

Site Cleanup:

ExxonMobil ADC Site

2717 and 2731 Federal Avenue
Everett, Washington

PUBLIC PARTICIPATION PLAN

Prepared by:

Washington State Department of Ecology



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

November 2008

This plan is for you!

This Public Participation Plan is prepared for the ExxonMobil ADC Site cleanup as part of the requirement of the Model Toxics Control Act (MTCA). The plan provides information about MTCA cleanup actions and requirements for public involvement, and identifies how Ecology, and ExxonMobil Oil Corporation and American Distributing Company (ADC) support public involvement throughout the cleanup. The plan is intended to encourage coordinated and effective public involvement tailored to the community's needs at the ExxonMobil ADC Site.

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If you need this publication in an alternate format, please call the Toxics Cleanup Program at (360) 407-7170. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call (877) 833-6341 (TTY).

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1.0: Introduction and Overview of the Public Participation Plan

This Public Participation Plan explains how you can become involved in improving the health of your community. It describes public participation opportunities that will be conducted during cleanup of a site on the Everett waterfront - the ExxonMobil ADC Site (Site). These opportunities are part of a cooperative agreement between the Washington State Department of Ecology (Ecology) and some of the owners and operators of the Site, which include Exxon Mobil Oil Corporation and American Distributing Company (ADC). These two companies are Potentially Liable Persons, or PLPs at the Site. The current agreement, called an Agreed Order (Order), is a legal document in which the PLPs and Ecology agree to decide on cleanup actions for the ExxonMobil ADC Site. ExxonMobil ADC is generally located at 2717 and 2713 Federal Avenue, near Port Gardner Bay, Everett, Washington.

Cleanup actions and the public participation process that helps guide them are established in Washington's Model Toxics Control Act (MTCA).¹ Under MTCA, Ecology is responsible for providing timely information and meaningful chances for the public to learn about and comment on important cleanup decisions before they are made. The goals of the public participation process are:

- To promote understanding of the cleanup process so that the public has the necessary information to participate.
- To encourage involvement through a variety of public participation opportunities.

This Public Participation Plan provides a framework for open dialogue about the cleanup among community members, Ecology, cleanup site owners, and other interested parties. It outlines basic MTCA requirements for community involvement activities that will help ensure that this exchange of information takes place during the investigation and cleanup, which include:

- Notifying the public about available reports and studies about the site.
- Notifying the public about review and comment opportunities during specific phases of the cleanup investigation.
- Providing appropriate public participation opportunities such as fact sheets to learn about cleanup documents, and if community interest exists, holding meetings to solicit input and identify community concerns.

¹ The Model Toxics Control Act (MTCA) is the hazardous waste cleanup law for the State of Washington. The full text of the law can be found in Revised Code of Washington (RCW), Chapter 70.105D. The legal requirements and criteria for public notice and participation during MTCA cleanup investigations can be found in Washington Administrative Code (WAC), Section 173-340-600.

- Considering public comments received during public comment periods.

In addition to these basic requirements, the plan may include additional site-specific activities to meet the needs of your community. Based upon the type of the proposed cleanup action, the level of public concern, and the risks posed by the site, Ecology may decide that additional public involvement opportunities are appropriate.

These opportunities form the basis for the public participation process. The intent of this plan is to:

- Provide complete and current information to all interested parties.
- Let you know when there are opportunities to provide input.
- Listen to concerns.
- Address those concerns.

Part of the Puget Sound Initiative

ExxonMobil ADC is one of several sites in the Everett area and is part of a larger cleanup effort called the Puget Sound Initiative (PSI). Governor Chris Gregoire and the Washington State Legislature authorized the PSI as a regional approach to protect and restore Puget Sound. The PSI includes cleaning up 50-60 contaminated sites within one-half mile of the Sound. These sites are grouped in several bays around the Sound for “baywide” cleanup efforts. As other sites in the Everett baywide area move forward into investigation and cleanup, information about them will be provided to the community as well as to interested people and groups.

Roles and Responsibilities

Ecology will lead public involvement activities, with support from the PLPs. Ecology maintains overall responsibility and approval authority for the activities outlined in this plan. The PLPs are responsible for cleanup at this Site. Ecology will ultimately oversee all cleanup activities, and ensure that contamination on this Site is cleaned up to concentrations that are established in state regulations and that protect human health and the environment.

Organization of this Public Participation Plan

The sections that follow in this plan provide:

- Section 2: Background information about the ExxonMobil ADC Site.

- Section 3: An overview of the local community that this plan is intended to engage.
- Section 4: Public involvement opportunities in this cleanup.

This Public Participation Plan addresses current conditions at the Site, but it is intended to be a dynamic working document that will be reviewed at each phase of the cleanup, and updated as needed. Ecology and the PLPs urge the public to become involved in the cleanup process.

2.0: Site Background

Site Description and Location

The ExxonMobil ADC Site is generally located at 2717 and 2731 Federal Way, in Everett, Snohomish County, Washington (see Figures 1 and 2). The Site is entirely upland and is about 0.86 acre in size. The ExxonMobil and ADC properties are bounded by Terminal Avenue and City of Everett property to the south; Kimberly-Clark Worldwide, Inc. property to the north; City of Everett right of way and Burlington Northern Santa Fe Railway property to the east; and Federal Avenue and Port of Everett property to the west. Port Gardner Bay is to the west of the Port property. The Site is currently an asphalt paved parking lot.

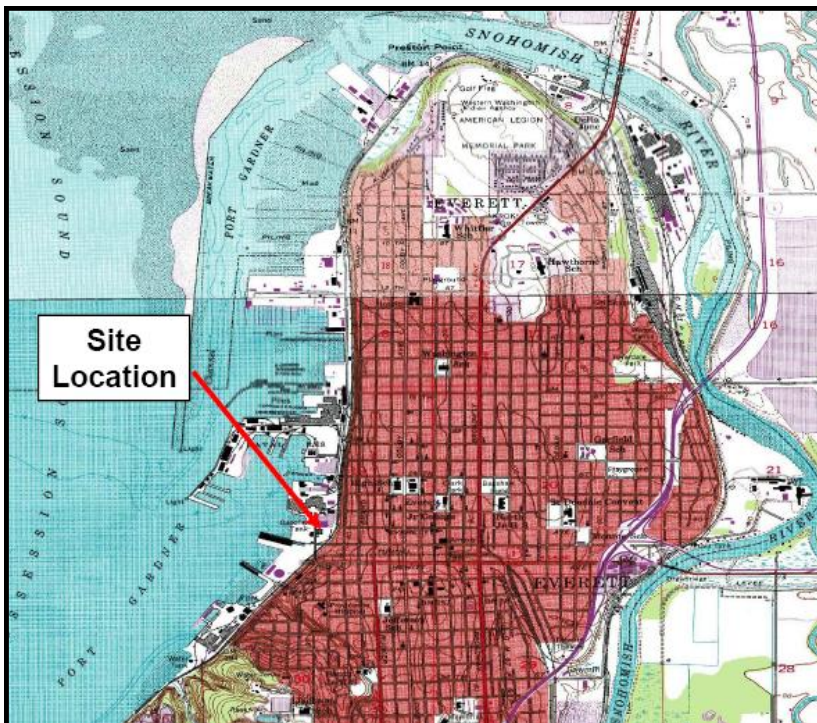


Figure 1: The ExxonMobil ADC Site, shown in the above map with an arrow, is generally located at 2717 and 2731 Federal Avenue, near Port Gardner Bay, Everett, WA. (Photo Source: USGS 7.5 Minute Quadrangle Maps (Everett and Marysville Quadrangle Maps; Photo Revised – 1968 and 1973))



Figure 2: A current view of the ExxonMobil ADC Site. (Photo Source: October 2008 Snohomish County Online Property Information)

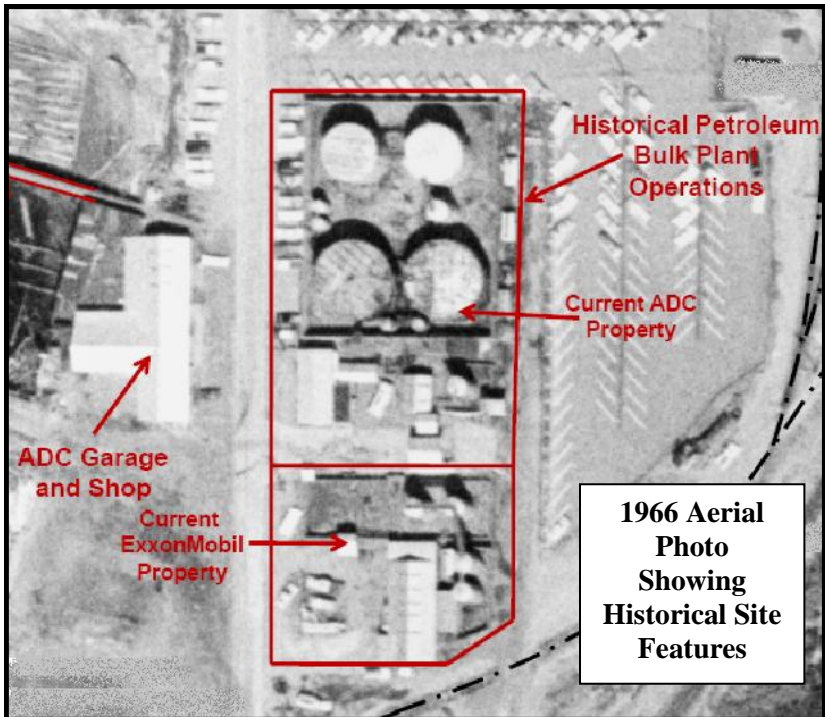


Figure 3: A historical view of the ExxonMobil ADC Site. (Photo Source: Washington State Department of Transportation Aerial Photograph, July 29, 1966.)

The City of Everett Comprehensive Plan land use map² indicates that the Site is zoned M-2 (Heavy Manufacturing). Zoning to the east is B-3 (Central Business District).

General Site History and Contaminants

The Site was used to receive, store and distribute petroleum fuel. The predecessors of ExxonMobil Oil Corporation owned the entire site from 1927 to 1974. Mobil Oil continued to operate the southern portion of the Site until 1987, but sold the northern portion to A.P. Miller for use by American Distributing Company (ADC). ADC conducted bulk petroleum operations on the northern portion from 1974 to 1990. All structures and pipes were removed between 1998 and 2000 from both portions of the Site.

Petroleum contamination has been found in Site soil and groundwater due to past operations. It also flowed along the City of Everett's combined sewer overflow (CSO) line into Port Gardner Bay. Studies and interim cleanup actions have been performed since 1985, and the pathway to the bay was removed (see 1996 Order below). Investigation results have found the following contaminants above state cleanup levels in soil and/or groundwater at the Site: total petroleum hydrocarbons (TPH), polycyclic aromatic hydrocarbons (PAHs), lead, benzene, ethylbenzene, and xylene.

Site cleanup has been addressed under two prior Orders as discussed below.

- **1996 Order** – In 1996, Ecology entered into an emergency Order with Mobil Oil, ADC, and A.P. Miller requiring the cleanup and elimination and/or containment of petroleum releases at and near the City of Everett's CSO discharge line into Port Gardner Bay. The releases were related to a severely corroded and collapsed section of the CSO line approximately 400 feet from Port Gardner Bay. Petroleum releases from the Site around the collapsed CSO section contributed to the discharge to Port Gardner Bay. Mobil Oil, ADC, and A.P. Miller agreed to perform corrective action work, including replacing the collapsed CSO section, sliplining another CSO section (to prevent leakage of petroleum through the CSO), and cleanup of rip rap, sheetpile seawall, and pilings and docks near the discharge to Port Gardner Bay. As a result of these actions, direct discharge of petroleum into Port Gardner via the CSO was eliminated. The Order also required pilot testing of petroleum recovery technologies and characterization of the areal and vertical distribution and concentration of the free-phase waste petroleum liquid and groundwater contamination. As a result of this Order, Ecology acknowledged that the interim containment measures and CSO repair and cleanup were satisfactorily completed with no evidence of on-going releases of heavy oil characteristic of the Mobil and ADC release. About 23,000 gallons of petroleum contamination was recovered within the vicinity of the CSO line.

² Planning and Community Development, City of Everett, WA
http://www.everettwa.org/Zoning_WEB_2008.pdf (Accessed November 4, 2008)

- **1998 Order** – In 1998, Ecology, Mobil Oil, ADC, and A.P. Miller entered into an Order which required the preparation of a Remedial Investigation/Focused Feasibility Study Report (RI/FFS Report), an Interim Action Work Plan, and the subsequent implementation and performance of the work described in the Interim Action Work Plan. The following interim remedial actions were performed (between 1998 and 2000) under the 1998 Order: demolition of site structures, monitoring well abandonment, construction of an interceptor trench (for petroleum recovery), and construction of a site cover to minimize infiltration of surface water into subsurface soil.

As a result of the RI/FFS and subsequent interim remedial actions conducted at the Site under the 1998 Order, the ExxonMobil and A.P. Miller properties were converted into a parking lot for Kimberly-Clark employees. This redevelopment option was selected to allow for possible future remediation activities at the Site. As a continued requirement under the 1998 Order, groundwater monitoring and petroleum recovery activities are ongoing at the Site. More study is needed to fully characterize the contamination at the ExxonMobil ADC Site.

The Cleanup Process

Washington State’s cleanup process and key opportunities for you to provide input are outlined in Figure 3. The general cleanup process includes the following steps:

- Remedial Investigation (RI) - investigates the site for types, locations, and amounts of contaminants.
- Feasibility Study (FS) - identifies cleanup options for those contaminants.
- Cleanup Action Plan (CAP) - selects the preferred cleanup option and explains how cleanup will be conducted.

Each of these steps are generally documented in reports and plans that will be available for public review. Public comment periods of at least 30 calendar days are usually conducted for the following documents:

- Draft RI report
- Draft FS report
- Draft CAP

These cleanup steps and documents are described in greater detail in the following subsections.

Interim Actions

Interim actions may be conducted during the cleanup if required by Ecology. An interim action partially addresses the cleanup of a site, and may be required if:

- It is technically necessary to reduce a significant threat to human health or the environment.
- It corrects a problem that may become substantially worse or cost substantially more to fix if delayed.
- It is needed to complete another cleanup activity, such as design of a cleanup plan.

Future interim actions are not currently anticipated on the ExxonMobil ADC Site.

Remedial Investigation/Feasibility Study Report

The PLPs have agreed to conduct a supplemental RI/FS on the Site. The RI determines which contaminants are on the Site, where they are located, and whether there is a significant threat to human health or the environment. The draft RI report provides baseline data about environmental conditions that will be used to develop cleanup options. The FS and report then identify and evaluate cleanup options, in preparation for the next step in the process. Since studies and some cleanup have been conducted on this Site since 1985, additional studies will be more specific; therefore, the RI/FS will be referred to as a Focused Feasibility Study (FFS).

The RI and FS processes typically include several phases:

- Scoping
- Site characterization
- Development and screening of cleanup alternatives
- Treatability investigations (if necessary to support decisions)
- Detailed analysis

The RI and FS reports are expected to be combined into a draft ExxonMobil ADC Site FFS report. The draft report is anticipated to be completed sometime in 2010 and will be made available for public review and comment.

Cleanup Action Plan

The PLPs and Ecology have agreed to develop a draft CAP for the Site. After public comment on the draft FFS report, a preferred cleanup alternative will be selected. The draft CAP explains the cleanup standards that will be applied at the Site, selects the preferred cleanup alternative(s), and outlines the work to be performed during the actual Site remediation. The CAP may also evaluate the completeness and effectiveness of any interim actions that were performed on the Site. The draft CAP will be available for public review and comment. Once public comments are reviewed and any changes are

made, Ecology provides final approval and Site cleanup can begin. Cleanup is anticipated to be completed sometime in 2011.

3.0: Community Profile

Community Profile

Everett is Snohomish County's largest city and the sixth largest city in the State of Washington. The current population of Everett is approximately 98,000³ situated within 47.7 square miles. Located on Port Gardner Bay, Everett hosts the West Coast's largest marina, U.S. Navy Homeport Naval Station Everett, and The Boeing Company's assembly plant. The city's 2006 labor workforce was more than 80,000, employed predominantly in technology, aerospace, and service-based industries.⁴

Key Community Concerns

An important part of the Public Participation Plan is to identify key community concerns for each cleanup site. Many factors are likely to raise community questions, such as the amount of contamination, how the contamination will be cleaned up, or future use of the Site. Community concerns often change over time, as new information is learned and questions are answered. Identifying site-specific community concerns at each stage of the cleanup process is helpful to ensure that they are adequately addressed. On-going key community concerns will be identified for the ExxonMobil ADC Site through public comments and other opportunities as detailed in Section 4.

³ US Census Bureau, City & Towns Estimates Data for July 1, 2006.
<http://www.census.gov/popest/estimates.php> (Accessed September 12, 2007)

⁴ City of Everett. <http://www.everettwa.org/default.aspx?ID=314> (Accessed September 12, 2007)

4.0: Public Participation Opportunities

Ecology and the PLPs invite you to share your comments and participate in the cleanup in your community. As we work to meet our goals, we will evaluate whether this public participation process is successful. This section describes the public participation opportunities for this Site.

Measuring Success

We want this public participation process to succeed. Success can be measured, at least in part, in the following ways:

- Number of written comments submitted that reflect understanding of the cleanup process and the site.
- Direct “in-person” feedback about the site cleanup or public participation processes, if public meetings are held.
- Periodic updates to this plan to reflect community concerns and responses.

If we are successful, this process will increase:

- Community awareness about plans for cleanup and opportunities for public involvement.
- Public participation throughout the cleanup.
- Community understanding regarding how their input will be considered in the decision-making process.

Activities and Information Sources

Ecology Contacts

Ecology is the lead contact for questions about the cleanup in your community. The Ecology staff person identified in this section is familiar with the cleanup process and activities at the Site. For more information about public involvement or the technical aspects of the cleanup, please contact:

Andy Kallus
Ecology Site Manager
WA State Dept. of Ecology
Toxics Cleanup Program
P.O. Box 47600
Olympia, WA 98504-7600
Phone: (360) 407-7259

E-mail: akal461@ecy.wa.gov

Ecology's Webpage

Ecology has created a webpage to provide convenient access to information. Documents such as the Agreed Order, draft reports, and cleanup plans, are posted as they are issued during the investigation and cleanup process. Visitors to the webpage can find out about public comment periods and meetings; download, print, and read information; and submit comments via e-mail. The webpage also provides links to detailed information about the MTCA cleanup process. The ExxonMobil ADC Site webpage is available at the following address:

http://www.ecy.wa.gov/programs/tcp/sites/ExxonMobilEverett/exxonBlkPlant_hp.htm

Information Centers/Document Repositories

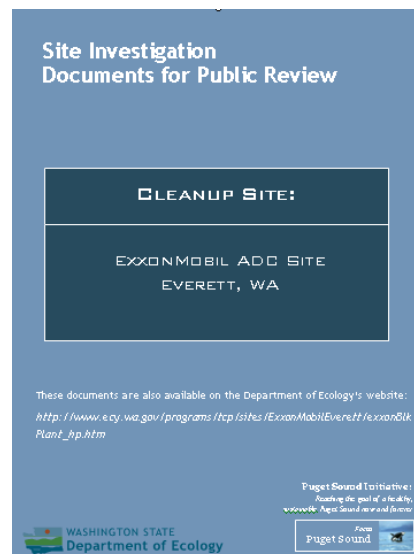
The most comprehensive source of information about the ExxonMobil ADC Site is the information center, or document repository. Two repositories provide access to the complete list of site-related documents. All ExxonMobil ADC investigation and cleanup activity reports will be kept in print at those two locations and will be available for your review. They can be requested on compact disk (CD) as well. Document repositories are updated before public comment periods to include the relevant documents for review. Documents remain at the repositories throughout the investigation and cleanup. For this Site, the document repositories and their hours are:

- **Everett Public Library**
2702 Hoyt Ave.
Phone: (425) 257-8010
Hours: Mon.-Wed. 10 a.m.-9 p.m.,
Thurs.-Sat. 10 a.m.-6 p.m., Sun. 1-5 p.m.
- **WA Department of Ecology Headquarters**
300 Desmond Drive SE
Lacey, WA 98503
By appointment. Please contact Carol Dorn at
(360) 407-7224 or cesg461@ecy.wa.gov.

Look for document covers such as the illustration on the right.

Public Comment Periods

Public comment periods provide opportunities for you to review and comment on major documents, such as the Agreed Order, draft Public Participation Plan, and the draft RI/FS report. The typical public comment period is 30 calendar days.



Notice of Public Comment Periods

Notices for each public comment period will be provided by local newspaper and by mail. These notices indicate the timeframe and subject of the comment period, and explain how you can submit your comments. For the ExxonMobil ADC Site, newspaper notices will be posted in The Daily Herald.

Notices are also sent by regular mail to the local community and interested parties. The community typically includes all residential and business addresses within one-quarter mile of the site, as well as potentially interested parties such as public health entities, environmental groups, and business associations.

Fact Sheets

One common format for public comment notification is the fact sheet. Like the newspaper notice, fact sheets explain the timeframe and purpose of the comment period, but also provide background and a summary of the document under review. A fact sheet has been prepared for the ExxonMobil ADC Site explaining the Agreed Order and this Public Participation Plan (See Appendix A). Future fact sheets will be prepared at key milestones in the cleanup process.

MTCA Site Register

Ecology produces an electronic newsletter called the MTCA Site Register. This semi-monthly publication provides updates of the cleanup activities occurring throughout the state, including public meeting dates, public comment periods, and cleanup-related reports. Individuals who would like to receive the MTCA Site Register can sign up three ways:

- Call (360) 407-6069
- Send an email request to ltho461@ecy.wa.gov or
- Register on-line at http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html

Mailing Lists

Ecology maintains both an e-mail and regular mail distribution list throughout the cleanup process. The list is created from carrier route delineations for addresses within one-quarter mile of the site, potentially interested parties, public meeting sign-in sheets, and requests made in person, or by regular mail or e-email. You may request to be on the mailing list by contacting the Ecology staff person listed earlier in this section.

Optional Public Meetings

A public meeting will be held during a comment period if requested by ten or more people, or if Ecology decides it would be useful. Public meetings provide additional opportunity to learn about the investigation or cleanup, and to enhance informed comment. If you are interested in a public meeting about the ExxonMobil ADC Site, please contact the Ecology staff person listed earlier in this section.

Submitting Comments

You may submit comments by regular mail or e-mail during public comment periods to the Ecology project manager listed earlier in this section.

Response to Comments

Ecology will review all comments submitted during public comment periods, and will modify documents as necessary. You will receive notice by regular mail or e-mail that Ecology has received your comments, along with an explanation about how the comments were addressed.

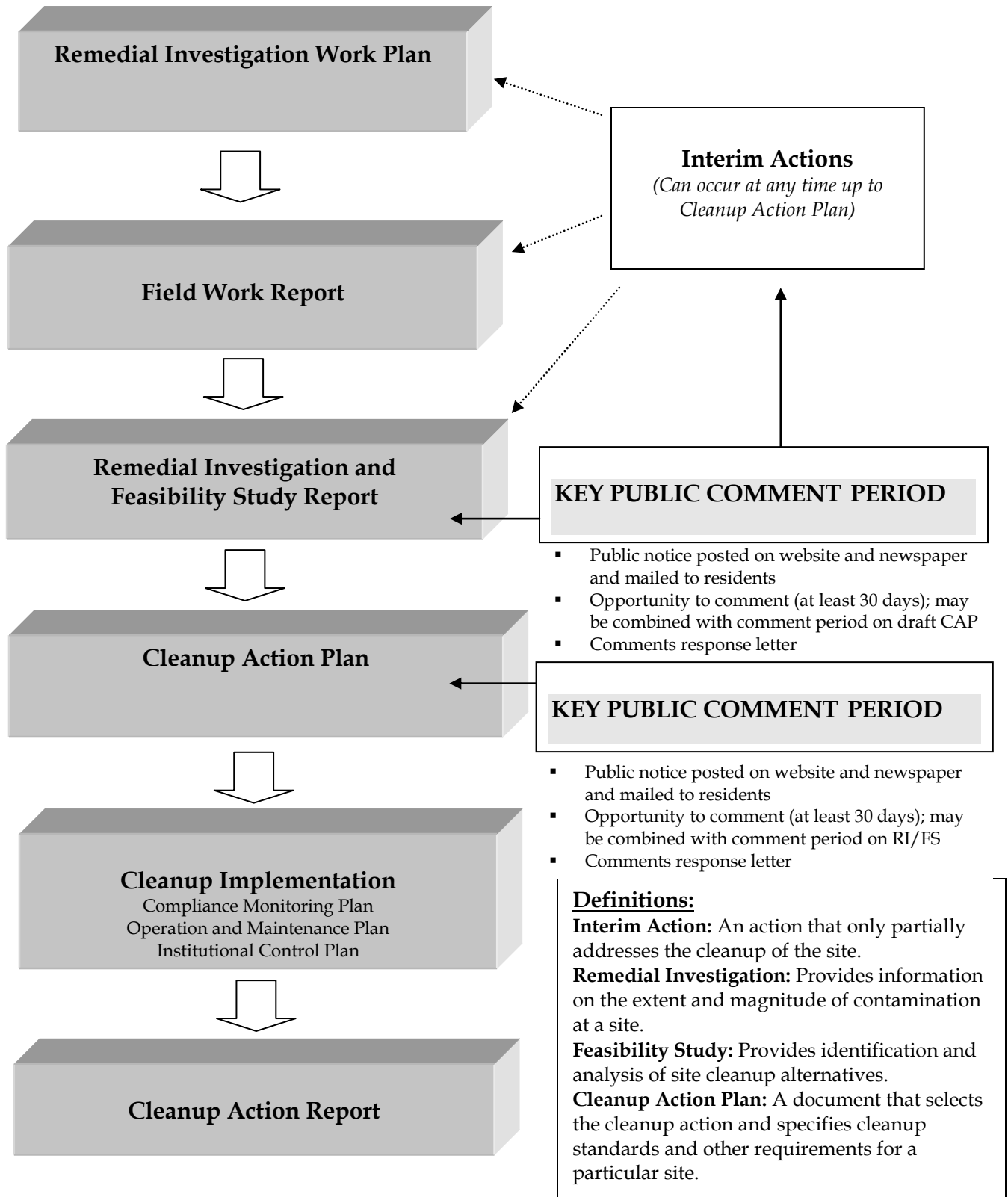
Other

Ecology and the PLPs are committed to the public participation process and will consider additional means for delivering information and receiving comments, including combining public comment periods for other actions (such as those associated with the State Environmental Policy Act).

Public Participation Grants

You may be eligible to apply for a Public Participation Grant from Ecology to provide additional public participation activities. Those additional activities will not reduce the scope of the activities defined by this plan. Activities conducted under this plan would coordinate with the additional activities defined under the grant.

Figure 3: Washington State Cleanup Process



Glossary

Cleanup: The implementation of a cleanup action or interim action.

Cleanup Action: Any remedial action except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with MTCA cleanup requirements, including but not limited to: complying with cleanup standards, utilizing permanent solutions to the maximum extent practicable, and including adequate monitoring to ensure the effectiveness of the cleanup action.

Cleanup Action Plan: A document that selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the cleanup action plan, Ecology finalizes the cleanup action plan.

Cleanup Level: The concentration (or amount) of a hazardous substance in soil, water, air, or sediment that protects human health and the environment under specified exposure conditions. Cleanup levels are part of a uniform standard established in state regulations, such as MTCA.

Cleanup Process: The process for identifying, investigating, and cleaning up hazardous waste sites.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

Feasibility Study: Provides identification and analysis of site cleanup alternatives and is usually completed within a year. Evaluates sufficient site information to enable the selection of a cleanup action. The entire Remedial Investigation/Feasibility Study (RI/FS) process takes about two years and is followed by the cleanup action plan.

Hazardous Site List: A list of ranked sites that require further remedial action. These sites are published in the Site Register.

Interim Action: Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

Model Toxics Control Act: Refers to Chapter 70.105D RCW. Voters approved it in November 1988. The implementing regulation is found in Chapter 173-340 WAC.

Public Notice: At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and the opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Release: Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

Remedial Action: Any action or expenditure consistent with MTCA to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance, and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

Remedial Investigation: Any remedial action that provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the Remedial Investigation/Feasibility Study is to collect and develop sufficient site information to enable the selection of a cleanup action.