

Responsiveness Summary

K Ply

FSID#1002

Washington State Department of Ecology
Southwest Regional Office
Toxics Cleanup Program

Site Manager: Connie Groven

Public Involvement contact: Audrey Kuklok

Ecology received six comment letters regarding the Agreed Order, Remedial Investigation/Feasibility Study, Draft Cleanup Action Plan, SEPA determination and checklist, and Public Participation Plan for the K Ply Site. The comment period ran from April 2 to May 4, 2015. The comment period documents are available in the site file and online at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=28>.

Ecology's comment responses follow in the order of comments received. No changes were made to the documents as a result of these comments.

Comment 1 – Darlene Schanfald, Olympic Environmental Coalition (see attached email)

Ecology Response

Thank you for your review and comment regarding these documents. Ecology has the following responses to your comment:

1. Thank you for noting the missing word “days” on page 6 of the Agreed Order. The schedule in Exhibit C of the Agreed Order correctly states the due date of 60 days after signature of the Agreed Order and finalization of the CAP so it will not be misunderstood.

Comment 2 – Pat Milliren, Citizen (see attached email)

Ecology Response

Thank you for your review and comment regarding these documents. Ecology has the following responses to your comment:

1. After the stack fell, some dioxin-containing ash was found between the layers of the stack walls. The Port removed the stack and surface soils from the area where it fell. Ecology required several soil samples from the area after the stack cleanup to insure the remaining soils met cleanup levels for dioxins. All soil samples showed dioxin levels below the proposed site cleanup levels. However, one soil sample showed a dioxin concentration below the industrial cleanup level that applies for K Ply, but above the

residential cleanup level. Since there is a possibility that surface soils could be blown or tracked off the industrial site and into nearby residential areas, we are requiring the Port to remove an additional layer of soil from the surface where the stack fell. Since it is below the cleanup level for this site, it can remain on-site, but the Port will bury it so that there is no possibility of it migrating to another property.

Comment 3: Karl Spees, *Citizen Comment on the K Ply Cleanup* (see attached letter)

Ecology Response

Thank you for your review and comments regarding these documents. Ecology has the following responses to your comments:

1. Comments noted. The remedial action/feasibility study report found exposure routes and unacceptable risks that must be addressed. Implementing a no action alternative would fail to address risks to surrounding air, surface water, the environment, and the citizens of Port Angeles.
2. Ecology's Cleanup Action Plan is a clear timely plan forward. It outlines protocols, such as for the inadvertent discovery of cultural resources, for avoiding unnecessary delays in the project. Having experts on site, such as an archaeologist experienced in identification of artifacts and remains, is necessary to avoid work stops while experts are located and consulted. General cleanup staff and contractors do not have the expertise to adequately identify and evaluate cultural resources.

Comment 4: Karl Spees, *DOE Cleanup of the Port Angeles K-Ply Site April 2015* (see attached letter)

Ecology Response

Thank you for your review and comments regarding these documents. Ecology has the following responses to your comments:

1. The commenter provides generic comments and states they could apply to a number of cleanups and areas. Comments noted.

Comment 5 – Darlene Schanfald, Olympic Environmental Coalition, prepared by Environmental Stewardship Concepts, LLC (see attached letter)

Ecology Response

Thank you for your review and comments regarding these documents. Ecology has the following responses to your comments:

1. The general and specific comments provided positive feedback on the documents and agreement with the Ecology's draft Cleanup Action Plan. Comments noted.

2. Comments on SEPA Environmental Checklist:

- a. The SEPA checklist gives a general answer about types of control measure to be used to control erosion. Different stockpiles types will require different measures of control. For example, stockpiles of contaminated material (dioxin-, PCP-, and petroleum-contaminated soil) will be bermed and covered, and water that drains from the contaminated stockpiles will be collected, treated, and properly disposed of. A stockpile of scrap steel or untreated lumber will not require those measures. The details of the required measures will be specified in the Engineering Design Report and the included Stormwater Pollution Prevention Plan. Contractor will be required to implement BMPs for erosion control during active construction and excavation consistent with the State Department of Ecology Stormwater Management Manual for Western Washington.
- b. The K Ply site is not within the 100-year floodplain. The 100-year floodplain is within the 500-year floodplain. As stated in the checklist, the site lies outside the 500-year floodplain which by definition means it is also outside the 100-year floodplain.
- c. The SEPA only covers this cleanup action plan. Another SEPA checklist will need to be completed for any new project.

Comment 6: Carol Johnson, North Olympic Timber Action Committee (see attached letter)

Ecology Response

Thank you for your review and comments regarding these documents. Ecology has the following responses to comments:

1. Ecology agreed with the need to keep the K Ply cleanup moving forward so the site can be returned to an economic benefit at a cost that minimizes the financial burden on the community.
2. Klukwan, Inc. (Klukwan), an Alaskan Native-owned village corporation, is not listed as a potentially liable party because credible evidence has not been found that a release of hazardous substances occurred during the time Klukwan operated the mill. Klukwan began operating the mill in 1989 after purchase from ITT Rayonier (Rayonier). At the time of sale, leaks of hydraulic oil from the presses and releases of pentachlorophenol (PCP) beneath the panel oilers were discovered. Vaults were installed below the presses to prevent future leaks and Rayonier preformed an interim action to address the PCP contamination. The gasoline and diesel release is attributed to leaks from pipeline #8 which was operated by General Petroleum Corporation and abandoned in 1967 prior to operation of the mill by the Klukwan.

From: [Darlene Schanfald](#)
To: [Groven, Connie \(ECY\)](#)
Subject: omission in AO
Date: Wednesday, April 01, 2015 12:12:26 PM

P. 6

Submit within 60 after signature of Agreed Order and finalization of CAP.

Insert “days” after “60.”

ds

From: [pat milliren](#)
To: [Groven, Connie \(ECY\)](#)
Subject: question about K-Ply plan
Date: Thursday, April 02, 2015 11:19:27 AM

In scanning the document I just received I noticed that the plan is to remove soil from the stack area that contains dioxins ---and then reuse it. Am I misunderstanding something here? I thought dioxins were "bad"--thus are being removed. Why would the soil be reused onsite? I must be misunderstanding something? Thanks, Pat Miliren

From: [Karl Spees](#)
To: [Groven, Connie \(ECY\); Karl Spees](#)
Subject: DOE Cleanup of the Port Angeles K-Ply Site April 2015
Date: Tuesday, April 28, 2015 9:13:14 PM

Connie Goven- Site Mgr <Connie.Groven@ecy.wa.gov>

DOE Cleanup of the Port Angeles K-Ply Site April 2015

WA State Constitution

Article 1 Section 1 - Political Power

All political power is inherent in the people, the govt derive their just power from the governed, and are established to protect and maintain individual rights.

Article 1 Section 4 - Personal Rights

No person shall be deprived of life, liberty, or property without due process of law.

The WA DOE (DoE Dept. of Ecology) is the most despised and least trusted agency in WA State by those who are informed. In a sane world most of the DoE actions are unwarranted. My comments are generic, they could work well with the Port Angeles WA (PAWA) Rayonier Mill Cleanup, Bellingham Bay, or Tacoma areas. The DoE agenda does not constitute 'due process'.

Cleanup of past industrial contamination should be prioritized.

There may be areas that are so contaminated and toxic, they constitute a health risk to the general public. They should be addressed as a high priority for reducing that risk. Most of the massive DoE cleanup projects do not fall into that category. Just stop the damaging actions.

The environment has a remarkable ability to rebound from abuse. One of the first question should be: What if we do nothing? What will be the natural history? Will the outcome be as good or better than letting the DOE spend a bunch of taxpayer funds to stir up the muck and create new environmental problems? Often the answer will be YES!

In 10 years, what would be the danger? In 100 years, what would be the danger? Etc. Most of the answers would be nothing. No public danger.

Most of these sites will be paved over and constitute no risk to new industry or business. The majority of the contaminants have already been naturally broken down by bacteria (or will be), encapsulated in sediment, or diluted by time and water. Very likely the local Dungeness crab would be no health risk to people consuming them. The edible fish or squid in the bay, are not a health hazard from normal consumption. The DoE needs to make allowances for the future use of the property. If they feel uncomfortable about this they could put out warning signs.

WA State has a real Economic Crisis but not an Environmental Crisis. What the

DOE is doing is making the real crisis worse and doing little to make the environment better. The whole DoE budget should be reduced so they can focus on the real environmental dangers and quit justifying their existence with artificial crisis and a partisan ideologue agenda. The cost benefit analysis should be determined by an independent objective panel. When one looks at who or what is benefited by the DoE Cleanup, often the bottom line is/are: The partisan DoE justifies their existence. The Democrats and their friends are enriched. The taxpayers and the local govt are economically damaged. The parasites are damaging their host.

Most of the sites are high value properties which could be utilized in businesses which would create employment and enrichment of the local county and the State. Having these key pieces of real-estate entangle in regulatory hell and bureaucratic mischief is extremely costly. The benefits don't justify the costs.

Tribal artifacts. If a Caucasian skeleton were found on the site, after appropriate legal questions were cleared, the human remains would be appropriately interred in an appropriate site. The same procedure would be appropriate for the Tribes. Discarded ancient artifacts found in the use of the property could be turned over to Tribal authorities. The Tribal artifacts in the Port Angeles WA Museum do not justify the millions lost during the PAWA Graving Dock fiasco. The PAWA free museum is an embarrassment to the town and the local Tribes. It is a gleaming example of squandered public resources. (The Makah Museum or Victoria, BC museum are examples of public historical preservation and justifiable expense.) The State should not have to hire a precautionary archeologist. Yes, there are human artifacts scattered all along every coastline in the world. The cost of going to the DoE extravagant measures are not morally or financially justifiable.

Who are benefited from this project? Not the fish, fowl, or crustaceans. Not the people paying the bills. Not the general environment. The agencies benefited are the partisan DOE and the Democratic Party. The taxpayers and economy are hurt/damaged badly.

Suggestions: Mr. John Wahl who ran all of the Weyerhaeuser logging operation during its heyday and Henry Ford had the right solution for these high price areas of real estate: 'Do just enough' to get them back into maximum economical productivity. My own suggestion is: Don't eat the dirt. Karl Spees - Concerned American

From: [Karl Spees](#)
To: [Karl Spees](#); [Groven, Connie \(ECY\)](#)
Subject: Citizen Comment on the K Ply Cleanup
Date: Tuesday, April 28, 2015 9:01:28 PM

Connie Groven -DOE Site Mgr <Connie.Groven@ecy.wa.gov>

K Ply Cleanup - Freezing the Asset April 2015

The K Ply port site is one of the most valuable pieces of real estate in Clallam County. (The Rayonier Mill site is a similar high value asset of Clallam County tied up indefinitely by the DOE.)

The Dept. of Ecology (DOE) is the partisan surrogate of the WA State Democrat Party and its agenda. Any activity in which the DOE has a part must be looked at with great skepticism.

Our environment air, water, and soil are the cleanest they have been in 40 years. If no action were taken at the K Ply site, it would represent no danger to surrounding air or water; the fish, crabs, and fauna of the Port; or the citizens of Port Angeles. Some very inexpensive measures would make the property ready for economic, industrial, manufacturing, shipping beneficial use at its highest utilization. Damaging and polluting of the environment have long been stopped. Nature has a tremendous unappreciated capacity to heal itself. The cost benefit ratio need to be more acceptable.

The current DOE plan is unnecessary and extremely expensive alternative to many other ways forward. It is a set-up to entangle and freeze-up the property into a useless economic drag. The K Ply Cleanup is a pretext to grow central governmental power. By nature this is contrary to the best interest of 'we the people'.

Before a teaspoon of dirt is moved, all contingencies that would freeze-up or block the highest beneficial use of the property need to be decided with a clear timely plan forward. One example is: the archaeologist hiree could freeze-up / block all beneficial use of the property indefinitely. Because the area was once an ancient shoreline, we can be sure there may be discard artifacts and even human remains. There could easily be protocols for respectfully processing human remains (Caucasian or indigenous) without a full time archaeologist. The best plan would be not to go there in the first place. Make limited prudent investigation. Pave the area over and move forward.

Article 1 Section 1 Political Power. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

Using the limited public treasure to advance a partisan agenda in the interest of a Utopian fantasy world is contrary to the best interest of the people. The Port needs to devise a plan which take into consideration multiple facets including the local citizens. The plan for this property will be imperfect but much better and more functional than this plan formulated by untested, unproven, unrealistic academic ideologues, the DOE.

Karl Spees - Concerned American



April 29, 2015

**Comments on K Ply Site Draft Remedial Investigation/Feasibility Study
And Cleanup Action Plan**

**Prepared by Environmental Stewardship Concepts, LLC
Prepared for Olympic Environmental Coalition**

Introduction

The K-Ply site investigation was separated from the Marine Trades Area due to distinct differences in groundwater contamination. The site property is zoned for “Heavy Industrial” which requires that a certain level of cleanup be met, but is not as stringent as a cleanup under “Residential Use” zoning would require. Nevertheless, the contaminants at the site have the potential to harm the Harbor environment. The following Remedial Investigation objectives were met: Identify extent and source of gasoline contamination; fill data gaps with additional sampling after mill demolition; and characterize harbor sediment quality adjacent to the site.

To write our comments, we reviewed the K Ply Site Draft Remedial Investigation/ Feasibility Study (RI/FS), the Cleanup Action Plan (CAP), the Determination of Nonsignificance (DNS), the Agreed Order, the Public Participation Plan, and the K Ply Fact Sheet.

General Comments

Previous investigations were effectively included in the Draft RI/FS. A comprehensive Conceptual Site Model discusses primary as well as secondary release mechanisms. The Terrestrial Ecological Evaluation indicates that the site does not pose a substantial risk to receptors, especially as it has been a heavily industrialized area and will remain so in the future. Groundwater is not considered potable, now or in the future, so achievement of cleanup levels is being determined by a conditional point of compliance for the purpose of protecting Harbor surface water. The single point of compliance is defined as the closest possible point to the contamination, within site boundaries along the bulkhead. The chosen alternative effectively provides cleanup using efficient cleanup methods. The Cleanup Action Plan (CAP) sets out the means by which contamination will be contained, removed and/or treated.

The selected alternative, number 3 in the FS, is carried forward into the Cleanup Action Plan with an analysis and detailed explanation. ESC agrees with the Ecology’s analysis and the combination of methods, especially use of bioremediation and new thermal treatment options. The alternative is structured to provide consideration of newer methods during the Engineering Design step and construction on site.

Specific Comments

The Remedial Investigation has an adequate number of samples of all environmental media to properly characterize the site contamination in nature and location.

The proposed remedial option will bury a limited amount of soil that is contaminated with dioxin at a concentration below remediation standards. The positive aspect of this component is that the contaminated soil will be addressed through removing the surface layer and burying the contaminated soil more than 5 feet below ground surface.

The CAP appropriately provides more detail in some sections, especially the Institutional Controls that will be implemented during and following construction to protect off-site resources and construction workers. ESC agrees that these are necessary and are appropriate for the CAP.

The CAP is complete in including all aspects of the remediation and the elements that will need to be in place in the short term and once the remediation is complete. A 5 year review will be conducted.

Comments on SEPA Environmental Checklist

Item 1. H concerning Erosion and sediment control: The SEPA Checklist states that the contractors will be required to implement BMPs for erosion and sediment control. The text then goes on to indicate measures that may be taken (emphasis added) but the text needs to be more explicit that measures will be taken to cover stockpiles and use fences and hay bales to prevent sediment runoff into the Harbor.

Item 3. Water a. surface water 5) Floodplain.

The form asks if the site is located within the 100 year floodplain and the reply does not address the 100 year floodplain, but comments on the 500 year floodplain. Part of the site is likely within the 100 year floodplain and that information is needed.

Environmental Elements. 6. Energy and natural resources, question a, Page 9 bottom, the reply is that no energy source will be present because the site will be a vacant lot when work is completed is correct, but not exactly complete. The Port intends to put this site back into commercial use and there is no specific plan or application at this time. Upon completion of remedial actions, the site will be re-used and energy use will be anticipated at that time. Presumably another SEPA checklist will be completed at that time? This point should be made here.

This product was funded through a grant from WA State Department of Ecology to the Olympic Environmental Council. While these materials were reviewed for grant consistency, this does not necessarily constitute endorsement by the Department. Prepared by Environmental Stewardship Concepts, LLC for Olympic Environmental Council.



NORTH OLYMPIC TIMBER ACTION COMMITTEE
P.O. Box 1057 • Port Angeles, WA 98362 • (360) 452-6645 • FAX (360) 452-0718

May 4, 2015

Connie Groven

WA. DOE

Toxics Cleanup Program, SWRO

PO Box 47775

Olympia, WA. 98504

Dear Ms. Groven;

The North Olympic Timber Action Committee urges the Department of Ecology to keep the K Ply cleanup moving forward so that the site can be returned to an economic benefit and at a cost that does not create a financial burden to our community.

We have only one question relating to the site. Can you explain why the Alaska Native Corp. is not listed as a potentially liable party as a former operator on the site?

The contamination does not appear to be extensive and mostly contained on the site. The Port of Port Angeles has been diligent in their efforts to clean up this site. We are hopeful that you will finalize the agreed order so that this valuable property can be put back into economic benefit for the citizens of Clallam County.

Sincerely,

Carol Johnson

Executive Director