when a cleanup level under Method A or B is technically impossible to achieve or may cause significantly greater environmental harm. Method C also may be applied to qualifying industrial properties.

The MTCA Cleanup Regulation defines the factors used to determine whether a substance should be retained as an indicator for the Site. When defining cleanup levels at a site contaminated with several hazardous substances, Ecology may eliminate from consideration those contaminants that contribute a small percentage of the overall threat to human health and the environment. WAC 173-340-703(2) provides that a substance may be eliminated from further consideration based on:

- The toxicological characteristics of the substance which govern its ability to adversely affect human health or the environment relative to the concentration of the substance;
- The chemical and physical characteristics of the substance which govern its tendency to persist in the environment;
- The chemical and physical characteristics of the substance which govern its tendency to move into and through the environment;
- The natural background concentration of the substance;
- The thoroughness of testing for the substance;
- The frequency of detection; and
- The degradation by-products of the substance.

4.2 SITE CLEANUP LEVELS

The RI/FS has documented the presence of contamination in soil and groundwater at the Site. Cleanup levels will be developed for both of these mediums.

Under WAC 173-340-704(1), Method A may be used at a site that is undergoing a routine cleanup action or one where numerical standards are available under Method A for all indicator

hazardous substances in the media for which the level is being used. The definition of "routine cleanup action" under MTCA specifies that sites may not be considered "routine" if they require a site-specific ecological evaluation, so the first option is unavailable. Although Method A may be appropriate for soil, it would not be appropriate for groundwater. As such, Method B will be utilized for both soil and groundwater.

Tables 2 and 3 show the indicator substance screening of analytes for which Site soil and groundwater was tested. Soil indicators do not need to undergo a risk and hazard quotient analysis as the cleanup levels are all calculated under Method A, which is assumed to be protective. Groundwater indicators do not need to undergo an risk and hazard quotient analysis as there is no cumulative effect of the two indicators since bromodichloromethane is carcinogenic and TPH-diesel is not.

4.3 Terrestrial Ecological Evaluation

WAC 173-340-7490 requires that sites perform a terrestrial ecological evaluation (TEE) to determine the potential effects of soil contamination on ecological receptors. A site may be excluded from a TEE if any of the following are met:

- All contaminated soil is or will be located below the point of compliance;
- All contaminated soil is or will be covered by physical barriers such as buildings or pavement;
- The site meets certain requirements related to the nature of on-site and surrounding undeveloped land; or
- Concentrations of hazardous substances in soil do not exceed natural background levels.

This Site does not meet any of the exclusionary criteria. Therefore, the Site is evaluated to determine whether the Site will conduct a simplified TEE or a site-specific TEE. If any of the following criteria are true, then the Site is evaluated under a site-specific TEE:

- The site is located on or adjacent to an area where management or land use plans will maintain or restore native or seminative vegetation;
- The site is used by a threatened or endangered species;
- The site is located on a property that contains at least ten acres of native vegetation within 500 feet of the site, not including vegetation beyond the property boundaries; or
- The department determines the site may pose a risk to significant wildlife populations.

Since the Site is located adjacent to wetlands which have been designated as Priority Habitat by the Washington State Department of Fish and Wildlife, the Site will be evaluated as a site-specific TEE.

In order for a contaminant to be considered a risk to an ecological receptor, there must be a complete exposure pathway. The wetland areas adjacent to the Site are characterized as palustrine (ponded) with persistent emergent vegetation and semi-permanently flooded (Golder, 2003). The wetlands contain a diverse vegetative habitat, inhabited by many species of birds. A large population of herbivorous small mammals, invertebrates, reptiles, and amphibians is also

Analyte	Frequency of Detection	Maximum Concentration, mg/kg	Method B Concentration, mg/kg	Screening Result
TPH-gasoline	0.26	1300	**30**[a]	**indicator**
TPH-diesel	0.23	12,000	**2000**[a]	**indicator**
TPH-heavy oil	0.43	8700	**2000**[a]	**indicator**
Methyl tert-butyl ether	0		0.1[a]	≤5% detection frequency
Benzene	0.10	0.019	18.2	below cleanup level
Toluene	0		16,000	≤5% detection frequency
Ethyl benzene	0.10	0.59	8000	below cleanup level
Xylene	0.10	10.4	160,000	below cleanup level
Arsenic	0		20	≤5% detection frequency
Barium	1.00	110	5600	below cleanup level
Cadmium	0		2	≤5% detection frequency
Chromium	1.00	7.5	19	below cleanup level
Lead	1.00	22	250	below cleanup level
Mercury	0		2	≤5% detection frequency
Selenium	0		400	≤5% detection frequency
Silver	0		400	≤5% detection frequency

mg/kg – milligrams per kilogram

a – Method A concentration used as no Method B concentration is available

Table 2. Indicator Substance Screening, Soil

Analyte	Frequency of Detection	Maximum Concentration, µg/L	Method B Concentration, µg/L	Screening Result
TPH-gasoline	0.40	170	800[a]	≤5% detection frequency
TPH-diesel	0.29	14,000	**500**[a]	**indicator**
TPH-lube oil	0.21	410	500[a]	below cleanup level
Methyl tert-butyl ether (MTBE)	0.30	0.59	20[a]	below cleanup level
Benzene	0		0.795	≤5% detection frequency
Toluene	0		1600	≤5% detection frequency
Ethyl benzene	0		800	≤5% detection frequency
Xylene	0		16,000	≤5% detection frequency
Ethylene dibromide (EDB)	0		0.0005	≤5% detection frequency
PCBs	0		0.1[a]	≤5% detection frequency
Naphthalene	0.25	3.6	160	below cleanup level
Acenaphthene	0.25	2	960	below cleanup level
Fluorene	0.25	3.7	640	below cleanup level
Fluoranthene	0.25	0.14	640	below cleanup level
Pyrene	0.25	0.65	480	below cleanup level
Total TEF cPAH	0.25	0.00261	0.1	below cleanup level
Chloroform	0		7.17	≤5% detection frequency
Bromodichloromethane	0.40	1.1	**0.706**	**indicator**
Dibromochloromethane	0.40	0.49	0.52	below cleanup level
Bromoform	0		5.54	≤5% detection frequency
Arsenic	1.00	10	9.9[b]	see footnote c
Barium	0		560[a]	≤5% detection frequency
Cadmium	0		5	≤5% detection frequency
Chromium	0		50	≤5% detection frequency
Lead	0		15	≤5% detection frequency
Mercury	0		2	≤5% detection frequency
Selenium	0		80	≤5% detection frequency
Silver	0		80	≤5% detection frequency

µg/L - micrograms per liter

a - Method A concentration used as no Method B concentration is available

b - area background value based on calculations in accordance with WAC 173-340-709 and "Statistical Guidance for Ecology Site Managers"

c - not an indicator; the exceedance is extremely close to cleanup level, so the analyte is determined to be below cleanup level

Table 3. Indicator Substance Screening, Groundwater

assumed to be present due to the availability of vegetation and streams/ponds.

However, on the Site, there is no natural habitat available in the form of trees, shrubs, or grasses, nor is there any aquatic habitat. The ground surface is maintained as bare packed gravel and asphalt, and contamination appears to be very localized. Contaminated soil is at a depth of greater than 3 feet, the immediate subsurface is comprised of densely compacted fill, and site activities involve heavy vehicle traffic and noise. Contaminated groundwater is only present at one well on the Site, MW-11, primarily with diesel fuels. No other wells on the Site are contaminated, so the contamination related to MW-11 is assumed to be minimal in extent. Downgradient wells near the perimeter of the Site are not contaminated, so contamination is not leaving the Site nor impacting neighboring wetlands.

In order for exposure to occur, plants or animals would need to be present on-site and have a way to be in contact with contaminated media. The Site conditions mentioned preclude there being a significant population of plants or animals on-site, especially given the prime habitat available in the wetland. Further, the location of the contamination and the barriers that are present make contacting contaminated soil or groundwater highly unlikely. Therefore, the exposure pathway is not completed and further evaluation is not necessary.

4.4 Point of Compliance

The MTCA Cleanup Regulation defines the point of compliance as the point or points where cleanup levels shall be attained. Once cleanup levels are met at the point of compliance, the Site is no longer considered a threat to human health or the environment.

The point of compliance for groundwater is defined in WAC 173-340-720(8). Groundwater points of compliance are established for the entire Site from the top of the saturated zone to the lowest potentially-affected portion of the aquifer, which is the aquitard. At this Site, it is practicable to meet cleanup levels using a standard point of compliance.

WAC 173-340-740(6) gives the point of compliance requirements for soil. For sites where cleanup levels are based on the protection of groundwater, the point of compliance is established in all soil throughout the site. The Method B cleanup levels for petroleum, BTEX compounds, and MTBE are based on the protection of groundwater, so this point of compliance will apply.

5.0 Cleanup Action Selection

5.1 Remedial Action Objectives

The remedial action objectives are statements describing the actions necessary to protect human health and the environment through eliminating, reducing, or otherwise controlling risks posed through each exposure pathway and migration route. They are developed considering the characteristics of the contaminated medium, the characteristics of the hazardous substances present, migration and exposure pathways, and potential receptor points.

Soil and groundwater have been contaminated by the activities occurring at the Site. People may be exposed to contaminated soil via dermal contact or inhalation of dust, or to groundwater by intermittent flooding events or potential use at the facility. Potential receptors include on-site workers and trespassers.

Given these potential exposure pathways, the following are the remedial action objectives for the Site:

- Prevent or minimize direct contact or ingestion of contaminated soil by humans or ecological receptors;
- Prevent or minimize direct contact or ingestion of contaminated groundwater by humans or ecological receptors;
- Prevent or minimize the potential for migration of contaminants from soil to groundwater; and
- Remove free-phase petroleum product.

5.2 Cleanup Action Alternatives

Cleanup alternatives to meet these remedial action objectives are evaluated as part of the RI/FS for the Site. The feasibility study evaluated six options for soil and groundwater (institutional controls, containment, ex-situ or in-situ treatment, and excavation with on-site or off-site disposal). These options were combined to form five alternatives for addressing all contaminated media at the Site. The following five alternatives are based on the proposals made by the City.

5.2.1 Alternative 1: Institutional Controls and Monitoring

The "no action" alternative is a baseline to address the criteria for comparison to action alternatives. This represents the Site with no active measures towards site cleanup. This alternative would include maintenance of fencing around the property, institutional controls including deed restrictions, and natural attenuation. Fencing and signs on properties would need to be continuously maintained, and groundwater monitoring would take place to assess the effectiveness of natural attenuation.

5.2.2 Alternative 2: On-Site Containment with Institutional Controls and Monitoring

This alternative uses on-site containment to protect human health and the environment, and institutional controls and monitoring to ensure long-term integrity of the action. An impermeable barrier, constructed of a relatively impermeable material such as asphalt, would be installed on the Site over areas of contaminated media. The barrier would prevent the collection and infiltration of precipitation and/or storm water run-on, prevent direct contact with contaminated soil, and prevent off-site movement of contaminants through storm water run-off or as dust.

Institutional controls and groundwater monitoring would ensure that the barrier is maintained in the long-term and that the action remains protective.

5.2.3 Alternative 3: Excavation and Off-Site Disposal

This alternative would involve locating and removing contaminated soil to an approved off-site landfill. Areas of soil with contamination levels above cleanup levels to a maximum depth of fifteen feet, whether contiguous or not, would be excavated. The small areas of contaminated groundwater would be addressed through the removal of contaminated saturated soil. Excavated soil would be transported, likely by truck, to an approved off-site landfill. Initial discussions with Rabanco Landfill have indicated such petroleum contaminated soil would be recycled as landfill cover. Clean soil would then be imported as fill materials. Institutional controls would only be required for groundwater. Once four consecutive quarters of groundwater monitoring have been completed with no exceedances of cleanup levels, then institutional controls may be removed.

5.2.4 Alternative 4: Excavation and On-Site Treatment

This alternative would use thermal desorption technology to treat excavated soil on-site. Contaminated soil would be excavated in the same way as in alternative 3, but instead of being transported to a landfill, it would be treated with a thermal desorber on-site. Thermal desorption involves heating contaminated soil to a very high temperature, burning off the petroleum contamination, and placing the clean soil back into the excavation. As with alternative 3, contaminated groundwater would be addressed through the removal of contaminated saturated soil. Permits for air emissions would be required. Institutional controls would only be required for groundwater. Once four consecutive quarters of groundwater monitoring have been completed with no exceedances of cleanup levels, then institutional controls may be removed.

5.2.5 Alternative 5: Excavation and Off-Site Treatment

This alternative is the same as alternative 4, except that contaminated soil would be transported to an off-site thermal desorption treatment facility, and then clean soil would be used as backfill. No permits would be required as the treatment facility would already have those in place. Institutional controls would only be required for groundwater. Once four consecutive quarters of groundwater monitoring have been completed with no exceedances of cleanup levels, then institutional controls may be removed.

5.3 Regulatory Requirements

The MTCA Cleanup Regulation sets forth the minimum requirements and procedures for selecting a cleanup action. A cleanup action must meet each of the minimum requirements specified in WAC 173-340-360(2), including certain threshold and other requirements. These requirements are outlined below.

5.3.1 Threshold Requirements

WAC 173-340-360(2)(a) requires that the cleanup action shall:

- Protect human health and the environment;
- Comply with cleanup standards (see Section 4.0);
- Comply with applicable state and federal laws (see Section 5.3.5); and
- Provide for compliance monitoring.

5.3.2 Other Requirements

In addition, WAC 173-340-360(2)(b) states that the cleanup action shall:

- Use permanent solutions to the maximum extent practicable;
- Provide for a reasonable restoration time frame; and
- Consider public concerns

WAC 173-340-360(3) describes the specific requirements and procedures for determining whether a cleanup action uses permanent solutions to the maximum extent practicable. A permanent solution is defined as one where cleanup levels can be met without further action being required at the Site other than the disposal of residue from the treatment of hazardous substances. To determine whether a cleanup action uses permanent solutions to the maximum extent practicable, a disproportionate cost analysis is conducted. This analysis compares the costs and benefits of the cleanup action alternatives and involves the consideration of several factors, including:

- Protectiveness;
- Permanent reduction of toxicity, mobility and volume;
- Cost;
- Long-term effectiveness;
- Short-term effectiveness;
- Implementability; and
- Consideration of public concerns.

The comparison of benefits and costs may be quantitative, but will often be qualitative and require the use of best professional judgment.

WAC 173-340-360(4) describes the specific requirements and procedures for determining whether a cleanup action provides for a reasonable restoration time frame.

5.3.3 Groundwater Cleanup Action Requirements

At sites with contaminated groundwater, WAC 173-340-360(2)(c) requires that the cleanup action meet certain additional requirements. Cleanup actions shall be used when possible, and if a nonpermanent action must be used, the regulation requires that the following two requirements be met:

1) Treatment or removal of the source of the release shall be conducted for liquid wastes, areas of high contamination, areas of highly mobile contaminants, or substances that can't be reliably contained; and

2) Groundwater containment (such as barriers) or control (such as pumping) shall be implemented to the maximum extent practicable.

5.3.4 Cleanup Action Expectations

WAC 173-340-370 sets forth the following expectations for the development of cleanup action alternatives and the selection of cleanup actions. These expectations represent the types of cleanup actions Ecology considers likely results of the remedy selection process; however, Ecology recognizes that there may be some sites where cleanup actions conforming to these expectations are not appropriate.

- Treatment technologies will be emphasized at sites with liquid wastes, areas with high concentrations of hazardous substances, or with highly mobile and/or highly treatable contaminants;
- To minimize the need for long-term management of contaminated materials, hazardous substances will be destroyed, detoxified, and/or removed to concentrations below cleanup levels throughout sites with small volumes of hazardous substances;
- Engineering controls, such as containment, may need to be used at sites with large volumes of materials with relatively low levels of hazardous substances where treatment is impracticable;
- To minimize the potential for migration of hazardous substances, active measures will be taken to prevent precipitation and runoff from coming into contact with contaminated soil or waste materials;
- When hazardous substances remain on-site at concentrations which exceed cleanup levels, they will be consolidated to the maximum extent practicable where needed to minimize the potential for direct contact and migration of hazardous substances;
- For sites adjacent to surface water, active measures will be taken to prevent/minimize releases to that water; dilution will not be the sole method for demonstrating compliance;
- Natural attenuation of hazardous substances may be appropriate at sites under certain specified conditions (see WAC 173-340-370(7)); and
- Cleanup actions will not result in a significantly greater overall threat to human health and the environment than other alternatives.

5.3.5 Applicable, Relevant, and Appropriate, and Local Requirements

WAC 173-340-710(1) requires that all cleanup actions comply with all applicable state and federal law. It further states that the term "applicable state and federal laws" shall include legally applicable requirements and those requirements that the department determines "...are relevant and appropriate requirements." This section discusses applicable state and federal law, relevant and appropriate requirements, and local permitting requirements which were considered and were of primary importance in selecting cleanup requirements. If other requirements are identified at a later date, they will be applied to the cleanup actions at that time.

MTCA provides an exemption from the procedural requirements of several state laws and from any laws authorizing local government permits or approvals for remedial actions conducted

under a consent decree, order, or agreed order. [RCW 70.105D.090] However, the substantive requirements of a required permit must be met. The procedural requirements of the following state laws are exempted:

- Ch. 70.94 RCW, Washington Clean Air Act;
- Ch. 70.95 RCW, Solid Waste Management, Reduction, and Recycling;
- Ch. 70.105 RCW, Hazardous Waste Management;
- Ch. 75.20 RCW, Construction Projects in State Waters;
- Ch. 90.48 RCW, Water Pollution Control; and
- Ch. 90.58 RCW, Shoreline Management Act of 1971.

WAC 173-340-710(4) sets forth the criteria that Ecology evaluates when determining whether certain requirements are relevant and appropriate for a cleanup action. Table 4 lists the state and federal laws that contain the applicable or relevant and appropriate requirements that apply to the cleanup action at the Moses Lake City Maintenance Facility Site. Local laws, which may be more stringent than specified state and federal laws, will govern where applicable.

5.4 Evaluation of Cleanup Action Alternatives

The requirements and criteria outlined in Section 5.3 are used to conduct a comparative evaluation of alternatives one through five and to select a cleanup action from those alternatives. Table 5 provides a summary of the ranking of the alternatives against the various criteria.

5.4.1 Threshold Requirements

5.4.1.1 Protection of Human Health and the Environment

Alternative 1 provides no additional protection to human health and the environment, and allows for contaminated soil and groundwater to remain on-site. Alternative 2 would eliminate the risk due to contaminated soil by removing the direct contact pathway and the source for leaching to groundwater. Alternatives 3, 4, and 5 would all involve excavation of contaminated soil and replacement with clean fill, and as such would protect human health and the environment.

5.4.1.2 Compliance with Cleanup Standards

Alternative 1 would not meet cleanup standards in either soil or groundwater. Alternatives 2 through 5 would all meet cleanup standards in soil and groundwater, with variations in the amount of time needed to reach compliance.

5.4.1.3 Compliance with State and Federal Laws

Alternative 1 would not be in compliance with state and federal laws because contaminated media would not be remediated, and would represent a violation of MTCA. Alternatives 2, 3, 4, and 5 would be in compliance with applicable state and federal laws.

Cleanup Action Implementation	
Ch. 18.104 RCW; Ch. 173-160 WAC	Water Well Construction; Minimum Standards for Construction and Maintenance of Water Wells
Ch. 173-162 WAC	Rules and Regulations Governing the Licensing of Well Contractors and Operators
Ch. 70.105D RCW; Ch. 173-340 WAC	Model Toxics Control Act; MTCA Cleanup Regulation
Ch. 43.21C RCW; Ch. 197-11 WAC	State Environmental Policy Act; SEPA Rules
29 CFR 1910	Occupational Safety and Health Act
Groundwater and Surface Water	
42 USC 300	Safe Drinking Water Act
33 USC 1251; 40 CFR 131; Ch. 173-201A WAC	Clean Water Act of 1977; Water Quality Standards
Ch. 70.105D RCW; Ch. 173-340 WAC	Model Toxics Control Act; MTCA Cleanup Regulation
40 CFR 141; 40 CFR 143	National Primary Drinking Water Standards; National Secondary Drinking Water Standards
Ch. 246-290 WAC	Department of Health Standards for Public Water Supplies
Ch. 173-154 WAC	Protection of Upper Aquifer Zones
Air	
42 USC 7401; 40 CFR 50	Clean Air Act of 1977; National Ambient Air Quality Standards
Ch. 70.94 RCW; Ch. 43.21A RCW; Ch. 173-400 WAC	Washington Clean Air Act; General Regulations for Air Pollution
Ch. 173-460 WAC	Controls for New Sources of Air Pollution
Ch. 173-470 WAC	Ambient Air Quality Standards for Particulate Matter
Ch. 70.105D RCW; Ch. 173-340 WAC	Model Toxics Control Act; MTCA Cleanup Regulation

Table 4. Applicable or Relevant and Appropriate Requirements for the Cleanup Action

Criteria	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
Threshold Criteria					
Protection of Health & Environment	no	yes	yes	yes	yes
Compliance with Cleanup Standards	no	yes	yes	yes	yes
Compliance with State & Federal Laws	no	yes	yes	yes	yes
Provision for Compliance Monitoring	yes	yes	yes	yes	yes
Other Requirements	N/A				
Use of Permanent Solutions (disproportionate cost analysis)	--	Rank #4	Rank #1	Rank #2	Rank #3
Protectiveness	--	med-low	med-high	med-high	med-high
Permanent Reduction	--	low	medium	high	high
Cleanup Cost (estimated)	--	med-low	medium	med-high	high
Long-term Effectiveness	--	med-low	high	high	high
Short-term Effectiveness	--	high	medium	medium	medium
Implementability	--	high	high	med-low	medium
Consider Public Concerns	--	high	high	high	high
Provide Reasonable Time Frame	--	med-low	med-high	med-high	med-high
Consider Public Comments	--	yes	yes	yes	yes

Table 5. Evaluation of Cleanup Action Alternatives

5.4.1.4 Provision for Compliance Monitoring

All five alternatives would meet this provision as all would require varying levels of compliance monitoring.

5.4.2 Other Requirements

5.4.2.1 Use of Permanent Solutions to the Maximum Extent Practicable

As discussed previously, to determine whether a cleanup action uses permanent solutions to the maximum extent practicable, the disproportionate cost analysis specified in the regulation is used. The analysis compares the costs and benefits of the cleanup action alternatives and involves the consideration of several factors. The comparison of costs and benefits may be quantitative, but will often be qualitative and require the use of best professional judgment.

Costs are disproportionate to the benefits if the incremental costs are disproportionate to the incremental benefits. Based on the analysis described below, it has been determined that alternative 3 has the highest ranking for use of a permanent solution to the maximum extent practicable, followed by alternatives 4, 5, and 2. Alternatives 4 and 5 are relatively equal, and in such cases the alternative with the lower cost ranks higher, which would be alternative 4. However, alternative 3 is higher in ranking than all the others. Alternative 1 is not subject to this analysis because it does not meet the threshold criteria.

- Protectiveness

Alternatives 2 through 5 would all be protective. Alternative 2 would require a substantially longer time frame to reduce risk as contaminants would remain on-site and would take longer to achieve cleanup levels. Alternatives 3, 4, and 5 would offer similar times to reduce risk and attain cleanup standards, and would reduce risk to the same degree.

- Permanent Reduction of Toxicity, Mobility and Volume

Alternative 2 would reduce the mobility of contaminants and minimize the potential for long-term recontamination. However, it would not represent a destruction of any contaminants, although over time that might happen through natural processes. Contaminants could potentially continue to impact the environment. Also, because the alternative would rely on institutional controls to keep contaminants out of the environment, there is a chance that the cleanup could be undone. Alternatives 3, 4, and 5 would all involve the removal of all soil exceeding the cleanup level, and as such would result in a permanent reduction. Contaminants in groundwater in these three alternatives would also be permanently reduced in volume, toxicity, and mobility. Under alternatives 4 and 5, the contaminants would be destroyed.

- Cleanup Costs

Costs are approximated based on specific design assumptions for each alternative. Although the costs provided by the City and its consultants are estimates based on design assumptions that might change, the relative costs can be used for this evaluation. For a detailed description of the costs involved with each alternative, please refer to the RI/FS (Golder Inc, 2003).

Alternative 2 would involve the installation of an asphalt cap and groundwater monitoring for an estimated 20 years. Also included in every alternative are the costs for consultant oversight, lab charges, permits, and report preparation. The estimate for this alternative is $442,750. This estimate does not include additional costs for the financial assurance mechanisms that are required as part of any containment remedy.

Alternative 3 includes costs for excavation, transportation, disposal of contaminated materials, and purchase and transport of clean backfill. Groundwater monitoring would also be included. Costs for all alternatives involving excavation are based on the remediation of 9500 tons of contaminated soil. The cost estimate for alternative 3 is $618,460.

Alternative 4 involves the excavation of contaminated materials, treatment with an on-site thermal desorber system, and placement of cleaned soil back into the excavation. Groundwater monitoring costs are included here as well. The estimate for alternative 4 is $755,432.

Alternative 5 would include the same excavation as in alternative 4, but instead of treating soil on-site, the soil would be shipped to an off-site facility. Additional costs would include transportation of contaminated soil to the treatment facility, and the purchase of clean fill and transportation back to the Site. Groundwater monitoring costs are included. The cost estimate for alternative 5 is $836,960.

- Long-Term Effectiveness

Alternative 2 would require institutional controls to ensure that the cap is maintained. Without maintenance, there is the possibility of contaminants becoming re-mobilized. As such, this alternative would not be as effective in the long term due to the lesser degree of reliability, the longer time period required to attain cleanup levels, and the necessity of cap maintenance to ensure the effectiveness of management controls.

Alternatives 3, 4, and 5 would all have a similar level of long-term effectiveness. They have equivalent degrees of certainty of successfulness, similar magnitudes of residual risk, and similar reductions in contamination.

This criterion also provides a guide for the degree of long-term effectiveness. In this guide, reuse or recycling (use of contaminated soil as landfill cap materials) and destruction or detoxification (on- or off-site thermal desorption) are ranked significantly higher than on-site isolation/ containment with engineering controls.

- Short-Term Effectiveness

Of the four evaluated alternatives, alternative 2 provides the least amount of exposure to contaminated media by personnel implementing a cleanup action. Alternatives 3, 4, and 5 all would potentially expose personnel to contaminated soil. Of these, alternatives 3 and 5 would potentially expose off-site populations because they involve the transport of contaminated materials to other locations. These risks would be effectively mitigated by covering soil during transport.

- Implementability

All five alternatives are implementable at the Site. Cover systems as proposed in alternative 2 are commonly used and well-documented, and would be easily implemented at the Site. Alternative 3 involves only excavation and transport, which are used at many cleanup sites. Alternatives 4 and 5 use well-proven technologies. However, alternative 4 would require additional administrative tasks such as scheduling and availability of a mobile treatment unit, air permitting, and the management of a much more complex technology. Alternative 5 would also require additional administration, such as scheduling and availability of an off-site thermal desorber treatment facility, but would not be as complex as operating an on-site desorber.

- Consider Public Concerns

All five alternatives would provide opportunity for members of the public to review and comment on any proposals or plans.

5.4.2.2 Provide a Reasonable Restoration Time Frame

WAC 173-340-360(4) describes the specific requirements and procedures for determining whether a cleanup action provides for a reasonable restoration time frame, as required under subsection (2)(b)(ii). The factors that are used to determine whether a cleanup action provides a reasonable restoration time frame are set forth in WAC 173-340-360(4)(b).

Alternative 2 would be protective of human health and the environment, would mitigate contaminant releases, and would generally be effective and reliable. Current and future land uses surrounding the Site would be protected, and institutional controls would be effective as Site ownership is not likely to change in the future. However, long-term involvement at the Site would be required for monitoring and maintenance and it would take a longer time to achieve cleanup levels. Alternatives 3 through 5 would all provide an equal, much shorter restoration time frame. All other factors in this requirement would also be equivalent.

5.4.3 Groundwater Cleanup Action Requirements

Cleanup actions that address groundwater must meet the specific requirements described in Section 5.3.3 in addition to those listed above. At this Site, alternative 2 would not be considered a permanent cleanup action and as described, would not meet the requirements of a nonpermanent action. Additional groundwater containment would be required. Alternatives 3 through 5 would be considered permanent cleanup actions. If for some reason the contaminated groundwater could not be addressed with contaminated soil removal in alternatives 3 through 5, then additional containment would be required to meet the requirements of a nonpermanent action.

5.4.4 Cleanup Action Expectations

Specific expectations of cleanup levels are outlined in WAC 173-340-370 and are described in Section 5.3.4. Among those, alternatives 2 through 5 would address these expectations in the following manner:

- Alternative 2 would involve the consolidation of contaminated soils to minimize the potential for direct contact.
- Alternative 2 would use an asphalt cap and associated storm water controls to minimize the potential for precipitation and run-off to come into contact with contaminated soils.
- Alternatives 3 through 5 would remove or destroy contaminants to concentrations below cleanup levels.

5.5 DECISION

Based on the analysis described above, alternative 3 has been selected as the proposed remedial action for the Moses Lake City Maintenance Facility Site. The alternative meets each of the minimum requirements for remedial actions.

Alternative 3 meets each of the threshold requirements. Furthermore, alternative 3 uses permanent solutions to the maximum extent practicable. The cost of alternative 3 is less than alternatives 4 and 5 and provides a higher level of protection for human health and the environment than alternative 2. Alternative 3 also provides a reasonable restoration time frame.

6.0 PROPOSED REMEDIAL ACTION

The proposed cleanup action for the Site includes the excavation of soil that is contaminated with petroleum hydrocarbons at concentrations above cleanup levels, and backfilling with clean soil. Excavated soil will be transported to a permitted disposal facility. In addition to these cleanup actions, some groundwater monitoring will be required to ensure that the selected cleanup action has fully addressed groundwater contamination.

6.1 GROUNDWATER MONITORING

Groundwater monitoring will include the quarterly sampling of the wells in the Eastern Portion of the Site for all groundwater indicators. Groundwater monitoring shall be performed for a minimum of one year, to ensure that contaminants have been removed. If groundwater contamination is not resolved through the selected action, then additional work may need to be performed. If any wells in the Eastern Portion need to be removed to complete the cleanup action, or if any are determined to be compromised due to the cleanup action, then they shall not be sampled and shall be replaced to Ecology's specifications.

6.2 INSTITUTIONAL CONTROLS

Institutional controls are measures undertaken to limit or prohibit activities that may interfere with the integrity of a cleanup action or result in exposure to hazardous substances at the Site. Such measures are required to assure both the continued protection of human health and the environment and the integrity of the cleanup action whenever hazardous substances remain at the Site at concentrations exceeding the applicable cleanup level. Institutional controls are also specifically required to protect terrestrial plants and animals based on the terrestrial ecological evaluation. Institutional controls can include both physical measures and legal and administrative mechanisms. WAC 173-340-440 provides additional information on institutional controls, and the conditions under which they may be removed.

Institutional controls will be included in the cleanup action to address potential residual contamination in groundwater. Source removal will address groundwater sources, but the resulting impact to groundwater may not be immediate. Institutional controls at this Site will take the form of deed restrictions on the property that limit groundwater withdrawal and use.

These restrictions may be removed if contaminants are below cleanup levels after four consecutive quarters of groundwater monitoring.

6.3 Financial Assurances

WAC 173-340-440 states that financial assurance mechanisms shall be required at sites where the selected cleanup action includes engineered and/or institutional controls. Financial assurances are not required at this Site because engineered controls are not required, and the institutional control involving groundwater monitoring will be addressed in a long term monitoring plan.

6.4 Five Year Review

As long as groundwater cleanup levels have not been achieved, WAC 173-340-420 states that at sites where a cleanup action requires an institutional control, a periodic review shall be completed no less frequently than every five years after the initiation of a cleanup action. A five year review should not be required here as groundwater contaminants will be removed.

7.0 REFERENCES CITED

Golder Associates Inc, 2003, Final Report on City of Moses Lake Maintenance Facility Remedial Investigation/Feasibility Study

Washington State Department of Ecology, 2001, Model Toxics Cleanup Act Regulation Chapter 173-340 WAC

EXHIBIT C
Scope of Work and Schedule for the Cleanup Action at the Moses Lake City Maintenance Facility, Moses Lake, WA

The City of Moses Lake (PLP) will perform all elements of this Scope of Work in order to perform a cleanup action at the Moses Lake City Maintenance Facility (Site). The PLP will use this Scope of Work to develop Work Plans in order to implement the Cleanup Action Plan (CAP) for the Site. The PLP shall furnish all personnel, materials, and services necessary for, or incidental to, implementing the CAP at the Site.

The cleanup action shall contain the following tasks:

A. Remedial Action Plan:
PLP shall prepare a work plan, the Remedial Action Plan, outlining procedures for the cleanup action. The Remedial Action Plan shall contain the goals of the cleanup action, performance requirements, brief general facility information and site operational history, brief site characterization history, characteristics of the contaminants and contaminated media, summary of the remedial action, and schedule of deliverables. The Remedial Action Plan shall, in addition, include the following elements, which shall conform with the requirements of WAC 173-340-400 and WAC 173-303-410:

1. Engineering Design Report
The Engineering Design Report shall include a soil excavation plan, material and design specifications, sampling specifications, construction schedules, and information on backfill emplacement, testing, compaction, and final grading. The Plan shall also include specifications for removal of soil around well MW-11 and any plans for replacement of that well, should it be necessary to complete the soil removal required by the remedial action.

2. Construction Plans and Specifications
Construction Plans and Specifications shall detail the the cleanup actions to be performed. The plans and specifications shall be prepared in conformance with currently accepted engineering practices and techniques. They shall include a general description and schedule of work to be performed, a summary of design criteria, maps, copies of permits, detailed plans and material specifications necessary for construction, specifics of any quality control testing to be performed, startup procedures, and additional information to address applicable state, federal, and local requirements. In addition, these plans and specifications shall include:

a. Health and Safety Plan

PLP will prepare a Health and Safety Plan that conforms with WAC 173-340-810. This plan shall include emergency information, characteristics of waste, levels of protection, hazard evaluation, and any other site specific information.

b. Quality Assurance Project Plan
The Quality Assurance Project Plan from the RI/FS shall be reviewed and revised as appropriate, and made a part of the Remedial Action Plan.

c. Data Management Plan
The Data Management Plan from the RI/FS shall be reviewed and revised as appropriate, and made a part of the Remedial Action Plan.

3. Operations and Maintenance Plan
The operations and maintenance plan shall present technical guidance and regulatory requirements to assure effective operations under normal and emergency conditions. The plan shall include contingency procedures, and any procedures for maintenance of the facility after completion of the cleanup action. Also, the following information shall be included:

a. Compliance Monitoring Plan
Compliance monitoring consists of protection monitoring, performance monitoring, and confirmational monitoring. Protection monitoring confirms that human health and the environment are adequately protected during construction and operation of a cleanup action. Performance monitoring confirms that the cleanup action has attained cleanup and/or performance standards. Confirmational monitoring confirms the long-term effectiveness of the cleanup action once cleanup standards are attained.

i. Groundwater Monitoring, Sampling & Analysis Plan
Groundwater monitoring represents performance and confirmational monitoring. Well MW-11 shall be sampled quarterly for groundwater indicators for a minimum of one year. Should well MW-11 be damaged or need to be removed to complete soil removal, a replacement well shall be installed to Ecology's s pecifications.

ii. Soil Compliance Monitoring Plan
Soil monitoring represents protection and performance monitoring. PLP shall collect soil samples during the implementation of the cleanup action, to show that soil cleanup standards have been attained.

b. Institutional Controls
As a component of the remedial action and as required by the Cleanup Action Plan, institutional controls will be placed on the Site. As described in WAC 173-340-440, institutional controls are to limit or prohibit activities that may interfere with the integrity of a cleanup action. Institutional controls at this Site

will take the form of deed restrictions limiting use of groundwater and prohibiting site uses inconsistent with the selected cleanup action. A copy of the filed deed restriction shall be included with the Remedial Action Plan.

B. Cleanup Action Report

PLP shall submit a final cleanup action report after the completion of all elements of the Remedial Action Plan, except confirmational monitoring. The report shall include, but not be limited to:

- all aspects of facility construction, including the final as-built drawings or design documents;
- all compliance monitoring data gathered;
- a stamped statement from a professional engineer as to whether the cleanup action was completed in substantial compliance with the plans and specifications for the site; and
- copies of property deeds, documenting that institutional controls are in place.

C. Remedial Action Performance and Groundwater Compliance Monitoring Report

To track the performance of the cleanup action, PLP shall prepare and submit to Ecology quarterly reports presenting the results of compliance monitoring.

Schedule of Deliverables

Deliverables	Date Due
1. Effective date of Order	Start
2. Draft Remedial Action Plan, and and Schedule of Work to be Performed	150 days after start
3. Final Remedial Action Plan and Schedule of Work to be Performed	30 days after Ecology approval of draft
4. Begin implementation of Remedial Action following Schedule of Work to be Performed	15 days after approval of work plans
5. Draft Cleanup Action Report	120 days after completion of all elements of the Remedial Action Plan, except conformational monitoring
6. Final Cleanup Action Report	30 days after Ecology approval of draft
7. Progress Reports	Every month during remedial action
8. Groundwater Monitoring Reports	Quarterly until Ecology determines that groundwater cleanup levels have been attained

EXHIBIT D. RESTRICTIVE COVENANT

RESTRICTIVE COVENANT

Grantor: The City of Moses Lake
321 South Balsam
P.O. Box 1579
Moses Lake, WA 98837

Grantee: Washington Department of Ecology
4601 North Monroe
Spokane, WA 99205-1295

Legal Description:

A parcel of land in Municipal Tract No. 2, in the Southeast quarter of Section 14, Township 19 North, Range 28 East, W.M., City of Moses Lake, Grant County, Washington described as follows:

The east 210.00 feet of Municipal Tract No. 2 as recorded in Volume 8, Page 27, records of Grant County, Washington.

Containing 1.4 acres +/-

Grant County parcel number – 110480000

Except for the following:

A portion of land in the SW ¼ of the SE ¼ of Section 14, T. 19 N., Range 28 E.W.M, Grant County, Washington , described as follows:

Beginning at the S ¼ corner of said Section 14, thence N. 89°48'00" E., 1012.00 feet; thence N. 0°12'00" W. 40.00 feet to the true point of beginning; thence N. 0°12'00" W. 36.00 feet; thence S. 89°48'00" W. 42.00 feet; thence S. 0°12'00" E. 36.00 feet; thence N. 89°48'00" E. 42.00 feet to the true point of beginning

Grant County parcel number - 110481000

RESTRICTIVE COVENANT

The property that is the subject of this Restrictive Covenant has been the subject of remedial action under Chapter 70.105D RCW. The work done to clean up the property and conduct long-term operation and maintenance (hereafter the "Cleanup Action") is described in the Consent Decree entered in State of Washington Department of Ecology v. City of Moses Lake, Grant County Superior Court Cause No. _____, and in attachments to the Decree and in documents referenced in the Decree. This Restrictive Covenant is required by Ecology under Ecology's rule WAC 173-340-440 (2001 ed.) because activities on the Site resulted in residual concentrations of hazardous substances which exceed Ecology's Method B cleanup levels for groundwater established under WAC 173-340-730(3).

The undersigned, The City of Moses Lake ("The City") is the fee owner of real property (hereafter "the Property") in the County of Grant, State of Washington (legal description and map attached), that constitutes the Moses Lake City Maintenance Facility Site. The City makes the following declaration as to limitations, restrictions, and uses to which the Property may be put, and specifies that such declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property. It is the intent of both parties that this Restrictive Covenant may be removed completely upon the completion of the cleanup activites and requisite monitoring well testing showing that groundwater cleanup levels have been achieved. Ecology will not object to removal of this Restrictive Covenant upon satisfaction of the requirements of the Consent Decree and Ecology's determination that groundwater cleanup levels have been achieved.

Section 1.

a. No groundwater may be taken for any use unless the groundwater removal is part of monitoring activities associated with an Ecology-approved compliance monitoring plan.

b. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Cleanup Action, or that may create a new exposure pathway, is prohibited.

Section 2. Any activity on the Property that may interfere with the Cleanup Action, operation and maintenance, monitoring, or other measures necessary to assure the integrity of the Cleanup Action and continued protection of human health and the environment is prohibited.

Section 3. The Owner of the Property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without

adequate and complete provision for continued monitoring, operation, and maintenance of the Cleanup Action on the Property, and for continued compliance with this section.

Section 4. The Owner must restrict leases to uses and activities consistent with this Restrictive Covenant and notify all lessees of the restrictions herein on the use of the Property.

Section 5. The Owner must include in any instrument conveying any interest in any portion of the Property, notice of this Restrictive Covenant.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve an inconsistent use only after an opportunity for public notice and comment is provided. If Ecology, after public notice and opportunity for comment, approves the proposed change, the restrictive covenant shall be amended to reflect the change.

Section 6. The Owner shall allow Ecology and its authorized representatives the right to enter the Property at reasonable times for the purpose of evaluating the Cleanup Action, to take samples, to inspect remedial actions conducted at the Property, and to inspect records that are related to the Cleanup Action.

Section 7. If the conditions at the site requiring the entry of this Restrictive Covenant no longer exist, the Owner may submit a request to Ecology that the Restrictive Covenant be eliminated. The Owner may record an instrument removing the Restrictive Covenant only if Ecology, after public notice and opportunity for comment, concurs.

Dated: _____

THE CITY OF MOSES LAKE

_____

Joseph K. Gavinski

City Manager

STATE OF WASHINGTON)

) ss

COUNTY OF GRANT)

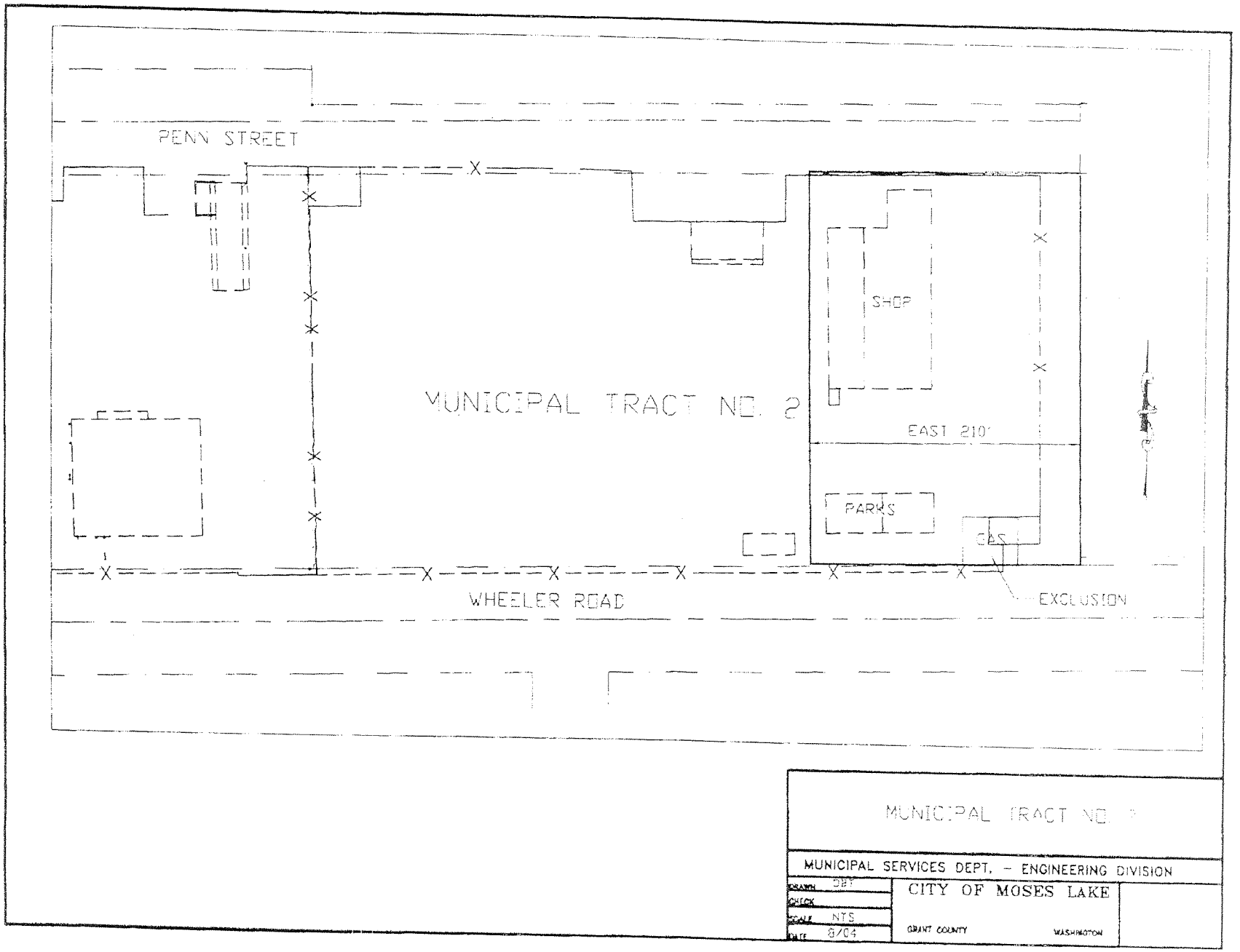
On this _____ day of _____,2004, before me, a Notary Public for said state, personally appeared Joseph K. Gavinski, known to be City Manager of The City of Moses Lake, the corporation that executed the above instrument and acknowledged to that such corporation executed the same.

_____

Notary Public, State of _____

Residing at _____

My commission expires _____



MUNICIPAL TRACT NO. 2

MUNICIPAL SERVICES DEPT. – ENGINEERING DIVISION

CITY OF MOSES LAKE

GRANT COUNTY WASHINGTON

DRAWN SBF

CHECK

SCALE NTS

DATE 8/04

EXHIBIT E. PUBLIC PARTICIPATION PLAN

Moses Lake City Maintenance Facility

Amended Public Participation Plan

Prepared by
The Washington State Department of Ecology

August 2004

Introduction

Overview of the Public Participation Plan

The October 2002 Public Participation Plan (Plan) has been amended by the Washington Department of Ecology. The amendment includes feedback from the City of Moses Lake and the public about the Moses Lake City Maintenance Facility located at 835 East Penn Street in the City of Moses Lake, Grant County, Washington. Cleanup at the Site focuses on petroleum products in soil and groundwater. Lead in soil is also a concern.

The Plan complies with the Washington State Model Toxics Control Act (MTCA) regulations (Chapter 173-340-600 WAC). The Plan is being amended to reflect public participation conducted for the Moses Lake City Maintenance Facility from the beginning stages through the proposed consent decree and final stage of cleanup. Ecology will determine final approval of the amended Plan.

The purpose of the amended Plan is to continue to promote public understanding of the Washington Department of Ecology's responsibilities, planning and cleanup activities at the site. It also serves as a way of gathering information from the public that will help Ecology and the City of Moses Lake complete cleanup at the site that is protective of human health and the environment. The amended Plan will help the community of Moses Lake continue to be informed regarding Site cleanup activities and contribute to the decision making process.

Documents relating to the cleanup may be reviewed at the repositories listed on page six of this Plan. If individuals are interested in knowing more about the Site or have comments regarding the amended Public Participation Plan, please contact one of the individuals listed in the box below:

Ms. Sandra Treccani, Site Manager WA State Department of Ecology Toxics Cleanup Program 4601 North Monroe, Spokane, WA 99205 509-329-3412 E-mail: satr461@ecy.wa.gov Mr. Gerry McFaul, City Engineer Municipal Services Department City of Moses Lake 321 S. Balsam St. P.O. Box 1579 Moses Lake, WA 98837 509-766-9217 E-mail: gmcfaul@ci.moses-lake.wa.us Mrs. Johnnie Landis, Public Disclosure WA State Department of Ecology 4601 North Monroe, Spokane, WA 99205 509-329-3415 E-mail: johh461@ecy.wa.gov	Ms. Carol Bergin, Public Involvement WA State Department of Ecology Toxics Cleanup Program 4601 North Monroe, Spokane, WA 99205 509-329-3546 E-mail: cabe461@ecy.wa.gov **Para asistencia en Espanol**: Sr. Antonio Valero WA State Department of Ecology Toxics Cleanup Program 15 W Yakima Ave., Suite 200 Yakima, WA 98902 509-454-7840 E-mail: aval461@ecy.wa.gov

Public Participation and the Model Toxics Control Act

The Model Toxics Control Act (MTCA) is a "citizen-mandated" law that became effective in 1989 to provide guidelines for the clean up of contaminated sites in Washington State. This law set up standards to make sure the clean up of sites is protective of human health and the environment. The Department of Ecology's Toxic Cleanup Program investigates reports of contamination that may threaten human health or the environment. If an investigation confirms the presence of contaminants, the site is ranked and placed on a Hazardous Sites List. Current or former owner(s) or operator(s), as well as any other potentially liable persons (PLPs), of a site may be held responsible for cleanup of contamination according to the standards set under MTCA. The PLPs are notified by Ecology that the site has contaminants and the process of cleanup begins with Ecology implementing and overseeing the project. The PLP for this site is the City of Moses Lake.

Public participation is an important part of the MTCA process during cleanup of sites. The participation needs are assessed at each site according to the level of interest by the public and degree of risk posed by contaminants. Individuals who live near the site, community groups, businesses, organizations and other interested parties are provided an opportunity to become involved in commenting on the cleanup process. The amended Public Participation Plan includes requirements for public notice such as: identifying reports about the site and the repositories where reports may be read; providing public comment periods; and holding public meetings or hearings. Other forms of participation may be interviews, citizen advisory groups, questionnaires, or workshops. Additionally, citizen groups living near contaminated sites may apply for public participation grants to receive technical assistance in understanding the cleanup process and to create additional public participation avenues. Ecology maintains responsibility for public participation during the final stages of cleanup and the City of Moses Lake will help with coordination and implementation.

Site Background

The facility is located on a four acre property that has been used for the storage and maintenance of city vehicles from the 1950s through the present. Fueling took place on-site until 1992. During these years of operation, there were several discoveries of petroleum contamination in soil and groundwater. The contamination came from leaks in fuel storage tanks that were kept underground at the site. Lead has also been found in soils at the site.

Several underground storage tanks and contaminated soils were removed between 1970 and 1990. An additional UST removal and discovery of contaminated soil in 1990 resulted in Ecology naming the City of Moses Lake as the PLP at the Site. The City then completed a remedial investigation (RI) to find out where and how much contamination was on the property. This investigation led to removal of more soils and all underground storage tanks. Study results showed certain areas of soil at the site were contaminated with petroleum hydrocarbons and lead, and one small area of groundwater was contaminated with petroleum hydrocarbons.

Feasibility Study
The Feasibility Study evaluated several options for clean up at the site, including:

- Contain the soil on-site
- Remove soils to a proper disposal facility
- Treat the soils on or off-site
- Put institutional controls on the property, including deed restrictions and groundwater use restrictions

City of Moses Lake's Preferred Cleanup Option
The City of Moses Lake proposed that removal of contaminated soils and disposal in a facility off-site be chosen as the preferred cleanup. Their proposal included the following:

- Remove contaminated soil to an off-site permitted landfill
- Backfill areas where soil has been removed with clean soil
- Monitor to be sure the cleanup actions are effective.

Draft Cleanup Action Plan (DCAP)/Cleanup Action Plan (CAP) and Ecology's Selected Cleanup Option
A Draft Cleanup Action Plan has been prepared for public comment. After a 30-day public comment period the DCAP will become the final Cleanup Action Plan (CAP) and the cleanup actions outlined in this document will be implemented under a formal Consent Decree. The Consent Decree is also part of the same 30-day comment period. The DCAP contains a review of information collected during the Remedial Investigation and Feasibility Study phases of cleanup. Based on the information presented in these previous reports Ecology has selected removal of contaminated soils and off-site disposal as the preferred cleanup action at the site. The cleanup actions include:

- Excavation of soil contaminated with petroleum hydrocarbons at concentrations above cleanup levels
- Transport of contaminated soil to a permitted disposal facility
- Backfilling with clean soil
- Groundwater monitoring to ensure the cleanup action has fully addressed groundwater contamination
- Institutional controls

State Environmental Policy Act and Determination of Non-Significance (SEPA DNS)
The State Environmental Policy Act, known as SEPA, requires government agencies to consider potential environmental impacts of a project before beginning the cleanup.

- After review of a completed environmental checklist and other site specific information, Ecology has determined the cleanup of petroleum products at the site will not have a probable adverse impact on the environment
- This action will benefit the environment by reducing the release of toxic chemicals from the site
- Ecology has issued a Determination of Non-Significance

Consent Decree
Ecology is proposing to enter into a Consent Decree with the City of Moses Lake to carry out cleanup activities listed above under the section "Draft Cleanup Action Plan (DCAP)/Cleanup Action Plan (CAP) and Ecology's Selected Cleanup Option." The Consent Decree is a legal document which formalizes the agreement between Ecology and the City of Moses Lake and is entered and approved by a court. The proposed Consent Decree is being issued under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW and ensures the cleanup will proceed in accordance with all applicable laws and regulations.

The draft Cleanup Action Plan (DCAP) was prepared by Ecology based on information collected and evaluated during the Remedial Investigation and Feasibility Study at the Site. The DCAP describes the selected cleanup action, specifies cleanup standards, and identifies other requirements. The Consent Decree is used as a legal agreement to implement the DCAP once it becomes final after the public has had opportunity to comment. The DCAP is then called a final Cleanup Action Plan or CAP.

Community Background

Community Profile

Moses Lake is nestled in the north central portion of the Columbia Basin Irrigation Project within the east central part of Washington state. The terrain ranges from flatlands to slightly rolling hills. A main attraction of the area is that the city surrounds one of the largest fresh water lakes in the state with 120 miles of shoreline. This combined with the many nearby lakes, streams and parks provide multiple opportunities for fishing, hunting, water and snow skiing, snowmobiling, four-wheeling in the sand dunes and other recreational activities.

Land use in the region varies from dry, barren areas to profitable agricultural fields. Irrigated lands have become strong in agricultural use with business, industrial and residential use making up most of the remaining lands. Land use at the Site is specifically for operation of a city maintenance facility. Properties immediately surrounding the site include commercial and light industrial with properties beyond those areas being more commercial and residential.

The area also supports a medical center, community college, a known historical museum and art center, and a variety of family events, concerts and activities, including the Moses Lake Family Aquatic Center. It is many of these features that draw people to the community. Nearly 30,000 individuals from Caucasian, Hispanic, Black African-American, Native American, Hawaiian, Pacific Islanders, Asian, Russian and Bosnian heritages live in the area. This provides a diverse community and range of languages in Moses Lake with Spanish being the second most commonly spoken. Employment varies from blue collar to professional.

Community Interviews

Interviews were conducted on October 3 and 15, 2002 in the near vicinity of the site. Thirteen people agreed to be interviewed. Four of the thirteen interviews were conducted in Spanish, and a fifth interview was conducted in both Spanish and English. The other 8 interviews were conducted in English.

Feedback from interviews indicated there was little knowledge or concern about the site and its impacts to the area. People wanted to know more about the site and the results of the Remedial Investigation/ Feasibility Study. They also wanted to know if groundwater impacts were discovered. If drinking water was found to be affected, the public wanted to be more actively involved in the cleanup process and to see greater education outreach to the community. It was also mentioned that impacts to wetlands should be avoided during cleanup.

Some people felt articles in the Columbia Basin Daily Herald were the best way to inform the public. Others thought flyers at local grocery stores, notices posted in local clinics and libraries, radio and television news, and public meetings were good outreach tools. Making sure information was communicated in Spanish was important to eleven of the interview participants.

Response to Community Interviews
Ecology used its Spanish translation team to provide Spanish language copies of educational fact sheets to all recipients living in the vicinity. English versions were also provided. The fact sheets explained the investigations, studies and impacts to soil and ground water at the site. An Ecology contact person was listed on all fact sheets so individuals who had questions could speak directly with a Spanish or English speaking person. These contacts are also listed on page two of this document.

Press releases were also sent to the local Columbia Basin Daily Herald each time fact sheets were sent. Display Ads were published in the Columbia Basin Daily Herald in coordination with the publication of fact sheets announcing public comment periods. Fact sheets and the documents associated with the public comment periods were made available at the Big Bend Community College library. [The local city library indicated they did not have the storage space to act as the local repository for documents.]

Drinking water has not been impacted by activities at the site. There have been no probable adverse impacts to wetlands and none are expected during the final stages of cleanup. No requests were made by the community to Ecology or the City of Moses Lake to hold a public meeting about site related questions. No phone calls were received from the public asking questions about the site. Details of efforts made to help educate the community about cleanup activities at the site are listed under the "Public participation Activities and Timeline" section below.

Public Participation Activities and Timeline

The following are public participation efforts made to inform and involve the public that will continue until the cleanup actions are completed:

- A **mailing list** was developed of properties within the potentially affected area of the Site. The potentially affected area includes adjacent properties to the Site, commercial businesses and

unoccupied lots in the vicinity of Penn Street and Wheeler Road and homes and/or businesses within a few blocks radius of the maintenance facility. Copies of all fact sheets and public notices developed regarding the cleanup process at the Site were sent and will continue to be sent via first class mail. All fact sheets were sent in both Spanish and English language. Additionally, individuals, organizations, local, state and federal governments, and any other interested parties were added to the mailing list. Other interested persons may request to be on the mailing list at any time by contacting Sandra Treccani or Carol Bergin at the Department of Ecology (see page three for addresses/phone and e-mail).

- **Public Repositories** were established and documents may be reviewed at the following offices. The DCAP, SEPA DNS and Consent Decree are available on Ecology's website at http://www.ecy.wa.gov/programs/tcp/sites/sites_information.html then click on Moses Lake under the Grant County listing.

Big Bend Community College Library
7662 Chanute Street NE
Moses Lake, WA 98837
Mr. Tim Fuhrman (509) 762-6246
Hours: Mon-Thurs 7:30 a.m. – 9:00 p.m.
Hours: Mon–Thurs 7:30 a.m. – 9:00 p.m.
Fri 8 am -6 p.m.
Sat & Sun 12-6 pm

Washington State Department of Ecology
Eastern Regional Office
4601 North Monroe
Spokane, WA 99205-1295
Ms. Johnnie Harris (509) 456-2751
Hours: Mon- Thurs 8:00 – 5:00

- During each stage of cleanup **fact sheets** were created by Ecology, reviewed by the City of Moses Lake and distributed to individuals on the mailing list. Fact sheets were distributed in both Spanish and English. These fact sheets explain the stage of cleanup, the Site background, what happens next in the cleanup process and ask for comments from the public. A **thirty (30) day comment period** allows interested parties time to comment on the process. The information from these fact sheets is also published in a **Site Register** which is distributed to the public. Persons interested in receiving the Site Register should contact Linda Thompson of Ecology at 360- 407-6069 or e-mail Ltho461@ecy.wa.gov. Fact sheets may also be viewed on Ecology's website at http://www.ecy.wa.gov/programs/tcp/sites/sites_information.html then click on Moses Lake under the Grant County listing.

- **Display ads or legal notices** were published in Spanish and English in the **Columbia Basin Daily Herald** to inform the general public. Spanish notices were also published in **El Mundo** newspaper. These notices correlate with the thirty day comment period and associated stage of cleanup.

- **Press releases** were sent to the Columbia Basin Daily Herald. Newspapers are not obligated to publish a press release that is sent to them. They have editorial rights to publish what they think is important to a community.

- **Public meetings, workshops, open houses and public hearings** are held based upon the level of community interest. No public meetings have been held at this site. People have indicated their questions are being answered in the fact sheets. However, if ten or more people request a public meeting based on the subject of the public notice about the DCAP, SEPA DNS and Consent

Decree, Ecology will hold a meeting and gather comments. The date, time and location of such meetings may be announced in the fact sheet and display ad or legal notice.

- Written comments received during a thirty day comment period are responded to in a **Responsiveness Summary**. The Responsiveness Summary is then sent to those who make the written comments and will be available for public review at the Repositories.

Answering Questions From The Public

Individuals in the community may have questions they want to ask so they may better understand the cleanup process. Page three lists the contacts for the Moses Lake City Maintenance Facility and Ecology. Interested persons are encouraged to contact these persons by phone or e-mail to obtain information about the Site, the process and potential decisions.

Public Notice and Comment Periods

Timeline

Date	Action Taken
August 2004 – September 2004	Fact Sheet (Spanish/English) and Public Comment Period (30 days) for Draft Cleanup Action Plan (DCAP), SEPA DNS and Consent Decree
December 2003 – January 2004	Fact Sheet (Spanish/English) and Public Comment Period (30 days) for Remedial Investigation/Feasibility Study Report
October , 2002 – November , 2002	Fact Sheet (Spanish/English) and Public Comment Period (30 days) for Draft Agreed Order for Remedial Investigation/ Feasibility Study

APPENDIX A

CURRENT MAILING LIST
for
MOSES LAKE
CITY MAINTENANCE FACILITY

MOSES LAKE mailing DCAP, SEPA DNS, Consent Decree Aug. 2004

COMMUNITY RELATIONS
US EPA REGION 10 (HW 117)
1200 SIXTH AVENUE
SEATTLE, WA 98101-3188

MS DEBORAH ABRAHAMSON
P O BOX 61
WELLPINIT, WA 99040-0061

MS WANDA ABRAHAMSON
SPOKANE TRIBE OF INDIANS
6208 FORD WELLPINIT ROAD
WELLPINIT, WA 99040-9700

HON LE ROY ALLISON
COUNTY COMMISSIONER
20268 ROAD 1 SE
WARDEN, WA 98857

MR GILBERT ALVARADO
P O BOX 1579
MOSES LAKE, WA 98837-0244

ASSOCIATED PRESS
P O BOX 2173
SPOKANE, WA 99210-2173

MR NEIL BEAVER
P O BOX 714
SPOKANE, WA 99210-0714

HON LEE BLACKWELL
CITY COUNCIL MEMBER
321 BALSAM P O BOX 1579
MOSES LAKE, WA 98837-0244

MS BRIGHTSPIRIT
PEACH SAFE FOODS
1011 WEST 1ST
SPOKANE, WA 99201

MR JOHN BROWNE
EXECUTIVE DIRECTOR
MOSES LAKE COMMUNITY HEALTH CENTER
605 COOLIDGE DRIVE
MOSES LAKE, WA 98837

MR DAVE CAMPBELL
EXECUTIVE DIRECTOR
SAMARITAN HEALTH FOUNDATION
801 E WHEELER ROAD
MOSES LAKE, WA 98837

HON MARIA CANTWELL
697 US COURT HOUSE
920 W RIVERSIDE
SPOKANE, WA 99201-1010

MS DORIS CELLARIUS
WA ENVIRONMENTAL COUNCIL 212
1063 S CAPITOL STE
OLYMPIA, WA 98501-1272

CITY EDITOR
THE SPOKESMAN REVIEW
P O BOX 2160
SPOKANE, WA 99210-1615

MOSES LAKE mailing DCAP, SEPA DNS, Consent Decree Aug. 2004

MR SCOTT CLARK
P O BOX 37
MOSES LAKE, WA 98823-0037

CLERK
CITY OF MOSES LAKE
321 S BALSAM
MOSES LAKE, WA 98837-1762

CONTAMINANTS SPECIALIST
US FISH & WILDLIFE SERVICE
11103 E MONTGOMERY DR, SUITE 2
SPOKANE, WA 99206-4779

HON RON COVEY
MAYOR CITY OF MOSES LAKE
321 BALSAM P O BOX 1579
MOSES LAKE, WA 98837-0244

MR CHASE DAVIS
SIERRA CLUB, INLAND NW
10 N POST ST, STE 447
SPOKANE, WA 99201-0712

HON DICK DEANE
CITY COUNCIL MEMBER
321 BALSAM P O BOX 1579
MOSES LAKE, WA 98837-0244

MR CARLOS DIAZ
WA STATE MIGRANT COUNCIL
105 SOUTH 6TH STREET #B
SUNNYSIDE, WA 98944

MR ROB DUFF
OFFICE OF ENVIRONMENTAL HEALTH
ASSESSMENTS
SITE ASSESSMENT SECTION
P O BOX 47846
OLYMPIA, WA 98504-7846

MS ANNE DUFFY
WA DEPARTMENT OF HEALTH
OFFICE OF TOXICS SUBSTANCES
P O BOX 47825
OLYMPIA, WA 98504-7825

EDITOR
COLUMBIA BASIN HERALD
813 W THIRD
MOSES LAKE, WA 98837

EDITOR
JOURNAL OF BUSINESS
429 E THIRD AVE
SPOKANE, WA 99202-1414

EDITOR
TUMBLEWEED TIMES
7662 CHANUTE STREET
MOSES LAKE, WA 98837

ENVIRONMENTAL LAW CAUCUS
GONZAGA LAW SCHOOL
600 E SHARP AVE
SPOKANE, WA 99202-1931

FIRE CHIEF
CITY OF MOSES LAKE
FIRE STATION NO 1
701 E THIRD
MOSES LAKE, WA 98837

MOSES LAKE mailing DCAP, SEPA DNS, Consent Decree Aug. 2004

MS BETTY FOWLER
SAFE WATER COALITION OF WA STATE
5615 W LYONS CT
SPOKANE, WA 99208-3777

MR JOSEPH GAVINSKI
CITY MANAGER
321 BALSAM P O BOX 1579
MOSES LAKE, WA 98837-0244

GRANT COUNTY HEALTH DISTRICT
1021 WEST BROADWAY
MOSES LAKE, WA 98837

MR FRED HAYNES
CITY CHIEF OF POLICE
321 BALSAM P O BOX 1579
MOSES LAKE, WA 98837-0244

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APPENDIX B

FACT SHEETS
and
LEGAL NOTICES

MOSES LAKE CITY MAINTENANCE FACILITY

Draft Cleanup Action Plan, SEPA DNS and Consent Decree

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Grant Dollars Provided for Petroleum and Lead Cleanup

The Washington State Department of Ecology and the City of Moses Lake are cleaning up petroleum and lead contamination in soil at the Moses Lake City Maintenance Facility. Petroleum-contaminated groundwater will also be addressed at the site. Seventy-five percent of the money needed for this project is coming from Ecology grant funds.

The facility is located at 835 East Penn Street, Moses Lake, Grant County, Washington (Figure 1). The property is used for the storage, fueling and maintenance of city vehicles. Contamination at the site is a result of leaks in underground fuel storage tanks and the handling and storage of petroleum products.

Documents for Review

You are invited to review and comment on the following documents **September 2 through October 1, 2004**. See the box at the right for locations to review documents and send comments.

- Draft Cleanup Action Plan
- State Environmental Policy Act Determination of Non-Significance
- Proposed Consent Decree

Site Background

Several underground storage tanks and contaminated soil were removed between 1970 and 1990 in an effort to cleanup site-related contamination. Investigations of soil and groundwater continued and all remaining underground storage tanks were removed. Additional cleanup actions were taken at the site and by 1997 cleanup efforts were working and groundwater met state cleanup standards. However, in late 2001, the City purchased an adjoining property and discovered more petroleum-contaminated soil. Groundwater at the new property was not initially tested but was assumed to be contaminated.

In November 2002, Ecology and the City of Moses Lake entered into a formal agreement to complete an additional Remedial Investigation/Feasibility Study (RI/FS) to deal with the entire site, including the new property. Soil and groundwater samples were taken and analyzed for petroleum hydrocarbons, and some samples were checked for PCBs, metals, and volatile compounds. Results showed certain areas of soil at the site contained petroleum hydrocarbons and lead, and one small area of groundwater was contaminated with petroleum hydrocarbons.

September 2004

Public Comment Period

September 2, 2004 through October 1, 2004.

Document Review Locations

WA Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295
Mrs. Johnnie Landis 509-329-3415

Big Bend Community College Library
7662 Chanute Street NE
Moses Lake, WA 98837
Mr. Tim Fuhrman 509-762-6246
Hours: Mon-Thurs 7:30 a.m.-9:00 p.m.
Fri 8 a.m.-6 p.m. Sat & Sun 12-6 p.m.
[Library is closed during holidays]

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

Comments and Technical Questions

Ms. Sandra Treccani
WA Department of Ecology
Toxics Cleanup Program
4601 N. Monroe
Spokane, WA 99205-1295
509-329-3412 or 1-800-826-7716
E-mail: satr461@ecy.wa.gov

Public Involvement/Mailing List Questions

Ms. Carol Bergin
Same Ecology address above
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E-mail: cabe461@ecy.wa.gov

Para asistencia en Espanol

Sr. Antonio Valero 509-454-7840
e-mail: aval461@ecy.wa.gov

Publication No. 04-09-028
If you have special accommodation needs or require the document in an alternative format
Please contact Marilyn Summers at 509 329-3444 (Voice) or TTY at 711 or 1-800-833-6388

Draft Cleanup Action Plan
After review of the findings from the Remedial Investigation and Feasibility Study, Ecology prepared a Draft Cleanup Action Plan (DCAP) for the site. The purpose of the DCAP is to select a cleanup option to be implemented and outline other requirements necessary to complete the work.

Selected Cleanup Actions
Ecology has selected removal and off-site disposal of contaminated soils as the remedial action at the site. This includes:

- Removing contaminated soil where petroleum hydrocarbon concentrations are above required state cleanup levels;
- Transporting contaminated soil to a permitted disposal facility;
- Filling areas where contaminated soil has been removed with clean soil;
- Monitoring groundwater; and
- Placing restrictions on the property to limit access and protect from any potential contamination that may temporarily remain after the cleanup. (Included is a Restrictive Covenant, which is a document that shows the type and location of contamination on the property and may limit the type of land uses.)

Consent Decree
The Consent Decree is a legal document that formalizes the cleanup agreement between Ecology and the City. The decree is entered and approved by a court and ensures cleanup will proceed in accordance with all applicable laws and regulations.

No Probable Adverse Impacts to the Environment
The State Environmental Policy Act, known as SEPA, requires government agencies to consider potential environmental impacts of a project before beginning the cleanup.

- After review of an environmental checklist and other site specific information, Ecology has determined the cleanup of lead and petroleum products will not have a probable adverse impact on the environment.
- This action will benefit the environment by reducing the release of toxic chemicals from the site.
- Therefore, Ecology has issued a Determination of Non-Significance.

Figure 1

MOSES LAKE CITY MAINTENANCE FACILITY

The Washington Department of Ecology invites the public to review and comment on a draft Cleanup Action Plan, State Environmental Policy Act/Determination of Non-Significance (SEPA DNS), and Consent Decree for the Moses Lake City Maintenance Facility site. The City of Moses Lake is a Potentially Liable Person (PLP) for the Site.

The Site is located on East Penn Street in Moses Lake, Grant County, Washington. The four-acre property is used for the storage, fueling and maintenance of city vehicles. Contamination is a result of leaks in underground fuel storage tanks and the handling and storage of petroleum products.

Cleanup at the site focuses on petroleum products in soil and groundwater and lead in soil. Ecology has selected the following cleanup measures: removing contaminated soil where petroleum hydrocarbon concentrations are above required state cleanup levels; transporting contaminated soil to a permitted disposal facility; filling areas where contaminated soil has been removed with clean soil; monitoring groundwater; and placing restrictions on the property to limit access and protect from any potential contamination that may temporarily remain after the cleanup. This includes a Restrictive Covenant.

Copies of the draft Cleanup Action Plan, SEPA DNS and Consent Decree are available at Ecology's Office, 4601 N. Monroe, Spokane, WA 99205, Big Bend Community College Library, 7662 Chanute Street NE, Moses Lake, WA 98837 and on Ecology's website at http://www.ecy.wa.gov/programs/tcp/sites/moses_lake/moses_lake_hp.html. Comment/questions may be sent to Ms. Sandra Treccani at the Ecology address above or e-mail satr461@ecy.wa.gov. You may also contact her at 509-329-3412 or 1-800-826-7716.

Public comments will be accepted September 2, 2004 through October 1, 2004.

SITIO MUNICIPAL DE MANTENIMIENTO EN MOSES LAKE

Borrador del Plan de Acción para la Limpieza, SEPA DNS y Decreto de Consentimiento

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Septiembre 2004
Se aceptan comentarios:
El 2 de septiembre de 2004, hasta el 1 de octubre de 2004.

Pueden revisar los documentos en los siguientes repositorios:
WA Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295
Mrs. Johnnie Landis 509-329-3415

Biblioteca de Big Bend Community College, 7662 Chanute Street NE
Moses Lake, WA 98837
Mr. Tim Fuhrman 509-762-6246
Horario:
Lunes-jueves 7:30 a.m.-9:00 p.m.
Viernes 8 a.m.-6 p.m.
Sabado y domingo 12-6 p.m.
[La biblioteca esta cerrada durante los días de feriado]

Sitio Web de Ecología:
http://www.ecy.wa.gov/programs/tcp/sites/moses_lake/moses_lake_hp.html

Favor de enviar comentarios o preguntas a:
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Toxics Cleanup Program
4601 N. Monroe
Spokane, WA 99205-1295
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1-800-826-7716 o 509-329-3546
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Para asistencia en español
Sr. Antonio Valero 509-454-7840
E-mail: aval461@ecy.wa.gov

Número de Publicación 04-09-028

Fondos Otorgados para la Limpieza de Contaminación de Plomo y Petróleo
El Departamento de Ecología del Estado de Washington (Ecología) y la Ciudad de Moses Lake están limpiando los suelos contaminados por petróleo y plomo en el sitio municipal de mantenimiento en la ciudad de Moses Lake. También se atenderá al problema de la contaminación del agua subterránea por petróleo en el sitio. Setenta y cinco por ciento de los fondos que se necesitan para este proyecto provienen de fondos otorgados por Ecología.

El sitio está ubicado en 835 East Penn Street en la ciudad de Moses Lake, condado de Grant, Estado de Washington (Figura 1). La propiedad se utiliza para guardar, mantener y proveer combustible a los vehículos que pertenecen a la ciudad. La contaminación en el sitio fue causada por fugas en los tanques subterráneos de almacenamiento de combustible y por el manejo y almacenamiento de productos de petróleo.

Documentos para Revisar Ecología invita al público a revisar los documentos nombrados abajo y entregar sus comentarios sobre ellos entre **el 2 de septiembre y el 1 de octubre, 2004**. Lea el recuadro gris a la derecha para saber donde se pueden revisar los documentos y enviar sus comentarios.

- Borrador del Plan de Acción para la Limpieza
- Determinación de Impacto Insignificante (DNS, por su sigla en inglés) de acuerdo con la ley Estatal de la Política Ambiental (SEPA, por su sigla en inglés)
- El Decreto de Consentimiento Propuesto

Antecedentes del Sitio
Entre los años 1970 y 1990, en un esfuerzo para limpiar la contaminación del sitio, se retiraron varios tanques de almacenamiento subterráneo y se eliminaron algunos suelos contaminados. Las investigaciones del suelo y del agua subterránea continuaron y se retiraron todos los tanques subterráneos restantes. Se tomaron acciones adicionales de limpieza en el sitio y, a principios de 1997, las acciones dieron resultados favorables y el agua subterránea cumplió con las normas estatales de limpieza. Sin embargo, a fines de 2001, la Ciudad compró una propiedad adyacente y más suelo contaminado con petróleo se descubrió. En el principio no se había analizado el agua subterránea en esta propiedad nueva, pero se suponía que también estaba contaminada.

En noviembre de 2002, Ecología y la Ciudad de Moses Lake llegaron a un acuerdo formal para hacer otra Investigación Remediadora/Estudio de Factibilidad (RI/FS, por su sigla en inglés) para todo el sitio, incluyendo la propiedad nueva. Se tomaron muestras del suelo y del agua subterránea y éstas fueron analizadas para hidrocarburos de petróleo. Algunas muestras fueron analizadas

Traducida al español por Gretchen Newman

también para bifenilos policlorados (PCBs, por su sigla en inglés), metales y compuestos volátiles. Resultados de los análisis demostraron que ciertas áreas del suelo estaban contaminadas con hidrocarburos de petróleo y plomo y que sólo un área pequeña de agua subterránea está contaminada con hidrocarburos de petróleo.

Borrador del Plan de Acción para la Limpieza

Después de revisar los resultados de la RI/FS, Ecología preparó un Borrador de un Plan de Acción para la Limpieza del sitio. El plan tiene el propósito de elegir una opción para la limpieza que se realizará y también para resumir los otros requisitos necesarios para cumplir el trabajo.

Acciones Seleccionadas para la Limpieza

Como acción remediadora, Ecología ha decidido remover el suelo contaminado y colocarlo fuera del sitio. Esto incluye:

- Remover el suelo contaminado que tiene concentraciones de hidrocarburos de petróleo que exceden las normas estatales de limpieza;
- Transportar el suelo contaminado a una instalación aprobada para su eliminación final;
- Rellenar las áreas excavadas con tierras limpias;
- Monitorear el agua subterránea; y
- Poner restricciones a la propiedad para restringir el acceso a la propiedad y protegerla contra cualquier contaminación que haya quedado después de la limpieza. (Se incluye un Convenio de Restricciones, que es un documento que demuestra el tipo y ubicación de la contaminación en la propiedad y puede limitar los usos del terreno.)

El Decreto de Consentimiento

El Decreto de Consentimiento es un documento legal que formaliza el acuerdo de limpieza entre Ecología y la Ciudad. El decreto es registrado y aprobado por una corte y asegura que la limpieza continuará de acuerdo con todas las leyes y los reglamentos apropiados.

Ningún Impacto Adverso Probable para el Medio Ambiente

La Ley Estatal de la Política Ambiental (SEPA, por su sigla en inglés), requiere que las agencias gubernamentales consideren los impactos potenciales al medio ambiente de un proyecto antes de empezar la limpieza.

- Después de analizar la lista de comprobación ambiental y otros antecedentes del sitio, Ecología ha determinado que las acciones de limpieza de plomo y productos de petróleo no tendrán un impacto adverso probable en el medio ambiente.
- Esta acción tendrá un beneficio positivo para el medio ambiente porque disminuirá los derrames de sustancias químicas toxicas en el sitio.
- Por lo tanto, Ecología ha emitido una Determinación de Impacto Insignificante.

Figura 1

CIUDAD DE MOSES LAKE, SITIO DE MANTENIMIENTO MUNICIPAL

El Departamento de Ecología (Ecología) del Estado de Washington invita al público a revisar y hacer comentarios sobre 1) El Borrador del Plan de Acción para la Limpieza, 2) La Determinación de Impacto Insignificante de acuerdo con la Ley Estatal de la Política Ambiental (SEPA DNS, por sus siglas en inglés) y 3) El Decreto de Consentimiento para el Sitio Municipal de Mantenimiento en la Ciudad de Moses Lake. La Ciudad de Moses Lake es la Entidad Posiblemente Responsable (PLP, por su sigla en inglés) para el sitio.

El sitio está ubicado en East Penn Street en la ciudad de Moses Lake, condado de Grant, en el Estado de Washington. Se utiliza la propiedad de cuatro acres para guardar, mantener y proveer combustible a los vehículos que pertenecen a la ciudad. La contaminación fue causada por fugas en los tanques subterráneos de almacenamiento de combustible y por el manejo y almacenamiento de productos de petróleo.

La limpieza del sitio se concentra en los productos de petróleo que contaminan el suelo y el agua subterránea y también el plomo en el suelo. Ecología ha seleccionado las siguientes medidas de limpieza: remover los suelos contaminados donde las concentraciones de hidrocarburos de petróleo exceden la norma estatal de limpieza; transportar suelo contaminado a una instalación aprobada para su eliminación final; rellenar las áreas excavadas con tierras limpias; monitorear el agua subterránea; y poner restricciones a la propiedad para limitar el acceso a la propiedad y protegerla contra cualquier contaminación que haya quedado después de la limpieza. Esto incluye un Convenio de Restricciones.

Se puede obtener copias del Borrador del Plan de Acción para la Limpieza, SEPA DNS y el Decreto de Consentimiento en la oficina de Ecología, 4601 N. Monroe, Spokane, WA 99205, La Biblioteca de Big Bend Community College, 7662 Chanute Street NE, Moses Lake, WA 98837 y en el sitio web de Ecología, http://www.ecy.wa.gov/programs/tcp/sites/moses_lake/moses_lake_hp.html. Favor de enviar comentarios o preguntas a Ms. Sandra Treccani a la dirección de Ecología ya mencionada o por e-mail al satr461@ecy.wa.gov. También se le pueden llamar a 509-329-3412 o 1-800-826-7716.

Se aceptan comentarios entre el 2 de septiembre de 2004 y el 1 de octubre de 2004.

MOSES LAKE CITY MAINTENANCE FACILITY

WASHINGTON STATE DEPARTMENT OF ECOLOGY

DRAFT AGREED ORDER FOR A REMEDIAL INVESTIGATION/FEASIBILITY STUDY

The Washington Department of Ecology is proposing to issue an Agreed Order to the City of Moses Lake. The Order requires the City to perform a Remedial Investigation/Feasibility Study (RI/FS) at the Moses Lake City Maintenance Facility located on East Penn Street in Moses Lake, Grant County, Washington (Figure 1). The City of Moses Lake is a Potentially Liable Person (PLP) for the Site.

The purpose of the Remedial Investigation is to gather more information to determine the nature and extent of petroleum contamination in site-related soil and groundwater. The Feasibility Study will evaluate cleanup alternatives and prepare for a cleanup action. The proposed Order for the RI/FS will be implemented under the authority of the Model Toxics Control Act (MTCA) Chapter 70.105D RCW).

Ecology invites the public to review and comment on the Draft Order from October 11 through November 11, 2002. The Order is considered a Draft until a 30-day public comment period is completed. The box on the right indicates where documents may be reviewed, comments sent and additional information obtained. If ten or more persons request a public meeting on the Draft Order for the RI/FS, Ecology will hold a meeting to receive comment.

SITE BACKGROUND

The Site consists of a four acre property historically used for the storage, maintenance, and fueling of city vehicles from the 1950s through the present. Numerous discoveries of leaking underground storage tanks (USTs) and petroleum-contaminated soil and groundwater have occurred during the years of operations.

During UST removals in the 1970s and 1986, petroleum-contaminated soil was discovered and excavated. In 1990, an additional UST removal and discovery of contaminated soil resulted in Ecology naming the City of Moses Lake as the PLP at the Site. The City completed its own RI in March 1992 and petroleum-contaminated soil was removed. All remaining USTs were removed in November 1992 and additional contaminated soil and groundwater was found.

FACT SHEET
October 2002

Para asistencia en Espanol:
Sr. Antonio Valero (509) 454-7840
E-mail: aval461@ecy.wa.gov

PUBLIC COMMENT PERIOD
October 11, through November 11, 2002.

REPOSITORIES:
(for document review)

WA Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295
Ms. Johnnie Harris (509) 456-2751

Big Bend Community College Library
7662 Chanute Street NE
Moses Lake, WA 98837
Mr. Tim Fuhrman (509) 762-6246
Hours: Mon-Thurs 7:30 a.m.-9:00 p.m.
Fri 8 a.m.-6 p.m.
Sat & Sun 12-6 p.m.
[Library is closed during holidays]

Technical questions or submission of written comments, contact:

Ms. Sandra Treccani
WA Department of Ecology
Toxics Cleanup Program
4601 N. Monroe
Spokane, WA 99205-1295
(509) 456-2740 or 1-800-826-7716
E-mail: satr461@ecy.wa.gov

Mailing list, contact or to request a public hearing:

Ms. Carol Bergin
WA Department of Ecology
1-800-826-7716 or (509) 456-6360
E-mail: cabe461@ecy.wa.gov

Publication No. 02-09-071

In July 1994 Ecology assigned the Site a rank of two. A score of one indicates the highest level of concern and five the lowest. The City of Moses Lake completed a RI/FS for areas on the property known to be contaminated but not yet cleaned up. As a result, an air sparge and vapor extraction system was installed to remediate groundwater, which was shut down in April 1997 when cleanup levels were achieved in groundwater. Additional contaminated soil was discovered and excavated in 1995 during the installation of a sweeper pit. In late 2001, after purchasing an adjoining property, test pits were installed and more petroleum contaminated soil was discovered. Groundwater was not tested but was assumed to be impacted.

The City of Moses Lake decided to enter into an Agreed Order with Ecology to comprehensively address all contaminated soil and groundwater at the property.

WHAT HAPPENS NEXT?

Ecology will review all written comments submitted on the Draft Agreed Order, and, if necessary, the document will be modified. Once the Order is finalized, work will begin on completing the RI/FS.

HOW YOU MAY BE INVOLVED:

- **Review the Draft Agreed Order October 11, 2002 through November 11, 2002.** Copies of the Order are available for public review at the repositories listed in the shaded box on page one. Files may be reviewed at Ecology in Spokane Monday through Thursday, 8-5 p.m. by appointment only.
- **Submit written comments by November 11, 2002** to Ms. Sandra Treccani, Site Manager, at the Ecology address listed in the shaded box on page one.
- **Share this information** with any individuals or groups you think should be informed about the Site.

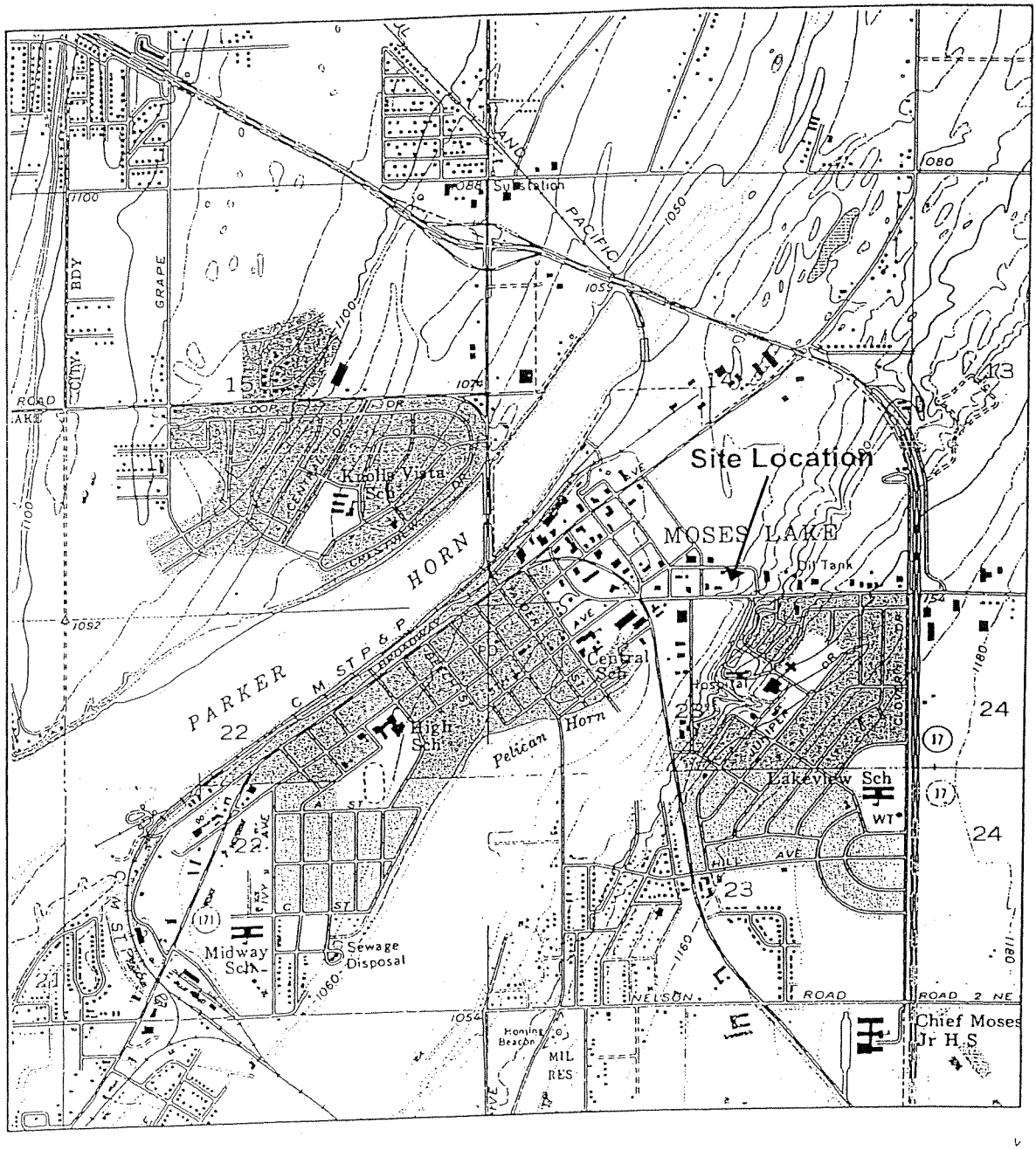
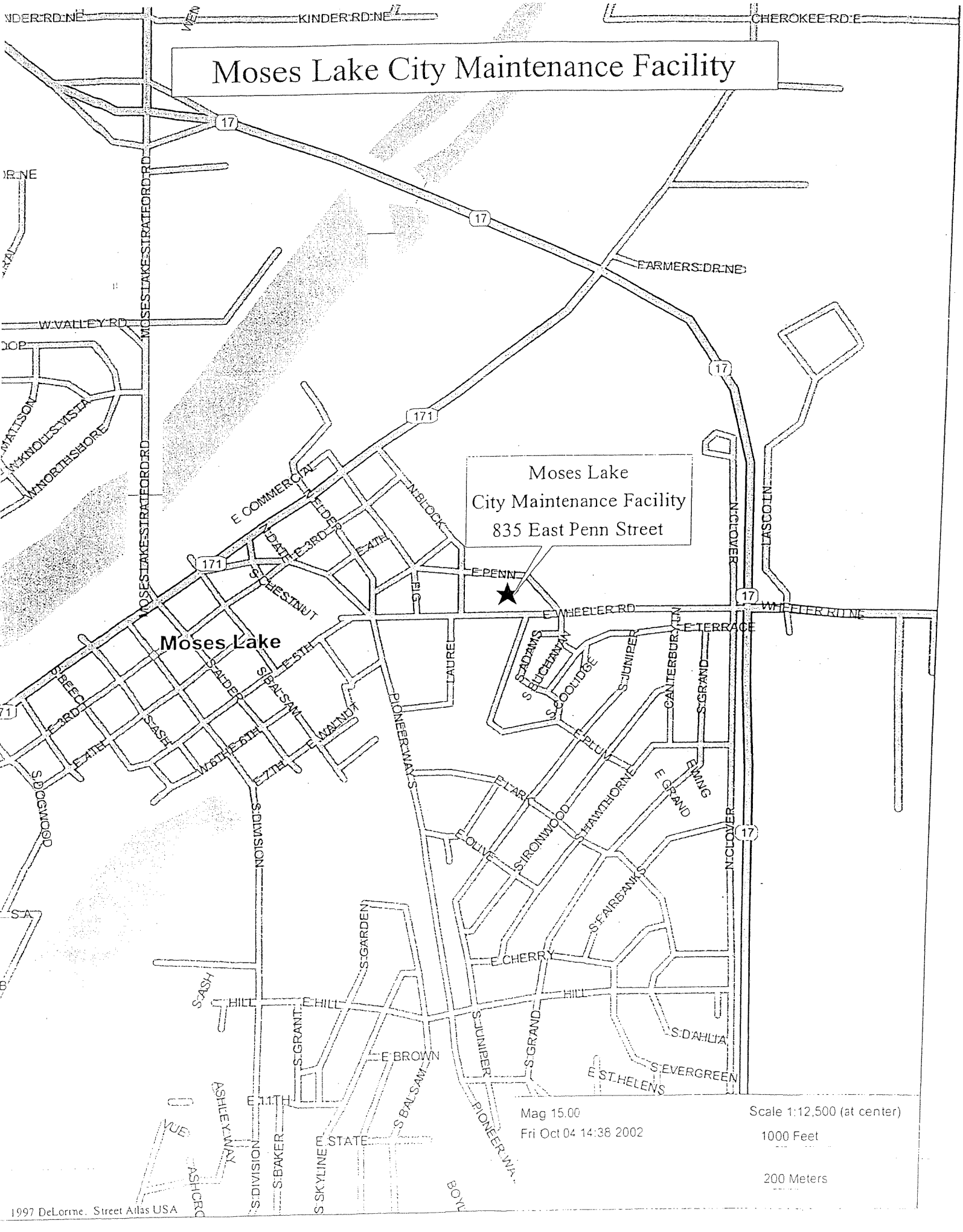


Exhibit A. Site Location Map

Moses Lake City Maintenance Facility



MOSES LAKE CITY MAINTENANCE FACILITY

Agreed Order for a Remedial Investigation/Feasibility Study

The Washington Department of Ecology invites the public to review and comment on an Agreed Order for a Remedial Investigation/Feasibility Study (RI/FS) for the Moses Lake City Maintenance Facility Site. The Site is located on East Penn Street in Moses Lake, Grant County, Washington. The City of Moses Lake is a Potentially Liable Person (PLP) for the Site.

The Site consists of a four acre property historically used for the storage, maintenance, and fueling of city vehicles from the 1950s through the present. Numerous discoveries of leaking underground storage tanks (USTs) and petroleum-contaminated soil and groundwater have occurred during the years of operations. The purpose of the Remedial Investigation is to gather more information to determine the nature and extent of petroleum contamination in site-related soil and groundwater. The Feasibility Study will evaluate cleanup alternatives and prepare for a cleanup action.

Copies of the Agreed Order for the Remedial Investigation/Feasibility Study are available for public review at Ecology's Eastern Regional Office, 4601 N. Monroe, Spokane, WA 99205 and Big Bend Community College Library, 7662 Chanute Street NE, Moses Lake, WA 98837. Written comments may be submitted to Ms. Sandra Treccani at the Ecology address above or you may contact her at (509) 456-2740; 1-800-826-7716 or by e-mail at satr461@ecy.wa.gov.

Public comments will be accepted October 11, 2002 through November 11, 2002.

EL TALLER DE MANTENIMIENTO DE VEHÍCULOS DE LA CUIDAD DE MOSES LAKE

El Orden Borrado de Acuerdo para una Investigación Remediadora/Estudio de Factabilidad

El departmento de Ecología del estado de Washington (Ecology) invita al público a revisar y someter comentario sobre el Orden Borrado de Acuerdo para una Investigación Remediadora/Estudio de Factabilidad para el Taller de Mantenimiento de Vehículos de la Cuidad de Moses Lake. El sitio se ubica en East Penn Street en Moses Lake, Condado de Grant, Washington. La Ciudad de Moses Lake es una Entidad Posiblemente Responsible (PLP) para este sitio.

El Sitio consiste de una propiedad de cuatros acres que se utilzaban para el almacenaje, el mantenimiento, y la provisión de combustible para los vehículos de la cuidad desde el decenio del 1950 hasta ahora. Durante los años de operación del taller, se descubrieron numerosos estanques subterránes del almacenaje (USTs) y también se contaminó suelo y aguas subterráneas del petróleo. La cuidad de Moses Lake, por su propia voluntad, cumplió varios projectos de limpieza en el sitio y ahora propone entrar en un Orden de Acuerdo con Ecology a fin de tratar de manera comprensiva todo suelo y aguas subterráneas contaminadas que hay en la propiedad.

El propósito de la Investigación Remediadora es juntar más información para determinar la naturaleza y el alcanze de la contaminación petrolera en los suelos y las aguas subterráneas del sitio. El Estudio de Factabilidad evaluará las alternativas para limpiar el sitio y hacer la prepararación para un Plan de Limpieza.

Copias of del Orden de Acuerdo para la Investigación Remediadora/Estudio de Factabilidad están disponibles para la revisa del público en la Oficina de la Región Oriental de Ecology, 4601 N. Monroe, Spokane, WA 99205 y la Biblioteca de Big Bend Community College, 7662 Chanute Street NE, Moses Lake, WA 98837. Se puede someter comentario escrito a Ms. Sandra Treccani a la dirección de Ecology que se encuentra arriba o se puede ponserse en contacto con ella por llamar a (509) 456-2740; 1-800-826-7716 o por e-mail a satr461@ecy.wa.gov.

Se aceptará comentario público desde el 11 de Octubre hasta el 11 de Noviembre del año 2002.

MOSES LAKE CITY MAINTENANCE FACILITY

WASHINGTON STATE DEPARTMENT OF ECOLOGY

DRAFT REMEDIAL INVESTIGATION/ FEASIBILITY STUDY REPORT (RI/FS)

The Washington Department of Ecology has reviewed the Draft Remedial Investigation/Feasibility Study Report submitted by the City of Moses Lake. The purpose of this report is to provide detailed information about petroleum and other contamination found in soil and groundwater at the Moses Lake City Maintenance Facility. The report also provides an evaluation of possible cleanup alternatives for this site which is located on East Penn Street in Moses Lake, Grant County, Washington (Figure 1).

The RI/FS was conducted as part of an Agreed Order between Ecology and the City of Moses Lake and was issued under authority of the Model Toxics Control Act (Chapter 173-340 WAC).

Ecology invites the public to review and comment on the Draft RI/FS Report from December 24, 2003 through January 23, 2004. The box on the right indicates where documents may be reviewed, comments sent and additional information obtained.

SITE BACKGROUND

The facility is located on a four acre property that has been used for the storage and maintenance of city vehicles from the 1950s through the present. Fueling took place on-site until 1992. During these years of operation, there were several discoveries of petroleum contamination in soil and groundwater. The contamination came from leaks in fuel storage tanks that were kept underground at the site. Lead has also been found in soils at the site.

Several underground storage tanks and contaminated soils were removed between 1970 and 1990. Ecology named the City of Moses Lake as the potentially liable person (PLP) for contamination at the site in 1990. The City then completed a remedial investigation (RI) to find out where and how much contamination was on the property. This investigation led to removal of more soils and all underground storage tanks.

In 1994 Ecology ranked the site a two on its Hazardous Sites List. A score of one indicates the highest

FACT SHEET: December 2003

Para asistencia en Espanol:
Sr. Antonio Valero
(509) 454-7840
e-mail: aval461@ecy.wa.gov

COMMENTS ACCEPTED:
December 24, 2003 through January 23, 2004.

REPOSITORIES (document review)
WA Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295
Ms. Johnnie Landis (509) 329-3415

Big Bend Comm. College Library
7662 Chanute Street NE
Moses Lake, WA 98837
Mr. Tim Fuhrman (509) 762-6246
Hours: Mon-Thurs 7:30 a.m.-9:00 p.m.
Fri 8 a.m.-6 p.m. Sat & Sun 12-6 p.m.
[Library is closed during holidays]

Ecology's web site at
http://www.ecy.wa.gov/programs/tcp/sites/moses_lake/moses_lake_hp.html

Send written comments or technical questions to:

Ms. Sandra Treccani, Site Manager
WA Department of Ecology
Toxics Cleanup Program
4601 N. Monroe
Spokane, WA 99205-1295
(509) 329-3412 or 1-800-826-7716
E-mail: satr461@ecy.wa.gov

Send public involvement or mailing list questions to:
Ms. Carol Bergin
WA Department of Ecology
1-800-826-7716 or (509) 329-3546
E-mail: cabe461@ecy.wa.gov

Publication No. 03-09-072

level of concern and five the lowest. The City of Moses Lake completed another RI along with a Feasibility Study for areas on the property that were known to be contaminated but had not been cleaned up yet. Actions were taken to remove contaminated soils and clean the groundwater. By 1997 the cleanup efforts were working and groundwater met state cleanup standards. However, in late 2001, the City purchased an adjoining property and discovered more petroleum contaminated soil, after installing some test pits. Groundwater at this new property was not tested but was assumed to have some contamination.

In November 2002, Ecology and the City of Moses Lake entered into an Agreed Order to complete an additional RI/FS to cover the entire site, including the new property.

DRAFT REMEDIAL INVESTIGATION/ FEASIBILITY STUDY REPORT

Several activities took place in the spring of 2003 to investigate where contamination was located and how much was present in groundwater and soil. Four groundwater monitoring wells, 30 temporary soil borings, and 6 test pits were installed at the site. Groundwater samples were collected from the new wells, 12 of the temporary borings, and 5 existing wells. Soil samples were collected from the test pits and the temporary borings. All samples were analyzed for petroleum hydrocarbons, and some samples were checked for PCBs, metals, and volatile compounds.

Additional groundwater sampling was done at all of the wells in September 2003. This was done in order to provide more information about metals concentrations in groundwater.

Results of the studies showed certain areas of soil at the site are contaminated with petroleum hydrocarbons and lead, and that one small area of groundwater is contaminated with petroleum hydrocarbons.

The Feasibility Study evaluated several options for cleaning up the site: containing the soil on-site; removing soils to a proper disposal facility; or treating the soils on or off-site. The City of Moses Lake is proposing to remove contaminated soils and dispose of them in a facility off-site as its preferred cleanup. This includes:

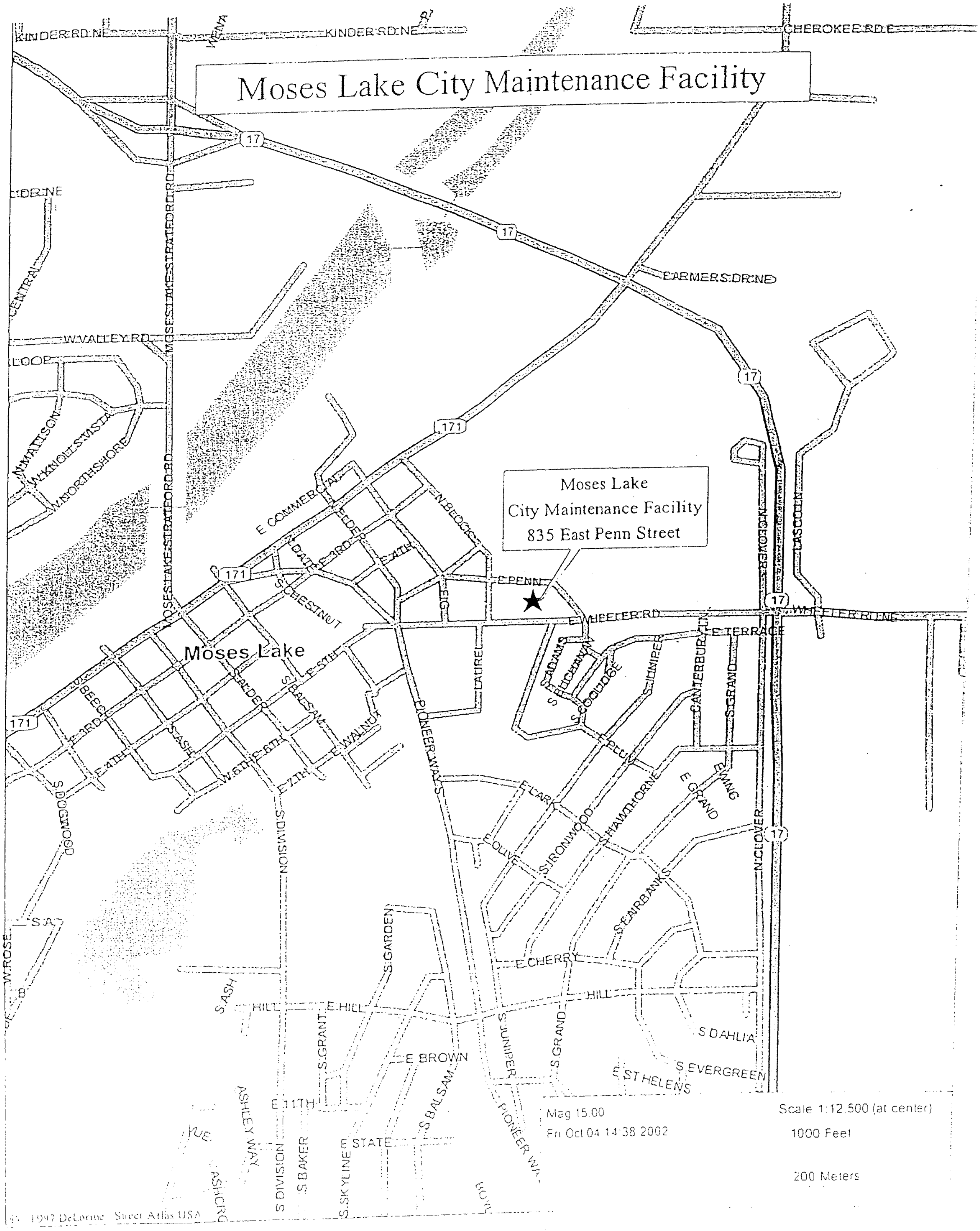
- Removal of contaminated soil to an off-site permitted landfill;
- Backfilling areas where soil has been removed with clean soil; and
- Monitoring to be sure the cleanup actions are effective.

WHAT HAPPENS NEXT?

Ecology will review all written comments submitted on the Draft RI/FS Report, and, if necessary, the document will be modified. Once the Draft RI/FS Report is finalized, Ecology will begin work on the Cleanup Action Plan for the Site.

HOW YOU MAY BE INVOLVED:

- Review the Draft RI/FS Report at the repositories listed in the shaded box on page one. Documents may be reviewed in Ecology's Spokane office by appointment. Please contact Johnnie Landis for an appointment Monday through Thursday, 8-5 p.m.
- **Send** written comments by **January 23, 2004** to Ms. Sandra Treccani, Site Manager, at the Ecology address listed in the shaded box on page one.
- **Share** this information with any individuals or groups you think should be informed about the Site.



Moses Lake City Maintenance Facility
Moses Lake
City Maintenance Facility
835 East Penn Street
Moses Lake
KINDER RD NE
CHEROKEE RD E
FARMERS DR NE
W VALLEY RD
MOSES LAKE-STRATFORD RD
LOOP
N MATTISON
W KNOLLS VISTA
W NORTHSHORE
CENTRAL
E COMMERCIAL
N BLOCK
E PENN
E WHEELER RD
W WHEELER RD NE
E TERRACE
LASCOLIN
N CLOVER
S CHESTNUT
E 3RD
E 4TH
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S DOGWOOD
W ROSE
PIONEER WAY
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S ADAMS
S COOLIDGE
S JUNIPER
CANTERBURY
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E LARK
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S HAWTHORNE
E GRAND
S FAIRBANKS
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MOSES LAKE CITY MAINTENANCE FACILITY

The Washington Department of Ecology invites the public to review and comment on a draft Cleanup Action Plan, SEPA DNS and Consent Decree for the Moses Lake City Maintenance Facility site. The Site is located on East Penn Street in Moses Lake, Grant County, Washington. The City of Moses Lake is a Potentially Liable Person (PLP) for the Site.

The four-acre property is used for the storage, fueling and maintenance of city vehicles. Contamination is a result of leaks in underground fuel storage tanks and the handling and storage of petroleum products.

Results of the studies showed certain areas of soil at the site are contaminated with petroleum hydrocarbons and lead, and that one small area of groundwater is contaminated with petroleum hydrocarbons.

The Feasibility Study evaluated several options for cleaning up the site: containing the soil on-site; removing soils to a proper disposal facility; or treating the soils on or off-site. The City of Moses Lake is proposing to remove contaminated soils and dispose of them in a facility off-site as its preferred cleanup. This includes: removal of contaminated soil to an off-site permitted landfill; backfilling areas where soil has been removed with clean soil; and monitoring to be sure the cleanup actions are effective.

Copies of the draft RI/FS Report are available at Ecology's Office, 4601 N. Monroe, Spokane, WA 99205 and Big Bend Community College Library, 7662 Chanute Street NE, Moses Lake, WA 98837 and on Ecology's website at http://www.ecy.wa.gov/programs/tcp/sites/moses_lake/moses_lake_hp.html. Written comments may be sent to Ms. Sandra Treccani at the Ecology address above or e-mail satr461@ecy.wa.gov. You may also contact her at (509) 329-3412 or 1-800-826-7716.

Public comments will be accepted December 24, 2003 through January 23, 2004.

CIUDAD DE MOSES LAKE SITIO DE MANTENIMIENTO MUNICIPAL

WASHINGTON STATE DEPARTMENT OF ECOLOGY

REPORTE BORRADOR: INVESTIGACION REMEDIADORA/ESTUDIO DE FACTIBILIDAD

El Departamento de Ecología del Estado de Washington (Ecología) ha revisado el reporte borrador de la Investigación Remediadora/Estudio de Factibilidad (RI/FS) sometido por la Ciudad de Moses Lake. El enfoque de este reporte es para proveer información en detalle sobre la contaminación del agua y suelo con petróleo u otros contaminantes que se encuentran en el Sitio de Mantenimiento Municipal de la Ciudad de Moses Lake. El reporte también provee una evaluación de los posibles opciones de limpieza para este sitio que está ubicado en East Penn Street en Moses Lake, Condado de Grant, Washington (Figura 1).

El RI/FS fue conducido como parte de una Orden de Acuerdo entre Ecología y la Ciudad de Moses Lake. También lo emitió bajo la autoridad de la Ley Modelo para el Control de Sustancias Tóxicas (Capítulo173-340, Código Administrativo de Washington).

Ecología invita el público a revisar y entregar comentarios sobre el reporte borrador RI/FS entre el 24 de diciembre, 2003 y el 23 de enero, 2004. El cuadro a la derecha indica donde se puede encontrar los documentos, a donde se puede enviar los comentarios y donde se puede obtener información adicional.

INFORMACION ANTECEDENTE

El sito está ubicado en una propiedad de cuatro acres que se utilizaba para el almacenaje y mantenimiento de vehículos municipales desde los años 1950s hasta el presente. Abastecimiento de combustibles ocurrió en el sitio hasta 1992. Durante estos años de operación, hubo varios descubrimientos de contaminación con petróleo del agua y el suelo. La contaminación fue resultado de fugas en los tanques de almacenamiento subterráneos de combustible. También se ha descubierto plomo en el suelo del sitio.

Entre 1970 y 1990 varios tanques de almacenamiento subterráneos y suelos contaminados fueron removidos. En 1990, Ecología nombró a la Ciudad de Moses Lake como la Entidad Posiblemente Responsable (PLP)

BOLETIN INFORMATIVO
Diciembre 2003

Para obtener asistencia en español:
Sr. Antonio Valero
(509) 454-7840
e-mail: aval461@ecy.wa.gov

COMENTARIOS ACEPTADOS: del 24 de diciembre, 2003 hasta el 23 de enero, 2004

REPOSITORIOS:
WA Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295
Srta Johnnie Landis: (509) 329-3415

Biblioteca de Big Bend Community College
7662 Chanute Street NE
Moses Lake, WA 98837
Sr. Tim Fuhrman: (509) 762-6246
Horas: lunes – jueves: 7:30 a.m. - 9:00 p.m.
viernes: 8 a.m. - 6 p.m.
sábado y domingo: 12 - 6 p.m.
[La biblioteca está cerrada durante los días de fiesta]

y en el sitio Web de Ecología
http://www.ecy.wa.gov/programs/tcp/sites/moses_lake/moses_lake_hp.html.

Envié los comentarios escritos o preguntas técnicas a:
Srta. Sandra Treccani, Gerente del Sitio
WA Department of Ecology
Toxics Cleanup Program
4601 N. Monroe
Spokane, WA 99205-1295
(509) 329-3412 o 1-800-826-7716
E-mail: satr461@ecy.wa.gov

Envié las preguntas sobre la lista de correo o envolvimiento del público a:
Srta. Carol Bergin,WA Department of Ecology, 1-800-826-7716 o (509) 329-3546
E-mail: cabe461@ecy.wa.gov

Publicación No. 03-09-072 SP

Si usted necesita acomodación especial o requiere este documento en un formato alternativo, favor de comunicarse con Marilyn Summers al (509) 329-3444 (voz) o TTY (para los que son sordos o que tengan impedimentos del hablado) 711 o 1-800-833-6388 (Sólo servicios en inglés).

por la contaminación del sitio. La Ciudad entonces completo una investigación Remediadora (RI) para encontrar donde y cuanto contaminación que existía en la propiedad. Esta investigación resultó en el removimiento de más suelo y todos los tanques de almacenamiento subterráneos.

En 1994 Ecology calificó este sitio de dos (2) en la lista de sitios peligrosos. Una clasificación de uno (1) indica el nivel más alto de preocupación y cinco (5) el más bajo. La Ciudad de Moses Lake completó otra RI junto con el Estudio de Factibilidad para áreas en la propiedad en las cuales se sabía que estaban contaminadas pero aun todavía no habían sido limpiadas. Se tomaron acciones para remover los suelos contaminados y limpiar el agua subterránea. Para el 1997, los esfuerzos de limpieza estaban exitosos y el agua subterránea cumplía con las normas de limpieza del estado. Sin embargo, para el fin de 2001, la Ciudad compró una propiedad adyacente y después de la instalación de hoyos de prueba se descubrió más suelo contaminado con petróleo. No se tomaron pruebas del agua subterránea en esta propiedad nueva pero sí se la considera contaminada.

En noviembre de 2002, Ecología y la Ciudad de Moses Lake firmaron una Orden de Acuerdo para completar una RI/FS adicional para todo el sitio, incluyendo la propiedad nueva.

REPORTE BORRADOR, INVESTIGACION REMEDIADORA/ESTUDIO DE FACTIBILIDAD

Varias actividades ocurrieron durante la primavera de 2003 para investigar la colocación y la cantidad de contaminación en el suelo y agua subterránea. En el sitio se instalaron cuatro pozos de monitoreo del agua subterránea, 30 hoyos del suelo provisionales, y 6 hoyos de prueba. Se tomaron muestras del agua subterránea de los pozos nuevos, de 12 hoyos provisionales y de cinco pozos que ya estaban. Se tomaron muestras del suelo de los hoyos de prueba y los hoyos provisionales. Todas las muestras fueron analizadas para hidrocarburos de petróleo, mientras algunas fueron analizadas para bifenilos policlorados (PCBs), metales y compuestos volátiles. También se tomaron muestras adicionales del agua subterránea de todos los pozos en septiembre 2003. Este se hizo para conseguir más información sobre concentraciones de metales en el agua subterránea.

Resultados de los estudios demostraron que ciertas áreas del suelo están contaminadas con hidrocarburos de petróleo y plomo, y que sólo un área pequeña de agua subterránea está contaminada con hidrocarburos de petróleo.

El Estudio de Factibilidad evaluó varias opciones para la limpieza del sitio incluyendo: mantener el suelo en el sitio, remover los suelos a un sitio apropiado para su disposición final; o tratar los suelos en o fuera del sitio. La Ciudad de Moses Lake propone remover los suelos contaminados a un sitio fuera de la propiedad ya que esto es la opción de limpieza preferida de ellos. Esto incluye:

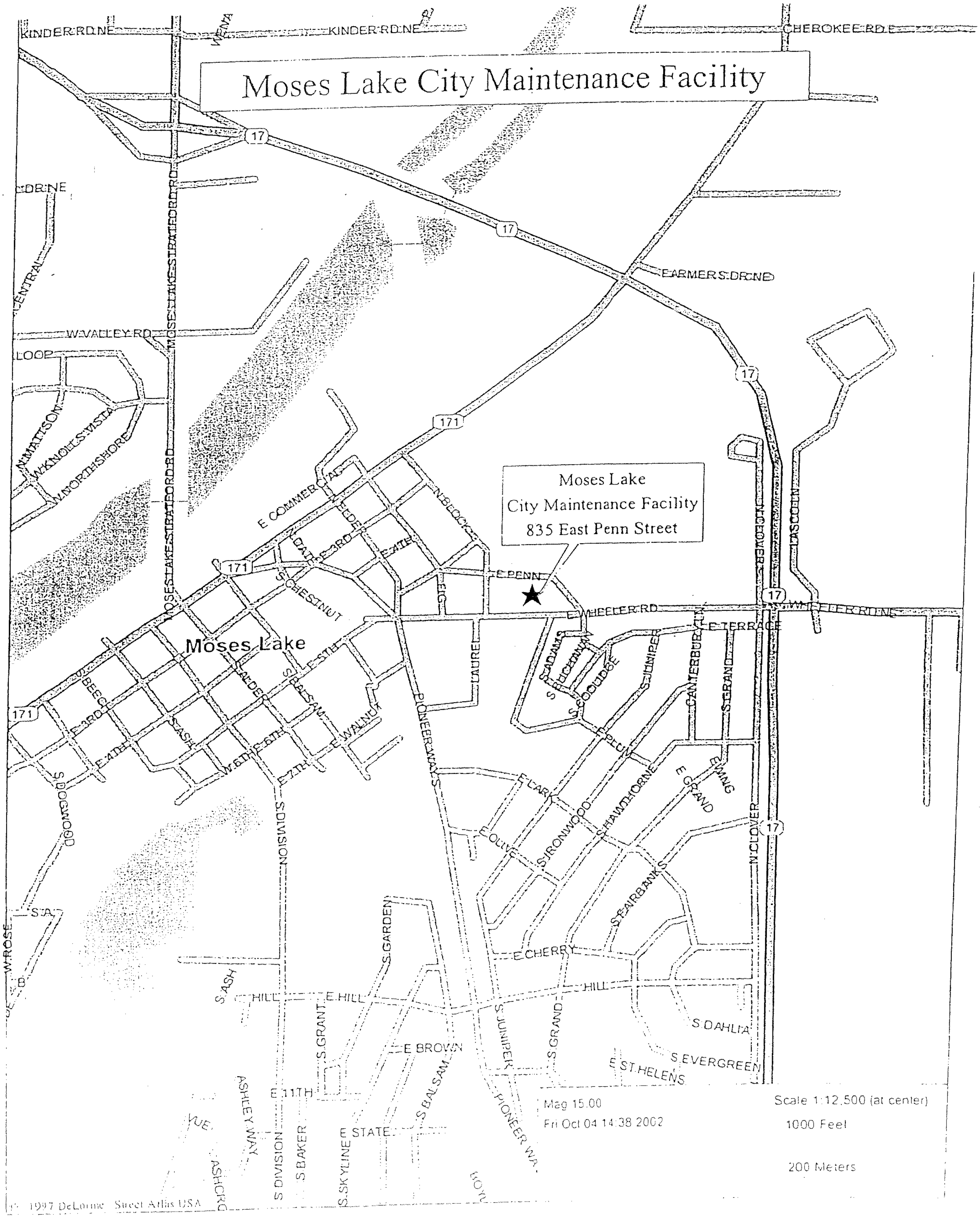
- Remover suelo contaminado a un relleno sanitario certificado fuera del sitio;
- Rellenar áreas con suelo limpio donde se ha removido suelos contaminados; y
- Monitorear para asegurar la efectividad de las acciones de limpieza.

¿QUE SIGUE?

Ecología revisará todos los comentarios escritos enviados relacionados con este Reporte Borrador RI/FS, y, si es necesario lo modificará. Al terminar el Reporte Borrador RI/FS, Ecología iniciará la implementación del Plan de Acción de Limpieza del Sitio.

¿COMO PUEDE PARTICIPAR USTED?

- **Revise** el Reporte Borrador RI/FS que está en los repositorios indicados en la primera página. Puede hacerse una cita para revisar los documentos en la oficina de Ecología en Spokane. Favor de llamar a la Srta. Johnnie Landis para fijar una cita entre lunes y jueves, 8-5 p.m.
- **Envié sus comentarios escritos no más tarde que el 23 de enero, 2004 a la Srta. Sandra Treccani,** Gerente del Sitio, a la dirección de Ecología que se encuentra en el cuadro derecho en la primera pagina.
- **Comparta esta información** con individuos o grupos que usted piense deben ser informados sobre este sitio.


Moses Lake City Maintenance Facility
Moses Lake
City Maintenance Facility
835 East Penn Street
Moses Lake
KINDER RD NE
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CIUDAD DE MOSES LAKE
SITIO DE MANTENIMIENTO MUNICIPAL

REPORTE BORRADOR
DE LA INVESTIGACION REMEDIADORA/ESTUDIO DE FACTIBILIDAD

El Departamento de Ecología del Estado de Washington invita que el público revise y entregue sus comentarios sobre el Reporte Borrador de la Investigación Remediadora / Estudio de Factibilidad (RI/FS) para el Sitio de Mantenimiento Municipal de la Ciudad de Moses Lake. El sitio está ubicado en East Penn Street en Moses Lake, Condado de Grant, Washington. La Ciudad de Moses Lake es la Entidad Posiblemente Responsable (PLP) de este sitio.

El sitio está ubicado en una propiedad de cuatro acres que estaba usada para el almacenaje y mantenimiento de vehículos municipales desde los años 1950s hasta el presente. El abastecimiento de combustibles ocurrió en el sitio hasta 1992. Durante los años de operación, han ocurrido varios descubrimientos de fugas de los tanques de almacenamiento subterráneos (USTs) y de la contaminación de suelos y del agua subterránea.

Resultados de los estudios revelan que ciertas áreas del suelo están contaminadas con hidrocarburos de petróleo y plomo, y que sólo un área pequeña de agua subterránea está contaminada con hidrocarburos de petróleo.

El Estudio de Factibilidad evaluó varias opciones para la limpieza del sitio: mantener el suelo en el sitio; remover los suelos a un sitio apropiado para su disposición final; o tratar los suelos dentro de o fuera del sitio. La Ciudad de Moses Lake propone remover los suelos contaminados a un sitio fuera de la propiedad ya que esta es su opción de limpieza preferida. Esto incluye: remover suelo contaminado a un relleno sanitario certificado fuera del sitio, rellenar con suelos limpios las áreas donde se ha removido suelos contaminados y monitorear para asegurar la efectividad de las acciones de limpieza.

Copias del Reporte RI/FS están disponibles en la oficina de Ecology, 4601 N. Monroe, Spokane, WA 99205 y en la biblioteca del Colegio Comunitario de Big Bend, 7662 Chanute Street NE, Moses Lake, WA 98837 y en el sitio Web de Ecología http://www.ecy.wa.gov/programs/tcp/sites/moses_lake/moses_lake_hp.html. Se puede enviar sus comentarios escritos a la Srta. Sandra Treccani a la dirección de Ecología mencionada arriba o correo electrónico (e-mail) satr461@ecy.wa.gov. También se puede hablar al número (509) 329-3412 o 1-800-826-7716.

Se aceptarán los comentarios del público del 24 de diciembre, 2003 hasta el 23 de enero, 2004.

APPENDIX C

COMMUNITY INTERVIEWS
[Conducted October 3 & 15, 2002]

Moses Lake
City Maintenance Facility Site
Community Interviews

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   Work at 605 Coolidge Drive near the site.

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish is the primary language in this area. Russian also, but not at this particular location.

3. What do you already know about the site? Do you have any specific concerns?

   I know where it is located, but have not heard anything in particular.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   No – not at this point.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   I couldn't say at this point. I would know more when there is more information about what is at the site and where the contamination has gone.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Sure

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   There has been an ongoing issue regarding the air base. They've had water contamination, city wells, groundwater issues at Skyline Acres. Most people are familiar with that and the residents got very involved.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

I haven't seen any coverage on this yet.

9. Have previous cleanup efforts at the site received adequate media coverage?

Haven't seen any so far.

10. Where do you get your information about the community from?

Columbia Basin Daily Herald and word of mouth

11. Where do others in the community get most of their information from?

The Herald

12. How would you like to be informed about progress at the site?

Public meetings
Neighborhood meetings
Fact Sheets (information sheets)
Newspaper articles
Other: If you put information out to the Spanish community – use the Spanish paper – El Mundo

13. How would you like to be involved?

Receive notices of comment periods
Attend public meetings/hearings
Sponsor a neighborhood meeting in a home
Meet with a site manager
Other: If there is a public health problem and it might affect patients, then I would want to be involved at a high level, meetings, etc. If it is fairly self-contained and there is no direct impact to patients, then information via notice by mail are o.k.

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

Post in clinics – we serve lot of patients in the neighborhood
Safeway
Library

15. Where would you suggest Ecology hold public meetings or hearings?

Library for smaller groups
Samaritan Hospital larger meeting rooms

16. How would you define the potentially affected area? Who do you think should be informed about the site?

Not sure – will know more when information is out about the site.
The County Health District and people affected in area

17. Is there anyone else you think we should talk to?

The Health Dept

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

The newspaper. If the water supply is affected, then contact individuals directly, flyers, mailings, meetings, etc.

John Browne
Executive Director
Moses Lake Community Health Center
605 Coolidge
Moses Lake, WA 98837

Moses Lake
City Maintenance Facility Site
Community Interviews

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   I work at Samaritan Healthcare at 801 E. Wheeler Road.

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish is the language in this area and Russian is more on the north side of Moses Lake.

3. What do you already know about the site? Do you have any specific concerns?

   Not much yet, so there aren't specific concerns at this point.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   No idea until we get more information.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   I think there is very little knowledge in the community that there is a site here.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Ecology is not though too highly of – on cleanup issues there may be confidence in Ecology's ability to do it, but not confidence in the organization as a whole.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Depends on the segment of the population. Many people are active with the Chamber of Commerce and business associations.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

   Yes – the Columbia Basin Daily Herald. I recently participated in a survey where 200 people were sampled and they found people don't like to read the papers because there is too much gloom and doom. If you take flyers to food banks, teachers at schools, etc. more people find out and get involved. Keep in mind that people living in poverty can't afford papers.

9. Have previous cleanup efforts at the site received adequate media coverage?

   No

10. Where do you get your information about the community from?

    Newspaper – Columbia Basin Daily Herald

11. Where do others in the community get most of their information from?

    Newspaper is the primary resource for most people.

12. How would you like to be informed about progress at the site?

    Public meetings
    Neighborhood meetings
    Fact Sheets (information sheets)
    Newspaper articles There aren't really any local stations, so the paper is the best local information source
    Other:

13. How would you like to be involved?

    Receive notices of comment periods
    Attend public meetings/hearings
    Sponsor a neighborhood meeting in a home
    Meet with a site manager
    Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

Chamber of commerce
If the City is involved in the site, their facilities should not be used. A neutral place should be chosen.

15. Where would you suggest Ecology hold public meetings or hearings?

Samaritan Hospital has meeting space for 100 people. Everyone knows where it is and there is no charge for community events such as a public meeting.
Hallmark Inn can accommodate over 200 people

16. How would you define the potentially affected area? Who do you think should be informed about the site?

No idea yet – need more information. City officials, health district, chamber of commerce and the newspaper.

17. Is there anyone else you think we should talk to?

Chamber of commerce – Ms. Karen Wagner (509) 765-7888
Economic development council – Mr. Terry Brewer (509) 764-6579

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Newspaper articles

Dave Campbell
Executive Director
Samaritan Health Foundation
801 East Wheeler Rd
Moses Lake, WA 98837

Moses Lake
City Maintenance Facility Site
Community Interviews

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   No.

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish population is large in the area. The Russian community also has strong presence, but is not as predominant as Spanish.

3. What do you already know about the site? Do you have any specific concerns?

   I know where it is located. I would have concerns if there were wetland areas close by the site.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   I would hope not.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   There are no homes adjacent to or in that immediate area. I'm not aware of any economic loss because of the site.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   The general public is a little weary of any government agency.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

It has to be controversial and involve them personally for them to get involved. Regarding groups leaders, I can't think of any right now. I would need more time to think about who has been involved.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

I think they are trying hard to do the job.

9. Have previous cleanup efforts at the site received adequate media coverage?

No, not at that site.

10. Where do you get your information about the community from?

I work with business leaders and media (e.g., newspaper Columbia Basin Herald, Radio KBSN, KWIQ, etc.)

11. Where do others in the community get most of their information from?

Neighbors – word of mouth, media, and public meetings.

12. How would you like to be informed about progress at the site?

Public meetings
Neighborhood meetings
Fact Sheets (information sheets) short bullet type information
Newspaper articles short – not long and drawn out
Other:

13. How would you like to be involved?

Receive notices of comment periods
Attend public meetings/hearings
Sponsor a neighborhood meeting in a home
Meet with a site manager
Other: I would like information so the Chamber can give out the information if we get calls.

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

City offices

15. Where would you suggest Ecology hold public meetings or hearings?

City

16. How would you define the potentially affected area? Who do you think should be informed about the site?

Anyone within close proximity

17. Is there anyone else you think we should talk to?

All the people who are close to the site and a news release to let the general public know about it.

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Media

Karen Wagner
Manager
Moses Lake Area Chamber of Commerce
324 South Pioneer Way
Moses Lake, WA 98837

Moses Lake
City Maintenance Facility Site
Community Interviews - 1

[Interview Conducted in Spanish]

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   510 Juniper, Moses Lake, WA Danova Araiza

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish

3. What do you already know about the site? Do you have any specific concerns?

   Think I may have heard something at church, but it was complicated and I couldn't understand.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   No.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   No.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Yes.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   None. No

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

   No.

9. Have previous cleanup efforts at the site received adequate media coverage?

   Not Known.

10. Where do you get your information about the community from?

    Church.

11. Where do others in the community get most of their information from?

    Word of Mouth.

12. How would you like to be informed about progress at the site?

    Public meetings
    Neighborhood meetings
    Fact Sheets (information sheets)
    Newspaper articles
    Other:

13. How would you like to be involved?

    Receive notices of comment periods
    Attend public meetings/hearings
    Sponsor a neighborhood meeting in a home
    Meet with a site manager
    Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

    Churches, City Hall.

15. Where would you suggest Ecology hold public meetings or hearings?

    Schools.

16. How would you define the potentially affected area? Who do you think should be informed about the site?

    Don't know.

17. Is there anyone else you think we should talk to?

    No

18. Do you have any suggestions about how we can communicate most effectively with the public about this site? Door to door campaigns are great.

Moses Lake
City Maintenance Facility Site
Community Interviews - 2

[Interview Conducted in Spanish – person is bilingual]

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   516 Juniper; Moses Lake, WA Lucy Rodriguez. Lived here 40 years (since 1961) Water quality has degraded; drink bottled water.

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish.

3. What do you already know about the site? Do you have any specific concerns?

   Want the site cleaned up.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   Yes – lots of people have died of cancer.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   Property values may drop.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Yes, we have confidence.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Can't let it go (distrust of City Government); never knew the site was contaminated (I believe the city has withheld this info.)

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

   Yes.

9. Have previous cleanup efforts at the site received adequate media coverage?

   No.

10. Where do you get your information about the community from?

    PUD meetings

11. Where do others in the community get most of their information from?

    Newspaper.

12. How would you like to be informed about progress at the site?

    Public meetings
    Neighborhood meetings
    Fact Sheets (information sheets)
    Newspaper articles
    Other:

13. How would you like to be involved?

    Receive notices of comment periods
    Attend public meetings/hearings
    Sponsor a neighborhood meeting in a home
    Meet with a site manager
    Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

    City Hall, Library

15. Where would you suggest Ecology hold public meetings or hearings?

    Schools

16. How would you define the potentially affected area? Who do you think should be informed about the site?

    Affected area – don't know. Informed about site: neighbors.

17. Is there anyone else you think we should talk to?

No. Speak with people at clinics. They're doctors.

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Television – to announce meetings, etc.

Moses Lake
City Maintenance Facility Site
Community Interviews-3

[Conducted in Spanish]

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   515 Juniper; Moses Lake, WA Flor Maria Honorato

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish.

3. What do you already know about the site? Do you have any specific concerns?

   Have heard nothing.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   No.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   No.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Not know. Will wait to see results at this site.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   None.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

   Yes.

9. Have previous cleanup efforts at the site received adequate media coverage?

   Don't know.

10. Where do you get your information about the community from?

    Mailings.

11. Where do others in the community get most of their information from?

    Don't know.

12. How would you like to be informed about progress at the site?

    Public meetings
    Neighborhood meetings
    Fact Sheets (information sheets)
    Newspaper articles
    Other:

13. How would you like to be involved?

    Receive notices of comment periods
    Attend public meetings/hearings
    Sponsor a neighborhood meeting in a home
    Meet with a site manager
    Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

    Library and churches

15. Where would you suggest Ecology hold public meetings or hearings?

    Library.

16. How would you define the potentially affected area? Who do you think should be informed about the site?

    Don't know.

17. Is there anyone else you think we should talk to?

No.

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Meetings and Door to Door campaign.

Moses Lake
City Maintenance Facility Site
Community Interviews-4

[Interview Conducted in Spanish – person bilingual]

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   1108 Terrace, Moses Lake, WA Eva Balli

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish.

3. What do you already know about the site? Do you have any specific concerns?

   Nothing. No fact sheet received.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   Don't know.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   Don't think so.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Doubt it.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Not that I know of.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

Not my concerns.

9. Have previous cleanup efforts at the site received adequate media coverage?

Don't know.

10. Where do you get your information about the community from?

Newspaper.

11. Where do others in the community get most of their information from?

Don't know.

12. How would you like to be informed about progress at the site?

Public meetings
Neighborhood meetings
Fact Sheets (information sheets)
Newspaper articles
Other: **Wouldn't go to a meeting.**

13. How would you like to be involved?

Receive notices of comment periods
Attend public meetings/hearings
Sponsor a neighborhood meeting in a home
Meet with a site manager
Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

Don't know.

15. Where would you suggest Ecology hold public meetings or hearings?

Wouldn't know.

16. How would you define the potentially affected area? Who do you think should be informed about the site?

Have no idea.

17. Is there anyone else you think we should talk to?

No.

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

No.

Moses Lake
City Maintenance Facility Site
Community Interviews-5

[Interview Conducted in English]

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   545 S. Adams St., Moses Lake, WA

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Russian and Hispanic

3. What do you already know about the site? Do you have any specific concerns?

   No clue.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   Probably yes, all connected to water supply, kids in and out, wildlife in and out.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   Businesses will suffer.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Yes.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Haven't heard.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

   Sometimes exaggerated, business may minimize severity.

9. Have previous cleanup efforts at the site received adequate media coverage?

   This is the first contact regarding the site.

10. Where do you get your information about the community from?

    The Moses Lake Herald.

11. Where do others in the community get most of their information from?

    Word of mouth; Spokane TV stations.

12. How would you like to be informed about progress at the site?

    Public meetings
    Neighborhood meetings
    Fact Sheets (information sheets)
    Newspaper articles
    Other:

13. How would you like to be involved?

    Receive notices of comment periods
    Attend public meetings/hearings
    Sponsor a neighborhood meeting in a home
    Meet with a site manager
    Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

    Library.

15. Where would you suggest Ecology hold public meetings or hearings?

    Library basement or school.

16. How would you define the potentially affected area? Who do you think should be informed about the site?

    Localized. People in the area should be informed.

17. Is there anyone else you think we should talk to?

No.

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

On Radio, in flyers at churches and grocery stores, and newspaper.

Moses Lake
City Maintenance Facility Site
Community Interviews-6

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   1010 Terrace, Moses Lake, WA Beatrice Moncada

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish.

3. What do you already know about the site? Do you have any specific concerns?

   NO.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   Not that I knows of.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   Don't know.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Yes, if Ecology does it.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Not sure.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

No.

9. Have previous cleanup efforts at the site received adequate media coverage?
No.

10. Where do you get your information about the community from?

Mail – fact sheet.

11. Where do others in the community get most of their information from?

[Question not answered]

12. How would you like to be informed about progress at the site?

Public meetings
Neighborhood meetings
Fact Sheets (information sheets)
Newspaper articles
Other: **Flyers**

13. How would you like to be involved?

Receive notices of comment periods
Attend public meetings/hearings
Sponsor a neighborhood meeting in a home
Meet with a site manager
Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

Library – newspaper.

15. Where would you suggest Ecology hold public meetings or hearings?

School, Elementary or Junior High, Garden Heights

16. How would you define the potentially affected area? Who do you think should be informed about the site?

General public.

17. Is there anyone else you think we should talk to?
No

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Flyer.

Moses Lake
City Maintenance Facility Site
Community Interviews-7

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   1006 Terrace, Moses Lake, WA Ms. Sarah Imbert

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   Spanish. No Russians

3. What do you already know about the site? Do you have any specific concerns?

   Nothing; new residents.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   Not known

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   No

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Pretty much.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Mail & public meetings

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

None

9. Have previous cleanup efforts at the site received adequate media coverage?

No

10. Where do you get your information about the community from?

Herald and KDRM

11. Where do others in the community get most of their information from?

Same

12. How would you like to be informed about progress at the site?

Public meetings
Neighborhood meetings
Fact Sheets (information sheets)
Newspaper articles
Other:

13. How would you like to be involved?

Receive notices of comment periods
Attend public meetings/hearings
Sponsor a neighborhood meeting in a home
Meet with a site manager
Other: **Not sure**

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

Library

15. Where would you suggest Ecology hold public meetings or hearings?

Library or something like that

16. How would you define the potentially affected area? Who do you think should be informed about the site?

People in neighborhood, immediate area.

17. Is there anyone else you think we should talk to?

No

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Newspapers, radio.

Moses Lake
City Maintenance Facility Site
Community Interviews-8

[Interview in English but both interviewees are bilingual]

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   1002 Terrace, Moses Lake, WA Francisca Garcia and neighbor [didn't want to give her name]

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   English/Spanish; Russian [over by Broadway]

3. What do you already know about the site? Do you have any specific concerns?

   Nothing yet, husband went to ask the city about it.

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   Not know about it; concerned about health. Do we need to buy water?

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   Not sure

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Of course

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Yes

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

   No

9. Have previous cleanup efforts at the site received adequate media coverage?

   No – Need to do something about the problem.

10. Where do you get your information about the community from?

    Newspaper – Daily Herald

11. Where do others in the community get most of their information from?

    Same

12. How would you like to be informed about progress at the site?

    Public meetings
    Neighborhood meetings
    Fact Sheets (information sheets) Mail
    Newspaper articles
    Other:

13. How would you like to be involved?

    Receive notices of comment periods
    Attend public meetings/hearings
    Sponsor a neighborhood meeting in a home
    Meet with a site manager
    Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

    Grocery Stores and Libraries.

15. Where would you suggest Ecology hold public meetings or hearings?

    Fire station

16. How would you define the potentially affected area? Who do you think should be informed about the site?

    Mayor, officials, and neighborhood

17. Is there anyone else you think we should talk to?

    Everybody.

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

    [Didn't answer this question]

Additional Comments: The coffee has been tasting different the last 3 weeks. The irrigation District uses chemicals to kill weeds – what is the risk of it getting in our water, etc.? There are underground storage tanks buried nearby and there is an increased smell. Sometimes there is a powder coming to the house.

I discussed where they could report these issues and they said the husband had already been to the city and didn't get answers.

Moses Lake
City Maintenance Facility Site
Community Interviews-9

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   (wished to remain anonymous)

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   None that known

3. What do you already know about the site? Do you have any specific concerns?

   Doing testing; something on the radio KDRM

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   No idea.

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   Unknown at this point. After investigation, might change.

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Yes.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Larsen AFB drinking water was a big issue.

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

   Yes, as well as can.

9. Have previous cleanup efforts at the site received adequate media coverage?

   Wouldn't know if adequate media coverage, but have heard of it.

10. Where do you get your information about the community from?

    Newspaper, hearsay, radio

11. Where do others in the community get most of their information from?

    Newspaper

12. How would you like to be informed about progress at the site?

    Public meetings
    Neighborhood meetings
    Fact Sheets (information sheets)
    Newspaper articles
    Other:

13. How would you like to be involved?

    Receive notices of comment periods
    Attend public meetings/hearings
    Sponsor a neighborhood meeting in a home
    Meet with a site manager
    Other: **None**

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

    City Hall

15. Where would you suggest Ecology hold public meetings or hearings?

    Fire station; PUD-3rd Avenue

16. How would you define the potentially affected area? Who do you think should be informed about the site?

    Employees; up here not that big a deal.

17. Is there anyone else you think we should talk to?

No, don't stir up too much of a problem.

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Letters to homes

Moses Lake
City Maintenance Facility Site
Community Interviews-10

1. Do you live near the Site located at 835 East Penn Street? If yes, what is your location/address?

   (wished to remain anonymous)

2. Do you know of other languages Ecology should be using in their communications to people living in the area near the Site?

   None that are known

3. What do you already know about the site? Do you have any specific concerns?

   Pamphlet info I've read

4. Do you believe your health or the health of the community is or has been affected by the hazardous substances at the site?

   No idea

5. Do local homeowners or businesses believe that the site has caused you, or will cause you, economic loss?

   Unknown at this point; after investigation might change

6. From your perspective, does the public have confidence in the performance of the agency responsible for the cleanup or removal action? What do you, personally, feel?

   Wouldn't know. Before Ecology was here there was no confidence – now yes. Glad Ecology is here watching out for us.

7. What current or previous experience does the community have in public involvement? Are there any group leaders who have been vocal in the community?

   Interest re: Moses Lake - Point

8. Do you believe that media coverage accurately reflects your concerns and the concerns of the community?

I've been gone fishing – don't know

9. Have previous cleanup efforts at the site received adequate media coverage?

No. Didn't know about it.

10. Where do you get your information about the community from?

Radio KDRM

11. Where do others in the community get most of their information from?

Newspaper

12. How would you like to be informed about progress at the site?

Public meetings
Neighborhood meetings
Fact Sheets (information sheets)
Newspaper articles
Other: **Nothing there. Letter if there is a huge public meeting.**

13. How would you like to be involved?

Receive notices of comment periods
Attend public meetings/hearings
Sponsor a neighborhood meeting in a home
Meet with a site manager
Other:

14. Where would you suggest reports, etc. be available for review? (a library, for instance)

City hall

15. Where would you suggest Ecology hold public meetings or hearings?

PUD; city facility.

16. How would you define the potentially affected area? Who do you think should be informed about the site?

No comment. Notify resident at 521 Buchanan. [We tried to reach this neighbor twice – there was no answer.]

17. Is there anyone else you think we should talk to?

Manager, Don Deerfield Irrigation, Bureau of Reclamation

18. Do you have any suggestions about how we can communicate most effectively with the public about this site?

Newspaper, radio.