
DRAFT PUBLIC PARTICIPATION PLAN

**R. G. HALEY SITE
BELLINGHAM, WASHINGTON**

June 2004

Prepared by the Washington State Department of Ecology

INTRODUCTION

Public participation is essential in reaching informed decisions when addressing community environmental issues such as cleanup of contaminated properties. The purpose of this Public Participation Plan (PPP) is to assist in promoting public understanding and participation in the R.G. Haley Site cleanup. This PPP outlines a variety of tools and activities to encourage public involvement. Cleanups conducted under the Washington State Model Toxics Control Act (WAC 173-340; MTCA), require public notice and encourage public comment and participation. Required elements of public participation under MTCA are incorporated into this PPP as well as additional elements added to meet the needs of the community.

This plan has been prepared by the Washington State Department of Ecology (Ecology) in cooperation with Douglas Management Company. Ecology retains lead responsibility for PPP implementation.

The goal of this Public Participation Plan is to promote public understanding of the cleanup process, including opportunities for public involvement, so that the community can provide comments and be involved in a meaningful way throughout the process. The following sections provide background information on the site and the community and outline the public involvement tools and activities for the R.G. Haley site.

SITE BACKGROUND

The R.G. Haley site consists of upland and aquatic areas. The upland portion of the site is comprised of property currently owned by Douglas Management Company and the State of Washington (managed by the Department of Natural Resources). The aquatic portion of the site is owned by the State of Washington. Previous owners of the upland area, including R.G. Haley International, performed activities related to wood treatment, from before 1951 to 1985. Chlorinated organic chemicals have been used in the wood preserving industry since the 1930's. Wood treatment activities conducted at the Site included drying, treating with pentachlorophenol (PCP) in carrier oil, and storage. No wood treating activities have been performed at the Site since 1985.

Douglas Management Company purchased the R.G. Haley International facility in 1990. In studies dated 2001 and 2002, releases of petroleum hydrocarbon and contaminants associated with wood treatments operation were documented at the Site. The primary chemicals of concern include pentachlorophenol (PCP), diesel-end heavy oil-range hydrocarbons, dioxin, furans, and polycyclic aromatic hydrocarbons (PAHs). Some or all of these contaminants were found at levels exceeding regulatory cleanup levels in surface water, shallow ground water, sediment and soil.

In 2002, a visible release of contamination from the site into the adjacent waters (Bellingham Bay) was addressed by Ecology and Douglas Management through installation of a barrier wall and a product recovery system. This interim contaminant recovery system has been in effect since 2002 and continues to operate at the site.

Ecology has conducted a Site Hazard Assessment and placed the R.G. Haley site on the Hazardous Sites List with a ranking of 3, where 1 represents the highest relative risk and 5 the lowest relative risk. The site is subject to the investigation and cleanup requirements of the MTCA, and the Sediment Management Standards (SMS).

COMMUNITY PROFILE

COMMUNITY DESCRIPTION

The site is generally the R. G. Haley wood treating site including the adjacent aquatic lands owned by the State of Washington and managed by DNR. The Site is located in Bellingham and is approximately six acres in size and is bounded by Pine Street, Alder Street, Burlington Northern Santa Re Railroad tracks, and Bellingham Bay. It is in an area of mixed land use including commercial, light industry, and residential neighborhoods above the adjacent hillside.

KEY COMMUNITY CONCERNS

Ecology has preliminarily identified the following concerns and interests that may apply to the investigation and cleanup of the R.G. Haley site:

- Type and level of upland contamination and threats to human health or the environment
- Type and level of offshore contamination and threats to human health or the environment
- Assessment and control of contaminant sources
- Timely cleanup of the site to expedite redevelopment
- Implications of cleanup for other property owners at and adjacent to the site

SITE INVESTIGATION AND STUDY

Initial work at the site will focus on completing a remedial investigation and a feasibility study (RI/FS). The remedial investigation will determine the type, level, location and sources of contamination at the site. The feasibility study will evaluate a range of remedial alternatives that address the contamination, minimizing or eliminating the human health and environmental threats. Implementation of this work will lead to the generation of a draft RI/FS report. Ecology will solicit public comment on the draft RI/FS prior to finalization.

SITE CLEANUP

After the RI/FS is finalized, a draft Cleanup Action Plan (CAP) will be completed by Ecology that describes the remedial alternative preliminarily selected by Ecology. The CAP will be an exhibit to a legal agreement that compels cleanup of the site. The legal agreement and CAP will be issued for public review prior to finalization. Once the CAP is finalized the remedy will be engineered, designed and implemented.

PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES

The purpose of this Public Participation Plan is to promote public understanding and participation in the Model Toxics Control Act (MTCA) cleanup planned for this site. This section of the Plan addresses how Ecology and the Douglas Management Company will share information and receive public comments and community input on the site cleanup. Ecology, working with the Douglas Management Company, retains lead responsibility for these activities.

PUBLIC INVOLVEMENT TOOLS

Ecology uses a variety of tools that are aimed at facilitating public participation in the planning and cleanup of MTCA sites. The following is a list of these tools, their purposes, and how they will be used during this site cleanup.

Formal Public Comment Periods

For the R.G. Haley site several public comment periods will be held throughout the life of the project on the following draft documents: Agreed Order to conduct an RI/FS, Public Participation Plan, RI/FS, and CAP (including the implementing legal agreement). Public comment periods will be a minimum of 30 days.

During the public comment periods the community will have the opportunity to provide written comments on the draft documents via mail or e-mail.

Public Meetings

A public meeting will be held during the public comment periods on the draft RI/FS and the draft Cleanup Action Plan, (including the implementing the legal agreement), to provide an opportunity for the community to ask questions and voice concerns.

Responsiveness Summary

After the public comment periods Ecology will review and respond to any comments received in a responsiveness summary. Ecology will consider changes or revisions based on input from the public. If significant changes are recommended, then a second comment period will be held. If no significant changes are recommended, then the documents will be considered final. A copy of the responsiveness summary will be made available at the Information Repositories listed below with the other site documents.

Information Repositories

During the public comment periods, site documents will be available for review at information repositories and on Ecology's website. Ecology can also make copies of documents for a fee.

The information repositories are:

- Bellingham Public Library, 210 Central Avenue, Bellingham
Phone: (360) 676-6860

- Department of Ecology, Bellingham Field Office, 1204 Railroad Avenue, Suite 200
Phone (360) 738-6250
- Department of Ecology, Northwest Regional Office, 3190 160th Avenue SE, Bellevue
Phone: (425) 649-7190
- Site information will also be posted on the Ecology web site at:
<http://www.ecy.wa.gov/programs/tcp/cleanup.html>

Site Register

All public meetings and comment periods as well as many other activities are published in the Site Register. To receive the Site Register, contact Linda Thompson of Ecology at (360) 407-6069 or lthi461@ecy.wa.gov.

Mailing List

Ecology, with Douglas Management Company, will jointly compile a mailing list for the site. The list will include landowners adjacent to the site, businesses in the area, residents of the potentially affected community, individuals, groups, public agencies, elected officials, and other interested parties that request site-related mailings. A subset of this mailing list may be compiled to provide notice of site-related activity by Ecology or Douglas Management and their consultants to property owners within or adjacent to the site who may be directly affected by physical activity at the site.

Fact Sheet

A fact sheet (similar to a newsletter) is mailed to potentially affected parties, as well as interested persons, businesses and government agencies in and around affected communities. The fact sheet is used to inform them of formal public comment periods and important site activities. A fact sheet may also be used to informally update the community regarding progress of the site cleanup.

Display Ad

A display ad announcing formal comment periods and public meetings will be placed in the *Bellingham Herald*.

PLAN UPDATE

This Public Participation Plan may be updated as the project proceeds. If an update is necessary, the revised plan will be submitted to the public for comment.

PUBLIC POINTS OF CONTACT

Ecology

Site Manager and Public Involvement

Glynis Carrosino, Project Manager
Department of Ecology

Northwest Regional Office
3190 – 160th Avenue S.W.
Bellevue, WA 98008-5452
(425) 649-4422

GLOSSARY

Cleanup: Actions taken to deal with a release, or threatened release of hazardous substances that could affect public health and/or the environment. The term "cleanup" is often used broadly to describe various response actions or phases of remedial responses such as the remedial investigation/feasibility study.

Cleanup Action Plan (CAP): A document that explains which cleanup alternative(s) will be used to cleanup a site. The Cleanup Action Plan is based on information and technical analysis generated during the remedial investigation/feasibility study and consideration of public comments and community concerns.

Comment Period: A time period during which the public can review and comment on various documents 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.

Feasibility Study (FS): See Remedial Investigation/Feasibility Study.

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 by the State of Washington in 1988. 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. MTCA regulations became effective March 1, 1989 and are administered by the Washington State Department of Ecology.

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

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 especially valuable during the Cleanup Action Plan phase at a site when it highlights community concerns.