PUBLIC PARTICIPATION PLAN

PORT OF SEATTLE N TERMINAL 115
SEATTLE, WASHINGTON

Prepared by
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Introduction

The Washington State Department of Ecology (Ecology) developed this public participation plan according to the Model Toxics Control Act (MTCA). This plan is designed to promote meaningful community involvement during the investigation and cleanup of the Port of Seattle N Terminal 115 site. The site is located in Seattle, Washington next to the Lower Duwamish Waterway (LDW). This plan describes the tools Ecology will use to inform the public about site cleanup activities, and the ways the community can become involved in this process.

Ecology and the potentially liable person (PLP), Port of Seattle, negotiated a legal agreement called an Agreed Order that formally describes their working relationship. Under the Agreed Order the PLP will conduct a Remedial Investigation (RI) and Feasibility Study (FS) and prepare a Draft Cleanup Action Plan (CAP) at the site. The Remedial Investigation/Feasibility Study (RI/FS) is required under WAC 173-340-350 and is part of the cleanup process for this site. The RI will determine the nature and extent of contamination in the upland area soil, groundwater, stormwater, stormwater solids, and seeps. The Feasibility Study will use the results of the RI to evaluate and select cleanup action alternatives for the site.

Cleanup actions may be identified during this RI or FS process that will eliminate or minimize current releases of contamination to the Lower Duwamish Waterway (LDW) or actions that are necessary to prevent an imminent threat to human health or the environment. Ecology will consider implementing such cleanup actions as interim actions under the existing Agreed Order.

Project Description

Location

This site is located at 6000 W. Marginal Way SW in Seattle, Washington on the west bank of the Lower Duwamish Waterway (see figure on page 4). The site is located in the northwest corner of a larger King County tax parcel that makes up Terminal 115. The

Site Background

The site is owned by the Port of Seattle. The Port purchased the property in 1969 and currently leases this property to two tenants: Gene Summy Lumber Co. which distributes building materials, and Commercial Fencing, a fence supplier. Past operations at this site include tin reclamation facilities, such as Metals Recycling, Inc., and M & T Chemicals.

Potential Contaminants of Concern

Contamination at this site is due to past industrial activities. Contamination at this site has been noted in soil, groundwater, and stormwater solids.

The contaminants of concern in the soil are:

- Metals including copper, lead, arsenic, mercury, zinc
- carcinogenic Poly-Aromatic Hydrocarbons (cPAHs)

The contaminants of concern in the groundwater are:

- Metals including arsenic, cadmium, chromium, copper, lead, mercury, and zinc
- Semi-Volatile Compounds (SVOCs)
- carcinogenic Poly-Aromatic Hydrocarbons (cPAHs)
- lube oil range hydrocarbons

The contaminants of concern in the stormwater solids are:

- Metals, including zinc

Previous Cleanup Work

Previous investigations include a Site Hazard Assessment (SHA) conducted by the Seattle –King County Department of Public Health in 1997 which included the collection of three soil samples from the unpaved railroad spur area and resulted in detecting several metals including barium, cadmium, chromium, lead, zinc and tin.

In 2000, EPA and Ecology entered into an Administrative Order on Consent with King County, the Port of Seattle, the City of Seattle, and The Boeing Company. This legal agreement requires these four parties perform a Remedial Investigation (RI) and Feasibility Study (FS) of sediment contamination in the waterway. Information about the RI/FS for the LDW site is located at http://yosemite.epa.gov/r10/cleanup.nsf/sites/lduwamish.

EPA is leading the RI/FS work, and Ecology is leading source control efforts for the Lower Duwamish Waterway site. The source control efforts will prevent recontamination of the waterway after cleanup. Source control is the process of finding and then stopping or reducing releases of pollution to the river from various sources such as direct discharges via piped outfalls, bank erosion from adjacent properties, surface runoff from adjacent properties, groundwater discharge, air deposition, and spills. It includes identifying and managing sources of contamination to waterway sediments in coordination with sediment cleanups.

Ecology is coordinating these source control efforts with the City of Seattle, King County, the Port of Seattle, the City of Tukwila, and EPA. Ecology partners with these other agencies through the Source Control Work Group. Their work includes a business inspection program; monitoring sediments from storm drain systems; permitting to prevent direct discharges to the waterway; contaminated site cleanups; and testing various household products/materials to determine if they contain chemicals found in waterway sediments.

As part of these source control efforts, Ecology is developing Source Control Action Plans (SCAPs) for the 24 subbasins (or source control areas) that drain to the LDW site. The SCAPS identify potential contamination sources and the actions needed to keep sediments from being contaminated again after cleanup occurs. In addition, the SCAPs describe source control actions that are planned or currently underway, and sampling and monitoring activities that will be conducted to identify additional sources.

community involvement coordinators may participate in community meetings and events as needed. Ecology will coordinate with the DRCC throughout the public involvement process. This may include such activities as coordination for public meetings and sharing drafts of documents with DRCC for review, as appropriate.

Ecology's goal is to be transparent to the community and all other stakeholders. This will be done by posting electronic documents on Ecology's website for stakeholder review at key points in the Port of Seattle N Terminal 115site cleanup process. The stakeholders will be able to see the planned schedule for the next phase of work at the Port of Seattle N Terminal 115 site by reviewing the Agreed Order for the site.

Community Profile

For decades much of the land along to the LDW has been industrialized. Current commercial and industrial operations include cargo handling and storage, marine construction, boat manufacturing, marina operations, concrete manufacturing, paper and metals fabrication, food processing, and airplane parts manufacturing.

Although the LDW is viewed primarily as an industrial corridor, two residential neighborhoods border the banks of the river: South Park and Georgetown. The South Park neighborhood is on the western shore of the LDW, and the Georgetown neighborhood is on the eastern side of the Duwamish Waterway. The residents of the community are well known for their commitment to neighborhood issues particularly related to the ongoing site cleanups along the LDW. A description of these communities is provided below.

South Park Community Description

The South Park neighborhood is located in South Seattle, on the west bank of the LDW. Native Americans of the Duwamish Tribe were the first residents of South Park who lived on the shores of the Duwamish River for thousands of years. This area was once a small farming town composed of Italian and Japanese farmers who supplied fresh produce to Seattle's Pike Place Market. South Park became part of the City of Seattle in

wholesale trade, transportation and utilities; construction/resources; manufacturing; and services.

Georgetown Community Description

The Georgetown neighborhood is located in South Seattle, on the east side of the LDW across the river from South Park. Georgetown is Seattle's oldest neighborhood, settled by Luther Collins in 1851. It was incorporated as the City of Georgetown from 1904-1910, and later annexed by the City of Seattle.

According to records from 2005, just over 1,100 people live in Georgetown. The largest local employers in Georgetown are in the arts, entertainment, and recreation industries. The Georgetown neighborhood is home to large employers such as The Boeing Company and King County International Airport.

The community is host to local events such as art walks, an annual Arts and Garden Tour. The neighborhood is home to historic buildings such as the Old Georgetown City Hall, and the Georgetown Steam Plant. The South Seattle Community College has recently revitalized its Georgetown Campus and is home to the Puget Sound Industrial Excellence Center Apprenticeship and Education Center. The campus offers more than 25 apprenticeship programs including masonry, meat cutters, electricians, iron workers, and cosmetology. The neighborhood is also home to The Georgetown Community Council which meets once a month and is very active in the community.

Key Community Concerns and Issues

Ecology and EPA conducted interviews with community members, environmental organizations, and community organizations in October 2002 for the LDW site Community Involvement Plan. The Port of Seattle N Terminal 115 site is located within the larger LDW site. Ecology conducted an abbreviated version of community interviews in 2006 and determined that the concerns raised in 2002 were still pertinent. In 2008 stakeholder groups provided comments to EPA and Ecology on the LDW

including oil, antifreeze and fertilizers; unreported spills and illegal dumping; and pumping of waste into the river or groundwater. There is concern that permits for discharges to the river are not being enforced or will be revised to be less strict. There is concern that sources of PCBs are not being addressed and that calculated cleanup levels for many contaminants will not be strict enough. There is also concern that the current efforts to control ongoing sources of pollution will not be enough to actually control the sources.

- **Economics:** Some people interviewed are concerned about contamination lowering property values. Others are concerned that businesses will leave the area due to the designation of the LDW as a Superfund site.

- **Cleanup:** Some people are concerned that South Park and the businesses on the water will be affected by cleanup activities, such as increased truck or barge traffic and potential accidents. There are concerns about the costs of damages to natural resources and the possibility that parties responsible for contamination will do some early cleanup activities but nothing more.

- **Information:** Several people expressed concern about a lack of warning signs for fishermen and recreational users and suggested that such signs should be installed. People are concerned about whether adequate information reaches the Spanish-speaking and other non-English-speaking communities and whether the average person and immigrants understand the risks.

- **Image:** While some people described the LDW neighborhood as an industrial area, others are concerned that it is perceived as a dumping ground.

- **Tribal Rights:** Some community members are concerned that the tribal rights to harvest fish and shellfish in the LDW are not being honored at a level protective of these treaty rights.

During a comment period, the public can submit comments in writing, orally, and via e-mail. After formal comment periods, Ecology reviews all comments received and may respond in a document called a Responsiveness Summary.

Ecology will consider the need for changes or revisions based on input from the public. If significant changes are made, then a second comment period may be held. If no significant changes are made, then the draft document(s) will be accepted and finalized.

Future public comment periods will be held for other documents and legal agreements that are developed for the site.

Public Meetings and Hearings

Public meetings may be held at key points during the investigation and cleanup process. Public comment is accepted during public meetings. Ecology also may offer public meetings for actions expected to be of particular interest to the community. These meetings will be held at locations convenient to the community.

Information Repositories

Information repositories are places where the public may read and review site information, including documents that are the subject of public comment.

Ecology has established two repositories for the Port of Seattle Terminal N 115.

- Washington State Department of Ecology, 3190 160th Avenue SE, Bellevue, WA 98008, (425) 649-7190. Please call for an appointment.
- Seattle Public Library, South Park Branch, 8604 Eight Ave S. at Cloverdale St. Seattle, WA

Site information also will be posted on Ecology's web site at: http://www.ecy.wa.gov/programs/tcp/sites/PortOfSeattleN_Term115/Terminal115_hp.html

to announce public comment periods, public meetings, hearings, or other information for the site.

Public Participation Plan Update

This public participation plan may be updated as the project proceeds. If a substantial update is necessary, the revised plan will be submitted to the public for comment.

Points of Contact

If you have questions or need more information about this plan or the Port of Seattle N Terminal 115 site, please contact:

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Facility: Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed or, placed, or otherwise come to be located.

Feasibility Study (FS): A study to develop and evaluate alternative cleanup actions for a site. A comment period on the draft report is required. Ecology selects the preferred alternative after reviewing the FS and receiving public comment.

Groundwater: Water found beneath the earth's surface that fills pores between materials such as sand, soil, or gravel. In aquifers, groundwater occurs in sufficient quantities that it can be used for drinking water, irrigation, and other purposes.

Hazardous Substance: Certain categories of substances defined by law and regulation that pose a threat to human health and/or the environment. Typical hazardous substances are materials that are toxic, corrosive, ignitable, explosive, or chemically reactive.

Hazardous Waste Site: Any facility where there has been a confirmation of a release or threatened release of a hazardous substance that requires remedial action.

Independent Cleanup Action: Any remedial action conducted without Ecology oversight or approval, and not under an order or decree.

Information Repository: A file containing current information, technical reports, and reference documents available for public review. The information repository is usually located in a public building that is convenient for local residents such as a public school, city hall, or library.

Interim Action: Any remedial action that partially addresses the cleanup of a site.

Model Toxics Control Act (MTCA): Washington State's law that governs the investigation, evaluation and cleanup of hazardous waste sites. Refers to RCW 70.105D. It was approved by voters at the November 1988 general election and known is as Initiative 97. The implementing regulation is WAC 173-340.

Monitoring Wells: Special wells drilled at specific locations on or off hazardous waste sites where groundwater can be sampled at selected depths and studied to determine the direction of groundwater flow and the types and amounts of contaminants present.

Natural Background: The concentration of hazardous substance consistently present in the environment which has not been influenced by localized human activities.

Remedial Investigation/Feasibility Study (RI/FS). In both cases, a comment period on the draft report is required.

Remedial Investigation/Feasibility Study: Two distinct but related studies. They are usually performed at the same time, and together referred to as the "RI/FS." They are intended to:

-Gather the data necessary to determine the type and extent of contamination;
-Establish criteria for cleaning up the site;
-Identify and screen cleanup alternatives for remedial action; and
-Analyze in detail the technology and costs of the alternatives.

Responsiveness Summary: A summary of oral and/or written public comments received by Ecology during a comment period on key documents, and Ecology's responses to those comments. The Responsiveness Summary is mailed, at a minimum, to those who provided comments and its availability is published in the Site Register.

Site: Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

Site Hazard Assessment (SHA): An assessment to gather information about a site to confirm whether a release has occurred and to enable Ecology to evaluate the relative potential hazard posed by the release. If further action is needed, an RI/FS is undertaken.

Site Register: Publication issued every two weeks of major activities conducted statewide related to the study and cleanup of hazardous waste sites under the Model Toxics Control Act. To receive this publication, please call (360) 407-7200.

Superfund: The federal government's program to clean up the nation's uncontrolled hazardous waste sites.

Surface Water: Lakes, rivers, ponds, streams, inland waters, salt waters, and all other non-underground waters and courses within the state of Washington or under the jurisdiction of the state of Washington.

TCP: Toxics Cleanup Program at Ecology

Total Petroleum Hydrocarbons (TPH): A scientific measure of the sum of all petroleum hydrocarbons in a sample (without distinguishing one hydrocarbon from another). The "petroleum hydrocarbons" include compounds of carbon and hydrogen that are derived from naturally occurring petroleum sources or from manufactured petroleum products (such as refined oil, coal, and asphalt).