



RESPONSIVENESS SUMMARY

RW Investments Cleanup Site

FSID # 1365

December 15, 2011 – January 17, 2012 Public Comment Period

Periodic Review Report

**Prepared by
Washington State Department of Ecology
Southwest Regional Office
Toxics Cleanup Program
Lacey, Washington**

January 2012

Site Manager: Panjini Balaraju
Public Involvement Coordinator: Diana Smith

Comment #1



January 17, 2012

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Mr. Panjini Balaraju, Project Manager
Toxics Cleanup, SWRO
Washington State Dept. of Ecology
pbal461@ecy.wa.gov

Re: RW Investments, 2150 Taylor Way, Tacoma, Washington 98421
Facility Site ID#: 1365

Dear Mr. Balaraju:

The purpose of this letter is to communicate comments by Citizens for a Healthy Bay (CHB) to the periodic review of the remedy implemented at the RW Investments site located at 2150 Taylor Way in Tacoma.

Executive Director
Bill Anderson

Washington State Department of Ecology (Ecology) reviewed the post-cleanup site conditions and monitoring data to ensure that human health and the environment are being protected at the site. Site cleanup was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

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Based on its review of the Site, Ecology concluded:

- The remedial action conducted at the Site appears to be protective of human health and the environment.
- Soil cleanup levels have not been met at the Site; however the cleanup action has been determined to comply with cleanup standards, since the long-term integrity of the containment system is ensured and the requirements for containment technologies have been met.
- The Restrictive Covenant for the property is in place and will be effective in protecting public health from exposure to hazardous substances and protecting the integrity of the cleanup action and that the requirements of the Restrictive Covenant are being met.

Melissa Braisted Nordquist
Bill Pugh
Lee Roussel
Robert Stivers
Angie Thomson
Sheri Tonn
Allen Zulauf

Restrictive Covenants

Restrictive covenants are tools that are not available to City of Tacoma Land Use staff when reviewing permit applications. As such, the limitations imposed by restrictive covenants to a parcel alone are insufficient. The site location and specifics also need to be entered into the City of Tacoma's database so that land use staff is alerted in evaluating any possible future land use application. This will insure that City staff will be alerted to site restrictions when the application is reviewed.

CHB is a community based, non-profit environmental organization representing the community stakeholders in the Commencement Bay Nearshore/Tideflats Superfund problem area and surrounding area. Our membership includes citizens of the greater Commencement Bay and South Puget Sound area.

Thank you for your consideration of our remarks and for including them as part of the formal site record.

A tax-exempt
501(c)(3) Washington
nonprofit corporation

Sincerely:

A handwritten signature in black ink, appearing to read 'Leslie Ann Rose'.

Leslie Ann Rose
Senior Policy Analyst

Ecology Response

Thank you very much for taking the time to review the periodic review report and providing us with your comments.

Typically when Ecology receives a copy of the restrictive covenant for a site, we make sure that the covenant is attached to the property parcel number in the county assessor's office records. We understand your concern that just this recording may not help at the city level when they issue city permits, since a copy of the covenant will not be available for them. We really appreciate your suggestion of sending a copy of the covenant to the City of Tacoma Land Use staff.

I will coordinate with the City of Tacoma Land Use Section and send a copy of the covenant to the appropriate person as soon as possible. I will also do the same thing for all other sites.

Again, we appreciate your comments.

Panjini Balaraju