

Briggs Nursery Comments, Questions and Responses
Public Comment Period July 30- August 31, 2004
Public Meeting August 11, 2004

RESPONSIVENESS SUMMARY

Comment from Ken Guza, November 21, 2003

From: diana larsen-mills/ken guza [dianaken@olywa.net]
Sent: Friday, November 21, 2003 9:24 AM
To: Pearson, Lisa
Subject: Briggs Nursery

Miriam

Some comments on the Briggs cleanup -

Use the site for restoration and education. Involve the area schools in the work. Restore native plants in the kettle and the associated wetlands. Add some trail access with signage that speaks of - origin of kettles as a geologic feature, the story of how environmental restoration is done, and why the clean up of hazardous sites is important.

Also, would it be feasible to use the wetland for storm water, with water passing first through filtering pond. It seems like this is a way to recharge the wetland.

Finally I think that Briggs deserves credit for cleaning up this site. While their action is not selfless, they did the work rather than fight it or walk away. There is probably more to this story but public still ends up with a clean site.

Thanks, Ken

Response to Ken Guza:

Thank you for the good ideas, Ken. Contamination has been identified in three of the glacial kettles which makes the discharge of stormwater there less attractive. The master plan for Briggs' Village does include using treated stormwater for wetland recharge in uncontaminated kettles.

Comment from Ken Kozmo, July 31, 2004

-----Original Message-----

From: Ken Kozmo Bates [<mailto:KB@AquaKoz.com>]
Sent: Saturday, July 31, 2004 9:01 AM
To: Pearson, Lisa (ECY)
Subject: Briggs RI/FS

I am writing with a few comments on the Briggs proposed RI/FS. I live southeast of the site and

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operate a community well with eight homes served.

I am greatly concerned that, according to the Ecology fact sheet, the RI/FS will "determine the nature, extent, and magnitude of the site contamination." The phases of work described are limited to just the Briggs Nursery site.

What about off the site? The fact sheet mentions observations of water from the site spilling into Ward Lake. My well draws from the aquifer below the Briggs site and connected to Ward Lake. Yesterday there was an article in the Olympian that the Olympia brewery water may now be sold for public water supply. These aquifer connectivities and water uses cannot be ignored. The RI/FS must examine the full extent of contamination on and off site.

I cannot be at the public meeting. Please keep me informed of actions on this matter.

thanks
Ken Kozmo Bates

Response to Ken Kozmo Bates:

From: Pearson, Lisa (ECY)
Sent: Sunday, August 01, 2004 11:19 AM
To: 'Ken Kozmo Bates'
Subject: RE: Briggs RI/FS

Hello, Ken

Thank you for your comments on proposed Briggs Nursery Agreed Order No. 1315. If you provide me with your address, I will send you a copy of the Comment Responsiveness Summary at the conclusion of the comment period which will contain all comments Ecology received and our formal response to each one.

However, I would like to briefly address your concern. When I drafted the Agreed Order I was careful to define the site as "anywhere hazardous substances have come to be located including...[Briggs Nursery property]". This does include all areas where stormwater from the nursery has accumulated such as Ward Lake and the surface kettles, two of which lie partially off the property. Briggs is aware that water and sediments in Ward Lake will have to be tested as part of Area 3 investigation. Groundwater monitoring wells are also scheduled for installation in all three Areas during the first phase of investigation. If Ecology receives any information about additional locations of contamination from Briggs' operation, other than those known or suspected at this point in time, we will amend the Work Plan to include those areas in the investigation.

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Thank you again for taking the time to provide comments regarding Briggs'. If you have any additional questions or concerns please feel free to contact me.

Lisa Pearson
Environmental Engineer
Toxics Cleanup Program
Southwest Regional Office
(360) 407-6261
lpea461@ecy.wa.gov

Yes, you are correct. The Agreed Order is drafted so the 'Site' is defined as any location where hazardous substances have come to be located. This language is used intentionally so that if we gain evidence to suggest that contamination may have come to be located outside the property boundary, we still mandate investigation and characterization under this current Agreed Order.

Ecology understands there are many private water wells in this area and investigation has been performed to determine whether contamination has migrated to the groundwater. No evidence of groundwater contamination has been found. If contamination was found to have migrated to groundwater in any location, the extents of impact would have to be fully defined (whether on or off property) under the terms of this Agreed Order. One good thing is that the contamination that has been identified on site is of such a nature that it bonds very well to the organic fraction of the soil and tends to stay put. Also, the contamination found during the investigation has been limited to the top few inches of soil. This also makes sense because the sources of contamination are overspray from the spraying of crops and surface spills from mixing chemicals.

Six monitoring wells have been installed and monitored across the property and no groundwater contamination has been identified.

Comment from Mark Bergeson, August 09, 2004

From: ALPHABOOKK@aol.com

Sent: Monday, August 09, 2004 1:10 PM

To: Pearson, Lisa (ECY)

Subject: Triplicate mailing to Eastside Neighborhood Association

Dear Ms Pearson,

Thank you for the notice you sent (postmarked July 27) about the Briggs Nursery public hearing. We received three envelopes from you containing the same mailing, so I think there's some duplication in your mailing list database.

EASTSIDE NEIGHBORHOOD ASSOCIATION
PO BOX 7666
OLYMPIA WA 98507

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EASTSIDE NEIGHBORHOOD
PO BOX 7666
OLYMPIA WA 98507-7666

EASTSIDE NEIGHBORHOOD ASSOCIATION
PO BOX 7666
OLYMPIA WA 98507-7666

You may want to delete two of the three (my guess is that the third one is the one to keep).

Thanks for your efforts on behalf of the environment!

Mark Bergeson
Treasurer, Eastside Neighborhood Association

Response to Mark Bergeson:

Thank you, Mark. We will amend the mailing list.

Comment from Mary Ware, August 10, 2004

From: Lotsapurrs@aol.com

Sent: Tuesday, August 10, 2004 2:28 PM

To: Pearson, Lisa (ECY)

Subject: Briggs Nursery Rental House

My ex-husband and I lived in a rental house on the Briggs Nursery site in 1971. For the short amount of time we were there (10 months) I became so ill I had to quit my job. I was also pregnant with my first child. The house was very old and belonged to a Mrs. Mead who lived next door with her daughter (age 21 or so). The daughter, Marilyn died of leukemia in her mid thirties. She had always lived on the nursery property. The houses have both been torn down as of two years ago. I developed symptoms of extreme nausea, fatigue, rashes that were also symptomatic of pregnancy but did not subside after my child was born. We moved from the rental and gradually I began to feel better and was able to go back to work. About ten years ago I developed Chronic Fatigue Syndrome and am currently on disability. I'm sure water from the well was contaminated as we only lived yards from their chemical dumping site. I since wondered if there have been any studies done on the health of people who have lived in such close proximity to the nursery for extended periods of time.

Regards,

Mary Ware
3110 60th Loop SE
Olympia, Washington 98501

360-456-1380

Response to Mary Ware:

Thank you, Mary. Ecology does not know of any studies that have been conducted on the health of people living in proximity to Briggs Nursery. Groundwater in this vicinity has been tested and does not show any sign of contamination. If groundwater had been significantly impacted we could expect to find some residual traces of contaminants. Contamination that has been found so far is in locations consistent with former crop areas. Ecology has aerial photographs of the properties dating back to the 1930s, we will examine these carefully for signs of crop locations in this area, and will consider the results of the investigation carefully requiring testing of the Mead property if evidence warrants it.

Comment received from Ed Manary of WA Conservation Corps., August 10, 2003

Ed called make Ecology aware of a study performed by Department of Fish and Wildlife which generated a lake profile of the following elements: depth, temperature, dissolved oxygen (DO) and pH. Mr. Manary provided Ecology with the name of the individual at Fish and Wildlife who had the data. Ecology followed up with Rich Eltrich at Department of Fish and Wildlife who provided us with the data you see below.

Date	Lake	Location	Depth	Temp	DO	pH	Secci disk reading
8/3/2004	Ward	A N 47.00.953 W 122.87.666	0	75.9	8.3	7.6	
			10	75.9	8.4	7.8	
			15	65.7	13.7	10.0	
			20	75.3	9.1	8.0	
			25	55.6	9.2	7.5	
			30	47.2	0.5	6.8	
			35	45.2	0.3	6.8	
			40	44.6	0.3	6.9	
			41	44.5	0.2	6.9	bottom reading taken at 6" off bottom
8/3/2004	Ward	B N 47.01.080 W 122.87.553	0	75.6	8.1	7.4	
			10	75.7	8.1	7.5	
			15	75.7	8.2	7.5	
			20	64.9	14.0	10.0	
			25	54.3	9.1	7.8	
			30	47.6	1.3	6.8	
			35	45.7	0.7	6.7	
			40	44.6	0.4	6.7	
			45	44.2	0.3	6.7	
			50	44.0	0.3	6.7	
			55	43.7	0.2	6.7	
57	43.8	0.2	6.7	bottom reading taken at 6" off bottom			
8/3/2004	Ward	C N 47.00.924 W 122.87.392	0	75.6	8.4	7.4	
			10	75.7	8.2	7.5	

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15	75.6	8.2	7.5	
20	66.2	12.8	9.8	
25	56.0	12.4	9.1	
30	47.6	0.8	6.5	
35	45.4	0.5	6.5	
41	44.5	0.3	6.6	bottom reading taken at 6" off bottom

8/3/2004	Ward	D	N 47.00.916	0	75.7	8.5	7.4	
			W 122.87.643	10	75.8	8.3	7.4	
				15	75.7	8.3	7.5	
				20	65.4	13.0	9.6	
				25	54.5	7.4	7.7	
				30	47.7	0.7	6.5	bottom reading taken at 6" off bottom

8/3/2004 Ward Zoo N 47.00.916
 W 122.87.643

Comment from Lynn Salerno, August 30, 2004

From: Lynn M Salerno [lynngms@juno.com]
 Sent: Monday, August 30, 2004 8:54 PM
 To: Pearson, Lisa (ECY)
 Subject: Agreed Order for Remedial Investigation /Feasibility Study and Risk Assessment

I note that Briggs Nursery will conduct the study and risk assessment for the Agreed Order, and that the Department of Ecology will oversee the implementation of the order. I am wondering if it is usual procedure for the property owner to conduct the study rather than the Department of Ecology, since it is obvious that the owner would have a strong personal interest in the results. Unfortunately, I was out of town when the August 11 meeting was held, so I was unable to ask this question.

As a neighbor who has followed the Urban Village project from the beginning, I have observed the many instances when the Nursery received exemptions and other special consideration in the plans for the Village. Among these was the agreement to delay the Environmental Impact Study to a very late stage in the project. The present Agreed Order also seems to come as a last minute development. Because the pressure to "close the books" on this project will be undeniably great at this stage, I feel that the Department of Ecology has a heavy responsibility to protect the neighbors and their children and grandchildren by exercising extra careful scrutiny of the Nursery's findings in their investigation.

Lynn M. Salerno
 1721 36th Court SE
 Olympia, WA 98501

Response to Lynn Salerno:

From: Pearson, Lisa (ECY)
Sent: Thursday, September 02, 2004 10:30 AM
To: 'Lynn M Salerno'
Subject: RE: Agreed Order for Remedial Investigation /Feasibility Study
and Risk Assessment

Hello, Lynn

Thank you for your interest in the Briggs' investigation. I appreciate you taking the time to send me your comments. Yes, it is normal procedure for Ecology to oversee the work performed by the property owner. We maintain scrutiny by approving the scope of work, performing surprise inspections and taking duplicate samples to assure quality of results. We understand the future use of the property and are considering this when providing comments on the scope of work. We take the responsibility to protect residents seriously.

If you have any additional questions or concerns, please feel free to contact me.

Lisa Pearson
Environmental Engineer
Toxics Cleanup Program
Southwest Regional Office
(360) 407-6261
lpea461@ecy.wa.gov

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Q: If you are not sampling until after the demolition, how will you know in advance if contaminants are in the dirt that is being stirred up during demolition?

A: The sampling being performed during the demolition phase includes testing of soils located under the structures that are removed. The surface structures and pavement have to be removed before what is under them can be tested.

Q: In my observations driving by the site, it looks as though dry soil is being removed and dust is flying around. How do we know the dust isn't contaminated?

A: Soil is being removed around two of the six underground storage tanks that were previously located on site. The soil is being removed because it has been impacted by petroleum. Yes, you are correct, diligence needs to be maintained with regard to dust control.

Q: When I drive by the site on Saturdays and Sundays, I see a lot of truck traffic and dust in the air from the truck traffic. We need to know what is in the soil before any digging is done.

A: Ecology agrees. The only digging being done is the petroleum impacted soil around the underground storage tanks. Testing has been performed and contaminants have been confirmed. We know those soils are impacted with petroleum. Before any soil is moved around, results of laboratory testing have to confirm whether or not contaminants are present. Yes, you are correct, dust control needs to be a priority.

Q: Are PCB's in the soil, have you tested for PCB's?

A: PCB's have been detected in sediment in the Southeast Kettle, in concentrations less than the residential cleanup level. Yes, because they were found on site, soils will also be tested for PCB's. The results of these tests show PCB's in a localized area near the chemical mixing area. The concentrations identified are greater than residential cleanup levels but significantly less than industrial standards. These soils will be removed and placed in an appropriately designated facility.

Q: Are there other sources of contamination in the structures?

A: One possible source of contamination from within the structures previously identified are sink fixtures that are plumbed to the ground surface outside the building. These sinks and the areas they drain to were tested before they were removed to make sure contamination was not present. If material was suspected of containing asbestos it also was tested prior to removal.

Comment: I drive by the site between 6 and 7 am every day and I see dust blowing off the site. There may be a water truck on-site, but it's not working all the time. There needs to be more dust control measures than just a water truck. There's not enough water to control dust, especially in this heat, and by morning, everything is dry again.

Response: Yes, Ecology understands your point. Care will be taken from here on out to ensure dust is managed most effectively.

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Q: Has the work plan been developed yet? How can they proceed with demolition and sampling without this work plan? When will the work plan be ready? Will we get to review the work plan?

A: The work plan development is in progress. Ecology and Briggs are in agreement about most of what needs to be contained in the work plan. Ecology has reviewed a draft and requested changes. Many portions of the work are agreeable to Ecology and Briggs. The portion of the work plan that covers the demolition work and testing has been agreed upon, and that is the portion of work they are proceeding with. As other work items in the plan are finalized, Briggs may go forward with the work on the ground. The important part is Ecology approving the methodology and strategy before the work is being carried out.

When the work plan is finalized, a post-card will be mailed to everyone on the mailing list announcing an opportunity for the public to review and comment on the plan.

Q: What is the web address where we can view the work plan and other data?

A: http://www.ecy.wa.gov/programs/tcp/sites/briggs/briggs_hp.htm

Q: What documents are posted on the web page?

A: All legal documents are posted on the web site. This includes all Agreed Orders, Consent Decrees and Enforcement Orders. Also, any documents that are undergoing public review such as the fact sheet and Responsiveness Summary are posted on the web. In this particular case that also includes the work plan when it is finalized.

Q: If site cleanup is necessary, who will pay for that? Will they pay for all of it?

A: Briggs is responsible for all costs of investigation and cleanup. Briggs also has to pay Ecology for staff time and laboratory costs of any samples taken by the state during oversight.

Q: The fact sheet says the site was ranked a "2" on the Hazardous Sites List. What other sites statewide ranked a "2" and have been cleaned up?

A: The Debris Field that was cleaned up on the Briggs property in 2002 was ranked a "2", and that site was cleaned up and delisted in October of 2003.

Pioneer Potato located at 7801 10th Way in Ridgefield was ranked a “1” and was delisted in July of 2004.

Monarch Bullet, located at 12207 Independence Road SW near Rochester was ranked a “1” and was cleaned up and delisted in September of 2004.

Q: What is the ranking of the Everett smelter site?

A: The Everett Smelter Slag Site, located at State Route 529 and Marine View Drive in Everett is ranked a “1”.

Q: What criteria was looked at to determine this site to be a “2”?

A: Criteria involved in ranking a site includes distance to drinking water wells, toxicity of the contaminants, mobility of the contaminants in a hydrologic system, and possible exposure pathways to plants or animals (including humans).

Q: How did Ecology come up with a one-mile radius for ranking? [The one mile radius is in respect to consideration of groundwater well recharge zones.]

A: According to Michael Spencer, who is an expert on the ranking system at the Department of Ecology Headquarters Office, at the time the system was developed there were several things considered. One was the Environmental Protection Agency model used for Superfund sites which criteria included a three mile radius for drinking water supply wells, and another was the availability of data. The consensus of the scientific committee was that three miles was too far for the relative nature of the ranking system, but considering that during ranking often data is not available about which direction groundwater flows they did want a conservative distance. It also turned out that at a two mile distance, most often there was some data available, whereas if you used a smaller radius you may not find anything. So a two mile radius (not one mile) was selected as the most appropriate distance to consider when ranking a site. This is just one of the criteria that is scored in the ranking of a site, there are many more such as the toxicity of the substance, distance to ground and surface water, and potential exposure scenarios.

Q: So toxins don't move farther than one mile from the site, even after 80 years? What about the Tacoma Smelter Plume?

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A: The distance a toxin could move from the release point is highly dependent on a number of conditions, such as the mobility of the contaminant. Some contaminants really like to be in the water. If they are spilled on the ground, when it rains the contaminant runs into the water and travels within the water. Other kinds of contaminants prefer to stay in the soil. Their molecules are large and they get hung up and stuck on/around the smaller soil particles. If they are released into the water, they will hang up on the soil as the water travels along. In this particular case, the contaminants found on Briggs site are the second type of contaminant I described. They are composed of large molecules which stick readily to the finer grains in the soil, and they are not water soluble. This makes sense because if you were spraying a chemical onto a plant to kill bugs it wouldn't do much good if it washed right off when the plant was watered. These substances were designed to stick to the plant and soil in order to be most effective.

Briggs has been tasked with finding all the contamination associated with its former and current operations. If contamination is found anywhere on the property they will have to chase it to find out how far from the property it has traveled.

There is a difference between Briggs and the Tacoma Smelter Plume. To understand this we need to look at the way the contaminants were released into the environment. The Tacoma Smelter Plume ejected contaminants through a stack very high in the air, and directly into our regional wind stream which blew them over a large area. Briggs contamination is a result of chemical mixing activities and crop overspray which occurred in localized areas, and was sprayed or spilled directly onto the ground. This activity coupled by the nature of the contaminant to stay bonded to the soil has resulted in defined areas of surface soil contamination. (Instead of wide spread aerial deposition like from the smelter.)

Q: How mobile are the contaminants on site?

A: The contaminants on site are not very mobile. They are large molecule chemicals that have a tendency to stay put with the finer soil particles. If some is released into the stormwater, as the water velocity slowed the contaminant would stick onto the soil it traveled over instead of remaining in the water.

Q: Do these contaminants bond with soil or with water?

A: These contaminants bond very well to the soil, and they do not dissolve in water.

Q: Have all sources of contamination been identified?

A: We have found sources for all the contamination we have identified. There is one statement that has not come to fruition. That is, a former employee from long ago remembered there being a dry well system composed of several 55 gallon plastic, perforated drums installed in a very specific area. Test pitting was performed with a backhoe over a large area around that which was identified by the former employee and there was no sign of the dry well arrangement. In addition to the physical search, a ground penetrating radar search was performed over a much larger area and did not locate any anomalies that could possibly be the drums. The results of the dry well investigation seem to point to the possibility that the drums were removed during a prior phase of construction. Also, the groundwater monitoring wells have not detected any contamination.

Q: You can assume that the nursery used pesticides for the plants. Has the site been investigated for discreet dump sites?

A: Yes, aerial photographs have been examined dating back to 1936. There was one location that appeared to have some garbage placed there, but then Henderson Boulevard was built directly over the top of the location. It is assumed that when Henderson Boulevard was constructed the garbage would have been removed. Garbage is not a suitable material for use under roadways, one reason being the uneven settling that occurs with the decay.

Q: Who pays for the cleanup? The whole bill?

A: Briggs is responsible for the cost of the investigation and cleanup, the entire cost. Briggs also has to pay Ecology for staff time of those involved in the project and laboratory costs of any samples collected by the state.

Q: Which areas have been remediated?

A: The soil around the underground storage tanks is being excavated right now, that is the only remediation taking place. Right now the focus is on investigation, defining the extents and locations of contamination.

As of mid-November, all the test results from the investigation in Areas 1 and 2 have been received by Briggs. Ecology has viewed the data and is aware of approximately 8.5 acres of land that has contamination in surface soils above residential cleanup levels. Although the levels of contamination they found are low, that is, the highest

concentration found anywhere is only 1/8 of the allowable amount for industrial properties. Briggs has submitted a work plan to propose the removal of this contaminated soil as an interim remedial action, where Ecology will retain oversight under this same Agreed Order. This interim action plan has not been approved by Ecology, although approval will be forthcoming.

Q: Thurston County Health Department did a study that showed fish tissue from Ward Lake contained PCBs. Do you know about the study? Have you read it?

A: Yes, actually it is the Department of Ecology who did the study of several lakes in western Washington, Ward Lake being one of them. PCBs were detected in fish tissue and as a result the lake was listed on the 303d list of endangered water bodies. It is uncertain at this point how that study will affect this investigation.

Q: Are you going to be sampling fish tissue? I am concerned about the fish in Ward Lake. The Department of Fish and Game keeps planting fish there and they keep dying, something bad must be in the lake. Is the lake going to be tested?

A: As of April 2005, the work plan has been finalized, and part of the work is defining how/if Briggs Nursery has impacted the lake. Lake impacts can be assessed after results of the upland and kettle testing have been studied. At this point it does not look like fish tissue will be tested. The contaminants found on the upland operations areas have not been found in the kettles which collect stormwater before it gets released to Ward Lake.

Q: Other similar sites have had buried drums and containers on them. If these are discovered after Ecology is satisfied with the Briggs Nursery cleanup, what happens?

A: If the drums contained hazardous substances or contaminated the soil around them, the site would be re-opened. It is likely another Order would be drafted to regulate the additional cleanup.

Q: Are you linked into the City of Olympia's grading process to be notified if something buried or contamination is discovered?

A: Yes, the City of Olympia and the Toxics Cleanup Program maintain open communication. We have a good working relationship and keep the other apprised of project developments.

Q: Are you looking off-site at all for contamination? There is a kettle off-site in Tumwater, west about ¼ mile, toward Cleveland Ave that is outside the legal site boundary. The Central Kettle discharges to this other off-site kettle through a swale.

A: Yes, we are looking off-site. There are portions of two kettles that are outside the property boundary, but the Agreed Order defines the site as anywhere hazardous substances have been deposited as a result of their operation. Therefore, these off-property portions of the kettles and anywhere else we have evidence to believe is contaminated as a result of Briggs operation are included in this Agreed Order.

Q: The kettle off South Street has water in it. Why does the water look so bad? Why is there so much algae in the water? Why are all the trees around the kettle dead? Are you going to test this kettle?

A: Yes, several of the kettles currently have water in them. It is not uncommon for the water of a stagnant wetland such as these to look murky and have lots of algae. The water does not get cleaned out. Plants grow and die and organic material accumulates in the water adding lots of nutrients which do not get flushed out. The only water that comes in runs down the hillside, since the fine sediments in the bottom form a skin-like impermeable barrier. This kettle will be tested, also.

Q: Is the kettle off South Street within the boundaries of what you are looking at?

A: Yes.

Q: Are you making active bores to test groundwater?

A: Yes, six borings have been completed as monitoring wells. Monitoring data indicates groundwater has not been impacted.

Q: How many wells are proposed to be installed?

A: Six wells are proposed to be installed around the Briggs property. To date, those wells have been installed and monitored and there is no indication of groundwater contamination.

Q: Who is doing the demolition on site? Who do they work for?

A: Advanced Environmental is doing the demolition work, they are working for a consulting firm named Entrix, Inc., who is collecting samples to be tested. There is another consultant doing the underground storage tank work named Associated Environmental Group. Entrix, Inc. works for Briggs and the others are sub-contractors for Entrix.

Q: Who is doing the sampling on site? Who do they work for?

A: Associated Environmental Group is doing the testing around the underground storage tanks, they are a sub-contractor working for Entrix, Inc. Entrix, Inc. is the consultant who works for Briggs. Entrix, Inc. is performing the remaining grid testing of surface soils and testing in the kettles.

Q: What about herbicides and fertilizers? Are they contaminants, too? Are they dangerous? Have you looked for these on the site? Are you going to?

A: Yes, some can be. Usually it is not the herbicide or fertilizer, but can be something common to them such as metals. Arsenic and chromium are historic components that can cause pollution. Copper has been found on site, and originates from the fertilizer Briggs used. The levels detected are not above the residential cleanup level, however.

Comment: I've lived here for years. I never saw weeds on the property before and now that the nursery is moving, there are lots of weeds. So you would think Briggs must have used herbicides, especially around the greenhouses.

Q: Are you reviewing Washington State Department of Agriculture records?

A: Yes, I will review the Department of Agriculture records. I contacted both the state and federal Agriculture programs. The result is they confirmed Briggs is licensed to use commercial products, however they don't keep track of individual products used. They were able to tell me that Briggs contracts these services out rather than doing it themselves.

Q: What about the people whose homes border Briggs' site? Are they getting their soil tested as part of this study?

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A: If the state finds evidence to suggest contamination from Briggs' operation may lie off-site in someone's yard, testing would occur with the consent of the current property owner, at the expense of Briggs. However, there is no evidence to date that suggests this has occurred. Ecology is aware of the placement of historical crops and has studied aerial photographs dating back to 1936. Briggs operation started around the central and southern areas of their current setup and expanded north and west. This entire area has been divided into a grid and tested for contamination. The locations of contamination have been identified and are consistent with our understanding of the historic working and growing areas. Also, the contaminated areas are not bounding others' property.

Q: I live a few houses down from Briggs' Nursery. How can we get our soil tested as part of this study? Will Briggs have to pay for it? How will I find out if they will test my soil?

A: If evidence is found that indicates contamination might be present in or near your yard, the state will require Briggs to perform testing to verify the safety of the soil.

Q: Will this impact my property value? I can't sell my house if the property is contaminated.

A: There is no evidence that suggests contamination may lie on bordering properties. I am not in a position to comment on the value of your property.

Q: Several questions were raised at the meeting asking whether gardens were safe to have and if private water wells were safe to drink from.

A: Ecology does not have any evidence that suggests having a garden or drinking your water is not safe. This study will conclusively define the areas of historic use that have resulted in contamination being present. Monitoring wells will be installed and tested and historic use areas will be tested as well as any area that could have been impacted by stormwater from the site. If Ecology finds evidence that residents could be threatened, they will be notified immediately.

The next several questions will be answered together.

Q: What is the procedure for the development with the three phases of work?

Q: Does Area 1 have to be completely clean to start working on Area 2?

Q: Does Area 1 have to be completely clean before you start construction or building homes?

Q: Will construction be held up if contamination is found?

Q: Has a date been set for when they can start building?

A: Briggs is moving their operation off site in stages. As each portion of the property is vacated, it will be tested for contamination. The three Areas represent the order in which Briggs is vacating and wanting to develop the property. As Area 1 is vacated and tested we can determine if it is safe to build on. If contamination is not found, Ecology will issue a letter to the City of Olympia informing them of this. Only after it has been determined that there is no contamination above residential cleanup levels, will Briggs be allowed to start any construction activities. If contamination is found, construction will not be allowed until the Area is fully cleaned up. Yes, each Area must be completely clean before construction activities can begin, yet all three Areas do not have to be clean for construction to begin on one Area. A date has not been set for construction to begin. This cannot be accomplished until the Area has been determined 'clean'.

As Area 2 is vacated it will undergo the same process of careful evaluation. When Area 2 is cleaned up to the extent of the law, Ecology will issue a letter to the City of Olympia stating this fact and Briggs will be allowed to start construction as the City of Olympia sees fit. Area 1 does not have to be completed before work on the other Areas can begin. Much of the work, especially in Areas 1 and 2, will be conducted simultaneously.

Q: Is there a web site where we can find reports? Are historic reports available?

A: All legal documents (ie: Agreed Orders, Consent Decrees, Enforcement Orders) as well as all documents undergoing public review and fact sheets should be posted on the site's web page. So this includes the Remedial Investigation/Feasibility Study Work Plan, and Responsiveness Summary. The Interim Remedial Action Work Plan will also be posted for your information. The web page is located at http://www.ecy.wa.gov/programs/tcp/sites/briggs/briggs_hp.htm

Q: What are residential cleanup standards and how do they apply to this site?

A: The Method A- Residential Cleanup Level is the most stringent level regulated. This is the level the state enforces for neighborhoods and child day care centers. It is based on a five year old child living on the site, playing in the soil and consuming 200 grams of dirt every single day. For cancer causing chemicals, this means the excess cancer risk to that child from eating soil every day cannot exceed one in one million. In light of the ensuing development, all areas of Briggs' property will be held to the Residential cleanup standard.

Q: Does cleanup always mean removal or can it include capping? What is capping?

A: “Capping” is the process by which contaminants are essentially sealed in the ground or in an above ground cell. A cap is a water proof barrier installed to prevent rainwater from soaking into the ground and traveling through the zone of contamination. If rainwater runs through the contamination it will pick some up and carry it along, smearing the problem to new areas and contaminating groundwater below. A cap can consist of a heavy plastic membrane with some soil on top, or an asphalt parking lot, and also includes a plan to treat or divert the rainwater. In some instances the conditions are such that the installation of a cap will prevent the contamination from going anywhere it can hurt anyone. A cap is maintained by a restrictive covenant which mandates the property owner to keep the cap in good repair and not do anything on the land that could damage the cap or expose the contaminants to the environment. Capping is sometimes used and if that was a preferred option the cleanup party can present that choice in the feasibility study. However, Ecology makes the final decision about whether a cap is the most appropriate final remedy.

Q: How is the remedial action determined?

A: The Feasibility Study analyzes the possible choices for a cleanup according to criteria in the Model Toxics Control Act. The party conducting the cleanup presents the Feasibility Study to Ecology and makes a recommendation. Ecology then makes the final decision about which cleanup method will be used.

Q: Briggs is going to write the feasibility study and list the cheapest alternatives for cleanup. How much influence does the owner/cleanup cost have on which alternative is chosen?

A: The Model Toxics Control Act gives Ecology the authority to make the final decision. The cleanup choices presented in the Feasibility Study are negotiated with Ecology prior to submittal.