



RESPONSIVENESS SUMMARY

Edman Co Side 1 (Cascade Timber #1) Cleanup Site

Draft Periodic Review Report

Public Comment Period March 21 – April 20, 2011

**Prepared by
Washington State Department of Ecology
Southwest Regional Office
Toxics Cleanup Program
Lacey, Washington**

May 2011

Site Information

Address: 2502 Marine View Drive, Tacoma

Site Manager: Guy Barrett

Public Involvement Coordinator: Diana Smith

The Washington State Department of Ecology (Ecology) completed a periodic review on the Edman Co Side 1 (formerly Cascade Timber #1) site. Ecology conducts a periodic review at least every five years, as required by the Model Toxics Control Act (MTCA). The purpose of the review is to evaluate site conditions after cleanup is considered complete, and to ensure protection of human health and the environment.

Ecology found that the site does not meet cleanup requirements and may not be protective of human health and the environment. The site's owners have not monitored groundwater and maintained the cap over the contaminated material according to Ecology's requirements. Ecology requires that the site owner, now the ASARCO Multi-State Custodial Trust, conduct monitoring and maintenance at the site. Ecology will do another periodic review in five years.

Ecology held a public comment period from March 21 through April 20, 2011 for the periodic review draft report. Comments received during the comment period and Ecology's responses are summarized in this report.

Site Background

The Edman Co Side 1 site (formerly Cascade Timber #1) is located at 2502 Marine View Drive in Tacoma. It is currently being used for log storage and wood chipping.

The entire site was formerly owned by Cascade Pole Company, which leased it to Cascade Timber Company from 1977 to 1981. From at least 1977 to 1981 slag from the ASARCO smelter in Tacoma was placed on the site as ballast to keep heavy equipment from sinking into the soft soil.

The Department of Ecology tested surface water at the site between November 1983 and June 1984. The study found arsenic, copper, lead, and zinc at concentrations exceeding cleanup criteria. Later investigations found elevated levels of arsenic, copper, lead, and zinc in the soil.

In 1989, Ecology issued an Agreed Order requiring the site owners to develop a Remedial Investigation, Feasibility Study, and Cleanup Action Plan for the site. In July 1995, ASARCO accepted liability for all sediment cleanup costs and for all natural resource damage claims relating to sediment contamination caused by release of hazardous substances from ASARCO slag at the site.

ASARCO removed soil and material containing ASARCO slag and related hazardous substances and placed them in a containment cell and cap at the site. The containment cell includes a storm water collection system and monitoring wells. Groundwater monitoring was conducted at the site from 1994 until 1998. As of the final groundwater monitoring event in June 1998, dissolved arsenic, copper, lead, and zinc were measured below the site cleanup levels.

In 1996, an environmental covenant was recorded for the site. The covenant prohibits activities that could result in the release of contaminants contained as part of the cleanup.

Comment #1

Ecology received comments from Citizens for a Healthy Bay during the public comment period. The full comment letter is attached at the end of this document. Ecology's response to each of Citizens for a Health Bay's comments can be found below.

Comment #1A:

Subsequent to its evaluation of the 5-Year Review document prepared by Ecology, CHB has identified the following 3 issues we are asking Ecology to address:

1. Restrictive Covenants

Ecology's review concluded that the Restrictive Covenants for the Site were recorded and are still in place. The Restrictive Covenants state that the property may only be used for industrial purposes and that any activity that reduces the effectiveness of the cleanup action is prohibited.

The limitations imposed by restrictive covenants to a parcel alone are not sufficient to protect the site remedy that has been put into place. The location of the containment cell and all other site restrictions also need to be entered in the City of Tacoma's database so that land use staff are alerted in evaluating any possible future land use application for the property. This will insure that, in the event that a land use permit application for the site is submitted in the future, that City staff will be alerted to site restrictions when the application is reviewed.

Ecology Response

Under the Uniform Environmental Covenants Act, Chapter 64.70 RCW, Ecology now consults with local land use planning authorities in the development of the land use or activity restrictions in the environmental covenant.

Ecology contacted the City of Tacoma Planning Department to see if they check for the presence of restrictive covenants whenever a land use permit is submitted for a parcel. The city reported that typically this not done. It would be part of a title report if property is being sold or may be noted as part of a SEPA review.

Ecology cannot require that the City of Tacoma enter this information in their database. The city has offered to consider an additional layer of review looking for restrictive (environmental) covenants when a land use application is made for sites that may impact Commencement Bay.

Comment #1B:

2. Groundwater Monitoring

Groundwater monitoring was conducted from Sept. 1994 to June 1998 and groundwater contaminant levels were determined to be at acceptable levels. Although required, groundwater monitoring was inexplicably discontinued after June 1998.

Groundwater monitoring was required in order to verify the performance of the on-site contaminant confinement cell. Observations made as part of a site visit conducted in March 2009 confirmed that the containment berm, cap and monitoring wells were in good repair.

Lacking the validation of substantive groundwater monitoring data, the effectiveness of the remedial action cannot be determined. The site sample and monitoring plan needs to be updated and groundwater monitoring restarted. Quarterly monitoring events should be required for at least the first year to establish a baseline.

Ecology Response

The ASARCO Multi-State Custodial Trust and Ecology have recently agreed to a scope of work to perform groundwater monitoring, cap inspection, and maintenance activities beginning June 2011. This work will be done using funds from the ASARCO settlement.

Comment #1C:

3. Cap Inspection and Maintenance

Continued cap inspection and maintenance are required but there is no record that either activity was conducted. While observations made as part of a site visit conducted in March 2009 confirmed that the cap was in good repair, the lack of a cap inspection and maintenance plan is of concern.

Ecology Response

The ASARCO Multi- State Custodial Trust and Ecology have recently agreed to a scope of work to perform groundwater monitoring, cap inspection, and maintenance activities beginning June 2011. During each semi-annual event, the consultant hired by the ASARCO Multi- State Custodial Trust will inspect the containment cell and general site improvements (monitoring wells, vent pipes, drainage channels, fences, etc.) The consultant will evaluate the condition of the containment cell structure and cover, and identify items requiring repair (e.g. damaged wells, clogged drains, damaged gates or fences). Routine groundskeeping tasks (litter cleanup, vegetation control, updating signage) will also be performed. The site inspections will be documented on field logs and photographs.



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A tax-exempt
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April 20, 2011

Mr. Guy Barrett
Toxics Cleanup Program
Washington State Dept. of Ecology – SWRO
PO Box 47775
Olympia, WA 98504-7775

Re: Edman Company – Cascade Timber #1, Facility Site ID#: 1204

Dear Mr. Barrett:

The purpose of this letter is to communicate comments from Citizens for a Healthy Bay (CHB) to the 5-Year review of the remedy implemented at the Edman site located at 2502 Marine View Drive in Tacoma.

Washington State Department of Ecology (Ecology) reviewed the post-cleanup site conditions and monitoring data to ensure that human health and the environment are being protected at the former Edman Company site (Site), formerly known as the Cascade Timber #1 site. Site cleanup was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). Cleanup activities at this Site were conducted under a Proposed Purchaser Consent Decree (PPCD). The cleanup actions resulted in concentrations of metals in soil exceeding MTCA Method A Industrial cleanup levels remaining at the Site. The MTCA Method A cleanup levels for soil are established under WAC 173-340-745(3).

Subsequent to its evaluation of the 5-Year Review document prepared by Ecology, CHB has identified the following 3 issues we are asking Ecology to address:

Restrictive Covenants

Ecology's review concluded that the Restrictive Covenants for the Site were recorded and are still in place. The Restrictive Covenants state that the property may only be used for industrial purposes and that any activity that reduces the effectiveness of the cleanup action is prohibited.

The limitations imposed by restrictive covenants to a parcel alone are not sufficient to protect the site remedy that has been put into place. The location of the containment cell and all other site restrictions also need to be entered into the City of Tacoma's database so that land use staff are alerted in evaluating any possible future land use application for the property. This will insure that, in the event that a land use permit application for the site is submitted in the future, that City staff will be alerted to site restrictions when the application is reviewed.

Groundwater Monitoring

Groundwater monitoring was conducted from Sept. 1994 to June 1998 and groundwater contaminant levels were determined to be at acceptable levels. Although required, groundwater monitoring was inexplicably discontinued after June 1998.

Groundwater monitoring was required in order to verify the performance of the on-site contaminant confinement cell. Observations made as part of a site visit conducted in March 2009 confirmed that the containment berm, cap and monitoring wells were in good repair.

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Mr. Guy Barrett
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The site sample and monitoring plan needs to be updated and groundwater monitoring restarted. Quarterly monitoring events should be required for at least the first year to establish a baseline.

Cap Inspection and Maintenance

Continued cap inspection and maintenance are required but there is no record that either activity was conducted. While observations made as part of a site visit conducted in March 2009 confirmed that the cap was in good repair, the lack of a cap inspection and maintenance plan is of concern.

The cap inspection and maintenance plan needs to be updated and implemented as soon as possible.

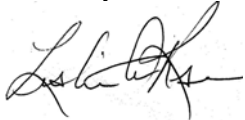
Conclusion

CHB is concerned by the lack of oversight by the Dept. of Ecology that permitted critical remedy maintenance and monitoring to not be performed for more than 10 years. The site remedy was an important source control action in the Hylebos Waterway contaminated sediment Superfund problem area. As such, the performance of the site remedy should have been more closely tracked.

CHB is a community based, non-profit environmental organization representing the community stakeholders in the Commencement Bay Nearshore/Tideflats Superfund problem area and surrounding area. Our membership includes citizens of the greater Commencement Bay and South Puget Sound area.

Thank you for your consideration of our remarks and for including them as part of the formal site record.

Sincerely:

A handwritten signature in black ink, appearing to read 'Leslie Ann Rose', is written over a faint circular official stamp.

Leslie Ann Rose
Senior Policy Analyst