



RESPONSE TO COMMENTS

Eldridge Municipal Landfill Site Bellingham, Washington

Remedial Investigation/Feasibility Study Consent Decree (including Cleanup Action Plan) and Public Participation Plan

November 23, 2015

ISSUED BY:

WASHINGTON STATE DEPARTMENT OF ECOLOGY

TOXICS CLEANUP PROGRAM

1. Introduction

On September 21, 2015, the Remedial Investigation/Feasibility Study, the Consent Decree (a legal agreement between Ecology and the City of Bellingham that includes a cleanup action plan for the site) and the Public Participation Plan for the Eldridge Municipal Landfill site (Site) in Bellingham were issued for a 30-day public comment period. Public involvement activities related to this public comment period were:

- Distribution of a fact sheet describing the site and the documents through a mailing to 2010 people, including neighboring businesses and other interested parties;
- Publication of a paid display advertisement in The Bellingham Herald on September 18, 2015;
- Publication of notice in the Washington State Site Register on September 17, 2015;
- Announcement of the public comment period and posting of the documents on the Ecology web site; and
- Providing copies of the documents through information repositories at Ecology's Bellingham Field Office and Northwest Regional Office, and at the Bellingham Public Library- downtown branch.

A total of five comments were received by U.S. Mail and e-mail regarding the draft documents.

Section 2 of this document provides background information and Section 3 presents anticipated next steps. Section 4 includes the comments received and Ecology's responses.

2. Background

The Eldridge Municipal Landfill site is about 32,000 square feet in size and is located in Little Squalicum Park, west of the Bellingham Technical College campus parking lot.

In the mid- to late- 1930's, the City of Bellingham used the area, now part of the park, as a landfill for burning and burying local municipal solid waste. The landfill operated only a few years.

This resulted in soil and groundwater contamination above standards established to protect human health and the environment under Washington’s cleanup law, the Model Toxics Control Act.

The landfill was originally discovered and investigated in 2005/2006 as part of the Little Squalicum Park cleanup site, which is now considered a separate site. (The U.S. Environmental Protection Agency took over the regulatory lead for cleanup of the creek area. Ecology maintained oversight authority for the landfill as a separate state cleanup site.) The Site is on property owned by Whatcom County and managed by the City as a park.

In November 2010, Ecology and the City of Bellingham signed a legal agreement (called an agreed order) requiring the City to complete an environmental study of the site (called a remedial investigation) and evaluate cleanup options (called a feasibility study) and to draft a cleanup action plan.

The **remedial investigation** to assess the nature and extent of contamination at the site found landfill debris and contamination across a 32,000 square foot area:

- Landfill debris: glass bottles, metal scraps, ash, ceramics, construction debris and various rusted materials.
- Soil contamination: arsenic, cadmium, copper, lead, mercury, zinc and pentachlorophenol.
- Groundwater contamination: metals (including arsenic, cadmium, copper, lead, and zinc), iron, manganese, nitrate, and ammonia.

The existing agreed order was amended in 2011 because the City had funding available that allowed it to conduct early cleanup work (called an interim action) to remove landfill debris and contaminated soil at the site.

This interim cleanup work excavated about 4,290 tons of debris and contaminated soil and disposed of it at a permitted landfill. Most of this material was removed except for a few locations that were difficult to access due to terrain concerns. A 750 square foot wetland was also reconstructed. In addition, the interim work included post-construction groundwater monitoring to assess the effectiveness of the cleanup action. The monitoring found arsenic and iron to be the only remaining contaminants of concern in groundwater.

Following completion of the interim cleanup action, a **feasibility study** evaluated environmental information to determine if additional cleanup measures were needed. It evaluated two options to address remaining areas with buried contaminated soil and identified a preferred option.

The (preferred) option called for use restrictions to prevent disturbance of buried contaminated soil, additional groundwater monitoring, and wetland replanting, at a cost of \$237,000.

In 2015, a new legal agreement between Ecology and the City (called a **consent decree**) was prepared that included a cleanup action plan for the site. The **cleanup action plan** incorporated the 2011 interim cleanup action and called for the implementation of the preferred cleanup option identified in the feasibility study. It also required an operations and maintenance plan to ensure the long term success of the cleanup action.

The remedial investigation/feasibility study, consent decree (including the cleanup action plan) and a **public participation plan** (the plan outlining how interested parties could learn about the cleanup and provide input) were made available for public review and comment from September 21 to October 20, 2015. This Response to Comments documents the comments received by Ecology during the comment period, as well as Ecology's responses to those comments.

3. Next Steps

Ecology has not made significant changes to the remedial investigation/feasibility study, consent decree/cleanup action plan and public participation plan based on the public comments it received during the comment period and they are considered final documents.

The consent decree will now be signed by the City and Ecology and entered into Whatcom County Superior Court.

In late 2015 or early 2016, the City will then perform the tasks set forth in the consent decree/cleanup action plan which include:

- begin groundwater monitoring
- place legal use restrictions on the property
- prepare an operations & maintenance plan
- wetland planting, fencing, and signage
- designate especially valuable habitat area

4. Comments Received and Ecology Responses

Commenter # 1 – Monte Hokanson (e-mail)

From: Monte D Hokanson [<mailto:monte.hokanson@hotmail.com>]

Sent: Sunday, September 20, 2015 2:42 PM

To: Petrovich, Brad (ECY)

Subject: Re: Dept. of Ecology - Public Comment Period - Eldridge Municipal Landfill - Bellingham

Hi Brad,

This quote from a 2011 North Sound Baykeeper blog post highlights the state of Little Squalicum Creek. “There are no longer any natural headwaters of Little Squalicum Creek. The water in the creek is stormwater from Bellingham Technical College parking lots, and a combination of stormwater and process water from Oeser Company, plus a few small springs.”

The preferred option of use restrictions and wetland replanting seems like the best solution for the Eldridge Municipal Landfill site.

The 750 square foot wetland reconstructed during the interim action seems undersized for the site. Could we create a much larger and more densely planted wetland in the locations of the residual soil contamination?

Could we incentivize the Oeser Company and Bellingham Technical College to install rain gardens or green roofing to mitigate stormwater runoff?

There are two large water retention ponds on the Oeser Company property. Could these ponds be converted to rain gardens?

What was the natural headwater flow into Little Squalicum Creek? Could we restore the natural flow rate?

Thanks,
Monte

Response to Commenter # 1:

Thank you for your comments and interest in the cleanup of the Eldridge Municipal Landfill site.

Unfortunately, we cannot respond to your questions as they are not related to Ecology's regulatory authority under state cleanup law. We encourage you to share your questions with the City of Bellingham, Oeser and Bellingham Technical College.

Commenter # 2 – Mike Murphy (e-mail)

From: Michael W Murphy [<mailto:murphy4321@hotmail.com>]
Sent: Saturday, September 26, 2015 10:37 AM
To: O'Herron, Mary (ECY) <MOHE461@ECY.WA.GOV>
Subject: Eldridge Municipal Landfill comment

Hi,

I received Publication Number 15-09-337 in the mail.

I support the preferred option that calls for leaving the remaining contaminated soil in place, performing additional groundwater monitoring, and placing use restrictions on the site. To me, the likelihood of this contaminated soil becoming a threat to human health or the environment is incredibly low. The interim clean-up was thorough and effective. This is an opportunity for the city to save \$1.17 million. Let's take that savings.

Mike Murphy
3042 Eldridge Ave

Response to Commenter # 2:

Thank you for your comment and your interest in the cleanup of the Eldridge Municipal Landfill site. The preferred option is the cleanup action that Ecology selected for the site and it will be implemented beginning later this year or early in 2016.

Commenter # 3 – Garrett O'Brien (e-mails)

From: Garrett O'Brien [<mailto:garrett@volontacorp.com>]
Sent: Monday, October 12, 2015 11:22 AM
To: O'Herron, Mary (ECY) <MOHE461@ECY.WA.GOV>
Cc: hello@shopspruce.com; ob1carco <ob1carco@aol.com>
Subject: Eldridge Municipal Landfill

Hello Mary,

I hope your week is off to a good start. My family lives at 3129 Eldridge Avenue and would like to see a public meeting held on the cleanup of the Eldridge Landfill. If minimum number of interested parties is not satisfied to hold a public meeting we would like to know and submit questions to Ecology for comment. Thank-you.

Garrett O'Brien
Volonta Corporation
t: 360-933-1479
f: 360-933-4163

From: Garrett O'Brien [<mailto:garrett@volontacorp.com>]
Sent: Tuesday, October 13, 2015 8:06 AM
To: O'Herron, Mary (ECY) <MOHE461@ECY.WA.GOV>
Subject: Re: Eldridge Municipal Landfill

Good morning Mary,

Thank-you for your quick response. Please enter my comments into the record.

Our property is located at 3129 Eldridge Avenue, West of Little Squalicum Creek, and abutting the City owned park property South of Eldridge Avenue. After the interim cleanup action was completed in 2011 we observed a restored population of aquatic species in the low lying wetland areas surrounding Little Squalicum Creek.

Prior to the 2011 cleanup action the wetland areas were devoid of many aquatic species typically associated with wetland habitat. In 2012 we observed that the recently restored populations of aquatic species were no longer present.

Our concern is that groundwater contamination is causing a decline in habitat. We support the complete removal and proper disposal of any known contaminated soils.

Thank-you,

Garrett O'Brien
Volonta Corporation
t: 360-933-1479
f: 360-933-4163

Response to Commenter # 3:

Thank you for your comments and your interest in the cleanup of the Eldridge Municipal Landfill site.

Regarding your request for a public meeting, under state cleanup law Ecology is required to hold a public meeting if 10 or more people request a meeting. Ecology received two requests for a public meeting, therefore a meeting was not held.

With regard to the effect of the site groundwater on aquatic species and the wetland habitat, contaminant levels found in groundwater are low and not known to have adverse effects on plants and wildlife. The source of the elevated arsenic and iron concentrations is not fully understood. As a result, two years of additional groundwater monitoring will be performed as described in the cleanup action plan for the site. If this monitoring shows that arsenic or iron concentrations continue to be elevated above cleanup levels, additional monitoring or other steps may be required..

The probable cause of the observed decline in wildlife use of the wetland is the fact that the wetland planting performed after the interim action in 2011 was only partially successful, leaving areas of little or no vegetation. To address this issue, the cleanup action plan calls for planting additional vegetation, and watering and monitoring for a minimum of two years. In addition, the wetland area will be fenced, signs installed, and the area designated and protected as especially valuable habitat. It is likely that a

successfully vegetated wetland will provide the necessary healthy habitat for wetland-dependent wildlife colonization.

Commenter # 4 – Paula O’Brien (e-mail)

From: Paula O'Brien [<mailto:jojopob53@gmail.com>]
Sent: Tuesday, October 13, 2015 7:47 AM
To: O'Herron, Mary (ECY) <MOHE461@ECY.WA.GOV>
Cc: garrett@volontacorp.com
Subject: Eldridge Landfill

Good morning Mary,

Our family lives at 3125 Eldridge Ave. We are very interested in attending a public meeting regarding the clean up strategy for the Eldridge Landfill site. Please advise if a meeting will not be taking place so that we may submit our comments.

Paula O'Brien
Sent from my iPad

Response to Commenter # 4:

Thank you for your comment and interest in the cleanup of the Eldridge Municipal Landfill site.

Under state cleanup law, Ecology is required to hold a public meeting if 10 or more people request a meeting. Ecology received two requests for a public meeting, therefore a meeting was not held.

Commenter # 5 – Joel Douglas (U.S. Mail))

September 24, 2015



State of Washington
Department of Ecology
PO Box 47600
Olympia, WA 98504

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OCT 15 2015
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TCP - NWRO

It makes no sense to waste public dollars on stirring up mud. You will do more damage by this rather than just leaving it in place!

Thank you,

Joel Douglas

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SEASCAPE • (360) 332-6960
GRANDVIEW BUSINESS CENTER
HARBOR BUSINESS CENTER
THE MONTICETO AT FRIDAY HARBOR
LAIRMONT MANOR • (360) 647-1444
 Coachman Inn

P.O. Box 4082
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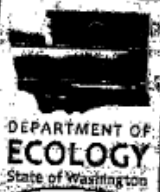
Response to Comments – Eldridge Municipal Landfill
November 23, 2015

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FOR
LM STAFF



**DEPARTMENT OF
ECOLOGY**
State of Washington

Ecology seeks public comment on environmental documents for the Eldridge Municipal Landfill Cleanup Site in Bellingham.

The Department of Ecology is seeking comments on environmental documents for the Eldridge Municipal Landfill site in Bellingham. The documents include a report (final site investigation/assessment) that presents the results of an investigation of the site and selection of a preferred cleanup option, a legal agreement (subject to review) between Ecology and the City of Bellingham that includes a cleanup action plan for the site, and a public participation plan.

This site is located within Lake Sammamish Park, near the 3100 block of West Lincoln Street in Bellingham. It was used for burning and burning the City of Bellingham's garbage during the 1970s. This resulted in contamination above standards established by public health and the Department under Washington's cleanup program (the RCRA Toxic 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 develop a cleanup action plan for the site. The agreement was amended in 2011 because the City had funding available that allowed it to conduct early cleanup work to remove landfill debris and contaminated soil or materials. Evaluation after this removal of most of the landfill material determined that no additional excavation was needed. As part of the legal agreement, the City will be required to take certain actions to restore, protect and monitor the site.

Ecology will be accepting comments from September 22 through October 20, 2015. Once the comment period is over, Ecology will review and consider all comments and respond to comments. If significant changes to the documents, Ecology will issue a revised version for a second 30-day comment period. In addition, if 50 or more people request a public meeting about the cleanup, Ecology will provide notice of the first meeting.

The documents are available at Ecology's website:
www.ecy.wa.gov/programs/npd/sites (search site name: ELDRIDGE)

Contract

Tym
ma

MK
JWA

I makes no sense to waste public
dollars on string up mud. you will
do more damage by this that just
leaving it as plus!

francis

PO Box 47600
98504

Response to Commenter # 5:

Thank you for your comment and interest in the cleanup of the Eldridge Municipal Landfill site.

In 2011 an interim cleanup action removed municipal waste and contaminated soil from most of the site. The soil was removed because the levels of contamination were high enough to potentially cause harm to people, plants, and wildlife. Remaining buried contaminated soil will be left in place and restrictions placed on the property to prevent disturbance.