



DEPARTMENT OF
ECOLOGY
State of Washington

Truck City Truck Stop Site

3216 Old Highway 99 South,
Mount Vernon, Washington

CSID ID#: 5176

Responsiveness Summary for the
Prospective Purchaser Consent Decree,
Remedial Investigation and Feasibility
Study Report, Draft Cleanup Action Plan,
and Draft Public Participation Plan

January 2015

**Washington State Department of Ecology
Northwest Regional Office – 3190 160th Avenue S.E.
Bellevue, WA 98008**

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Background Information

In 2014, the Washington State Department of Ecology (Ecology) and Skagit County entered into a legal agreement on January 14, 2015 called a Prospective Purchaser Consent Decree (PPCD). Under this PPCD, Ecology and Skagit County agreed to clean up the Truck City Truck Stop site located at 3216 Old Highway 99 South in Mount Vernon, Washington.

To prepare for and guide the cleanup, Skagit County conducted a Remedial Investigation/Feasibility Study (RI/FS), and prepared a Draft Cleanup Action Plan (CAP) which was finalized by Ecology following public notice and comment. The RI identified the nature and extent of contamination at the site; the FS assessed alternative ways of cleaning up the contamination and the CAP detailed the selected cleanup action.

The Site was developed in 1952 as a fueling facility for Standard Oil and operated as an independent entity since 1976. A convenience store, restaurant, and truck wash were constructed in 1978.

Fifteen former fuel-containing underground storage tanks (USTs) have been identified. Two historical tanks and one septic tank containing waste oil (removed in 1993) were located east of the current truck scale. The current and only operational UST area, located east of the convenience store, houses three 5,000-gallon gasoline USTs and one 15,000-gallon diesel UST.

The Draft Public Participation Plan (PPP) outlined and described the tools and approaches that Ecology plans to use to inform the public about site activities. It also identifies opportunities for the community to become involved in the site cleanup process.

A public comment period was held December 1 through 31, 2014. Ecology requested public comments on the PPCD, Draft RI/FS, Draft CAP, and Draft PPP.

A public meeting/public hearing was held on December 11, 2014 at the Skagit County Administration Building from 5:30 – 8:00 p.m. The meeting was an opportunity for the citizens to learn more about the planned cleanup activities, to ask questions, and to provide Ecology with their comments.

Ecology received four written or emailed comments and one public hearing comment during the comment period. This Responsiveness Summary provides Ecology's response to these comments.

More information about the site is available at the Washington State Department of Ecology (Ecology) website: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5176>

Comments Received and Ecology Response

Comment 1: Domtrucking

From: domtrucking [<mailto:domtrucking@aol.com>]

Sent: Friday, November 28, 2014 3:06 PM

To: Lui, Nancy (ECY)

Subject: Truck City

You wildly underestimated the cost of cleaning up the site...the loss to the economy of over three hundred jobs and perhaps as many as 1,000 secondary tax paying jobs.

You ignore pleas from local citizens to use other sites. You will NEVER be able to clean up the Truck City property. You drove countless small truck companies out of business. You pushed Skagit County to the brink of disaster, and NOW you ask for advice? Ok. ask.

Ecology Response:

Ecology contacted Dom Trucking by phone and spoke to Mr. Dan Rosenfeld. Mr. Rosenfeld stated that he was against the location of the new Jail and that it was his opinion that since the Truck Stop had been there since the 1950's that it was better to leave the Truck Stop and the contamination which could not be cleaned up there and to select a different location for the Jail. Ecology told Mr. Rosenfeld that the Truck City Site was a high priority cleanup in the public interest. Ecology referred Mr. Rosenfeld to Mr. Marc Estvold (working for Skagit County) for questions pertaining to the County's selection for the new Jail facility.

Comment 2: Gary Jones

From: Gary Jones [<mailto:gjones@jonesandsmith.com>]

Sent: Wednesday, November 26, 2014 8:56 AM

To: Lui, Nancy (ECY)

Subject: RE: Department of Ecology - Truck City Truck Stop Cleanup Site - Public Comment Period: December 1 - 31, 2014

Nancy,

1. When this message was opened and the links to documents were clicked it showed "CANNOT BE DISPLAYED" messages and denied access to the relevant documents for a commenter.
2. As a citizen it is alarming to see the County and not the land owner and other potentially liable parties taking the lead in remediation of what could be a very expensive and time consuming process which inevitably delays the completion of an Essential Public Facility. gjones

From: Lui, Nancy (ECY) [<mailto:nlui461@ECY.WA.GOV>]

Sent: Wednesday, November 26, 2014 8:21 AM

Subject: Department of Ecology - Truck City Truck Stop Cleanup Site - Public Comment Period:

December 1 - 31, 2014

The Truck City Truck Stop cleanup site is a 10-acre parcel located at 3216 Old Highway 99 South, Mount Vernon, Washington. The planned development will be the Skagit County Jail. The proposed county jail is designated as an Essential Public Facility by the City of Mt. Vernon. The Site contains six buildings associated with the commercial operations of the gas station, truck stop and truck wash, restaurant, and retail store.

Ecology and Skagit County will enter into an agreement called a Prospective Purchaser Consent Decree for cleanup at the Site. Under the proposed Prospective Purchaser Consent Decree, Skagit County agrees to complete the following site actions:

- Finalize a Remedial Investigation and Feasibility Study (RI/FS) Report that presents the results of the Site investigation and evaluates cleanup alternatives
- Prepare a Draft Cleanup Action Plan (DCAP)
- Finalize the DCAP after the public comment period
- Implement the Cleanup Action Plan

Ecology is the lead agency for the State Environmental Policy Act (SEPA) for the Draft Cleanup Action Plan and SEPA checklist and Determination of Non-Significance (DNS). Ecology determined that the proposed actions do not have a significant adverse impact on the environment and issued a DNS.

Ecology has prepared a Public Participation Plan for the Site. The Plan describes the tools and approaches used to inform the public, request comments, and engage them in the cleanup process.

Ecology invites comments on the proposed Purchaser Consent Decree and exhibits, State Environmental Policy Act and Determination of Non-Significance, and draft Public Participation Plan. Send your written comments to the Site Manager Dale Meyers at 3190 160th Ave SE, Bellevue, WA 98008, email dale.meyers@ecy.wa.gov or call 425-649-4446.

To request Americans with Disabilities Act accommodation for disabilities, or printed materials for the visually impaired, call Ecology at 425-649-7117. Person with impaired hearing may call Washington Relay Service at 711. Person with speech disability may call TTY at 877-833-6341.

El periodo de recibir Comentarios Públicos para el Propuesto Decreto de Consentimiento del Futuro Comprador del Truck City Truck Stop: del 1 al 31 de diciembre de 2014. Para más información en español o para solicitar un intérprete, o acomodación para la reunión pública en español, favor de contactar a Luis Buen Abad al (425) 649-4485 o por correo electrónico a preguntas@ecy.wa.gov y hacer referencia a Truck City Truck Stop.

- [Fact Sheet](#)
- [Prospective Purchaser Consent Decree](#)
- [Prospective Purchaser Consent Decree Exhibit A](#)

- [Prospective Purchaser Consent Decree Exhibit B](#)
- [Prospective Purchaser Consent Decree Exhibit C](#)
- [Prospective Purchaser Consent Decree Exhibit D](#)
- [Prospective Purchaser Consent Decree Exhibit E-H](#)
- [Remedial Investigation/Feasibility Study with Tables and Figures](#)
- [Remedial Investigation/Feasibility Study Appendices](#)
- [Draft Cleanup Action Plan with Tables and Figures](#)
- [Draft Cleanup Action Plan Appendices A-D](#)
- [State Environmental Policy Act Checklist](#)
- [State Environmental Policy Act Determination of Non-Significance](#)
- [Public Participation Plan](#)

Ecology Truck City Truck Stop Website Address:

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5176>

Ecology Response:

Question 1 - Thank you for your feedback regarding the link. Please click on the Truck City Truck Stop website link:<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5176>

You will find the fact sheet, Prospective Purchaser Consent Decree and Exhibits, Remedial Investigation/Feasibility Study, Draft Cleanup Action Plan, State Environmental Policy Act Checklist and Determination and Public Participation Plan.

Hard copies of the public comment documents are located at the following repositories listed below:

Northwest Regional Office
3190 160th Ave SE
Bellevue, WA 98008
(425) 649-7190

Mount Vernon Public Library
315 Snoqualmie Street
Mount Vernon, WA 98273
(360) 336-6209

Skagit County Commissioners Office
1800 Continental Place Suite 100
Mount Vernon, WA 98273
(360) 336-9300

City of Mount Vernon
910 Cleveland Avenue
Mount Vernon, WA 98273
(360) 336-6214

Question 2 – Comment noted.

Comment 3: Sonya Dahl

From: Sonya Dahl [<mailto:s.dahl@dalcousa.com>]

Sent: Wednesday, December 03, 2014 9:38 AM

To: Myers, Dale - TCP (ECY)

Subject: Comments about Truck City Truck Stop Clean UP

Mr Myers:

Please accept my comments regarding my concern and worry about the undefined expenses of Truck City Clean Up. I believe the cleanup needs to be directly reflected in the purchase price of the property. I am not interested in paying a dime for the cleanup. The entire invoice belongs to the current and historical sellers. At some level of clean up cost, the jail needs to be relocated. I am not a fan of this jail location and I MISTRUST the planning department of the City of Mount Vernon.

This jail location will chase away business development that is important to my business. I've never felt mistrust of Skagit County before and I hope I don't change my mind.

Thank you.

Sonya Dahl
Office Manager

Dalco, Inc.
(360) 428-3850
3010 Old Hwy 99 S Rd
Mount Vernon, WA 98273

Ecology Response:

Ecology contacted Ms. Sonya Dahl, by phone and spoke personally with Ms. Dahl during the Public Hearing. Ecology discussed the Remedial Action Grant being made available to Skagit County for the cleanup of the Site. Ecology referred Ms. Dahl to Mr. Marc Estvold to discuss the selection of the Site for the new Jail.

Comment 4: Danjrosenfeld

From: danjrosenfeld [<mailto:danjrosenfeld@aol.com>]

Sent: Friday, November 28, 2014 1:23 PM

To: Lui, Nancy (ECY)

Subject: RE: Department of Ecology - Truck City Truck Stop Cleanup Site - Public Comment Period: December 1 - 31, 2014

I have suggested several times that the site would not be optimal.

Police, firemen, and other city workers have stated that the only person in favor of the site is the greedy democratic major and council.

They seem content to inconvenience the hundreds of private businesses for whom the continuous operation of the is lifes's blood.

Granted the that the current owner is an inept slob...is that sufficient justification to cripple an entire industry?

Dan Rosenfeld

----- Original message -----

From: "Lui, Nancy (ECY)"

Date: 11/26/2014 9:21 AM (GMT-07:00)

To:

Subject: Department of Ecology - Truck City Truck Stop Cleanup Site - Public Comment Period: December 1 - 31, 2014

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- [Public Participation Plan](#)

Ecology Truck City Truck Stop Website Address:

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5176>

Ecology's Response:

Ecology contacted Mr. Dan Rosenfeld by phone who operates Dom Trucking. See comment 1 response.

Public Hearing Comment

TRUCK CITY TRUCK STOP SITE
CLEANUP ACTION PLAN
PUBLIC HEARING

SKAGIT COUNTY COMMISSIONERS OFFICE
1800 CONTINENTAL PLACE
MOUNT VERNON, WASHINGTON 98273

DATE TAKEN: DECEMBER 11, 2014

REPORTED BY: WENDY S. RAYMOND CCR 2285

CORPOLONGO & ASSOCIATES
REPORTING & REAL-TIME SPECIALISTS
114 West Magnolia, Suite 400-110
Bellingham, WA 98225
1(360) 671-6298

A P P E A R A N C E S

DOUGLAS PALENSHUS

Department of Ecology,

PUBLIC COMMENT SPEAKERS:

TIM HOLLORAN

(Beginning of public hearing portion.)

MR. PALENSHUS: So I'm Douglas Palenshus I'm with Ecology and I'm the hearings officer for tonight's public hearing. And I, had anyone determined that they would like to make public comments for the record tonight? You would. So it's not time for that, sir --

MR. HOLLORAN: Okay.

MR. PALENSHUS: -- quite yet. And we'd publicized the hearing beginning at 7:00 so for that reason I do not want to start the hearing until 7:00. At that time we can hear from anyone who would like to make public comments for the record, we'll open that opportunity up, we'll be recording it with a court report and --

AUDIENCE MEMBER: Would your e-mails and stuff count too if you wrote a letter? That's still part of the public record?

MR. PALENSHUS: Yes.

AUDIENCE MEMBER: So I'm good.

MR. PALENSHUS: So, sir, we're going to wait until 7:00 for the public hearing part. In the meantime if there are further questions or if you'd like to step out and look at those displays that have been prepared outside, feel free, eat snacks, go to the restroom. At 7:00 I will open the public hearing to anyone who wishes to makes comments and I'd invite everyone back in here if you'd like to do that, otherwise enjoy the soft chairs.

(Break from the hearing.)

MR. PALENSHUS: If there is anyone in the foyer that we'd like to invite back in to take a seat, Missy perhaps, is there anyone in the foyer we'd like to invite back in?

So I'm Douglas Palenshus, I'm the hearings officer. So let the record show that the hearing has started at 7:03 p.m. on December 11, 2014 at the Skagit County Office at 1800 Continental Place, Mount Vernon, Washington 98273.

So tonight's hearing is on the cleanup action plan for Truck City Truck Stop and I really do appreciate everybody coming out and being part of the meeting tonight.

So notice of hearing was published in the Skagit Herald on November 28th and December 13, 2014.

Notices of public hearing and meeting were also mailed to 4045 residents of the local area and posted in the public involvement calendar on the Department of Ecology's public website. A dedicated web page is available at the address in the fact sheet at the sign-in table. That's out, and I really urge you to get a copy of, I looked it over and not being very familiar with the project myself, I thought that the information in the fact sheet was quite good so I urge you to take a look at that.

So I have two main responsibilities for tonight's hearing; first I need to make sure everyone who wants to has the opportunity to come up and comment, second so that everyone can hear what is said and you get a clear record of the hearing. We have a court reporter and microphones and audio recording equipment so no extra noise, please. Staff may also take notes. I'll call those who signed up, I think it's only one person. Anyone else that's decided they would like to make a public comment for the record?

So if you -- I'll skip through some of this. Commenters will come to the podium right here, that

will be here, where we can record them so we can all hear. Written comments have the same weight so you can just send them to Dale Myers if you wish, all comments are sent to the cleanup program staff for response.

Questions asked as part of your testimony will not be answered during the formal hearing. Testimony is a formal verbal submission and not an opportunity for dialogue and we can not enter into any discussion. So anyone making formal comments may include questions for the record then just continue with comments and we'll, staff will be around afterwards if you wish to have further questions or discussion.

Final -- we can skip that. And we can skip much of this because we only have one person identified to speak.

So I'd like to invite Tim Holloran, if you would, please, state your name and your affiliation? Thank you.

MR. HOLLORAN: Sure.

MR. PALENSHUS: Thanks, Tim.

MR. HOLLORAN: It's very unusual to have one speaker. My name is Tim Holloran, I'm the Skagit County Administrator, I'm here on behalf of the

county commissioners. And it's more of a, I want to acknowledge all the hard work on this project. First off this is an essential public facility, building a jail is big time for, not only for a city but for a county. It's, we'd be a county-owned facility, but it's a partnership with all our cities.

Mark's done a great job as a project manager, but in particular I want to thank Ecology for their quick response and their professionalism in dropping everything to make that happen. Ecology and Skagit County hasn't always gotten along on issues, but we're big enough to separate issues and really the professionalism is there. So it's important for me to thank Ecology for the professional work, the quick response, recognizing that this site had a partial cleanup or had a cleanup and when we found, the county commissioner said we better do our due diligence, this was a Truck City site. And the commissioners were concerned about not only contaminants on the site, but if you hear horror stories a lot of times contaminants go across roads into other sites.

The other group, Jim Darling and his staff from Maul Foster Alongi, we couldn't do it without them. They have got the experience, they have worked

in many, with Ecology on many, many projects. Their professionalism has brought us along the way.

This is a great project from the Model Toxics Fund. It's intended to clean up contaminated areas. We're fortunate that this has had a previous cleanup, there is not a lot of cleanup, but it's significant enough to do it right. So my comment is to thank Ecology first and foremost. Thank you.

MR. PALENSHUS: Thank you, Tim. One last time, anyone wishing to make public comments for the record? Seeing none.

All right. So I just want to say before I continue this material that I must read into the public record that basically feel free to -- this is a formality; all testimony received at this hearing along with all written comments that are received are postmarked by 5:00 p.m. December 31, 2014, will be part of the official hearing record for the Truck City Truck Stop Cleanup Action Plan. Written comments should be sent by e-mail to dale.myers461@ecy.wa.gov or by postal service to the Department of Ecology Toxics Cleanup Program, 3190 160th Avenue Southeast, Bellevue, Washington 98008-5452, and that information is on the materials at the counter.

Ecology will summarize the comment received at tonight's meeting and during the public comment period. After considering the comments received and evaluating the plan for consistency with relevant regulations, policies and guidelines, Ecology may approve the cleanup plan for Truck City Truck Stop as is or require changes to improve the cleanup plan. Comments received will help Ecology make a decision and the questions, comments and responses will be published in a responsiveness summary.

We appreciate your assistance to improve this effort and if the Department of Ecology can be of further help to you, please, don't hesitate to contact Dale Myers by e-mail or phone, again his contact information is on the fact sheet. And on behalf of the Department of Ecology I'd just like to thank you sincerely for coming out and being part of making your government work for you all. Thank you and good night.

(End of public hearing portion.)

STATE OF WASHINGTON)
) SS: C E R T I F I C A T E
COUNTY OF WHATCOM)

I, WENDY S. RAYMOND, Certified Court

Reporter in and for the State of Washington do hereby
certify;

That the foregoing is true and correct
to the best of my skill, ability, and knowledge,
as taken on the date and at the time and place as shown
on Page Two hereto;

That I am not related to any of the
parties to this hearing and have no interest in the
outcome of said hearing;

Witness my hand and seal this 17th day of
December, 2014.

WENDY S. RAYMOND
CERTIFIED COURT REPORTER
IN AND FOR THE STATE OF
WASHINGTON, RESIDING AT
FERNDAL. LICENSE EXPIRES
OCTOBER 23, 2015.