

**Toxics Cleanup Program****March 2011**

## Proposed changes to cleanup action ready for review

The Washington Department of Ecology is announcing proposed changes to cleanup plans for certain areas of the Whatcom Waterway cleanup site in Bellingham.

New information about site contaminants required a new look at how some sediment is managed.

The changes are described in a proposed amendment to a 2007 legal settlement, called a consent decree, between Ecology, the Port of Bellingham and other parties. The consent decree settles liability among the parties and describes the cleanup action selected by Ecology. It includes a cleanup action plan and schedule for completing design and construction documents. The proposed consent decree amendment includes changes to select sections of the existing cleanup action plan and an updated schedule for documents.

Ecology invites the public to review the proposed amendment and comment from March 11 through April 11, 2011. A public meeting will be March 15. (See column at right for details.)

### Site history, location and contaminants

The Whatcom Waterway site is about 200 acres on the downtown Bellingham waterfront. It includes underwater land and an industrial wastewater treatment lagoon.

Contamination at the site is the result of operations at the former Georgia-Pacific pulp and paper plant from 1965 to 1979. The pulp mill closed in 2001.

In 1996, G-P entered a legal agreement with Ecology to study the environmental conditions at the site and evaluate cleanup options for the company's continued industrial land use.

In 2005, the port acquired 137 acres of waterfront property from G-P, including property within the Whatcom Waterway site. The port accepted lead responsibility for cleaning up the site with Ecology oversight. The port's land-use plans differ from G-P's and required a new site investigation and evaluation of cleanup options.

In 2007, involved parties signed a consent decree with Ecology to proceed with cleanup. The parties are the port, city of Bellingham,

### Public meeting and comment period

**Public meeting**

6 to 8 p.m., March 15, 2011  
Bellingham Technical College  
Bldg G, Conference Room 102A  
3028 Lindbergh Ave., Bellingham

**Comments accepted**

March 11 through April 11, 2011

**Submit comments and technical questions to:**

Lucy McInerney, Site Manager  
WA Department of Ecology  
3190 160<sup>th</sup> Ave. SE  
Bellevue, WA 98008-5452  
Phone: 425-649-7272  
E-mail: [lucy.mcinerney@ecy.wa.gov](mailto:lucy.mcinerney@ecy.wa.gov)

**Documents at these review locations by March 11, 2011:**

Department of Ecology  
Bellingham Field Office  
1440 10<sup>th</sup> St., Ste., 102  
Bellingham, WA  
**By appointment.** Call Linsay Albin  
at 360-715-5200.

Bellingham Public Library  
210 Central Ave.  
Bellingham, WA  
**Phone:** 360-778-7323  
**Hours:** Mon.-Tues. 10 a.m.-8 p.m.,  
Wed.-Sat. 10 a.m.-6 p.m.,  
Sun. closed.

Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Ave. SE  
Bellevue, WA  
**By appointment.** Call Sally Perkins:  
425-649-7190

Ecology's Toxics Cleanup Web site  
[www.ecy.wa.gov/programs/tcp/sites/whatcom/ww.htm](http://www.ecy.wa.gov/programs/tcp/sites/whatcom/ww.htm) or: go to  
[www.ecy.wa.gov](http://www.ecy.wa.gov), click on "cleanup,"  
site list by county," scroll to  
"Whatcom County," then click  
"Whatcom Waterway."

state Department of Natural Resources and a private company, Meridian-Pacific LLC, which owns waterfront property within the site. Since then, the port, with Ecology oversight, has collected samples and gathered data necessary to begin designing the cleanup action for the site.

Key contaminants at the site include mercury, phenolic compounds, zinc and cadmium. These contaminants are in concentrations that exceed standards of the state's cleanup law, the Model Toxics Control Act, and must be addressed.

The site is one of 12 cleanup sites in the Bellingham Bay Demonstration Pilot, a multi-agency bay-wide project that brings together cleanup, controlling pollution sources, restoring habitat, accommodating public access and land-use planning.

### **New information requires changes**

Since the 2007 consent decree was completed, Ecology and other regulatory agencies have learned new information about the broad distribution of dioxin and furans in Puget Sound sediments. As a result, Ecology directed the port to collect information about dioxin and furans for an area of the site (Units 1A and 1B; see enclosed map) slated for dredging. Under the existing consent decree, sediment dredged from this area of the site was to be disposed of in an approved open-water location or used elsewhere as fill or construction material.

The information collected indicates that dioxin and furan levels in buried sediment are likely too high to qualify for open-water disposal. Also, there is no nearby opportunity to use the dredged sediment because the volume is too large, and it is not strong enough to support roads or buildings.

Consultants working for the port developed an alternative plan for managing dredged material from this area of the site. This

alternative provides an opportunity to manage material from other select areas of the site differently.

Ecology has evaluated the proposed changes and confirmed that the approach would comply with state cleanup standards.

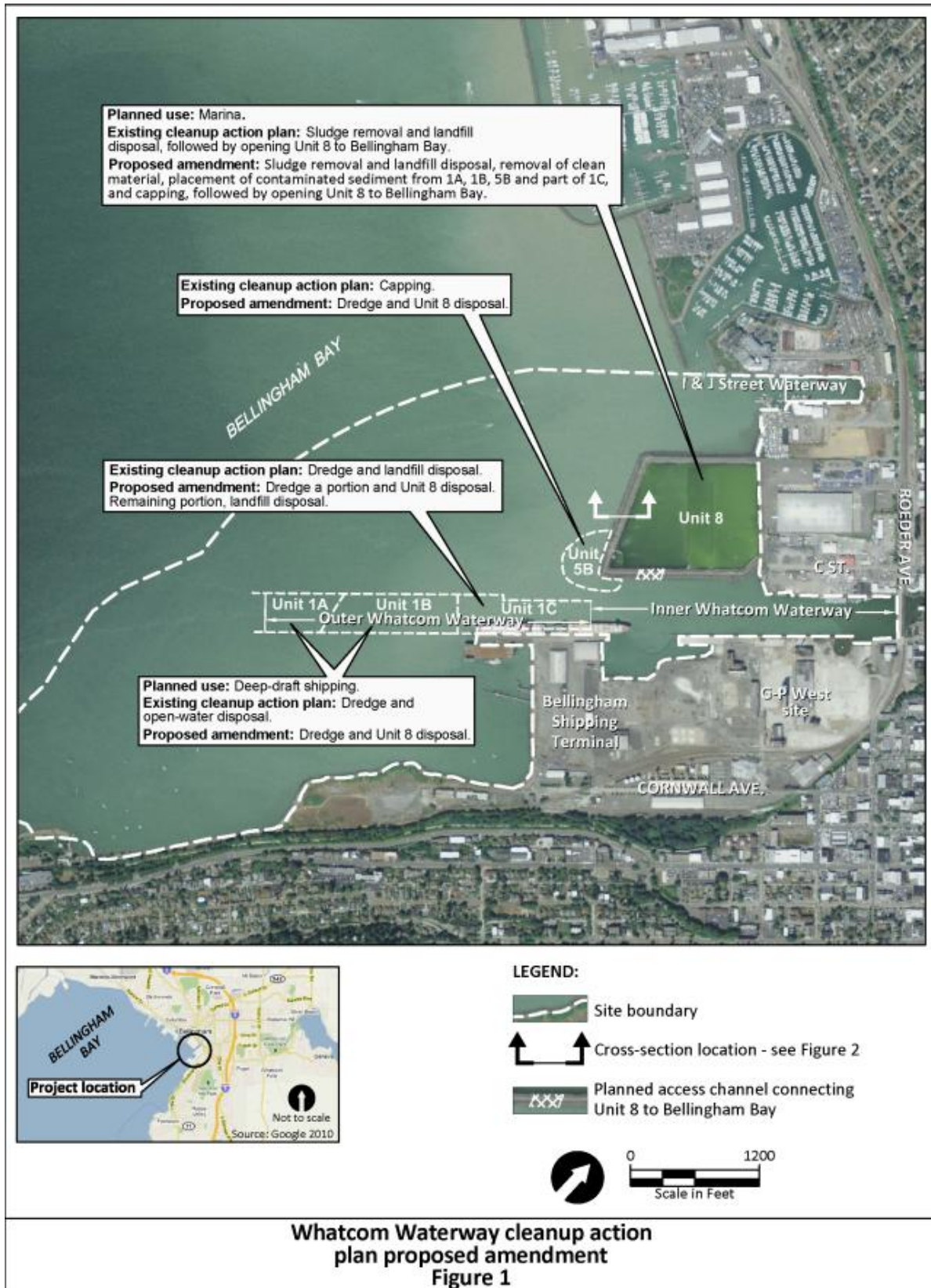
Ecology is providing the proposed changes and the agency's evaluation for public review and comment in a proposed amendment to the existing consent decree.

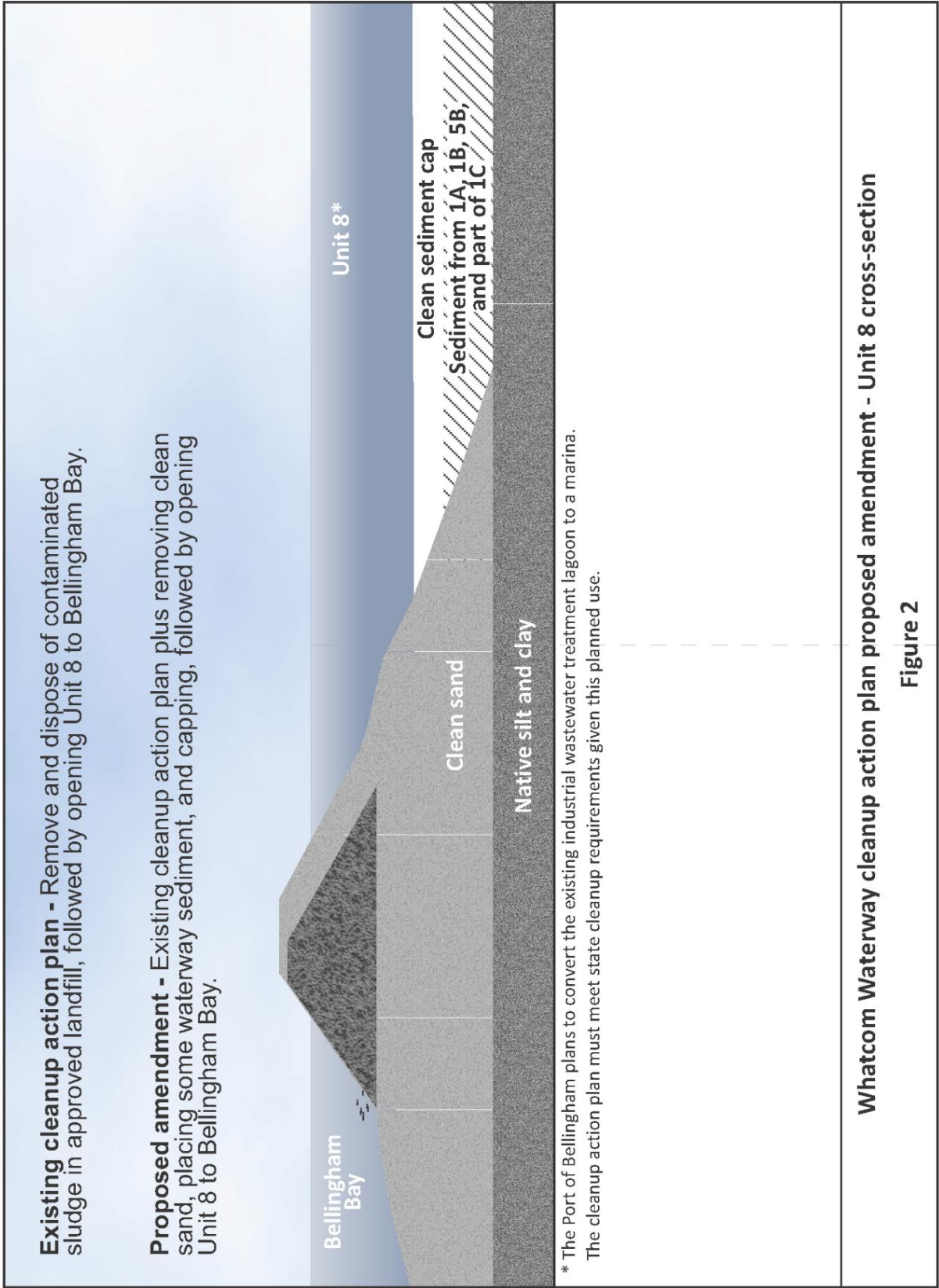
### **Proposed changes**

The proposed changes include (see enclosed map):

- Removing contaminated industrial sludge and sediment from the industrial waste treatment lagoon (Unit 8) and disposing of it in an approved upland landfill. (This step is required by the existing consent decree and cleanup action plan.)
- Removing all clean, usable material, about 340,000 cubic yards, from the lagoon (8) and stockpiling it for later use.
- Moving about 210,200 cubic yards of contaminated sediment from the shipping channel (1A, 1B and part of 1C) and the outside corner of the waste lagoon (5B) into the lagoon (8).
- Containing the relocated, contaminated sediment in the lagoon (8) under a layer of clean sediment, or cap. The cap would be designed to meet state cleanup standards given the port's plan to open the lagoon (8) to Bellingham Bay and convert it to a marina.
- Adjusting the project sequencing. The project would begin with designing, permitting and construction in the inner waterway portion of the site. Design, permitting and construction of the remainder of the site cleanup would follow. The present plan calls for design

# Whatcom Waterway





**Whatcom Waterway cleanup action plan proposed amendment - Unit 8 cross-section**

**Figure 2**

and permitting of the entire site cleanup, followed by construction.

### Public comment invited

Ecology is providing the proposed changes and the agency's evaluation in a proposed amendment to the existing consent decree, and is asking for your comments.

You are invited to:

- **Review** the proposed consent decree amendment.
- **Send** your comments to Ecology for consideration. **Comments will be accepted March 11 through April 11, 2011.**

See the box at the right of Page 1 for details about where to review documents and submit comments.

The consent decree is a legal settlement between potentially liable parties and Ecology. The cleanup action described in the decree must protect human health and the environment and occur in a timely manner according to Washington state's cleanup law, the Model Toxics Control Act.

### What happens next?

Once the public comment period ends, Ecology will review and consider all

comments it receives. The proposed consent decree amendment may be modified based on your comments. If there are significant changes, Ecology will issue the document again for public review.

### Why this cleanup matters

Cleaning up the Whatcom Waterway site is necessary to protect people, plants, fish, birds and other aquatic and terrestrial life from exposure to harmful levels of contamination, based on the port's intended uses for the site. All phases of the cleanup will be conducted under the Model Toxics Control Act, passed by citizen initiative in 1988 and enacted in 1989.

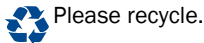
### What can you do?

- Read about the cleanup in this handout.
- To get more detailed information, review the supporting documents at the locations listed in the column on Page 1 of this document.
- Write down your comments and questions. Send them to the Department of Ecology at the address provided on Page 1 of this mailer.
- Attend the public meeting March 15, 2011.



3190 160<sup>th</sup> Ave. SE  
Bellevue, WA 98008-5452

**You might be able to get this information by e-mail.** We are required to use regular mail to reach those who live or work close to cleanup sites. To find out if you can receive these notices electronically, call Brad Petrovich at 425-649-4486 or send e-mail to [brad.petrovich@ecy.wa.gov](mailto:brad.petrovich@ecy.wa.gov).



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## **Whatcom Waterway site, Bellingham, WA**

**Ecology seeks public comment on proposed changes to a legal agreement and cleanup plans**

**Public comment period: March 11 through April 11, 2011. Public meeting: March 15, 2011.**

**Facility Site ID #: 16195**

### **Help with other formats?**

To ask about obtaining this document in a version for the visually impaired, call Katie Skipper at Ecology's Bellingham office, 360-715-5205.

Persons with hearing loss, call 711 for Washington Relay Service.

Persons with a speech disability, call 877-833-6341.

**Información en español:** El Departamento de Ecología del Estado de Washington (Ecología) solicita sus comentarios sobre la propuesta de los cambios a los planes de limpieza para ciertas áreas del sitio de limpieza de la vía fluvial de Whatcom en Bellingham. Usted está invitado a revisar el borrador de las enmiendas a un acuerdo legal, llamado el Decreto de Consentimiento.

Ecología aceptará comentarios desde el 11 de marzo al 11 de abril de 2011. Ecología le invita a un reunión público el 15 de marzo desde las 6 al 8 de la tarde en el Colegio Técnico de Bellingham (Bellingham Technical College), 3028 Lindburg Ave.

Para más información en español, favor de comunicarse con Richelle Pérez a 360-407-7528 o por correo electrónico a [richelle.perez@ecy.wa.gov](mailto:richelle.perez@ecy.wa.gov). Refiere al sitio de limpieza del vía fluvial de Whatcom.

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