

New draft legal agreement for site study ready for public review

The Washington Department of Ecology and the Port of Bellingham have completed a new draft legal agreement, called an agreed order, for the Harris Avenue Shipyard site in Bellingham.

When final, the agreement will require the port to conduct an environmental study of the site (called a remedial investigation), analyze cleanup options (called a feasibility study), and develop a cleanup action plan with Ecology oversight.

The new agreement will address contaminated sediment, upland soils and groundwater. The document will replace an existing agreed order for this site that addresses only contaminated sediment in the water.

The draft legal agreement as well as a draft public participation plan will be available for public review and comment Oct. 30 – Nov. 30, 2009.

A final agreement and public participation plan are required steps toward cleaning up toxic contamination in the environment under the state's cleanup law, the Model Toxics Control Act.

The Harris Avenue Shipyard site is one of 12 cleanup sites in the Bellingham Bay Demonstration Pilot, a multi-agency initiative integrating sediment cleanup, control of pollution sources, habitat restoration and land use bay-wide.

Harris Avenue Shipyard site and contaminants

The Harris Avenue Shipyard site is about 8 acres (4 acres of sediment in the water, and 4 acres of land) on the Bellingham Bay shoreline in Fairhaven.

Portions of the property at 201 Harris Avenue and surrounding areas were contaminated during past shipyard operations. These contaminated areas make up the site.

Since the early 1900s, various companies used the property for ship building and maintenance. The Port of Bellingham bought the property in 1966 and leased it to several companies. Puglia Engineering's Fairhaven Shipyards and All American Marine

Comments accepted

Oct. 30 – Nov. 30, 2009

Submit comments and technical questions to:

Mary O'Herron
Site Manager
WA Department of Ecology
1440 10th St., Ste. 102
Bellingham, WA 98225-7028
Phone: 360-715-5224
E-mail: mary.oherron@ecy.wa.gov

Documents at review locations by Oct. 30, 2009

Department of Ecology Bellingham Field Office

1440 10th St., Ste. 102
Bellingham, WA
Phone: 360-715-5200
Hours: Mon.-Fri. 8 a.m.-5 p.m.

Bellingham Public Library

210 Central Ave.
Bellingham, WA 98227
Phone: 360-778-7323
Hours: Mon.-Thurs. 10 a.m.-8 p.m., Fri.-
Sat. 10 a.m.-6 p.m., Sun. 1-5 p.m.

Department of Ecology Northwest Regional office

3190 160th Ave. SE
Bellevue, WA 98008-5452
By appointment: Call Sally Perkins: 425-
649-7190.

Ecology's toxics cleanup Web site:

www.ecy.wa.gov/programs/tcp/sites/blhm_bay/sites/harris_ave_shipyard/harris_ave_shipyard.htm

Or: Go to www.ecy.wa.gov, click on Cleanup, Site list by county, scroll to Whatcom County, then click Harris Avenue Shipyard.

Harris Avenue Shipyard

are leasing the site now, but those businesses did not cause the contamination. The state also owns a portion of the site.

Preliminary sampling and investigations at the site have found:

- **In sediment**, heavy metals, polychlorinated biphenyls (PCBs), phthalates, polycyclic aromatic hydrocarbons (PAHs), and semivolatile organic compounds (SVOCs).
- **In soil**, metals and petroleum hydrocarbons.
- **In groundwater**, petroleum hydrocarbons. Dissolved arsenic also may be present.

These contaminants are present in concentrations that exceed standards under the state's cleanup law and must be addressed.

In 1998, the port began voluntarily sampling and analyzing site sediments. In 2003, Ecology and the port entered an agreed order to complete the sediment evaluation under Ecology's direction.

Additional sampling of the upland area adjacent to the sediments showed contamination in soils and groundwater. As a result, the new agreed order addresses contaminated soils and groundwater as well as contaminated sediment.

Public comment invited

Ecology is asking for your comments on the draft agreed order, the legal agreement that will require the port to complete an environmental study and analysis of the site, and a draft public participation plan.

You are invited to:

- **Review** the agreed order and public participation plan.
- **Send** your comments to Ecology for consideration. **Comments will be accepted Oct. 30 – Nov. 30, 2009.**

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

Overview of the agreed order

The proposed agreed order is a legal agreement between Ecology and the port.

It describes the studies that the port agrees to perform on the site. The agreed order covers these studies and documents:

- **Remedial investigation and feasibility study (RI/FS) work plan** - Explains the work needed to look for and analyze contamination in soil and groundwater, and to evaluate potential effects on Bellingham Bay.
- **RI/FS report** - Presents the results of the study, proposes alternatives for cleanup actions, and identifies a preferred action.
- **Draft cleanup action plan** - Describes Ecology's proposed site cleanup action.

The purpose of the agreed order is to direct actions that will lead to a cleanup that protects human health and the environment. It ensures the work happens in a timely manner and according to the state's cleanup law.

Overview of the draft public participation plan

Ecology is committed to providing the public with information about cleanup activities and opportunities to participate. As part of this commitment, Ecology has revised the existing public participation plan for this site. The plan outlines how interested parties can learn about the cleanup and provide input.

Your comments and ideas are needed to help inform cleanup activities. The public participation plan explains how Ecology will:

- Notify the public when and where documents are available for review and comment.
- Notify the public about how to become involved.
- Provide public participation opportunities.
- Respond to public comments.

Harris Avenue Shipyard

What Happens Next?

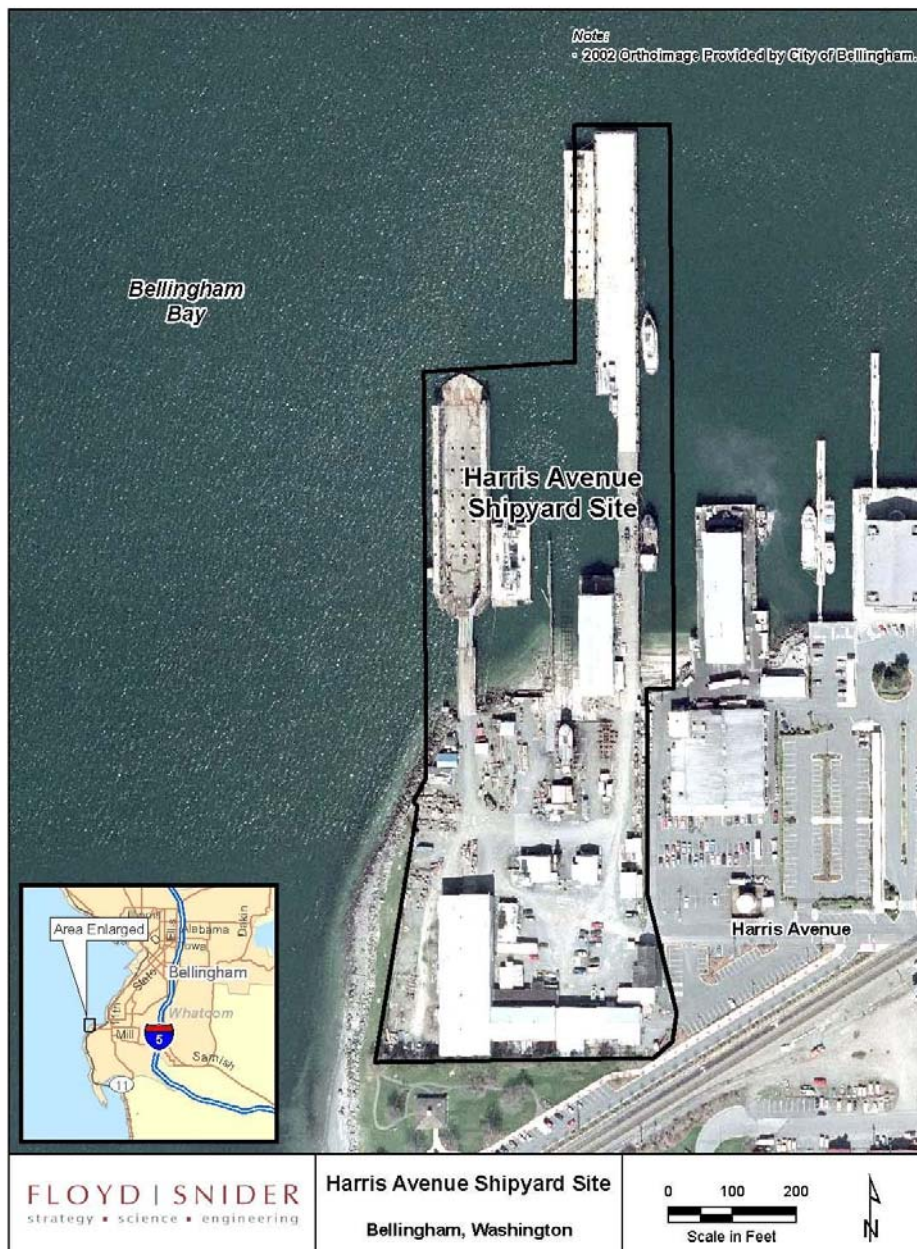
Once the public comment period ends, Ecology will review and consider all comments it receives. The draft agreed order and public participation plan may be modified based on your comments. If there are significant changes, Ecology will issue the documents again for public review.

As future documents about the site are developed, Ecology will notify the public of additional comment periods.

Why this cleanup matters

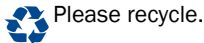
Cleaning up the Harris Avenue Shipyard site is necessary to protect people, plants, fish, birds and other aquatic and terrestrial life from exposure to harmful levels of contamination.

All phases of the cleanup, including development of the agreed order, will be conducted under the Model Toxics Control Act, passed by citizen initiative in 1988 and enacted in 1989.





1440 10th St., Ste. 102
Bellingham, WA 98225-7028



Please recycle.

Harris Avenue Shipyard, Bellingham, WA

Ecology seeks public comment on revised draft legal agreement for site study and draft public participation plan

Public comment period: Oct. 30 – Nov. 30, 2009

Facility Site ID #: 2922

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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.

Information in Spanish: El borrador de una orden acordada y un plan de participación pública están disponible para revisión. El Departamento de Ecología del Estado de Washington (Ecología) está aceptando comentarios desde el 30 de octubre hasta el 30 de noviembre de 2009. Cuando finalizado, el acuerdo requeriría que el Puerto de Bellingham estudia el sitio con la supervisión de Ecología. Para más información en español, favor de llamar a Richelle Perez a 360-407-6971 o por correo electrónico a rdeg461@ecy.wa.gov, y refiere a Harris Avenue Shipyard.