Focus Puget Sound

DEPARTMENT OF ECOLOGY
State of Washington

Summary Response to Public Comment on the Draft Remedial Investigation/Feasibility Study

Everett Shipyard, Inc. Site

Everett, WA

Puget Sound Initiative:
Reaching the goal of a healthy, sustainable Puget Sound now and forever

June 2011

Focus
Puget Sound

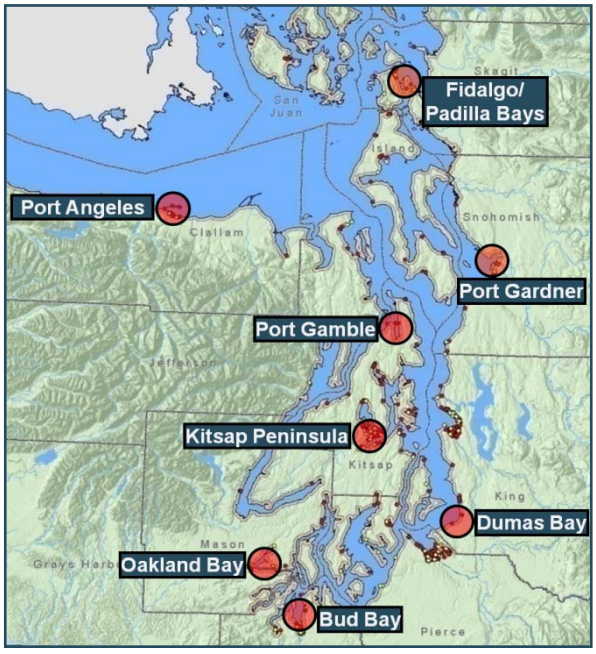
Table of Contents

Puget Sound Initiative

Protecting and Restoring Puget Sound

The Puget Sound Initiative, established by Governor Gregoire and the Legislature, is a collaborative effort – by local, tribal, state and federal governments, business, agricultural and environmental interests, and the public– to restore and protect the Sound.

A leading source of pollution to the Sound is contaminated sites around its shorelines. Ecology has accelerated its efforts to clean and restore these contaminated sites within identified priority bays. Within these bays, Ecology is cleaning up 50-60 sites within one-half mile of the Sound. Cleanup actions will help to reduce pollution and restore habitat and shorelines in Puget Sound, resulting in larger areas of usable shoreline habitat for fish, wildlife and people.



Puget Sound Initiative priority bays

Everett Baywide Cleanup - *Port Gardner Bay*

Ecology is taking a baywide, rather than site-specific, approach to cleaning up numerous sites within a geographic area. In Everett, local, state and federal agencies, local Native American tribes, businesses and property owners are working to restore the waterfront – cleaning up several old industrial sites and restoring waterfront areas for fish, animals and people. This unique, baywide collaboration means more cleanups and restoration are happening faster. Important waterfront uses – shipbuilding, marinas, parks, recreation, housing, fishing, cultural uses and others – can thrive in a revitalized and healthy waterfront environment.

Sites in the Everett area include (see Figure 1 on page 13):

- **Weyerhaeuser Mill A Former**
- **Bay Wood Products**
- **Everett Shipyard, Inc.**
- **Jeld-Wen**
- **North Marina West End**
- **Everett Smelter Site**
- **North Marina Ameron/Hulbert**
- **ExxonMobil ADC**
- **East Waterway**
- **TC Systems, Inc.**

Everett Shipyard, Inc. Site

Site Background

The Everett Shipyard, Inc. Site is one site in the Everett Bay being cleaned up under the Puget Sound Initiative. It is located at 1016 14th Street next to the Port of Everett's (port) North Marina, in Everett, Snohomish County, WA.

The Site is owned by the port and includes approximately five acres of upland area, west of West Marine View Drive, and adjacent in-water areas where the port and ESY, Inc. (previously Everett Shipyard, Inc.) historically operated. ESY, Inc. and its predecessors (Everett Shipyard Inc. and Fishermen's Boat Shop) leased most of the upland portion of the Site from the port and since 1947, operated a boat building, maintenance and repair facility. The shipyard historically conducted marine vessel repairs that included tank evacuations, equipment disassembly, sandblasting, woodwork and metalwork, painting/coating and mechanical repairs. Operations at the Site ceased in September 2009.

Soils in the upland portion of the Site have elevated concentrations of metals, polycyclic aromatic hydrocarbons (PAHs), petroleum, and polychlorinated biphenyls (PCBs).

Marine sediments are contaminated with various semi-volatile organic compounds (SVOCs) including PAHs, the antifouling metallic compound tributyltin (TBT), other metals, PCBs, and petroleum.

Site Status and Proposed Cleanup

Site Status

April 2008 - Ecology and the Potential Liable Persons (PLPs), the Port of Everett and ESY, Inc., entered into an Agreed Order for site cleanup.

November 2008 - The Remedial Investigation and Feasibility Study (RI/FS) Work Plan was finalized and approved.

December 2008 – April 2009 - RI data (soil, groundwater, and marine sediment samples) were gathered.

May 2009 - RI Data Report submitted, which identified additional data needs to define the full extent of contamination at the Site.

July – November 2009 - Additional soil, groundwater and marine sediment samples were collected.

April 2010 - The draft RI/FS was submitted to Ecology.

May – June 2010 - Additional soil, groundwater and marine sediment samples were collected and results incorporated into the draft RI/FS.

February 10 – March 14, 2011 - Public comment period was held for the final draft RI/FS Report.

What's next?

A **final preferred alternative** was selected after public comments on the draft RI/FS were compiled and evaluated.

The next opportunity for public comment will be on the **draft Consent Decree** (CD) and **Cleanup Action Plan** (CAP), scheduled for release in late fall 2011.

Proposed Cleanup

The Feasibility Study describes the proposed cleanup alternatives in detail. In summary, the proposed cleanup is divided as follows:

Upland Cleanup

(cleanup begins spring 2013):

The preferred upland cleanup action is Alternative 4, which includes:

- Excavate approximately 14,800 cubic yards of soil, including all impacted soil close to Puget Sound and in areas with the highest contaminant concentrations
- Remove two buildings under which high levels of PCBs and petroleum impacted soil were found
- Dispose of contaminated soil offsite
- Install an engineered cap on remaining soils containing concentrations of hazardous substances above cleanup levels subject to the requirements of a Soil/Groundwater Management Plan
- Clean out the stormwater system and modify as needed
- Conduct groundwater monitoring and institutional controls

In-Water Cleanup

(cleanup begins summer 2013):

Two alternatives were considered for the in-water portion of the Site: targeted dredging and containment, or mass dredging. Alternative 2, mass dredging, was selected as the preferred alternative because it is the most permanent and would remove all of the impacted sediments.

Involving the Community in Cleanup

A significant milestone was reached recently with the issuance of the following Everett Shipyard, Inc. Site document:

- **Draft Remedial Investigation (RI)/Feasibility Study (FS)**

The draft RI/FS Study was issued for public comment on February 10, 2011, and the public comment period ran through March 14.

To ensure that the community was aware of the invitation to comment on this important site cleanup document, Ecology provided the following public involvement materials and opportunities:

1. Distributed a fact sheet describing the Site and the documents through a mailing to addresses in the area and other interested parties
2. Published a paid display ad in the following area newspapers: *The Daily Herald, Marysville Globe, and the Snohomish County Tribune*
3. Published notice in the Toxics Cleanup Program Site Register
4. Published notice in the Ecology Public Involvement Calendar
5. Posted the draft RI/FS documents on the Ecology web site
6. Provided copies of the RI/FS documents through information repositories at

   Ecology's Headquarters Office and the Everett Public Library
7. Issued a press release – February 10, 2011
8. Held a community open house and meeting at the Snohomish Public Utilities District on February 16, 2011 from 6:00 p.m.–8:00 p.m

Through this summary, Ecology is providing information about the Everett Shipyard, Inc. Site and responding to public comments received during the public comment period. Ecology has considered all comments received on the draft RI/FS document. After careful consideration of comments received, Ecology determined that no changes to the draft documents were needed.

Comments and Responses

The comments received on the draft RI/FS were reviewed and evaluated by the Ecology cleanup team, and are included with their responses in the following table. Many comments touched on aspects of more than one comment category, and the comment summaries are coded to individual commentors. The comment categories in this document are:

1. **Alternative Selection**
   Responses included in this category relate to comments about the process of evaluating environmental impacts, evaluating cleanup options, and selecting a cleanup alternative.

2. **Cost and Who Pays for Cleanup**
   Responses included in this category relate to comments about the cost of cleaning up the site and who is responsible for cleanup costs.

3. **Human Health Risk**
   Responses included in this category relate to comments about risks to human health from the consumption of fish near the site.

4. **Site Investigations, Cleanup Levels and Future Land Use**
   Responses included in this category relate to comments about the site investigation, appropriate cleanup levels and potential uses for the site in the future.

A total of four persons provided written comment through letters and e-mail messages regarding the draft documents. In the comment table, each commentor is referenced by an assigned commentor number.

Commenters:

Jennie Lindberg, Transition Port Gardner, Commentor 1
Heather Trim, People for Puget Sound, Commentor 2
Daniel Sloan, Sloan Consulting, Commentor 3
Peggy Toepel, Everett Shorelines Coalition, Commentor 4

The Marine Railway at the Everett Shipyard, Inc. Site, which was used to move boats from the water to the shipyard for repair.

1. Alternative selection

Responses included in this category relate to comments about the process of evaluating environmental impacts, evaluating cleanup options, and selecting a cleanup alternative.

Comment	Ecology's Response
Upland area. We do not support Alternative 4 as this is not the most protective option for the upland area. We would like to see most of the elevated contaminated soil excavated and removed (Alternative 3). Because the site will be redeveloped, we believe that the upland buildings (where there is elevated contamination) should be removed as part of the cleanup. The RI/FS identifies Alternative 3 as "most beneficial" for the environment. [Commentor 2]	Both Alternatives 3 and 4 accomplish a protective cleanup by meeting the threshold requirements for cleanup actions under MTCA. Alternative 3 removes slightly more (99% versus 98% of contaminant mass removal rate) contaminated material directly, including that under existing site buildings. An extensive Disproportionate Cost Analysis (WAC 173-340-360(3)(e) & (f)) supports selection of Alternative 4 and: • avoid the disruption of the material that would come from demolishing the buildings and digging up soil beneath them, and • adds capping and an integrated soil/groundwater management plan to make the cleanup equally protective. In fact, the Port has agreed to remove all remaining buildings; therefore, cleanup actions conducted in Alternative 3 and Alternative 4 are essentially the same. The only difference is that the Port will be paying for removal of 2 buildings where Ecology could not find and document a significant amount of contamination. Once the

Comment	Ecology's Response
	Port removes the buildings, soil sampling and cleanup of contamination will occur. Due to this, Ecology believes that Alternative 4 meets all MTCA criteria and will provide a protective upland remedy, significantly removing contaminated soils and augmenting that removal with capping, long-term monitoring, and the Soil & Groundwater Management Plan.
Sediment area: We support Alternative 2 – mass dredging – as this will permanently and most comprehensively address the contamination. [Commentor 2]	Agreed; Alternative 2 is the preferred option.
I agree with departmental inferences and favored recommendation number 3. Given the tacit agreement of other interested parties, as I understand it, recommendations 3 and 4 achieve identical objectives. In today's contentious political environment, this brand of collaborative work is worthy of praise. Congratulations. [Commentor 3]	Comment noted.
Based upon Chapters 9 and 10 of Dept. of Ecology's Draft Remedial Investigation/Feasibility Study, Everett Shorelines Coalition supports implementation of the Department's preferred alternatives for cleanup action: #4 for Upland and #2 for In-Water. [Commentor 4]	Comment noted.

2. Cost and who pays for cleanup

Responses included in this category relate to comments about the cost of cleaning up the site and who is responsible for cleanup costs.

Comment	Ecology's Response
Glad [the Everett Shipyard, Inc. Site] is getting cleaned up. They need to be held accountable for the cleanup costs. [Commentor 1]	Comment noted. Most of the funding for the cleanup comes from the entities that caused the contamination, in this case the Port of

Comment	Ecology's Response
	Everett and ESY, Inc. Ecology has provided some Remedial Action Grant funding to the Port of Everett
2012 cleanup investment costs are modest. I encourage you and your team to prepare a slide that outlines the costs our community will incur in perpetuity should we decide to leave the poison where it is. Here is an easy to understand list: *Anticipated capital development costs will dwarf 2012 clean up costs. *Engineering and monitoring costs will continue to escalate on a monthly basis if the poisoned environment remains in place. *Maintenance costs for the toxic stew surrounding Port Gardner Bay will compound over time. *Institution costs related to governmental, judicial and legislative work are bound to exceed clean up costs. (Heck, one set of development law firm fees can easily exceed these clean up costs. And there are bound to be more than one law firm involved.) *Inevitable loss of use costs to our city and state are incalculable. I encourage your team to use existing NOAA and/or Department of Wildlife models that put a dollar figure on the collapse of eelgrass beds, Puget Sound fisheries and other regional economic drivers. [Commentor 3]	Both the upland and the sediment cleanup alternatives proposed for implementation will remove most of the contamination of the Everett Shipyard, Inc. Site; excavation and mass removal and off-site disposal are the predominant actions to be taken. Where some contaminated soil is left in place, capping will be done to prevent direct human exposure. Costs for monitoring, maintenance, and institutional controls are already included in the cost estimates. Ecology understands commenter's long-term cost analysis discussion and agrees that it could be a good way to communicate the benefits of completing a timely and thorough cleanup.
I am glad that the Puget Sound Initiative is cleaning up Puget Sound. We must reduce the toxicity of the Sound. I am glad the businesses are being held financially responsible. [Commentor 1]	Comment noted.

3. Human health risk

Responses included in this category relate to comments about risks to human health from the consumption of fish near the site.

Comment	Ecology's Response
I am concerned about the results of the DOH study that caution me to limit consumption of certain species of fish. I want a clean environment on the shore and water. [Commentor 1]	Ecology shares that goal, and believes that the sediment cleanup at this Site will go a long way to cleaning up both the shoreline and the in-water sediment. Unfortunately, the low level of remaining risk will still require that people be advised to avoid eating certain fish at very high levels of consumption, which is typical in urban bays and other waterways throughout our region.

4. Site investigations, cleanup levels and future land use

Responses included in this category relate to comments about the site investigation, appropriate cleanup levels and potential uses for the site in the future.

Comment	Ecology's Response
I was favorably impressed by the investigation plan, data collection process and reported of results. [Commentor 3]	Comment noted.
Cleanup Level. Given that the property is slated to be a mixed use site, as documented in the RI/FS, the cleanup standards for this site should reflect that use – which the current proposal does not do. It is critical that sites for use by the public be protective. [Commentor 2]	Ecology believes that the future land use for the Site is accurately reflected in the cleanup alternative. Ecology has used residential cleanup standards at this site which would be conservative for a mixed use scenario.
I want to make sure that future development on the	Comment noted.

Comment	Ecology's Response
waterfront is clean and responsible. Develop needs to provide free public access to recreation on the water. [Commentor 1]	Everett Shipyard is no longer operating and the area will be redeveloped into a commercial, residential and potentially maritime area. A new state-of-the-art stormwater system will be installed onsite and will be monitored at five-year intervals to make sure everything is still working to keep contaminants out of the water. Ecology was informed that the Port is planning to include the free public access to water front under the future redevelopment plan.
Cleanup actions at the Everett Shipyard site, as part of multi-site cleanup baywide, during this current period of relatively slack activity among adjacent Everett waterfront enterprises, offers reasonable prospects for extra cost-effectiveness, especially in the transport of the contaminated soils off the site and transport of remedial materials onto the site. This will be a sound investment in our critical regional water resource. [Commentor 4]	Comment noted.

Explanatory Figures

Figure 1. Everett baywide area cleanup sites under the Puget Sound Initiative.

Ecology Contact Information

For more information on the Everett Shipyard, Inc. Site, contact:

Hun Seak Park - Site Manager
WA Department of Ecology
Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600
Phone: (360) 407-7189
E-mail: HunSeak.Park@ecy.wa.gov

Andy Kallus - Baywide Project Manager
E-mail: Andrew.Kallus@ecy.wa.gov

To review documents:

Everett Public Library
2702 Hoyt Avenue
Everett, WA 98201
Phone: (425) 257-8000
Hours: Mon – Wed 10 am - 9 pm
Thurs – Sat 10 am - 6 pm
Sun 1 - 5 pm

WA Department of Ecology Headquarters
300 Desmond Drive SE
Lacey, WA 98503
By appointment only:
Contact Carol Dorn, Carol.Dorn@ecy.wa.gov
or (360) 407-7224

Ecology's Website:

http://www.ecy.wa.gov/programs/tcp/sites/everett_shipyard/ev_ship_hp.htm