

EXHIBIT E

PUBLIC PARTICIPATION PLAN

**Bee-Jay Scales Site
116 N 1st Street
Sunnyside, WA 98944**

December 2012

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FIGURES

Figure 1	Site Location Map
Figure 2	Site Plan

1.0 Introduction

This *Public Participation Plan* has been prepared on behalf of Chevron Chemical Company and American Oil Company. The plan was developed pursuant to the Model Toxics Control Act (MTCA) and Consent Decree No. ____ to promote public understanding and meaningful community involvement during the cleanup of the Bee-Jay Scales Site in Sunnyside, Washington (the Site). This plan outlines and describes the tools that the Washington State Department of Ecology (Ecology) uses to inform the public about Site activities and identifies opportunities for the community to become involved.

1.1 GOALS AND OBJECTIVES

This plan is designed to achieve specific goals and satisfy the requirements of MTCA and Consent Decree No. _____. The main objectives of the *Public Participation Plan* are to:

- Open and maintain communication;
- Provide information about site cleanup that promotes public understanding of the cleanup process;
- Ensure the public's questions are answered and concerns are addressed; and
- Notify the public of opportunities to comment on and be involved in key decisions.

2.0 Site Description and Background

The Site is located in the city of Sunnyside, within Yakima County, and is where contaminants released at the following two parcels have come to be located: Parcel No. 22102522014 and Parcel No. 22102522015 as recorded by the Yakima County Department of Assessment. Parcel No. 22102522014 is located at 116 North 1st Street and is owned by Bee-Jay Scales, Inc. Parcel No. 22102522015 is located at 301 Warehouse Avenue and is owned by Western General Land LLC. The Site's general location is shown on Figure 1. The property layout, including buildings, monitoring well locations and area boundaries, is shown on Figure 2.

The Site and adjacent areas have been used for industrial purposes since the turn of the century. An agricultural chemical distribution facility operated at the Site from the 1960s through at least 1986. Historical records indicate dry fertilizer, liquid fertilizer, and LP gas distribution operations were conducted. After 1986, operations related to the distribution of fertilizer were discontinued and the current businesses located at the Site began operations. Portions of the Site are used as an active trucking and scale operation.

The Site is bordered by N 1st Street to the west, Warehouse Avenue to the north, the remainder of the Western General Land LLC property to the east, and railroad tracks followed by Valley Processing to the south.

Stantec Consulting Services Inc. (Stantec), on behalf of Chevron Chemical Company and American Oil Company, has performed Phase I, Phase II, and Phase III Remedial Investigations that evaluated soil and groundwater impacts on-site and off-site. Stantec has also performed interim remedial measures to treat petroleum hydrocarbons in Area 3 on the Site and close the on-site lagoon. Semi-annual groundwater monitoring is currently on-going in 12 Site monitoring wells. Contaminants of potential concern include nitrate, herbicides, and select volatile organic compounds (VOCs) and metals.

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3.0 Public Involvement Responsibilities and Activities

The purpose of the *Public Participation Plan* is to promote public understanding and participation in the MTCA activities planned for the Site. This section of the plan addresses how Ecology will share information and receive public comments and community input on the Site activities.

Ecology uses a variety of activities to facilitate public participation in the cleanup of MTCA sites. The following is a list of the public involvement activities that Ecology will use, their purposes, and descriptions of when and how they will be used during cleanup.

3.1 POINTS OF CONTACT

If you have questions or need more information about this plan or the Bee-Jay Scales Site cleanup project, please contact the following:

Norm Hepner, Project Coordinator
Washington State Department of Ecology
Central Regional Office
15 West Yakima Ave, Suite 200
Yakima, WA 98902-3452
Phone: (509) 457-7127
Email: norm.hepner@ecy.wa.gov

3.2 FORMAL PUBLIC COMMENT PERIODS

Comment periods are the primary method Ecology uses to get feedback from the public on proposed cleanup decisions. Comment periods usually last 30 days and are required under Washington Administrative Code (WAC) 173-340-600 at certain points during the investigation and cleanup process.

During a comment period, the public can comment in writing. Verbal comments are taken if a public hearing is held. After the formal comment period, Ecology reviews all comments received and may respond in a document called a responsiveness summary. The responsiveness summary will be sent to those who submit written comments and to the information repositories detailed in Section 3.4. Notice of the availability of the responsiveness summary will be printed in the Site Register detailed in Section 3.5.

Ecology will consider the need for changes or revisions based on input from the public. If significant changes are made, then a second comment period may be held. If no significant changes are made, then the draft document(s) will be finalized.

Public comment periods will be held for draft cleanup action plans and future consent decrees that are developed for the Site.

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3.3 PUBLIC MEETINGS AND HEARINGS

Public meetings may be held during the cleanup process as required by WAC 173-340-600. Ecology also may offer public meetings for actions expected to be of particular interest to the community. These meetings will be held at locations convenient to the community. If 10 or more people request a public meeting, one will be scheduled. Otherwise, meetings will be scheduled as needed.

3.4 INFORMATION REPOSITORIES

Information repositories are places where the public may read and review Site information, including documents that are the subject of public comment. Documents available for public review and comment can be found here:

- Washington State Department of Ecology, Central Regional Office, 15 W Yakima Avenue, Suite 200, Yakima, WA 98902-3463. Please call (509) 454-7658 for an appointment.
- Sunnyside Library, 621 Grant, Sunnyside, 98944
- Ecology's website at: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3641>.

3.5 SITE REGISTER

Ecology's Toxics Cleanup Program uses its bimonthly Site Register to announce public meetings and comment periods, as well as many other activities. To receive the Site Register in electronic or hard copy format, contact Seth Preston at (360) 407-6848 or by e-mail at Seth.Preston@ecy.wa.gov. It is also available on Ecology's website at: http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html.

3.6 MAILING LIST

Ecology will compile a mailing list for the Site. The list will include individuals, groups, public agencies, elected officials, private businesses, potentially affected parties, and other known interested parties. The list will be maintained at Ecology's Central Regional Office and will be updated as needed.

Please contact Norm Hepner at (509) 457-7127 or norm.hepner@ecy.wa.gov if you would like to have your address added to or deleted from this mailing list.

3.7 FACT SHEETS

Ecology will mail fact sheets to persons and organizations interested in the Bee-Jay Scales Site cleanup project to inform them of public meetings, comment opportunities, and important Site activities. Ecology also may mail fact sheets about the progress of Site activities.

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3.8 ADDITIONAL ACTIVITIES

As part of providing public notice of formal public comment periods, the following activities may be undertaken by either Ecology or Stantec:

- Media releases may be issued to the local newspapers or to radio and television stations.
- Public notices may be posted at the information repository and/or other public buildings.

These activities are to be coordinated with the required public notice activities.

3.9 PLAN UPDATE

This *Public Participation Plan* may be updated or amended as the project proceeds. If an update is necessary, and constitutes a substantial change in the plan, it will be announced via Site Register and the website.

3.10 PUBLIC PARTICIPATION GRANTS

As part of MTCA, Ecology developed a public participation grant program to promote public participation during cleanups. Public Participation Grants provide funding to community groups to help involve the public in the investigation and cleanup of contaminated properties. The grants also help develop and carry out programs that promote the state's solid or hazardous waste management priorities.

For cleanup sites, non-profit groups or groups of three or more unrelated individuals can apply for grants to fund outreach and education efforts for the community that is impacted by the cleanup. Past projects have helped people understand the cleanup and how to comment on cleanup proposals during public comment periods. Grant funds may be used to pay for technical experts who help people understand cleanup issues. They can also be used to hold meetings, workshops and other events that help to inform people. In addition, printing and distribution of reports, brochures and other materials may be covered.

For more information about this grant program, visit:

<http://www.ecy.wa.gov/programs/swfa/grants/ppg.html>.