



# **PUBLIC PARTICIPATION PLAN**

---

## **Eldridge Municipal Landfill Cleanup Site Bellingham, WA**

**Washington State Department of Ecology**

**Northwest Regional Office**

**Toxics Cleanup Program**

**3190 160<sup>th</sup> Avenue SE**

**Bellevue, Washington 98008**

***September 2015***

## Introduction

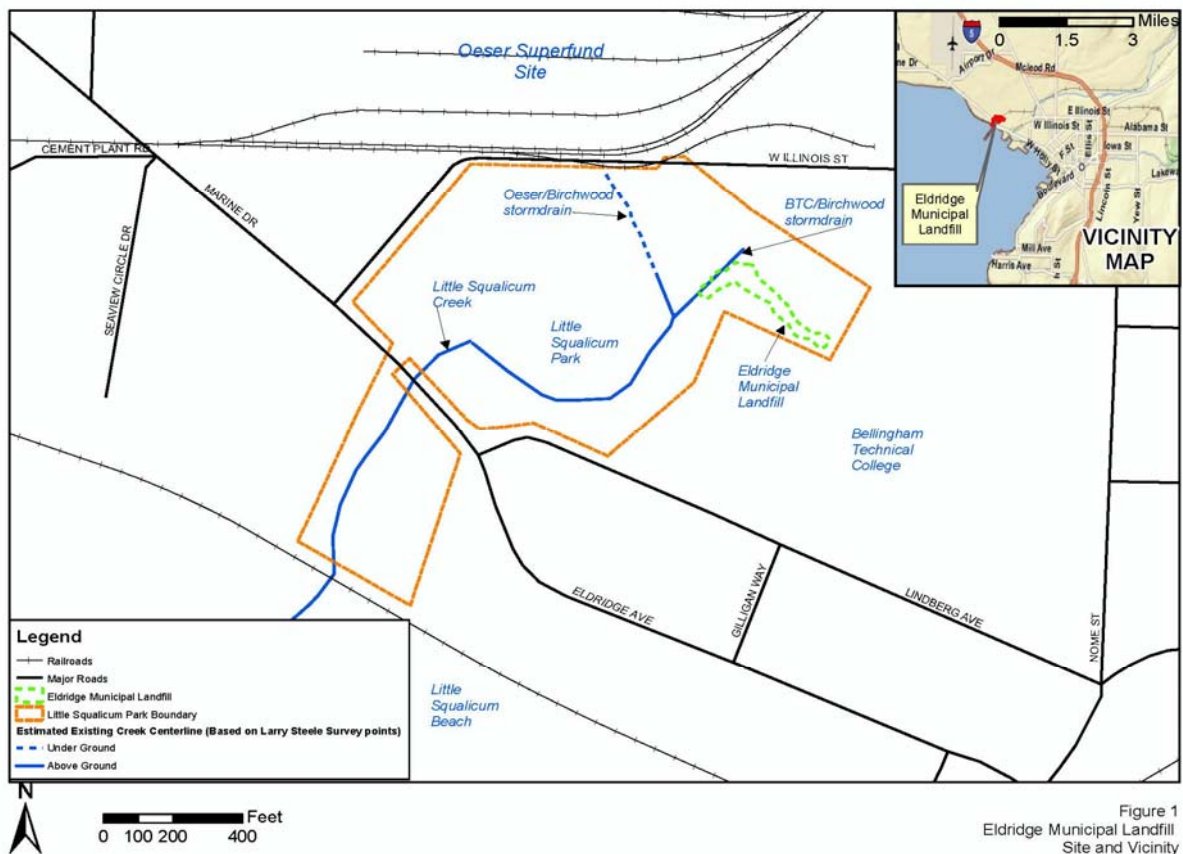
The Washington Department of Ecology (Ecology) has developed this public participation plan in accordance with the state’s toxics cleanup law, the Model Toxics Control Act (MTCA), to promote meaningful community involvement during the cleanup of the Eldridge Municipal Landfill site in Bellingham, Washington.

Public participation is an integral part of Ecology’s responsibilities under MTCA. Ecology’s goal is to provide the public with timely information and meaningful opportunities for participation. This public participation plan describes the tools that Ecology plans to use to inform the public about the site and identifies opportunities for the community to become involved.

## Site background

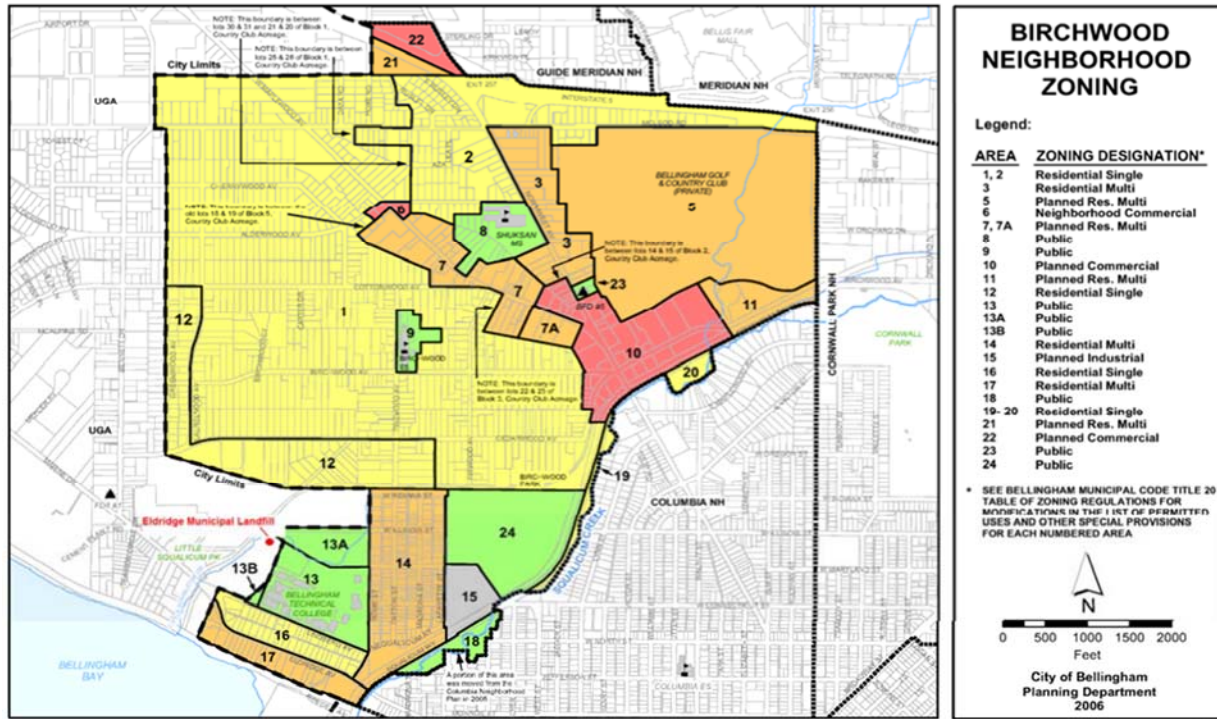
### Location

The site is located in the northeast corner of Little Squalicum Park in Bellingham. It is west of the Bellingham Technical College campus parking lot and north of Building U. The landfill area is located on property owned by Whatcom County, which is currently leased by the City of Bellingham (City) for management of the Park.



## Neighborhood profile

The Eldridge Municipal Landfill site is in Little Squalicum Park, adjacent to Bellingham’s Birchwood neighborhood. Downtown Bellingham is about a mile to the southeast.



Birchwood is largely residential, zoned for single-family homes with sections of multi-family residential zoning. Commercial shopping and restaurant areas are on the eastern end of the neighborhood, along Northwest Avenue. The Oeser Company and Morse Steel operate nearby as well.

Birchwood Elementary School and Shuksan Middle School are located in the central part of the Birchwood neighborhood. A large area of the eastern portion of the neighborhood is occupied by the private Bellingham Golf and Country Club. To the south is Bellingham Technical College, with a current enrollment of just under 3000 students.

The southern edge of the neighborhood overlooks Bellingham Bay along Eldridge Avenue. Birchwood has easy access to Little Squalicum Park, which is outside city limits but managed by the city.

The population of the neighborhood was nearly 5,000 as of the 2000 census. The population represents about 7.3 percent of the city’s estimated total population at that time. According to the Washington State Office of Financial Management Forecasting Division, Bellingham’s last population estimate was 77,550 on April 1, 2010, an increase of 10,379 since the last census.



### **Site History and Contamination**

In the mid & late 1930s, the city used the area, now part of the park, as a landfill for burning and burying local municipal waste. This resulted in contamination above standards established to protect human health and the environment under Washington’s cleanup law, the Model Toxics Control Act. In 2010, the City of Bellingham and Ecology entered into a legal agreement to investigate the nature and extent of contamination at the site, and then evaluate cleanup options for the site. The agreement was amended in 2011 because the City had funding available that allowed it to conduct early cleanup work (called an interim action) to remove debris and contaminated soil prior to completion of a Feasibility Study at the site.

### **Remedial Investigation**

In 2010, a remedial investigation to assess the nature and extent of contamination at the site was performed. It found garbage and contamination across a 32,000 square foot area, including glass bottles, metal scraps, ash, ceramics, construction debris and various rusted materials.

Contamination at the site included:

- In soil: arsenic, cadmium, copper, lead, mercury, zinc and pentachlorophenol.
- In groundwater: metals including arsenic, cadmium, copper, lead, and zinc, as well as iron, manganese, nitrate, and ammonia.



Researchers identify the location of an old municipal landfill in Little Squalicum Park. Bellingham Technical College is in the background (January 2006).

### **Interim cleanup action**

Following completion of the remedial investigation, early cleanup work called an interim action excavated about 4,290 tons of debris and contaminated soil and disposed of it at a permitted landfill. Most of the landfill debris was removed except for a few locations with physical constraints. A 750 square foot wetland was also reconstructed as part of this work.

In most cases, an interim cleanup action is only a partial cleanup and is done to address the most pressing contamination while a comprehensive cleanup action is still being developed for the entire site. Eldridge is unique in that the interim cleanup action ended up addressing almost all of the contamination at the site.



Removal of soil and landfill debris at Eldridge Municipal Landfill site (September 2011).

### **Feasibility Study**

A feasibility study evaluated environmental information collected following the interim cleanup action to determine if additional cleanup measures were necessary to protect human health and the environment. It identified the following additional measures to address the areas with remaining garbage and soil contamination:

- Groundwater sampling and analysis to confirm the protectiveness of the cleanup action
- Use restrictions to prevent disturbance





Excavation being backfilled and graded at Eldridge Municipal Landfill site (September 2011).

### **Consent Decree and Cleanup Action Plan**

The cleanup action plan for the site is part of a new legal agreement between Ecology and the City of Bellingham called a consent decree. It incorporates the 2011 interim cleanup action and includes requirements for groundwater monitoring, use restrictions, additional wetland restoration and the installation of a boundary fence for both wetlands.

### **Bellingham Bay Demonstration Pilot**

The Eldridge Municipal Landfill site is one of 12 cleanup sites identified through the Bellingham Bay Demonstration Pilot project, a coordinated effort by federal, tribal, state and local governments to clean up contaminated sites around Bellingham Bay.

In 2000, Ecology, in cooperation with the pilot work group, produced the Bellingham Bay Comprehensive Strategy. The Comprehensive Strategy is a guidance document that brings together cleanup, controlling pollution, restoring habitat, accommodating public access and land use planning. The pilot is a major step toward cleaning up Puget Sound, and it is a model for other large-scale cleanup initiatives.

## **Key community concerns**

Through comments received previously on the Eldridge site, and on other sites in the community, Ecology identified concerns and interests that may apply to the Eldridge site. Concerns and interests include:

- Protecting human health and the environment.
- Avoiding harm to important fisheries and habitats.
- Coordinating cleanup actions with other Bellingham Bay cleanup projects.
- Understanding the relationship between land use decisions and cleanup decisions.
- Providing opportunities for public involvement.
- Complying with regulatory requirements.
- Monitoring conditions after cleanup work is complete.

Additional public concerns may continue to be identified as a result of site study and cleanup actions, and may be addressed through one or more methods described in this public participation plan.

## **Public participation activities and responsibilities**

Ecology is responsible for carrying out this public participation plan for the Eldridge Municipal Landfill site. Under the terms of the Consent Decree, the City of Bellingham will cooperate with and, when requested by Ecology, help with the various public participation activities. Ecology uses a variety of activities to promote public participation in planning and cleanup of MTCA sites. The following is a list of the public involvement activities that Ecology will use:

**Public comment period** - A draft Remedial Action/Feasibility Study (RI/FS) Report, Consent Decree and Cleanup Action Plan, and this Public Participation Plan will be issued Sept. 21 – Oct. 20, 2015 for public review. After these documents are final, they will be made a matter of record in Whatcom Superior Court. Comments will be accepted at any time during the public comment period by letter or e-mail to:

Mary O'Herron  
Site Manager  
Department of Ecology  
1440 10<sup>th</sup> St., Ste. 102  
Bellingham, WA 98225  
360-715-5224  
[mary.oherron@ecy.wa.gov](mailto:mary.oherron@ecy.wa.gov)

Once the comment period ends, Ecology will review and consider all comments and respond. If comments result in significant changes to the documents, Ecology will issue a revised version for a second 30-day comment period. In addition, if 10 or more people request a public meeting about this cleanup, Ecology will provide notice and hold a meeting.

**Responsiveness summary** - A responsiveness summary is a summary of written public comments received by Ecology during a comment period, and Ecology's responses to those comments. Ecology will prepare a responsiveness summary to address comments received on the draft documents. Ecology will place the responsiveness summary in site information

repositories. When the responsiveness summary is available, Ecology will notify those who commented, and a notice will be placed in the site register.

**Information repositories** - Ecology maintains repositories of information regarding the site for the convenience of interested people, where site documents will be available for public review during the comment period. Ecology also can make copies of documents for a fee.

For this site, the information repositories are:

Bellingham Public Library  
210 Central Ave., Bellingham  
Phone: 360-676-6860

Department of Ecology  
Bellingham Field Office  
1440 10<sup>th</sup> St., Suite 102, Bellingham  
Phone: 360-715-5200

Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Avenue SE, Bellevue  
Phone: 425-649-7190

Ecology also will post information on its website at [www.ecy.wa.gov/programs/tcp/sites](http://www.ecy.wa.gov/programs/tcp/sites) . Search site name: Eldridge. By request, Ecology can make copies of documents for a fee, or provide a CD.

**Site register** - The site register is published by Ecology twice a month to inform the public of:

- Activities related to the study and cleanup of contaminated sites.
- Public meetings, hearings and comment periods.
- Discussion or negotiations of legal agreements.
- Availability of cleanup reports.
- Hazard rankings of sites.

If you would like to regularly receive the site register, please contact:

Site Register  
Department of Ecology-Toxics Cleanup Program  
PO Box 47600  
Olympia WA 98504-7600  
360-407-7170

If you would like to be on the site register e-mail list, complete the electronic form at [www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html).

**Mailing list** - Ecology has compiled a mailing list for the site. The list includes individuals, groups, public agencies, elected officials, private businesses, potentially affected parties, and



other known interested parties. The list is updated as needed.

**Fact sheets** - Ecology will mail fact sheets to those entities on the site mailing list to inform them of public hearings, meetings, comment opportunities, and important site activities. Ecology also may mail fact sheets about the progress of site activities.

**Newspaper advertisements** - At a minimum, Ecology will place an ad in The Bellingham Herald to announce comment periods, public meetings and hearings for the site.

## **Plan update**

This public participation plan may be updated as the project proceeds. If a substantive update is necessary, the revised plan will be submitted to the public for comment.

## **Public points of contact**

If you have questions or need more information about this plan or this site, please contact:

Mary O'Herron.  
Site Manager  
Washington Department of Ecology  
Bellingham Field Office  
1440 10<sup>th</sup> Street, Suite 102  
Bellingham, WA 98225  
360-715-5224  
[mary.oherron@ecy.wa.gov](mailto:mary.oherron@ecy.wa.gov)

Brad Petrovich  
Public Outreach Specialist  
Washington Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Ave. SE  
Bellevue, WA 98008-5452  
425-533-5537  
[brad.petrovich@ecy.wa.gov](mailto:brad.petrovich@ecy.wa.gov)

## Glossary

**cleanup:** The implementation of a cleanup action or interim action. In other words, the term “cleanup” includes actions taken to address a release, or threatened release of hazardous substances that could affect public health and/or the environment.

**cleanup action:** Any remedial action, except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy or remove a hazardous substance.

**cleanup action plan (CAP):** The document prepared by Ecology that selects the cleanup action for the site, and specifies cleanup standards and other requirements for the cleanup action. The cleanup action plan is based on information and technical analysis generated during the remedial investigation/feasibility study. Ecology also considers public comments and community concerns.

**comment period:** A time period during which the public can review and comment on various documents and Ecology actions. For example, a comment period is provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans. Also, a comment period is held to allow community members to review and comment on draft feasibility studies.

**consent decree:** A legal document that is entered in court, which formalizes an agreement reached between the state (and the U.S. Environmental Protection Agency if involved) and the potentially liable person(s) to implement cleanup. A consent decree settles the liability for parties that implement the cleanup. Consent decrees are subject to public comment. If substantial change is proposed to a decree, an additional comment period is provided under the terms of the decree before the decree is formally entered in court.

**feasibility study (FS):** This study uses information obtained in a remedial investigation to develop and evaluate a range of cleanup options for a site, termed “cleanup alternatives.” The FS must include cleanup alternatives that protect human health and the environment (including, as appropriate, terrestrial and ecological receptors) by eliminating, reducing, or otherwise controlling risks posed through each exposure pathway and migration route.

**information repository:** A file containing current information, technical reports and reference documents available for public review. The information repository is usually located in a public building that is convenient for local residents such as a public school, city hall or library.

**Model Toxics Control Act (MTCA):** Legislation passed in the state of Washington by voter initiative in 1988, which became effective in 1989 and was codified as Chapter 70.105D RCW. Its purpose is to identify, investigate and clean up facilities where hazardous substances have been released. It defines the role of Ecology and encourages public involvement in the decision making process.

**potentially liable person (PLP):** Any person whom Ecology finds, based on credible evidence, to be liable under MTCA, RCW 70.105D.040. This includes, but is not limited to, individuals or companies, state agencies, and others, who are the owners or operators of a facility; who owned or operated the facility at the time of disposal or release of hazardous substances; who generated hazardous substances disposed of at the facility, or who otherwise owned the hazardous substances and arranged for disposal; or who transported hazardous substances for disposal. Whenever possible, Ecology requires these PLPs, through administrative and legal actions, to clean up sites.

**public participation plan:** A plan prepared to encourage coordinated and effective public involvement designed to meet the public's needs at a particular site.

**remedial investigation:** This study characterizes the site and defines the nature and extent of contamination.

**remedial investigation/feasibility study (RI/FS):** Two distinct but related studies. The FS is usually performed immediately following the RI, and together they are referred to as the RI/FS. They are intended to collect, develop, and evaluate sufficient information regarding a site to select a cleanup action, including:

- Gathering the data necessary to determine the type and extent of contamination.
- Establishing criteria for cleaning up the site.
- Identifying and screening cleanup alternatives for remedial action.
- Analyzing in detail the technology and costs of the alternatives.

**responsiveness summary:** A summary of oral and written public comments received by Ecology during a public comment period on key documents, and Ecology's responses to those comments.

The responsiveness summary is not required for MTCA documents. However, Ecology sometimes chooses to prepare them as part of site-specific public participation activities.

**site or "facility":** Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited stored, disposed of, or placed, or otherwise come to be located.