

**Site Cleanup:**

**EVERETT SHIPYARD**

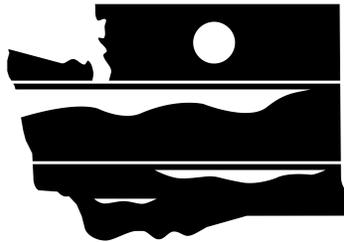
1016 14<sup>th</sup> Street, Everett  
Snohomish County, Washington

**DRAFT PUBLIC PARTICIPATION PLAN**

---

**Prepared by:**

Washington State Department of Ecology



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**October 2016**

## **This plan is for you!**

This Public Participation Plan (PPP) is prepared for the Everett Shipyard Site cleanup as part of the requirements of the Model Toxics Control Act (MTCA). The PPP provides information about MTCA cleanup actions and requirements for public involvement, and identifies how the Washington State Department of Ecology (Ecology) will support public involvement throughout the cleanup. The PPP is intended to encourage coordinated and effective public involvement tailored to the community's needs at the Everett Shipyard Site.

For additional copies of this document, please contact:

Washington State Department of Ecology  
Hun Seak Park, Site Manager  
Toxics Cleanup Program  
PO Box 47600  
Olympia, WA 98504-7600  
(360) 407-7189  
Email: [hunseak.park@ecy.wa.gov](mailto:hunseak.park@ecy.wa.gov)

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7170. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

## **Table of Contents**

1.0: Introduction and Overview of the Public Participation Plan.....	1
2.0: Site Background.....	4
3.0: Community Profile .....	8
4.0: Public Participation Opportunities.....	9
Glossary .....	14

## 1.0: Introduction and Overview of the Public Participation Plan

This Public Participation Plan (PPP) explains how you can become involved in improving the health of your community. It describes public participation opportunities that will be available during this review period for a site on the Port Gardner Bay waterfront – the Everett Shipyard (Site). The Site is located at 1016 14th Street in Everett, Washington. These opportunities are part of a collaborative effort by the Washington State Department of Ecology (Ecology) and the Potentially Liable Persons, or PLPs, to decide cleanup actions for the Site. The PLPs are ESY, Inc. (formerly Everett Shipyard, Inc.) and the Port of Everett (Port). Current documents for review include:

- Draft Amendment to the Cleanup Action Plan (CAP), which reflects changes to the CAP identified and approved during cleanup. The CAP describes the proposed cleanup action for the Site and outlines requirements for the cleanup.
- Draft Amendment to the Consent Decree (CD). Since there is an Amendment to the CAP, it is necessary to also amend the CD to reflect the agreed upon cleanup actions and ensure the PLPs perform the necessary tasks outlined in the draft Amendment to the CAP.

Cleanup actions, and the public participation process that helps guide them, are established in Washington’s Model Toxics Control Act (MTCA).<sup>1</sup> Under MTCA, Ecology is responsible for providing timely information and meaningful chances for the public to learn about and comment on important cleanup decisions before they are made. The goals of the public participation process are:

- To promote understanding of the cleanup process so that the public has the necessary information to participate.
- To encourage involvement through a variety of public participation opportunities.

This PPP provides a framework for open dialogue about the cleanup among community members, Ecology, and other interested parties. It outlines basic MTCA requirements for community involvement activities that will help ensure that this exchange of information takes place during the investigation and cleanup. These requirements include:

---

<sup>1</sup> The Model Toxics Control Act (MTCA) is the hazardous waste cleanup law for the State of Washington. The full text of the law can be found in Revised Code of Washington (RCW), Chapter 70.105D. The legal requirements and criteria for public notice and participation during MTCA cleanup investigations can be found in Washington Administrative Code (WAC), Section 173-340-600.

- Notifying the public about available reports and studies about the Site.
- Notifying the public about review and comment opportunities during specific phases of the cleanup investigation.
- Providing appropriate public participation opportunities to learn about cleanup documents, and if community interest exists, holding meetings to solicit input and identify community concerns.
- Considering public comments received during public comment periods.

In addition to these basic requirements, the PPP may include additional site-specific activities to meet the needs of your community. Based upon the type of proposed cleanup action, the level of public concern, and the risks posed by the Site, Ecology may decide that more public involvement opportunities are appropriate.

These opportunities form the basis for the public participation process. The intent of this PPP is to:

- Provide complete and current information to all interested parties.
- Let you know when there are opportunities to provide input.
- Provide opportunities to listen to and address community concerns.

### ***Part of the Puget Sound Initiative***

The Site is one of several Port Gardner Bay waterfront sites and is part of a larger cleanup effort called the Puget Sound Initiative (PSI). Washington State established the PSI to protect and restore Puget Sound. The PSI includes cleaning up 50-60 contaminated sites within one-half mile of the Sound. These sites are grouped in several bays around the Sound for “baywide” cleanup efforts. As other sites in the Port Gardner baywide area move forward into investigation and cleanup, information about them will be provided to the community as well as people and groups who are interested.

### ***Roles and Responsibilities***

Ecology will lead public involvement activities. Ecology maintains overall responsibility and approval authority for the activities outlined in this PPP. Ecology and the PLPs are responsible for cleanup at the Site. Ecology will oversee all future cleanup activities and ensure that contamination on the Site is cleaned up to concentrations that are established in state regulations and that protect human health and the environment.

## ***Organization of this Public Participation Plan***

The sections that follow in this PPP provide:

- Section 2: Background information about the Everett Shipyard Site.
- Section 3: An overview of the local community that this PPP is intended to engage.
- Section 4: Public involvement opportunities in this cleanup.

This PPP addresses current conditions at the Site, but it is intended to be a dynamic working document that will be reviewed at each phase of the cleanup and updated as needed. Ecology and the PLPs urge the public to become involved in the cleanup process.

## 2.0: Site Background

### *Site Description and Location*

The Site is generally located at 1016 14th Street in Everett, Snohomish County, Washington, on Port Gardner Bay (see Figure 1).

This Site is located along Everett's waterfront and includes approximately five acres of upland area, west of West Marine View Drive, and adjacent in-water areas. The Site is rectangular in shape. It is bounded by 14th Street to the north, Port of Everett Marina to the south, Burlington Northern Railroad and West Marine View Drive to the east, and Port Gardner Bay to the west. The site is located in the vicinity of the South and Central Docks of the Port's Marina, south of where the Snohomish River flows into Port Gardner Bay.



**Figure 1:** The Everett Shipyard Site is shown in the above map, generally located at 1016 14<sup>th</sup> Street in Everett, Snohomish County, WA.

### *General Site History and Contaminants*

The Everett Shipyard Site sits along Everett's waterfront within the Port's Waterfront Place Central Redevelopment Project. From 1947 to 2009, ESY, Inc. and its

predecessors used the Site as a boat building, maintenance and repair facility. This included marine vessel repairs, tank evacuations, equipment disassembly, sandblasting, woodwork, metalwork, painting/coating and mechanical repairs. ESY, Inc. leased most of the upland portion of the Site.

Soil, groundwater and marine sediment samples tested from the 1980s to 2007 contained measurable levels of contaminants. Primary contaminants found in the uplands include metals, polycyclic aromatic hydrocarbons (PAHs), petroleum and marine paint additives such as polychlorinated biphenyls (PCBs). Marine sediment samples were contaminated with various semi-volatile organic compounds (SVOCs) including PAHs, tributyltin (TBT), other metals, PCBs and petroleum.

Ecology and the PLPs entered into a Consent Decree (CD), a legal document for Site cleanup, in March 2012. The cleanup project was separated into two phases: 1) upland cleanup and 2) in-water cleanup. The upland cleanup was completed in 2013. Crews began in-water cleanup in 2014 and found several unexpected obstructions in limited areas along the shoreline bulkhead. Ecology ultimately determined the obstructions adjacent to a bulkhead prevented full removal of contaminated sediment in these limited areas. Instead, the obstructed areas were capped with clean material, and future in-water activities will be limited to prevent recontamination of the Site. Site cleanup is now complete.

## ***The Cleanup Process***

Washington State's cleanup process and key opportunities for you to provide input are outlined in Figure 2 on page 13. The general cleanup process includes the following steps:

- Remedial Investigation (RI) – investigates the site for types, locations, and amounts of contaminants.
- Feasibility Study (FS) – identifies cleanup options for those contaminants.
- Cleanup Action Plan (CAP) – selects the preferred cleanup option and explains how cleanup will be conducted.

Each of these steps is generally documented in reports and plans that will be available for public review. Public comment periods of at least 30 calendar days are usually conducted for the following documents:

- Draft RI report
- Draft FS report
- Draft CAP

These comment periods may be conducted separately or combined.

Steps in the cleanup process and related documents are described in greater detail in the following subsections.

### ***Interim Actions***

Interim actions may be completed during the cleanup if required by Ecology. An interim action partially addresses the cleanup of a site, and may be conducted if:

- It is technically necessary to reduce a significant threat to human health or the environment.
- It corrects a problem that may become substantially worse or cost substantially more to fix if delayed.
- It is needed to complete another cleanup activity, such as design of a cleanup plan.

### ***Overview of the draft Amendment to the Cleanup Action Plan***

The draft CAP describes the proposed cleanup action for the Site and outlines requirements for the cleanup. Ecology is amending the CAP to reflect changes to the cleanup plan they identified and approved during cleanup. The draft CAP is part of the CD, a legal document between Ecology and the PLPs in which the PLPs are required to develop a work plan to evaluate the nature and extent of Site contamination as well as options for cleanup (known as a Remedial Investigation and Feasibility Study, or RI/FS) and develop a Cleanup Action Plan (CAP).

The Port began in-water sediment cleanup in 2014. The in-water cleanup at the Site consisted of two major parts: (1) dredging and disposal of contaminated dredged material at an approved off-site facility, and (2) demolition of marine structures to facilitate removal of contaminated sediment.

While working in the north dredge area near the bulkhead in accordance with the original CAP, crews found timber piles, concrete and large crushed stone that, if removed, would have threatened the stability of existing bulkheads and areas containing contaminated sediment. To address the remaining contaminated sediment, the PLPs suggested and Ecology agreed to leave the obstructions in place and cap the affected areas with clean material (sediment and sand). This work is now complete and described in greater detail in the draft Amendment to the CAP.

### ***Overview of the draft Amendment to the Consent Decree***

The CD is a formal legal document that requires ESY, Inc. and the Port to carry out cleanup actions identified in the CAP. Based on the information discovered during

cleanup and described in the Engineering Design Report, Ecology determined it was not feasible to remove all of the contaminated sediment as planned in the original CD and CAP.

Since there is a draft Amendment to the CAP, it is necessary to also amend the CD to reflect the agreed upon cleanup actions and ensure the PLPs perform the necessary tasks outlined in the draft Amendment to the CAP. Performing these tasks is a requirement of environmental covenants and long-term monitoring. Ecology is issuing a draft Amendment to the CD and draft Amendment to the CAP to reflect the new information and their decision.

## **3.0: Community Profile**

### ***Community Profile***

Everett is Snohomish County's largest city and the seventh-largest city in the state of Washington. Everett's current population is approximately 108,010, situated within 33.45 square miles.<sup>2</sup> Located on Port Gardner Bay, Everett hosts the west coast's second-largest marina, United States Navy Homeport Naval Station Everett, and The Boeing Company's assembly plant. The city's current labor workforce is more than 95,000,<sup>3</sup> employed predominantly in manufacturing, educational services, health care and social assistance, and retail trade.

### ***Key Community Concerns***

An important part of this PPP is to identify key community concerns for the cleanup Site. Many factors are likely to raise community questions, such as the amount of contamination, how much contamination has been cleaned up and what remains, and future use of the Site. Community concerns often change over time as new information is learned and questions are answered. Identifying site-specific community concerns at each stage of the cleanup process helps ensure that they are adequately addressed. Ongoing key community concerns will be identified for the Everett Shipyard Site through public comments and other opportunities, as detailed in Section 4.

---

<sup>2</sup> United States Census Bureau. <http://quickfacts.census.gov/qfd/states/53/5322640.html> (Accessed September 8, 2016)

<sup>3</sup> American Fact Finder.

[http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_13\\_5YR\\_DP03&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_5YR_DP03&prodType=table) (Accessed September 8, 2016)

## **4.0: Public Participation Opportunities**

Ecology and the PLPs invite you to share your comments and participate in the cleanup in your community. As we work to meet our goals, we will evaluate whether this public participation process is successful. This section describes the public participation opportunities for the Site.

### ***Measuring Success***

We want this public participation process to succeed. Success can be measured, at least in part, in the following ways:

- Number of written comments submitted that reflect understanding of the cleanup process and the Site.
- Direct, in-person feedback about the site cleanup or public participation processes, if public meetings are held.
- Periodic updates to this PPP to reflect community concerns and responses.

If we are successful, this process will increase:

- Community awareness about plans for cleanup and opportunities for public involvement.
- Public participation throughout the cleanup.
- Community understanding regarding how their input will be considered in the decision-making process.

### ***Activities and Information Sources***

#### **Ecology Contacts**

Ecology is the lead contact for questions about the cleanup in your community. The Ecology staff person identified in this section is familiar with the cleanup process and activities at the Site. For more information about public involvement or the technical aspects of the cleanup, please visit our website at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3655>, or contact:

Hun Seak Park, Site Manager  
Department of Ecology  
Toxics Cleanup Program  
PO Box 47600

Olympia, WA 98504-7600  
Phone: (360) 407-7189  
Email: [hunseak.park@ecy.wa.gov](mailto:hunseak.park@ecy.wa.gov)

## Ecology's Webpage

Ecology has created a webpage to provide convenient access to information. Documents such as the draft Amendment to the Cleanup Action Plan and draft Amendment to the Consent Decree are posted as they are issued during the investigation and cleanup process. Visitors to the webpage can find out about public comment periods and possible meetings; download, print, and read information; and submit comments via email. The webpage also provides links to detailed information about the MTCA cleanup process. The Everett Shipyard webpage is available at the following address:

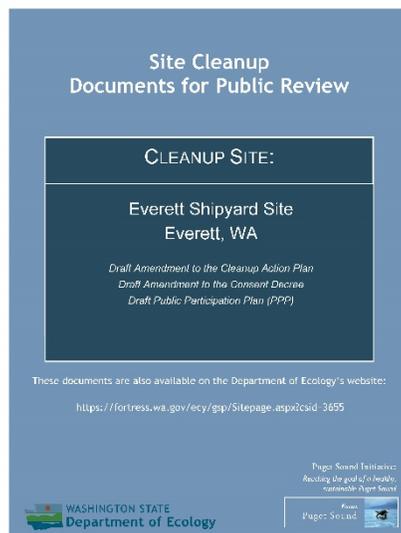
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3655>

## Information Centers/Document Repositories

The most comprehensive source of information about the Site is the information center, or document repository. Two repositories provide access to the complete list of site-related documents. All Site investigation and cleanup activity reports will be kept in print at those two locations and will be available for your review. They can also be requested on compact disk. Document repositories are updated before public comment periods to include the relevant documents for review. Documents remain at the repositories throughout the investigation and cleanup. For the Site, the document repositories are:

- **Everett Public Library**  
2702 Hoyt Avenue  
Everett, WA 98201  
Phone: (425) 257-8000  
Website: [epls.org](http://epls.org)
- **Department of Ecology Headquarters**  
300 Desmond Drive SE  
Lacey, WA 98503  
By appointment. Please contact Carol Dorn at (360) 407-7224 or [Carol.Dorn@ecy.wa.gov](mailto:Carol.Dorn@ecy.wa.gov).

Look for document covers much like the illustration on the right.



## **Public Comment Periods**

Public comment periods provide opportunities for you to review and comment on major documents, such as the Draft Consent Decree, Draft RI, Draft FS, Draft CAP and Draft Public Participation Plan. The typical public comment period is 30 calendar days.

### *Notice of Public Comment Periods*

Notices for each public comment period will be provided by local newspaper and by mail. These notices indicate the timeframe and subject of the comment period, and explain how you can submit your comments.

For the Everett Shipyard Site, a newspaper notice will be posted in The Daily Herald and the Snohomish County Tribune.

Notices are also sent by regular mail to the local community and interested parties. The local community typically includes all residential and business addresses within one-quarter mile of the Site, as well as potentially interested parties such as public health entities, environmental groups, and business associations.

### *Fact Sheets*

One common format for public comment notification is a fact sheet. Like the newspaper notice, fact sheets explain the timeframe and purpose of the comment period, but also provide background and a summary of the document(s) under review. Future fact sheets will be prepared at key milestones in the cleanup process.

## **MTCA Site Register**

Ecology produces an electronic newsletter called the MTCA Site Register. This semi-monthly publication provides updates of the cleanup activities occurring throughout the state, including public meeting dates, public comment periods, and cleanup-related reports. Individuals who would like to receive the MTCA Site Register can sign up three ways:

- Call (360) 407-6848
- Send an email request to [Seth.Preston@ecy.wa.gov](mailto:Seth.Preston@ecy.wa.gov)
- Register online at [http://www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html)

## **Mailing Lists**

Ecology maintains both email and regular mail distribution lists throughout the cleanup process. The lists are created from carrier route delineations for addresses within one-quarter mile of the Site; potentially interested parties; public meeting sign-in sheets; and

requests made in person or by regular mail or email. You may request to be on a mailing list by contacting the Ecology staff person listed earlier in this section.

### **Optional Public Meetings**

A public meeting will be held during a comment period if requested by 10 or more people, or if Ecology decides it would be useful. Public meetings provide additional opportunity to learn about the investigation or cleanup, and to enhance informed comment. If you are interested in a public meeting about the Site, please contact the Ecology staff listed earlier in this section.

### **Submitting Comments**

You may submit comments by regular mail or email during public comment periods to the Ecology Project Manager listed earlier in this section.

### **Response to Comments**

Ecology will review all comments submitted during public comment periods, and will modify documents as necessary. You will receive notice by regular mail or email that Ecology has received your comments, along with a general explanation about how the comments were addressed and where the revised document can be found.

### **Other**

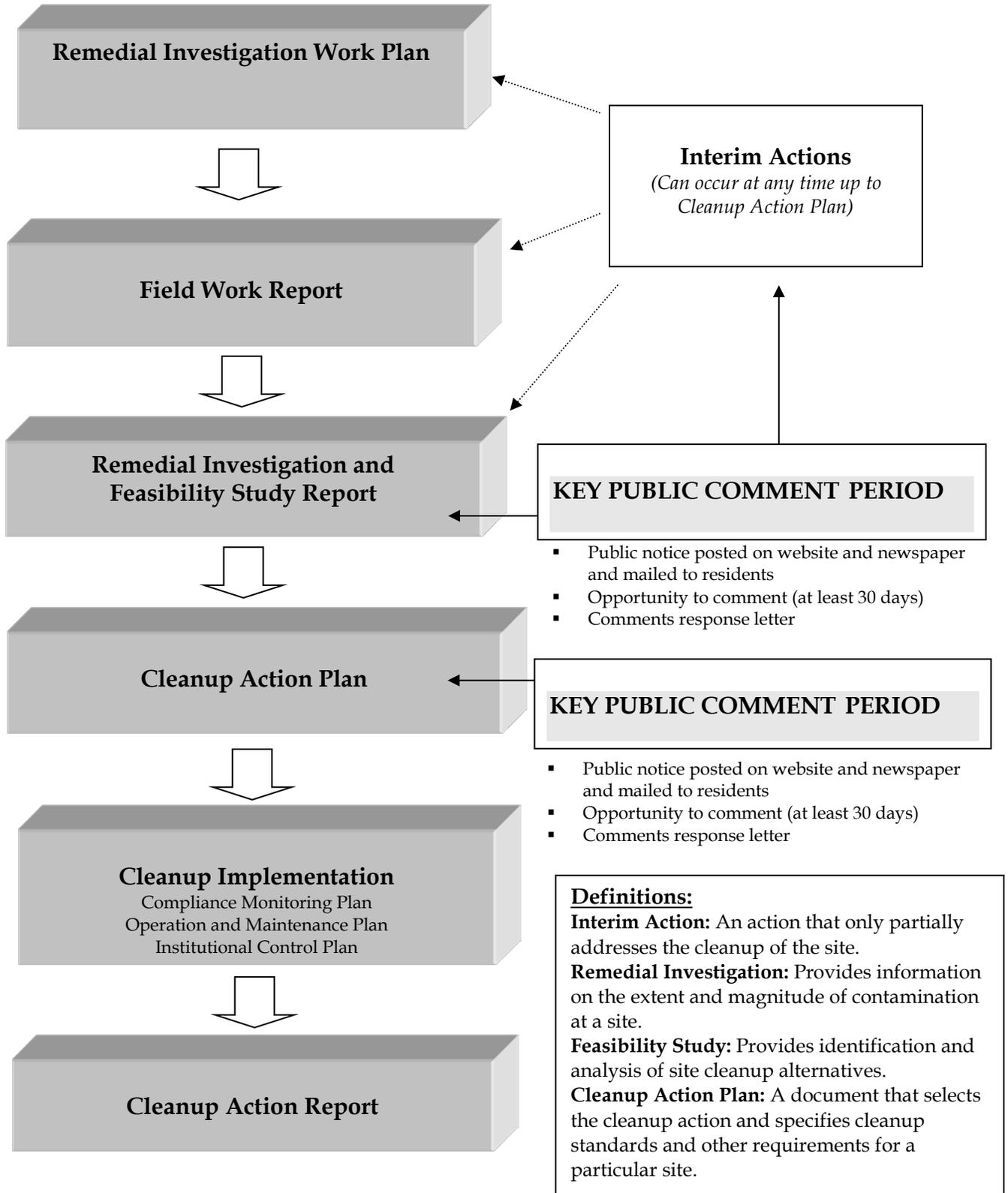
Ecology is committed to the public participation process and will consider additional means for delivering information and receiving comments, including combining public comment periods for other actions (such as those associated with the State Environmental Policy Act).

### ***Public Participation Grants***

You are eligible to apply for a Public Participation Grant from Ecology approximately every two years to provide funding for additional public participation activities. Those additional activities will not reduce the scope of the activities defined by this PPP. Activities conducted under this PPP would coordinate with the additional activities defined under the grant.

Visit [www.ecy.wa.gov/programs/swfa/grants/ppg.html](http://www.ecy.wa.gov/programs/swfa/grants/ppg.html) for more information about Ecology's Public Participation Grants.

**Figure 2: Washington State Cleanup Process**



## Glossary

**Cleanup:** The implementation of a cleanup action or interim action.

**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 that complies with MTCA cleanup requirements, including but not limited to: complying with cleanup standards, utilizing permanent solutions to the maximum extent practicable, and including adequate monitoring to ensure the effectiveness of the cleanup action.

**Cleanup Action Plan:** A document that selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the cleanup action plan, Ecology finalizes the cleanup action plan.

**Cleanup Level:** The concentration (or amount) of a hazardous substance in soil, water, air, or sediment that protects human health and the environment under specified exposure conditions. Cleanup levels are part of a uniform standard established in state regulations, such as MTCA.

**Cleanup Process:** The process for identifying, investigating, and cleaning up hazardous waste sites.

**Contaminant:** Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

**Feasibility Study:** Provides identification and analysis of site cleanup alternatives and is usually completed within a year. The entire Remedial Investigation/Feasibility Study (RI/FS) process takes about two years and is followed by the cleanup action plan. Remedial action evaluating sufficient site information to enable the selection of a cleanup action plan.

**Hazardous Site List:** A list of ranked sites that require further remedial action. These sites are published in the Site Register.

**Interim Action:** Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

**Model Toxics Control Act:** Refers to RCW 70.105D. Voters approved it in November 1988. The implementing regulation is WAC 173-340 and was amended in 2001.

**Public Notice:** At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and the opportunity for interested persons to comment.

**Public Participation Plan:** A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

**Release:** Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

**Remedial Action:** Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance, and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

**Remedial Investigation:** Any remedial action that provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the Remedial Investigation/Feasibility Study is to collect and develop sufficient site information to enable the selection of a cleanup action.