



PUBLIC PARTICIPATION PLAN

**ARCO Products Company
A bulk fuel terminal site
Harbor Island,
Seattle, Washington**

Consent Decree and Cleanup Action Plan

November 1999

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1.0 INTRODUCTION AND OVERVIEW OF PUBLIC PARTICIPATION PLAN

1.1 Public Participation at Hazardous Waste Sites

The Washington State Department of Ecology (Ecology) is committed to providing public participation opportunities during the investigation and cleanup of hazardous waste sites. The Public Participation Plan is intended to promote understanding of Ecology's responsibilities, planning activities, and remedial activities at hazardous waste sites under the Washington State Model Toxics Control Act (MTCA) (Chapter 173-340-WAC), the regulations that guide site cleanup. It also provides an opportunity for Ecology to learn, from the public, information that will enable Ecology to develop a comprehensive cleanup plan that is protective of both human health and the environment.

This Plan outlines the public involvement activities for the draft Consent Decree and attached draft Cleanup Action Plan at the ARCO Terminal (ARCO) on Harbor Island in Seattle, Washington. The legal agreement, called a Consent Decree, between Ecology and ARCO Products Company (ARCO), will ensure that the cleanup meets the requirements of the Model Toxics Control Act (WAC Chapter 173-340). The Cleanup Action Plan, which is being implemented under the Consent Decree, describes the proposed cleanup actions and the work to be performed at the site.

The activities laid out in this plan are aimed at involving the affected community in the cleanup process in a meaningful way and at facilitating open communication between the community, the agencies involved and the potentially liable persons.

While certain aspects of a Public Participation Plan are prescribed by regulation, this Plan has been tailored to the needs of the public based on the stage and nature of the cleanup, the level of public concern, and the risks posed by the site.

1.2 Goal of the Public Participation Plan

The goals of this plan are to promote public understanding of the regulations and process for cleanup of this site, and to encourage the public's involvement in achieving cleanup solutions acceptable to all stakeholders. The actions in this plan will provide a way for the public to comment and assist in the cleanup process at the ARCO Terminal site.

The primary objectives of this plan include:

- ◆ Providing information and promoting public understanding of the cleanup of this site.
- ◆ Inviting and encouraging interaction and collaboration among representatives of the community, Ecology and ARCO, and other parties as identified, to ensure the cleanup of the site proceeds smoothly and efficiently.
- ◆ Soliciting and responding to community concerns, questions, and comments.
- ◆ Fulfilling regulatory requirements of MTCA.

1.3 Participants in this Plan

Ecology and ARCO, the major participants in this plan, have negotiated a draft Consent Decree. This legal agreement settles any liability ARCO would have for environmental cleanup at the site and provides ARCO with a covenant not to sue, which is a legal protection against law suits. This plan was prepared by Ecology's Toxics Cleanup Program and was subject to review by ARCO. Ecology will oversee the cleanup and is responsible for public participation.

2.0 SITE BACKGROUND

2.1 Location, Description, and History

The ARCO Harbor Island Terminal Plant 1 and Plant 2 located at 1652 Southwest Lander Street consists of two separate bulk storage plants. Plant 1 consists of approximately 12 acres located along the west waterway of the Duwamish River. Plant 2 consists of 6 acres located in the north-central part of Harbor Island. Both plants were constructed in the 1930s and have operated as bulk fuel storage and transfer facilities since that time under a variety of owners. ARCO assumed operation of Plant 1 in the 1940s and Plant 2 in the 1950s.

Harbor Island is an industrial area at the mouth of the Duwamish River where it flows into Elliott Bay in Seattle. No residences exist on Harbor Island at this time.

Operating as a bulk fuel storage and transfer terminal, a number of petroleum products have been handled at the site, including gasoline, jet fuel, gasoline additives, industrial fuel oil, diesel fuel, light oils and lubricating oils.

The soil and groundwater are contaminated due to spills and leaks from above-ground and underground storage tanks, product piping, oil/water separator, and chemical storage areas which contain small volumes of lubricants, paints, and solvents used for on-site activity. This site does not pose an immediate threat to human health but is considered to be a potential long-term threat to the environment.

ARCO completed a Remedial Investigation (RI) in 1994 and a Feasibility Study (FS) in 1996. Both were available for public review in 1997. A draft Consent Decree and Cleanup Action Plan were submitted for public comment from 11/10/97 to 2/18/98. A considerable amount of public comment expressed dissatisfaction with the proposed cleanup plan. In response to comments, a revised draft Consent Decree and attached Cleanup Action Plan have been prepared.

2.3 The Proposed Cleanup Action Plan

As part of the draft Consent Decree, the Cleanup Action Plan describes the remedial actions that will be undertaken by ARCO. The following actions are proposed as part of the cleanup in order to eliminate direct contact and exposure to hazardous substances at, or from, the site, enhance ongoing groundwater cleanup activities, and protect human health and the environment.

The results of the RI/FS indicate two primary concerns at the site:

Primary areas of concern:

Of concern are areas beneath the shoreline warehouse (inaccessible) adjacent to the West Waterway and in the inland (accessible) areas of Plant No. 1. Approximately 14,000 gallons of weathered diesel and gasoline are trapped behind the subsurface shoreline warehouse bulkhead-seawall structures that form a partial barrier to groundwater flow to the West Waterway. An interim remediation system has been installed to remove floating petroleum product and associated dissolved hydrocarbons in this area. The soils beneath the warehouse and inland portions of Plant No. 1 are contaminated with total petroleum hydrocarbons (TPH) and are potential sources of groundwater contamination.

Secondary Areas of Concern:

Of concern are areas of TPH contamination of the inland subsurface soils (accessible areas) in Plant No. 2, located in the middle of the Island.

Summary of proposed cleanup actions

The proposed actions for cleaning up both the accessible and inaccessible TPH-contaminated soils include:

NOTE: KEY REVISIONS TO THIS FINAL DRAFT CAP ARE DENOTED BY THIS SYMBOL: ♠

- ♠ Excavate the accessible TPH-contaminated soil hot spots located inland of Plant No. 1 that are above 10,000 parts per million. This remedial action level will address the primary areas of concern impacted by TPH and it is based on EPA's Record Of Decision for the industrial Harbor Island.
- ♠ Excavate accessible TPH-contaminated soil hot spots located inland of Plant No. 2 that are above 20,000 parts per million. This remedial action level will address the secondary areas of concern impacted by TPH and it is based on EPA guidance for natural attenuation.
- Treat inaccessible TPH-contaminated soil hot spots beneath the shoreline warehouse in the unsaturated zone with vapor extraction technology.
- Treat remaining residual TPH-contaminated soil with bioremediation.
- Place a restrictive covenant on the property deed for "industrial use" only.
- ♠ Implement Contingency Plan, if needed.

The proposed actions for cleaning up the TPH-contaminated ground water include:

- Treat soil below the water table by air sparging. Air sparging involves injecting air into the groundwater which promotes a transfer of contaminants from soil and water to the air. These vapors are then pulled away.
- Extract the groundwater and/or product. Extracted groundwater will be treated before disposal.
- ♠ Remove free-product from the water table, wherever present.
- Conduct long-term ground water monitoring.
- ♠ Implement Contingency Plan, if needed.
- ♠ Remove free-product beneath the warehouse after 18 months of implementing this CAP
- ♠ Restore site groundwater to state standards after 5 years of implementing this CAP

3.0 COMMUNITY BACKGROUND

3.1 Harbor Island Profile

Harbor Island is a 450-acre man-made island located in the City of Seattle at the Duwamish River mouth in Elliott Bay, along the eastern shore of Puget Sound. From 1903 to 1905, Harbor Island was created from marine sediments dredged from the Duwamish River to facilitate navigation and placed on intertidal wetlands at the mouth of the Duwamish River. Today, the Island is entirely industrial.

Approximately 70% of Harbor Island is covered with buildings, roads or other impervious surfaces except for the above-ground storage tank areas where the oil companies are located. Harbor Island was placed on the National Priorities List in 1983, as a Superfund Site due to elevated lead concentrations in soil, as well as elevated levels of other hazardous substances.

EPA divided Harbor Island into 4 Operable Units; Unit 1 consists of the Tank Farms (Equilon or Former Texaco, ARCO, and GATX or Former SHELL); Unit 2 consists of the Marine Sediments; Unit 3 consists of Lockheed Shipyard Facility, and Unit 4 consists of Upland Soil and Groundwater.

Under a Memorandum of Agreement (MOA) between EPA and Ecology, EPA designated Ecology the lead agency for the tank farms because petroleum is the primary contamination for Operable Unit 1. Petroleum is excluded from the federal CERCLA statute but is regulated under the state MTCA as a hazardous substance.

3.2 Community Concerns

The community close to this site is mainly the business community on Harbor Island, although a number of environmental and community groups are interested in the activities along the Duwamish Waterway and Elliott Bay in General.

Community concerns include:

- The Duwamish River and Elliott Bay ecosystems should be protected from contamination by sources at the site.
- Contaminated groundwater should be cleaned up.
- The cleanup should provide adequate protection for public health and the environment.
- Remedial actions on-site addressing petroleum contaminated soil should be consistent with the Model Toxics Control Act that require the use of permanent solutions to the maximum extent practical instead of using the Interim TPH Policy which would allow contaminated soil to remain in place.
- The cleanup schedule should have a well-defined timeline and deadlines.

4.0 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 will share information and receive public comments and community input on the Site cleanup. Ecology, working with ARCO, retains lead responsibility for these activities.

4.1 Public Involvement Tools

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

Formal Public Comment Period

Comment periods are the primary way Ecology gets feedback from the public on proposed cleanup decisions. Comment periods usually last 30 days and are required at key points during the cleanup process before final decisions are made. During a comment period, the public can comment in writing. Oral comments are taken if a public hearing is held.

For the ARCO site, a 30-day comment period will be held from November 19, 1999 to December 19, 1999. During this time, the community will have the opportunity to comment on drafts of the Consent Decree, Cleanup Action Plan, and this Public Participation Plan.

Public Meetings and Hearings

If ten or more people request one during the public comment period, Ecology will hold a public hearing for the purpose of taken oral comments on the draft documents.

Responsiveness Summaries

After every public comment period, Ecology reviews and responds to comments received, both oral and written, in a responsiveness summary. Ecology considers changes or revisions based on the input from the public. If significant changes are recommended, then a second comment period is held. If no significant changes are recommended, then the Consent Decree is considered final and is recorded in the Washington State Superior Court of King County. All those who submitted comments will be advised when the responsiveness summary is available. It is also made available at the Information Repositories listed below.

For this site, significant changes were made to the Consent Decree in response to public comment. This second comment period has been scheduled for the revised documents. The Responsiveness Summary has been mailed to all who commented and is now available at the information repositories listed below.

Information Repositories

Information repositories are convenient places where you may read and review site information. The information repositories are often at libraries or community sites where the public has access. During the comment period, the site documents will be available for review at each

repository. Documents remain at the repositories for the entire duration of the cleanup. Ecology's Central Files can make copies of documents for a fee.

For this site, drafts of the Consent Decree, the attached draft Cleanup Action Plan, other attached Exhibits, the Responsiveness Summary, and this Public Participation Plan will be available at the following repositories for public review. The final Remedial Investigation/Feasibility Study is also available at the repositories, but not on the website.

- ◆ Seattle Public Library, Downtown Branch, Government Documents, 2nd Floor, 1000 4th Ave., Seattle
- ◆ Department of Ecology, Northwest Regional Office, 3190 160th Ave. SE, Bellevue, (425) 649-7190
- ◆ West Seattle Library 2306 42nd Avenue SW, (West) Seattle
- ◆ Ecology's website: www.wa.gov/ecology/tcp/cleanup.html

Site Register

One of the communication tools of Ecology's Toxics Cleanup Program is the Site Register. All public meetings and comment periods as well as many other activities are published in this bimonthly report. The public comment period for this site will be announced in the November 16, 1999 edition of the Site Register. To receive the Site Register, contact Sherrie Minnick at (360) 407-7200 or email [smin461@ecy.wa.gov].

Mailing List

Ecology has compiled a mailing list for the site. The list includes all residences and businesses adjacent to the site, individuals, groups, public agencies, elected officials, and private businesses and industries that request site-related mailings, as well as other known interested parties. The list will be maintained at Ecology's Northwest Regional Office and will be updated as needed.

Fact Sheets

Fact sheets are site-specific newsletter-like publications that are mailed to interested persons, business and government agencies in and around affected communities. The fact sheet is used to inform them of comment periods and important site activities. Fact sheets are also used to informally update the community on the progress of the site cleanup.

For this site, a fact sheet has been prepared and will be mailed to announce the formal comment period and availability of site documents to be reviewed.

Display Ads

Display advertisements are placed in the newspaper of largest circulation and local community newspapers to announce the comment period and, if applicable, the public hearing. Display ads are preferred as they are easier to find and easier to understand compared to legal notices.

The display ad to announce the comment period for this site will be placed in The Seattle Times Metro Zone edition on November 19, 1999.

4.2 Plan Updates

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

4.4. Public Points Of Contact

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