



DEPARTMENT OF
ECOLOGY
State of Washington

Public Participation Plan

For:

Reichhold/SSA Containers Facility
Tacoma, Washington 98421

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Tacoma, Washington 98421

Prepared by:
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Table of Contents

Introduction	1
Plan Contacts	1
Public Participation Grants	2
Regulatory Framework	2
Model Toxics Control Act	2
Hazardous Waste Regulations	3
Facility Background and Site Contamination	4
Site Community	4
Public Participation Activities	5
Site Repositories	7
Future Opportunities to Comment	7
Plan Amendments	8

Introduction

The Washington State Department of Ecology (Ecology) developed this public participation plan (Plan) in cooperation with SSA Tacoma, Inc. (SSA). This Plan is for the Reichhold/SSA Containers Facility (the Site), a former chemical manufacturing facility located at 3320 Lincoln Ave E, Tacoma, Washington 98421.

The purpose of the Plan is to promote meaningful community involvement during supplemental site investigation, selection of cleanup actions, and corrective action at the Site. This is an update to the original public participation plan published in 2008. New areas of contamination were found in 2014. Ecology will seek public comment on supplemental cleanup documents in spring 2016.

The Plan describes activities that Ecology will do to inform the public about contamination investigations and selection of cleanup activities throughout the corrective action process. Ecology encourages the public to learn about and get involved in decision-making opportunities at this Site. The public can get involved during different stages of the investigation and cleanup of contamination at the Site.

Plan Contacts

To be included in the record, comments about the Site investigation, cleanup actions, or corrective actions must be submitted during the formal comment periods. Questions are welcome anytime. If you have public participation questions, please contact Ecology's Public Involvement Coordinator, Bridgette Valdez-Kogle, at 360-407-7616 or brva461@ecy.wa.gov. If you have questions about the cleanup, please contact Ecology's Corrective Action Project Manager for the Site:

Stan Leja
Hazardous Waste and Toxics Reduction Program
Southwest Regional Office
PO Box 47775
Olympia WA 98504-7775
Phone: 360-407-6345
Email: stan.leja@ecy.wa.gov

Public participation activities are coordinated between Ecology and SSA. Ecology maintains overall responsibility and approval authority in accordance with the requirements of the Dangerous Waste Regulations and the Model Toxics Control Act (MTCA). With participation from SSA, Ecology will conduct formal public comment periods and other forms of public involvement throughout the cleanup process.

Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups near the Site. These funds may be used to provide additional public involvement, receive technical assistance, and enhance the public's understanding of the cleanup process. For more information about the public participation grants, please contact [Lynn Gooding](mailto:Lynn.Gooding@ecy.wa.gov) at 360-407-6062 or visit www.ecy.wa.gov/programs/swfa/grants/ppg.html.

Regulatory Framework

This Plan is required under MTCA, a “citizen-mandated” law that became effective in 1989. MTCA provides guidelines for the cleanup of contaminated sites in Washington State and sets standards to make sure the cleanup protects human health and the environment.

Cleanup at the site will be completed in accordance with MTCA regulations. Cleanup at the site must also satisfy federal and state “corrective action” requirements for facilities that manage, or have managed, hazardous wastes. This Plan is an updated version of the original public participation plan.

Model Toxics Control Act (MTCA)

MTCA began as a grassroots citizen initiative in 1988, and started the process of cleaning up contaminated sites in Washington State. Under MTCA, a current or past site owner or operator may be held responsible for cleaning up contamination at their site to standards that are safe for human health and the environment. Ecology was mandated with implementing MTCA and overseeing cleanups in the state and issued regulations and guidance governing those cleanups. The regulations are found in [Chapter 173-340 Washington Administrative Code \(WAC\)](#). Ecology investigates reports of property contamination and if the contamination is seen as a significant threat to human health or the environment, the site is placed on the Hazardous Sites List, and the cleanup process begins.

Public participation is an important part of cleanup under the MTCA process. Participation needs are assessed at each site according to the level of public interest and the degree of risk posed by the contamination. Individuals who live near the site, community groups, businesses, government, other organizations, and interested parties have the opportunity to get involved by commenting on the cleanup process.

Hazardous Waste Regulations

There are federal and state regulations governing the management of hazardous wastes. The United States Congress enacted the Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act in 1976 to ensure safe management and disposal of municipal and industrial waste generated nationwide. RCRA has been amended several times, including in 1984 with the Hazardous and Solids Waste amendments that expanded the scope and requirements of RCRA.

The goals of RCRA are to:

- Protect human health and the environment.
- Reduce waste and conserve energy and natural resources.
- Reduce or eliminate generation of hazardous waste as quickly as possible.

Subtitle C of RCRA established a program to handle wastes from “cradle to grave.” Owners and operators of waste treatment, storage, and/or disposal (TSD) facilities are required to submit a permit application covering all aspects of design, operation, maintenance, and closure of the facility. RCRA requires owners and operators of these facilities to clean up contamination resulting from *past* and *present* practices, which includes practices of previous owners. These cleanup activities are known as corrective actions.

Federal law uses the term *hazardous waste*. [Washington law](#) uses the term *dangerous waste*. Washington’s definition of dangerous waste includes some wastes not included in the federal definition. State requirements for RCRA hazardous waste management must be at least as stringent as those established by federal law.

On June 30, 1986, Reichhold entered into a Consent Agreement and Order (No. 1086-04-33-3008) with the U.S. Environmental Protection Agency (EPA) Region 10 and Ecology. This required Reichhold to:

- Investigate and characterize site soils and hydrogeology.
- Research and identify areas that would be regulated under RCRA as solid waste management units and areas of concern.

In 1988, EPA issued a RCRA storage and corrective action permit to Reichhold, effective December 4, 1988. This RCRA Permit replaced the 1986 Order.

Effective July 30, 2004, Ecology issued Reichhold a Dangerous Waste Management Permit for Corrective Action (No. WAD009252891). The permit included requirements for a focused remedial investigation (FRI) and focused feasibility study (FFS), the preparation of a draft chemical action plan (CAP), and the continued operation of interim measures and cleanup

actions while corrective action elements were completed at the property. This permit and associated Agreed Orders replaced the 1988 RCRA Permit.

RCRA and state dangerous waste regulations require public participation throughout all stages of permitting and cleanup. The stages include periods before the permit application is submitted, through the permitting process, during the life of the permit, and during the cleanup process. Ecology and SSA will meet the public participation requirements during the FRI, FFS, and CAP process at the Site by complying with this Plan and MTCA public participation requirements.

Facility Background and Site Contamination

The former Reichhold Chemical (Reichhold) facility is a 52-acre property located on the Blair Peninsula between Alexander Avenue and Taylor Way. From 1956 to 1990, Reichhold produced pentachlorophenol and related compounds used in treating wood. In 2006, Stevedoring Services of America (SSA) purchased the property from Reichhold Chemical. In 2009, SSA implemented final cleanup actions to address contamination from pentachlorophenol production. Ecology oversaw the cleanup process and the work was completed as planned. The soil and groundwater at the property met industrial cleanup levels for the contaminants of concern that had been identified for the Site.

In 2014, soil contaminated with dioxin/furan compounds was found at the site. SSA's contractors, with Ecology oversight, further investigated the nature and extent of the dioxin/furan contamination. Based on those results, Ecology decided that additional cleanup actions must be done to protect people and animals from contacting contaminated soils. The documents for review show the investigation results, determine cleanup levels, and evaluate cleanup alternatives.

Dioxin compounds were not identified as contaminants of concern at the property during previous investigations and cleanup actions. SSA, with Ecology oversight, will address the dioxin contamination through a supplemental cleanup action.

Site Community

The Site is located at the Port of Tacoma in a predominately industrial and commercial part of Tacoma. However, a 1-mile radius around the site contains a mix of industrial, commercial, and residential properties. The city of Tacoma's population is ethnically and economically diverse. In the district surrounding the Site (WA Legislative District 27), there are relatively large populations of Asian-Americans, Latinos/Hispanics, African-Americans and Native Americans. An analysis of community demographic information using EPA's EJScreen tool found that 14% of the population within a 1-mile radius around the site is Asian, 11% is Latino/Hispanic, and 9%

is African-American. It is important to incorporate cultural and linguistic needs of this diverse community when we conduct our public outreach and participation activities.

Ecology will reach out to cultural community organizations and provide information in other languages. The non-English languages most widely spoken in the area are Spanish and Korean. Ecology has been informed that many workers in the Tideflats speak Russian as their primary language. When appropriate, Ecology will translate informational sheets into Spanish, Korean, and Russian. We strive to make our public participation efforts as inclusive as possible. Ecology will try to ensure that all community members have access to important documents.

The Puyallup Tribe is a Sovereign Nation that owns land adjacent to the Reichhold/SSA Containers Facility. Ecology will ensure that the Tribe will be engaged with any decision-making process for this site, and has ample opportunity to be involved throughout the process.

Public Participation Activities

The public may ask questions at any time. Interested parties do not need to wait for a formal public comment period to contact Ecology. However, to be included in the record, comments about the site investigation, cleanup actions, or corrective actions must be submitted during formal comment periods. In addition, the public may review site documents. This is the most direct way to learn more about the site and be involved in the cleanup's decision-making. Contact Ecology's Site Manager, Stan Leja, by phone at 360-407-6345 or by e-mail at stan.leja@ecy.wa.gov.

Public Comment Notices, Fact Sheets, and Other Notices

During specific stages of the cleanup, Ecology will send public comment notices to addresses inside the Site's "affected area," generally within a one-mile radius of the facility and to interested organizations. These notices will provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings.

Ecology may also develop fact sheets explaining what is happening at the site, the site background, and next-steps in the process. These fact sheets will be available online and in the document repositories.

Public Comment Periods

Formal 30-day comment periods allow interested members of the public an opportunity to comment on draft site documents, amended orders, or newly proposed cleanup actions. If there is significant interest, Ecology may extend the public comment period to 60 days.

Public Meetings

We will hold public meetings, workshops, open houses, and public hearings based on community interest. These meetings are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance, using a variety of methods.

Site Register

Information from the Public Comment Notices and Fact Sheets will be on the Statewide Site Register. The Site Register is available on Ecology's website at www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html. It is also sent to those on our mailing list. If you are interested in receiving the Site Register, contact Seth Preston at Ecology at 360-407-6846 or e-mail seth.preston@ecy.wa.gov.

Display Ads or Legal Notices

These will announce public comment periods, public meetings, workshops, open houses, and public hearings. We will publish these ads or notices in *The Tacoma News Tribune* and in another local newspaper if needed. We will also place notice on Ecology's Public Events Calendar at <http://apps.ecy.wa.gov/pubcalendar/calendar.asp>.

Email Lists

Ecology maintains an email list to update interested persons about corrective action progress at current and former TSD facilities. To subscribe (or unsubscribe) to this list, go to: <http://listserv.wa.gov/cgi-bin/wa?SUBED1=DWFACILITIES-PUBLIC-NOTICE&A=1>

Ecology may also provide updated information to community email lists. It will be up to the administrators of these lists to identify what site information is of most interest and how often Ecology should provide updates. The administrators will then post the updates that Ecology provides.

Mailing List

Ecology developed a mailing address list that includes individuals interested in site activities and those with property addresses in the site area. These persons will receive (via U.S. Postal Service) formal public comment notices at different stages of the cleanup. We will add additional individuals, organizations, other interested parties, and local, state, and federal governments to the mailing list as requested. If you would like to be added to the mailing list for this site, contact Bridgette Valdez-Kogle, the site's Public Involvement Coordinator, at 360-407-7616 or brva461@ecy.wa.gov.

Ecology's Website

An Ecology website is maintained for the Reichhold/SSA site. You can find documents about the site, including those that are up for public review.

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3438>

Other Outreach Tools

In addition to Fact Sheets, other flyers announcing public comment periods, meetings, and workshops may also be posted in various locations throughout the community (e.g., local businesses, schools, libraries) and on Ecology's website.

Site Repositories

During public comment periods, you can find important documents at the following locations:

Department of Ecology
Southwest Regional Office
300 Desmond Drive SW
Lacey WA 98503
360-407-6300

Citizens for a Healthy Bay
535 Dock Street, Suite 213
Tacoma WA 98402
253-383-2429

Tacoma Public Library
1102 Tacoma Avenue S
Tacoma, 98402
253-292-2001

Future Opportunities to Comment

This PPP has been prepared by Ecology, with assistance from SSA Tacoma and their environmental consultant, Floyd|Snider. The PPP is an exhibit to a Consent Decree Amendment that sets forth the legal agreements that SSA and Ecology will follow during the supplemental cleanup of the Facility. The Consent Decree Amendment contains several exhibits, as summarized below.

Documents for public review and comment in March 2016 include:

- Consent Decree (CD) Second Amendment
- Environmental Covenant
- Cleanup Action Plan (CAP) Amendment
- Compliance Monitoring and Contingency Plan Amendment
- Area A Pre-Excavation Extent Investigation SAP/QAPP
- Corrective Action Management Unit (CAMU) Application
- Cap Inspection and Maintenance Plan
- Public Participation Plan
- State Environmental Policy Act (SEPA) Addendum
- Supplemental Focused Remedial Investigation / Supplemental Focused Feasibility Study

Plan Amendments

This plan was developed by Ecology, and complies with MTCA regulations (WAC 173-340-600). It will be reviewed as the FRI, FFS, and CAP progress, and amended if necessary. Ecology provides final approval of the Plan and amendments.

This Plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us. If you feel the planned outreach activities and mechanisms described in this Plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach mechanisms established as a result can be implemented right away, with or without amendment of the Plan.