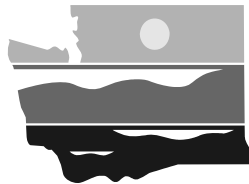

DRAFT PUBLIC PARTICIPATION PLAN

ELDRIDGE MUNICIPAL LANDFILL SITE BELLINGHAM, WASHINGTON

September 2010

Prepared by the Washington Department of Ecology
with input from the city of Bellingham



DEPARTMENT OF
ECOLOGY
State of Washington

Table of contents

Introduction.....	3
Site background.....	3
Location and ownership.....	3
Contamination and cleanup.....	3
Bellingham Bay Demonstration Pilot.....	4
Neighborhood Profile.....	4
Remedial investigation and feasibility study.....	5
Public participation activities and responsibilities.....	7
Public comment period.....	7
Information repositories.....	7
Responsiveness summary.....	8
Site register.....	8
Mailing lists.....	9
Fact sheets.....	9
Newspaper advertisements.....	9
Plan update.....	9
Public points of contact.....	9
Glossary.....	10

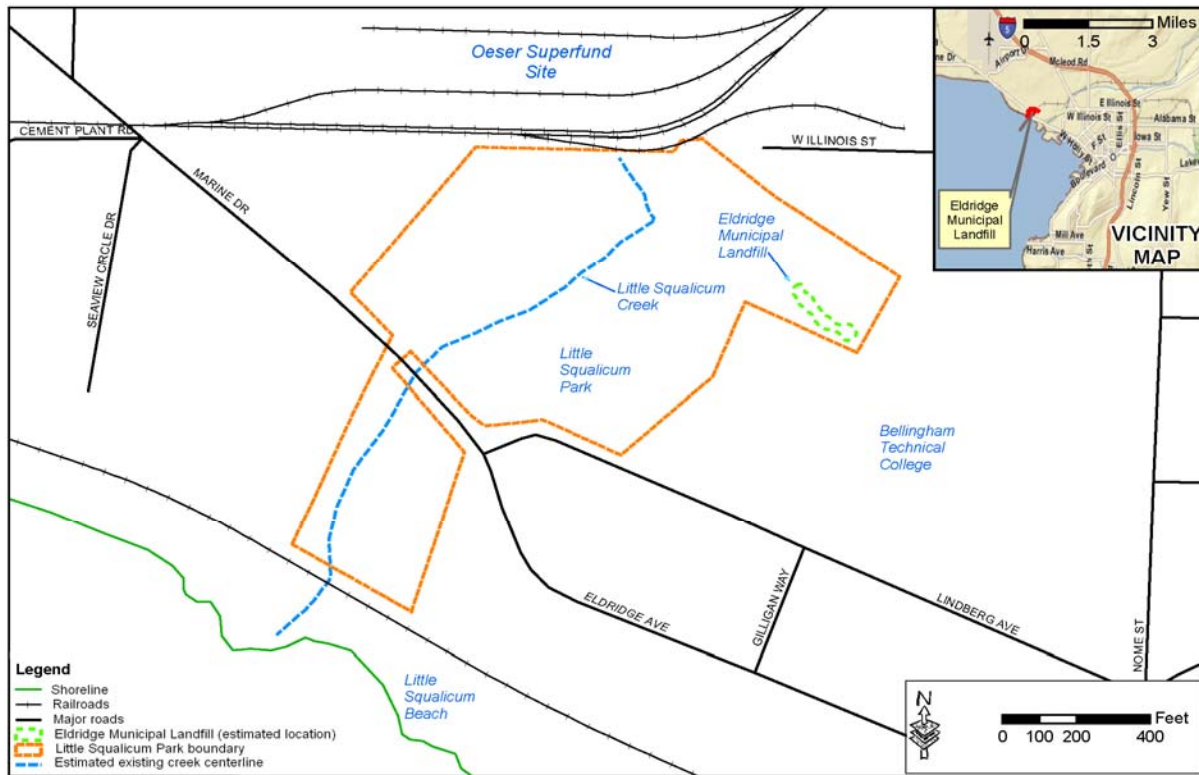
The Washington Department of Ecology (Ecology) developed this public participation plan in accordance with the state’s toxics cleanup law, the Model Toxics Control Act (MTCA), to promote community involvement during the cleanup of the Eldridge Municipal Landfill site in Bellingham.

Public participation is an integral part of Ecology’s responsibilities under MTCA. Ecology’s goal is to provide the public with timely information, promote public understanding of the cleanup process, and provide opportunities for participation. This public participation plan describes the tools Ecology will use to inform the public about the site and explains when and how the community can get involved.

Site background

Location and ownership

The site is about 7,200 square feet within Little Squalicum Park in Bellingham. It is west of the Bellingham Technical College campus parking lot and north of Building U.



In the mid- to late 1930s, the city used the area, now part of the park, as a landfill for burning and burying local municipal waste. The landfill operated for only a few years.

The site is on park property owned by Whatcom County and managed by the city. The contaminated area defines the site location.

Contamination and cleanup

The old landfill contains evidence of municipal garbage, including glass bottles, metal scraps, drywall, rust, charcoal, ash, ceramics and contaminated soil. Soil contaminants include

polycyclic aromatic hydrocarbons (PAHs), benzoic acid, phthalates, pentachlorophenol (PCP), and metals including cadmium, lead, zinc, copper and mercury.

Contaminants are present in concentrations that exceed standards under the state’s cleanup law and must be addressed. The location of contaminants defines the site boundaries.

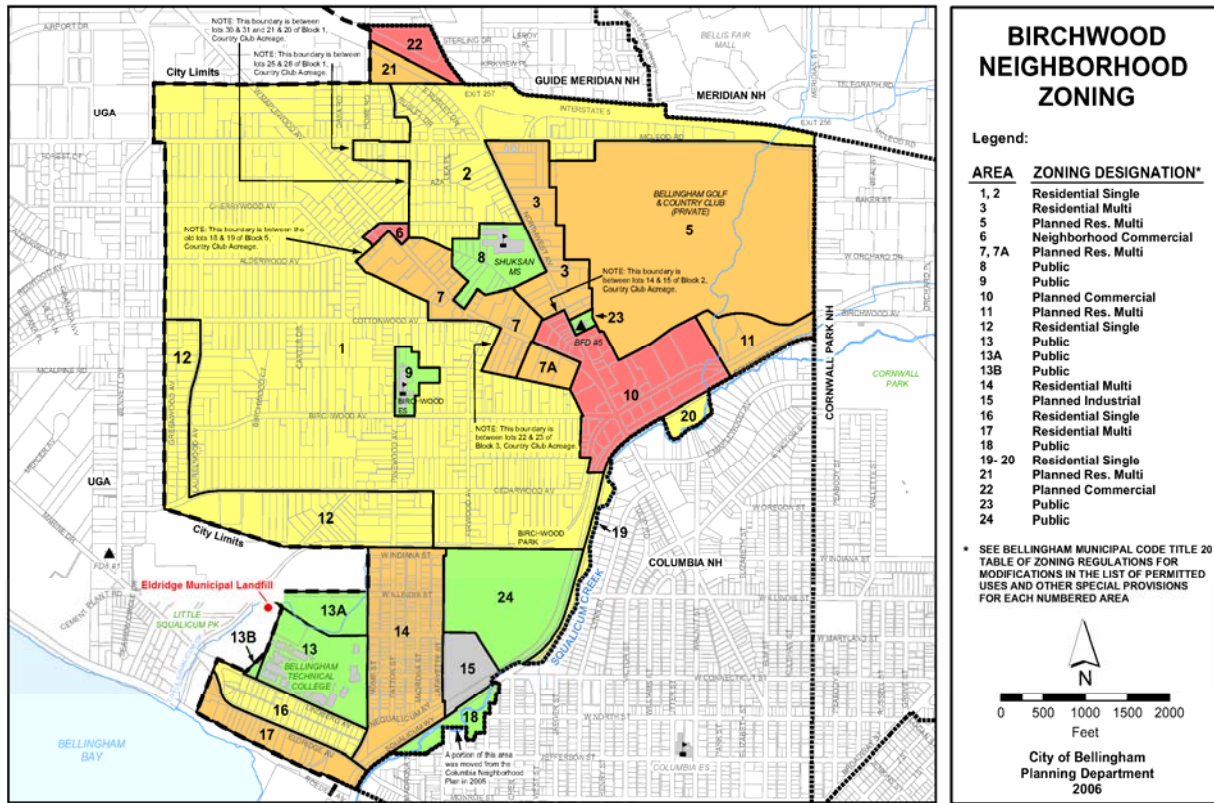
Bellingham Bay Demonstration Pilot

The Eldridge Municipal Landfill site is one of 12 cleanup sites identified through the Bellingham Bay Demonstration Pilot project, a coordinated effort by federal, tribal, state and local governments to clean up contaminated sites around Bellingham Bay.

In 2000, Ecology, in cooperation with the pilot work group, produced the Bellingham Bay Comprehensive Strategy. The Comprehensive Strategy is a guidance document that brings together cleanup, controlling pollution, restoring habitat, accommodating public access and land use planning. The pilot is a major step toward cleaning up Puget Sound, and it is a model for other large-scale cleanup initiatives.

Neighborhood profile

The Eldridge Municipal Landfill site is in Little Squalicum Park, adjacent to Bellingham’s Birchwood neighborhood. The site is west of the Bellingham Technical College campus parking lot and north of Building U. Downtown Bellingham is about a mile to the southeast.



Birchwood is largely residential, zoned for single-family homes with sections of multi-family residential zoning. Commercial shopping and restaurant areas are on the eastern end of the neighborhood, along Northwest Avenue.

Birchwood Elementary School and Shuksan Middle School are located in the central part of the Birchwood neighborhood. A large area of the eastern portion of the neighborhood is occupied by the private Bellingham Golf and Country Club. To the south is Bellingham Technical College.

The southern edge of the neighborhood overlooks Bellingham Bay along Eldridge Avenue. Birchwood has easy access to Little Squalicum Park, which is outside city limits but managed by the city.

The population of the neighborhood was nearly 5,000 as of the 2000 census. The population represents about 7.3 percent of the city’s estimated total population at that time. According to the



Researchers identify the location of an old municipal landfill in Little Squalicum Park. Bellingham Technical College is in the background.

Washington State Office of Financial Management Forecasting Division, Bellingham’s last population estimate was 77,550 on April 1, 2010, an increase of 10,379 since the last census.

Remedial investigation and feasibility study

The Eldridge Municipal Landfill site was investigated as part of a larger 2006 environmental study of the Little Squalicum Park cleanup site.

Results of the Ecology study and other studies of the larger park area showed some types of contamination along the creek at levels that triggered involvement by the U.S. Environmental Protection Agency. EPA took over the regulatory lead for cleanup of the creek area as part of a Superfund cleanup at the adjacent Oeser property.

Once EPA took on oversight of the creek area cleanup, Ecology and the city terminated their agreement to assess the Little Squalicum Park site. Ecology did not require the city to finalize the site investigation report or complete an evaluation of cleanup options.



Researchers collect samples and examine layers of soil and contaminants in the old landfill.

The city and Ecology have negotiated a separate legal agreement for the Eldridge Municipal Landfill site within the park. The draft legal agreement, called an agreed order, will be available for public review Sept. 22 – Oct. 22, 2010.

When final, the agreement will require the city to develop a separate environmental report using information collected during the Little Squalicum Park investigations, analyze cleanup options and develop a draft cleanup action plan for the landfill site with Ecology oversight.

Results of the sampling and analysis work will be included in a report called a remedial investigation and feasibility study, or RI/FS. The report will summarize existing environmental conditions at the Eldridge Municipal Landfill site, present a range of cleanup alternatives, and identify a preferred cleanup approach.

Ecology expects to release a draft remedial investigation and feasibility study for public review and comment in 2011 for a minimum of 30 days.

The study document will:

- Give results of site investigations.
- Define areas and volumes of affected sediments, soils and groundwater.
- Summarize other site information relevant to cleanup.
- Propose site cleanup levels.
- Assemble cleanup alternatives, including evaluation of those alternatives against MTCA criteria such as protectiveness, permanence and cost.
- Identify a preferred alternative.

Public participation activities and responsibilities

Ecology is responsible for carrying out this public participation plan for the Eldridge Municipal Landfill site. Under the terms of an agreed order, the city of Bellingham will cooperate with and, when requested by Ecology, help with the various public participation activities.

Ecology uses a variety of activities to promote public participation in planning and cleanup of MTCA sites. Following is a list of the public involvement activities that Ecology will use during cleanup activities.

Public comment period - A draft agreed order and draft public participation plan will be issued Sept. 22 – Oct. 22, 2010, for public review.

After the agreed order and public participation plan are final, the city will complete the required remedial investigation and feasibility study with Ecology oversight.



Municipal waste from the 1930s era landfill.

Information repositories - Ecology maintains repositories of information regarding the site for the convenience of interested people, where site documents will be available for public review during the comment period.

For this site, the information repositories are:

Bellingham Public Library
210 Central Ave., Bellingham
Phone: 360-676-6860

Department of Ecology
Bellingham Field Office
1440 10th St., Suite 102, Bellingham

Please call Linsay Albin for an appointment: 360-715-5200

Department of Ecology
Northwest Regional Office
3190 160th Avenue SE, Bellevue

Please call Sally Perkins for an appointment: 425-649-7190

Ecology also will post information about the cleanup on its website at www.ecy.wa.gov/programs/tcp/sites/blhm_bay/sites/eldridge/eldridge.htm. By request, Ecology can make copies of documents for a fee, or provide a CD.

Comments will be accepted at any time during the public comment period by letter or e-mail to:

Mary O’Herron
Site Manager
Department of Ecology
1440 10th St., Ste. 102
Bellingham, WA 98225
360-715-5224
mary.oherron@ecy.wa.gov

Ecology will consider the need for changes or revisions to the draft documents based on the public comments received. If comments prompt significant changes, Ecology will open a second comment period. If no significant changes are made, then Ecology will finalize the draft documents.



Consultants prepare samples collected from the landfill site.

Responsiveness

summary - A

responsiveness summary is a summary of oral and written public comments received by Ecology during a comment period, and Ecology’s responses to those comments.

Ecology will prepare responsiveness summaries to address comments received on the draft agreed order and public participation plan for the site, as well as the subsequent draft remedial investigation and feasibility study

report. Ecology will place the responsiveness summaries in the site information repositories.

When the responsiveness summaries are available, Ecology will notify those who commented, and a notice will be placed in the site register.

Site register - The site register is published by Ecology twice a month to inform the public of:

- Activities related to the study and cleanup of contaminated sites.
- Public meetings, hearings and comment periods.
- Discussion or negotiations of legal agreements.
- Availability of cleanup reports.
- Hazard rankings of sites.

If you would like to receive the site register by regular mail, please contact:

Site Register
Department of Ecology-Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600
360-407-7170

If you would like to receive the site register by e-mail, complete the electronic form at www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html.

Mailing list - Ecology has compiled a mailing list for the site. The list includes individuals, groups, public agencies, elected officials, private businesses, potentially affected parties and other known interested parties. The list is updated as needed.

Fact sheets - Ecology will mail fact sheets to those entities on the site mailing list to inform them of public hearings, meetings, comment opportunities and important site activities. Ecology also may mail fact sheets about the progress of site activities.

Newspaper advertisements - At a minimum, Ecology will place an ad in The Bellingham Herald to announce comment periods, public meetings and hearings for the site.

Plan Update

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

Public points of contact

If you have questions or need more information about this plan or this site, please contact:

Mary O'Herron
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1440 10th St., Ste. 102
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Bellingham Bay Demonstration Pilot
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Northwest Regional Office
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Bellevue, WA 98008-5452
425-649-7272
lucy.mcinerney@ecy.wa.gov

Glossary

cleanup: The implementation of a cleanup action or interim action. In other words, the term “cleanup” includes actions taken to address a release, or threatened release of hazardous substances that could affect public health and/or the environment.

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.

cleanup action plan (CAP): The document prepared by Ecology that selects the cleanup action for the site, and specifies cleanup standards and other requirements for the cleanup action. The cleanup action plan is based on information and technical analysis generated during the remedial investigation/feasibility study. Ecology also considers public comments and community concerns.

comment period: A time period during which the public can review and comment on various documents and Ecology actions. For example, a comment period is provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans. Also, a comment period is held to allow community members to review and comment on draft feasibility studies.

consent decree: A legal document that is entered in court, which formalizes an agreement reached between the state (and the U.S. Environmental Protection Agency if involved) and the potentially liable person(s) to implement cleanup. A consent decree settles the liability for parties that implement the cleanup. Consent decrees are subject to public comment. If substantial change is proposed to a decree, an additional comment period is provided under the terms of the decree before the decree is formally entered in court.

feasibility study (FS): This study uses information obtained in a remedial investigation to develop and evaluate a range of cleanup options for a site, termed “cleanup alternatives.” The FS must include cleanup alternatives that protect human health and the environment (including, as appropriate, terrestrial and ecological receptors) by eliminating, reducing, or otherwise controlling risks posed through each exposure pathway and migration route.

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.

Model Toxics Control Act (MTCA): Legislation passed in the state of Washington by voter initiative in 1988, which became effective in 1989 and was codified as Chapter 70.105D RCW. Its purpose is to identify, investigate and clean up facilities where hazardous substances have been released. It defines the role of Ecology and encourages public involvement in the decision making process.

potentially liable person (PLP): Any person whom Ecology finds, based on credible evidence, to be liable under MTCA, RCW 70.105D.040. This includes, but is not limited to, individuals or companies, state agencies, and others, who are the owners or operators of a facility; who owned or operated the facility at the time of disposal or release of hazardous substances; who generated hazardous substances disposed of at the facility, or who otherwise owned the hazardous substances and arranged for disposal; or who transported hazardous substances for disposal.

Whenever possible, Ecology requires these PLPs, through administrative and legal actions, to clean up sites.

public participation plan: A plan prepared to encourage coordinated and effective public involvement designed to meet the public's needs at a particular site.

remedial investigation: This study characterizes the site and defines the nature and extent of contamination.

remedial investigation/feasibility study (RI/FS): Two distinct but related studies. The FS is usually performed immediately following the RI, and together they are referred to as the RI/FS. They are intended to collect, develop, and evaluate sufficient information regarding a site to select a cleanup action, including:

- Gathering the data necessary to determine the type and extent of contamination.
- Establishing criteria for cleaning up the site.
- Identifying and screening cleanup alternatives for remedial action.
- Analyzing in detail the technology and costs of the alternatives.

responsiveness summary: A summary of oral and written public comments received by Ecology during a public comment period on key documents, and Ecology's responses to those comments. The responsiveness summary is not required for MTCAs documents. However, Ecology sometimes chooses to prepare them as part of site-specific public participation activities.

site or “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 of, or placed, or otherwise come to be located.