

**EXHIBIT F**  
**PUBLIC PARTICIPATION PLAN**



## **Exhibit F**

### **Public Participation Plan**

### **BNSF Former Maintenance and Fueling Facility, Skykomish, Washington**

**Prepared by:**

**Washington State Department of Ecology**

**With BNSF Railway Company,  
Town of Skykomish, and  
Skykomish Environmental Coalition**

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# 1. Introduction

## Cleanup Project Overview

The former railway maintenance and fueling facility in the northeast King County town of Skykomish is owned and operated by the BNSF Railway Company (BNSF). Historic activities since the facility opened in the late 1890s include refueling and maintaining locomotives and operating an electrical substation for electric engines. These activities resulted in the release of petroleum and heavy metals to the surrounding environment. BNSF is conducting a cleanup of the contamination at the site under the oversight of Washington State Department of Ecology (Ecology).

During 2006 and 2007, BNSF performed an interim action under the oversight of Ecology to clean up oil under the levee and in river sediments. Five private residences were moved off the contaminated site near the levee and residents were relocated for the duration of the interim action. Cleanup included construction of cofferdams in the Skykomish River, and the removal of more than 70,000 cubic yards, over 100,000 tons, of contaminated soil. About 23,700 gallons of oil was skimmed from the surface of the water and recycled for industrial use.

While the Levee Interim Action was underway, Ecology and BNSF continued planning for cleanup of the remaining areas of the site. Documents detailing these plans were presented for public comment in the summer of 2007. The documents included: 1) a Draft Consent Decree, the legal agreement which binds the parties to the agreed upon cleanup actions and is enforced by the courts, with the Draft Cleanup Action Plan, Draft Public Participation Plan, a draft schedule, and other related documents attached; and 2) a Draft Supplemental Environmental Impact Statement. After the comment period closed and changes based on public comment were made, the documents were finalized. Under these plans, cleanup of the remainder of the site will begin in 2008. Active cleanup in the Town will continue through 2011. Site monitoring will continue beyond 2011.

The cleanup of this site is community-based, reflecting the values of the Skykomish community and their vision for the town. Wherever possible, the Skykomish community is encouraged to participate and engage with the cleanup as it progresses to realize their vision for the town. The tools and activities in this plan were developed toward this purpose.

## Organization of the Plan

This Public Participation Plan outlines the activities that Ecology, BNSF, the Town of Skykomish (Town), and the Skykomish Environmental Coalition (SEC) will use to engage the Skykomish community during the various phases of cleanup. It is a guiding document for the participants and outlines the public participation tools that will be used throughout the remainder of the cleanup. The appendix to this plan

specifically describes the public participation activities that will take place during the remaining work in 2007 and early 2008. Additional appendices will be added specifying the appropriate tools to be used and the affected people for each year and phase of work.

The Public Participation Plan also includes a glossary with terms and topics related to the Skykomish cleanup. The definitions in the glossary may help in understanding the cleanup documents that are available for public review and comment.

### **Roles and Responsibilities**

Public participation activities for the cleanup are coordinated among Ecology, BNSF, the Town, and the SEC. Ecology has the responsibility to implement the public participation plan and its activities. BNSF carries out technical studies of the site and assists with public involvement activities.

The Town is working with both Ecology and BNSF to participate in the decision-making process for cleanup and to ensure whenever possible that its vision is implemented through cleanup as described in *Vision for Skykomish* (August 2005). BNSF and Ecology will meet with the Town annually to review plans and schedules for the use of public rights-of-way and for the restoration of public infrastructure affected during each year of the cleanup. In addition, BNSF and Ecology will consult with the Town regarding any restrictive covenants proposed as part of the cleanup for consistency with the Town's current and future land use plans.

The SEC is engaged with the cleanup through a public participation grant from Ecology for a technical consultant to help residents understand and participate in the cleanup.

### **Goals**

Cleanup staff members, which include both Ecology and BNSF, have the following common goals for public participation:

- Providing information and engaging in dialogue for the purpose of educating people so that they can contribute to the cleanup decisions in a meaningful and timely way.
- Receiving comments on cleanup issues and responding to the needs and concerns of the affected community as related to the cleanup.
- Facilitating communication among participants to this plan and coordinating activities under this plan.
- Responding quickly to public concerns during cleanup activities.

### **Audience**

The following is a list of the groups of people considered in the preparation of this plan. Altogether these groups form the stakeholders for this site. This plan focuses on the people who are most affected by the outcome of cleanup

decisions. Information regarding the cleanup is provided to the broader public through the same mailings and media releases intended for the following groups:

- Property owners of land to be cleaned up (including the Town)
- Residents and businesses to be relocated
- Other landowners, residents and businesses in the cleanup area
- Skykomish School District, its employees, its students and their families
- Skykomish and Valley community not directly affected by cleanup activities
- County, state and federal agencies
- The Tulalip Tribes and Snohomish Tribe
- Civic groups
- Elected officials
- Media
- Visitors and tourists
- Other interested parties (i.e., environmental groups, legal groups, people of the State of Washington)

### **Contacts**

Participants to this plan are available to talk with community members regarding activities they are conducting.

- **Ecology**  
Louise Bardy, Site Manager, 425-649-7209 or Brad Petrovich, Public Involvement, 425-649-4486
- **BNSF Railway Company**  
Bruce Sheppard, BNSF, 206-625-6035 or Angie Thomson, EnviroIssues, 206-269-5041
- **Town of Skykomish**  
Charlotte Mackner, Mayor, 360-677-2388 or Clint Stanovsky, Technical Coordinator, 360-677-2388
- **Skykomish Environmental Coalition (SEC)**  
Michael Moore, 360-677-2410

### **Other Activities**

Other Town activities related to the cleanup will take place concurrent with the cleanup. These are the continued visioning the Skykomish community will engage in as the cleanup progresses and a community waste water treatment facility system that will be installed during cleanup. These activities, though major processes in themselves with public comment periods, are outside the scope of this cleanup and are not included in this public participation plan.

## **2. Public Participation Tools**

The following public participation tools may be used to keep relevant stakeholders meaningfully involved with the cleanup process. The diversity of tools available allows cleanup staff from both Ecology and BNSF to reach as many interested parties as possible, as effectively as possible, ensuring the level of public participation that makes for a successful project. The following describes the various ways of involving interested parties in the project that will be used throughout the remainder of the cleanup. Specific meetings and other events for the current phase of cleanup are listed in the appendix. Additional appendices will be added for each phase of work.

### **Availability Meetings**

Availability meetings are a scheduled time when cleanup staff is available to meet informally with stakeholders. Ecology hosts an availability meeting toward the end of a comment period to receive written comments and to answer questions about cleanup actions as people finalize their comments.

### **Call Line**

BNSF is providing a call line, staffed 24-hours a day, as a way for residents to communicate with the project team during cleanup activities. The call line is free of charge and the number is advertised on cleanup information or notification materials distributed to the public. After receiving a call, cleanup staff works to address reported questions or concerns as quickly as possible. To reach Ecology directly, call Site Manager Louise Bardy at 425-649-7209 during normal business hours.

### **Community Meetings**

Community meetings are an opportunity for Ecology and BNSF to talk about the cleanup plans and to ask for oral comments from the public. They are also forums in which cleanup staff can respond to comments and questions about cleanup progress and future planned cleanup actions. At least one meeting will be held each year to discuss and obtain input on cleanup plans at the 30% design stage. One or more additional community meetings may be held during active cleanup or planning phases of the project, or when an issue arises that prompts Ecology and BNSF to seek further community input.

Property owners asked to relocate during the cleanup will be invited to a public meeting where Ecology and BNSF will provide information on the guidelines for relocation. They will also be provided the opportunity to meet with the building-moving contractor to discuss their concerns prior to relocation.

### **Individual Meetings**

When appropriate, Ecology and BNSF will meet with individual residents, property owners or interested parties to discuss specific issues that are more appropriate in a private forum. These meetings may include discussion of the

relocation process, access to private property, or identification of necessary mitigation measures for the impacts of cleanup.

**Information Repositories**

Ecology maintains repositories of information regarding the site for the convenience of those interested in the site. Repositories are located in the community and in Ecology offices. All documents available to the public for review, major technical documents, communication documents, and other pertinent information are included in the repositories.

For the duration of this project, these documents may be found in the information repositories for the site at:

- Skykomish Library, 100 5th Street, Skykomish, 360-677-2660
- Department of Ecology, Northwest Regional Office, 3190 160<sup>th</sup> Avenue SE, Bellevue, WA 98008, 425-649-7190 (By appointment only)
- Ecology’s website at:  
[www.ecy.wa.gov/programs/tcp/sites/bnsf\\_sky/bnsf\\_sky.html](http://www.ecy.wa.gov/programs/tcp/sites/bnsf_sky/bnsf_sky.html)

In addition, the Town maintains site documents at Skykomish Town Hall and the SEC maintains site documents which are available by appointment.

<p><b>King County Library</b>          Skykomish Branch          100 5th St.          Skykomish, WA 98288</p> <p>Phone: 360-677-2660</p> <p>Hours:          Monday and Thursday, 1 – 7 pm,          Friday, 1 – 5 pm          Saturday, 10 am – 2 pm</p>	<p><b>Washington State Department of Ecology</b>          3190 160th Ave. S.E.          Bellevue, WA 98008</p> <p>Call for an appointment:          Sally Perkins          Phone: 425-649-7190          Fax: 425-649-4450          E-mail: <a href="mailto:perk461@ecy.wa.gov">perk461@ecy.wa.gov</a></p> <p>Hours:          Monday – Thursday,          8 am – 12 pm and 1 – 4 pm</p>
<p><b>Skykomish Environmental Coalition</b>          Skykomish, WA          On weekends, call for an appointment:</p> <p>Michael Moore          Phone: 360-677-2410          Lorna Goebel          Phone: 360-677-2812</p>	<p><b>Skykomish Town Hall</b>          119 4<sup>th</sup> St. N.          Skykomish, WA 98288</p> <p>Phone: 360-677-2388</p> <p>Hours:          Monday – Friday, 8 am – 3:30 pm</p>



## **Issue Workshops**

Ecology and BNSF may identify particular issues and conduct workshops with groups of people or agencies on specific topics during cleanup preparation to make sure the people most affected by cleanup comment early, often, and meaningfully. In turn, community members or affected residents may raise a specific issue and BNSF and Ecology will respond by organizing an issue workshop to ensure the issue is investigated, discussed and resolved.

Issue workshops with various groups of people or agencies will be documented and responded to as decisions are made. These workshops engage those most affected by cleanup decisions substantively while the decisions are being formed.

## **Legislative Briefings and Site Tours**

Ecology and BNSF may schedule briefings for elected officials and their staff, including tours of the site and the cleanup work. BNSF and Ecology will coordinate these activities with the Mayor and Town government.

## **Mailings**

Mailings to residents and interested parties detailing project information will be distributed to those interested. A mailing list of about 500 interested parties is used to send these mailings, and individuals can request to be removed or added to the mailing list at any time. Call Ecology or BNSF staff listed as contacts in the previous section to be included in the mailing list.

Cleanup staff regularly sends some of the following types of mailings.

- **Newsletter**  
BNSF and Ecology produce a community newsletter that is distributed during active cleanup. This newsletter informs residents and interested parties of cleanup plans and progress, answers residents' questions and announces upcoming community meetings or activities. This newsletter is published monthly or bimonthly during active cleanup and construction.
- **Update Letter**  
Ecology's Site Manager may send periodic letters to the Skykomish community and other interested parties and agencies with updates on the progress of cleanup.
- **Fact Sheet**  
Fact sheets are used to inform people of cleanup actions being considered, formal public comment opportunities, and public meetings. A fact sheet will be mailed within a week of the beginning of any public comment period.

- **Comment Request Flyer**

After major construction phases, BNSF and Ecology may distribute flyers to the project mailing list asking for comments on construction impacts and effects. Comments received will be reviewed by BNSF and Ecology and, where appropriate, incorporated into planning future phases of work.

### **Media Releases**

Media releases will be issued to newspapers and TV and radio stations in King and Snohomish counties, as necessary, to inform the general public regarding the progress of cleanup. The main newspapers are: The Seattle P-I, The Seattle Times, The Everett Herald, and The Monroe Monitor.

Ecology will send a release to major media in the site area at the beginning of a comment period. The release and follow-up with media are coordinated by the Public Information Officer in the Ecology's Northwest Regional Office, Larry Altose.

### **Onsite Staffing**

Cleanup staff members are frequently present in Skykomish offices and around town, particularly during active cleanup and construction, and planning phases. Onsite staffing allows prompt responses to concerns and questions and keeps staff in contact with residents who both are and are not directly participating in the cleanup process.

Ecology's Information Office is located in the Community Center at 208 Railroad Avenue, Skykomish in 2007 and the years the building is not relocated for cleanup. Hours of operation will vary depending on the work being accomplished in any given year, and will be posted on websites and notices in town as well as an OPEN sign in the yard.

### **Posted Notices**

Because not all Skykomish residents or visitors receive mail about the cleanup, notices of construction events, planning meetings, and other activities are regularly posted in Skykomish. Posted notices are intended to provide current information to residents and visitors and to make it easy for people to stay informed about the cleanup schedule and plans. The following are common forms of posted notices.

- **Weekly Updates**

During active cleanup, weekly or biweekly notices are posted in Skykomish. These notices can include invitations to meetings, updates on cleanup activities and planning, notification of sampling activities, and other items of interest to the general community. Notices are posted at the Skykomish Community Center bulletin board, library, post office, Town

Hall, and other public venues and appropriate places of business in and around Town.

- **Resident Notification Fliers**

Prior to construction events that impact local homeowners, specific signs or door hangers are distributed to affected residents. Such events can include planned power outages, traffic route revisions, or changes in parking availability.

- **Large Placards**

During active cleanup, cleanup staff may post large placards that provide an overview of the cleanup, advertise the cleanup call line, and provide other general information. These placards are freestanding, easy for visitors to locate, and direct people to further information about the cleanup.

### **Public Comment Periods**

The Model Toxics Control Act Regulation that governs cleanup, Chapter 173-340 WAC, plus applicable State Environmental Policy Act (SEPA) regulations, specify the requirements for public review and comment on documents at appropriate times in the cleanup process. Comment periods have been held for major draft cleanup documents, including the Draft Consent Decree, Draft Cleanup Action Plan, and Draft Supplemental Environmental Impact Statement. Comment periods will also be held for major changes to the cleanup documents as the cleanup progresses, and for any other document detailing cleanup actions determined by Ecology as appropriate for the level of interest and impact on stakeholders. Comment periods are to extend 30 days, at a minimum.

### **Public Hearings**

Public hearings are held during public comment periods for the Consent Decree to formally receive oral comments. Written comments may be given at the hearing, at any meeting during the public comment period, and by mail or email during the public comment period.

### **Access Arrangements**

Throughout the planning and active cleanup work in Skykomish, BNSF and its contractors will need access to private properties in order to conduct investigations and carry out cleanup activities.

For access to private property where work does not include drilling holes or removing any structural elements, BNSF will verbally ask the property owner for permission to enter their property. If the work does require drilling or entering a building for detailed structural surveys, BNSF will consult with the property owner in person or over the phone, and confirm this with a mailed letter.

If cleanup activities require more extensive access to private property, such as making modifications to buildings, BNSF will develop a formal access agreement that is signed by all parties.

### **Relocation Arrangements**

A number of residents and businesses are being asked to relocate during cleanup. BNSF and Ecology will work with individual property owners throughout the relocation planning to ensure a fair and equitable process. Prior to relocation, Ecology and BNSF will meet with property owners to develop individual agreements for relocation within the established guidelines. Residents will receive a packet of information materials that include details regarding moving personal belongings, plans for relocating buildings, security of relocated buildings, restoration and rebuilding.

### **SEC Meetings**

The Skykomish Environmental Coalition may host community meetings during the public comment period and at key times in the development of plans to provide a forum for community discussion and review of cleanup documents. The SEC will also provide technical staff to provide analysis and input on the documents under review.

### **Town Council and School Board Meetings**

Town Council and School Board meetings are often attended by Ecology and BNSF representatives. These meetings allow cleanup staff to provide an update on cleanup planning or cleanup activities. They also allow staff to address important issues in a timely way and give information regarding actions or decisions required from either group.

The Town can use their regularly scheduled council meetings to discuss and respond to the cleanup issues with one voice. They can initiate a discussion with Ecology and BNSF, hold a workshop on an important issue or hold a community discussion at a council meeting. The Town considers community comments and may vote on the action that is best for the Town and communicate decisions to Ecology and BNSF in writing.

Similarly, the School Board can use their regularly scheduled board meetings to discuss and respond to cleanup issues that affect the school. They can initiate a discussion of the issues that need decisions regarding their property or other school-related topics. They can hold workshops or additional meetings to discuss important cleanup actions and communicate with Ecology and BNSF in writing about any official votes impacting the cleanup.

### **Websites**

Websites present another avenue for distributing current cleanup information to the public. Websites can provide the most current information about cleanup

schedules, cleanup progress, meetings, and other issues. There are several websites used to distribute cleanup information.

- **Skykomish Cleanup Website**  
BNSF maintains a website dedicated to this cleanup. The website is a source of public information and includes the weekly activity updates, site photos, current and past newsletters and posted notices, notice of upcoming events, contact information, formal documents, and links to both the Ecology project website and the Town of Skykomish website. The website can be accessed at:  
<http://www.skykomishcleanup.com>
- **Ecology Website**  
Current and historical information, legal information, and formal documents regarding the BNSF Skykomish Cleanup Site can be found on Ecology's website at:  
[http://www.ecy.wa.gov/programs/tcp/sites/bnsf\\_sky/bnsf\\_sky.html](http://www.ecy.wa.gov/programs/tcp/sites/bnsf_sky/bnsf_sky.html)
- **Ecology Site Register**  
Ecology's Toxics Cleanup Program Site Register provides information about cleanup efforts to the wider public. The Site Register is a semi-monthly publication that provides information on public meetings, public comment periods, and cleanup reports and updates. The Site Register is available at:  
[www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html)
- **Public Involvement Calendar**  
Ecology's Public Involvement Calendar is designed to engage the public in Ecology's decision-making process. The calendar highlights such as public hearings, meetings, workshops, and open houses. The calendar is available at:  
<http://apps.ecy.wa.gov/pubcalendar/calendar.asp>
- **Town of Skykomish**  
The Town also has information regarding the cleanup, the Town Vision Plan, and the Community Wastewater System on its website at:  
<http://www.town.skykomish.wa.us>

### 3. Glossary

This glossary\* includes terms and topics related to the Skykomish cleanup and may help in understanding the documents that are available for public review.

**Agreed Order:** An order issued by Ecology under which a Potentially Liable Person (PLP) agrees to perform remedial actions at a site.

**Air Sparging:** The process of injecting air directly into groundwater to volatilize contaminants and enhance bioremediation. When air is injected, the gaseous contaminants move from the groundwater with the air bubbles and pass into the unsaturated soil, where a soil vapor extraction (SVE) system is usually used to withdraw soil vapors and collect the contaminants. The injection of oxygen to contaminated groundwater also increases bacteria activity, thus increasing the natural processes that break down the contaminants (enhanced bioremediation).

**Bunker C:** One of several types of heavy fuel oil made from the residual petroleum left over after gasoline, diesel, and other refined products are made from crude oil. The name comes from its historical use to power steamships. Steamships were originally powered by coal which was stored in bins called “bunkers.” When the steamships changed to fuel oil, the storage tanks were called bunker tanks and the name for the oils from these tanks became known as bunker oils of differing grades. Bunker-C has a higher density than gasoline or diesel, is much more viscous (i.e., it flows like molasses), and degrades much more slowly when released to the environment.

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

**Cleanup Action Plan (CAP):** A document prepared by Ecology that selects the cleanup actions to be taken 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 and in consideration of public comments and community concerns.

**Cleanup Level (CUL):** The concentration of a hazardous substance in soil, water, air, or sediment that is determined to be protective of human health and the environment under specified exposure conditions.

**Comment Period:** A time period during which the public can review and formally comment on various draft documents describing studies and proposed actions. Ecology then considers the comments received during the comment period prior to finalizing the documents.

**\*DISCLAIMER**

*The definitions in this glossary are not legal definitions. They provide common terms and additional information for public understanding.*

**Conditional Point of Compliance:** See Point of Compliance.

**Consent Decree:** A legal agreement entered in court and enforceable in court which formalizes an agreement between the state and a Potentially Liable Person (PLP) on the remedial actions needed at a site.

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

**Diesel:** A light fuel oil made by refining crude oil. Its name comes from its use in the diesel engine, which was invented by Rudolf Diesel in 1892. Diesel has a lower density than bunker-C, is much less viscous (i.e., it flows like water), and degrades much more quickly when released to the environment.

**Environmental Impact Statement (EIS):** A document required by SEPA which discusses a proposed action and its alternatives, significant adverse environmental impacts, and mitigation measures.

**Feasibility Study:** A study which develops and evaluates alternative actions for cleaning up a given site.

**Free Product:** A nonaqueous phase liquid (NAPL) that is present in soil, bedrock, groundwater or surface water as a distinct separate layer. Under the right conditions, if sufficient free product is present, free product is capable of migrating independent of the direction of groundwater or surface water flow.

**Groundwater:** Water in a saturated zone or layer beneath the surface of the land or below a surface water body.

**Hazardous Substance:** Any substance or category of substances which presents a threat to human health or the environment if released into the environment. Typical hazardous substances are materials that cause cancer or are poisonous, flammable, explosive, or chemically reactive (like battery acid or Drano).

**Hydraulic Control and Containment:** The directing of groundwater flow to a treatment facility system, and the preventing of its flow to a protected area. Groundwater flow may be confined by subsurface barriers, such as a wall or recovery trench, or by a group of wells with pumps. Either the same barriers and pumping wells or different ones may be used to direct groundwater to locations where it may be recovered and sent to a treatment plant.

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**Information Repository:** A file containing current information, technical reports, and reference documents available for public review, including any draft documents available for comment. One or more information repositories are located in convenient public places in the affected community, such as public schools, city halls, or libraries. Ecology's office maintains information repositories for cleanup sites as well.

**Model Toxics Control Act (MTCA):** Legislation passed by citizens of the State of Washington through an initiative in 1988, as subsequently amended by the legislature. Its purpose is to provide for identification, investigation, and cleanup of facilities where hazardous substances have been released into the environment. It provides for public involvement in the decision-making process. The Model Toxics Control Act is Chapter 70.105D of the Revised Code of Washington (RCW).

**Model Toxics Control Act Cleanup Regulation:** The regulation which provides specific details of how the Model Toxics Control Act is to be implemented. The Regulation is Chapter 173-340 of the Washington Administrative Code (WAC).

**Polynuclear Aromatic Hydrocarbons (PAHs):** Hydrocarbon molecules composed of two or more fused benzene rings. Carcinogenic PAHs (cPAHs) are polynuclear aromatic hydrocarbon molecules identified as known or probable human carcinogens.

**Poly Chlorinated Biphenyls (PCBs):** A group of toxic, persistent chemicals. Due to their non-flammability, chemical stability, high boiling point and electrical insulating properties, PCBs were used in hundreds of industrial and commercial applications including transformers and capacitors for insulating purposes, and in gas pipeline systems as a lubricant. PCBs are a serious threat to public health because they have been proven to cause cancer in animals. In 1977 they were made illegal to produce; however, large amounts still remain in the environment from past uses.

**Petroleum Hydrocarbons:** Hydrocarbons are chemicals in petroleum that contain only carbon and hydrogen atoms. Hydrocarbons are refined from petroleum because they combust easily.

**Point of Compliance:** The point of compliance is the location where a cleanup level must be met. There are two types of points of compliance, standard and conditional. If a cleanup level is met at the standard point of compliance, a site is considered clean and no further actions are necessary. Example: For groundwater, the standard point of compliance is throughout the site. If, for technical and economic reasons it is not practical to meet a cleanup level at the standard point of compliance, a conditional point of compliance may be set.

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Meeting the cleanup level at a conditional point of compliance means that some contamination remains on the site that must be contained and managed.

Example: For groundwater, a conditional point of compliance may be set at the edge of a river adjacent to the site rather than throughout the site and contamination remaining on site must be contained and managed.

**Potentially Liable Person (PLP):** Any person (which can be an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state government agency, unit of local government, federal government agency, or Indian tribe) potentially responsible for, or contributing to, the contamination problems at a site. Whenever possible, Ecology requires PLPs, through administrative and legal actions, to clean up sites.

**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 and county ) newspaper of largest circulation; and the opportunity for the interested persons to comment.

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

**Remedial Action:** Any action to identify, eliminate or minimize any threat posed by hazardous substances to human health or the environment.

**Remedial Investigation:** A remedial action that collects, develops, and evaluates sufficient information regarding a site to select a cleanup action.

**Remedial Investigation/Feasibility Study:** A term often used to refer to the remedial investigation and feasibility study documents (see definitions above).

**Remediation Level (REL or RL):** A concentration (or other method of identification) of a hazardous substance in soil, water, air, or sediment above which a particular cleanup action component will be required as part of a cleanup action at a site. Other methods of identification include physical appearance or location.

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

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**Risk:** The probability that a hazardous substance, when released into the environment, will cause an adverse effect on exposed humans or other living organisms.

**Sediments:** Settled particles located at the bottom of a lake, river, or in wetlands.

**Site:** 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, placed, or otherwise come to be located.

**State Environmental Policy Act (SEPA):** A state law that directs state and local agencies to consider environmental values along with technical and economic considerations when making decisions on proposals for actions. This law is Chapter 43.21C of the Revised Code of Washington (RCW).

**Supplemental Environmental Impact Statement (SEIS):** A supplemental EIS adds information and analysis to a previously prepared EIS, but does not duplicate the analysis in the original EIS. A supplemental EIS may be prepared if the lead agency decides that significant issues/impacts were not included in the original EIS.

**Thermal Desorption:** Thermal desorption removes harmful chemicals from soil by using heat to increase mobility so the contaminants can be collected with special equipment. Adding heat makes chemicals more mobile so that they become gaseous, are more easily dissolved in water, or are less viscous. Thermal desorption is not the same as incineration, which uses heat to destroy the chemicals.

**Toxicity:** The degree to which a substance at a particular concentration is capable of causing harm to living organisms, including people, plants and animals.

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## **Appendix A. 2007 Activities**

### **Cleanup Overview**

The 2007 phase of cleanup includes: 1) a formal public comment period; 2) planning the details for cleanup work in 2008; and 3) investigations to further define the extent of contamination for more accurate planning.

In June 2007, Ecology presented a Draft Consent Decree with exhibits such as the Draft Cleanup Action Plan and related documents, and a Draft Supplemental EIS. These documents outlined the proposed final cleanup plans. There was a public comment period and formal hearing that allowed residents and interested parties to provide comments on these documents.

Following the public comment period, Ecology has issued the final Cleanup Action Plan, and BNSF and Ecology have entered into the final Consent Decree. BNSF and Ecology are developing detailed plans for work to be done in 2008 and beyond. These plans will be presented to the community for input and discussion. Ecology and BNSF are also continuing investigations to further define the extent of contamination for more accurate planning.

### **Public Participation Tools in 2007**

Skykomish residents and other interested parties will need to be informed of and involved with a variety of activities and events throughout this year. Activities for 2007 are primarily associated with the public comment period, planning for cleanup activities for the summer of 2008, and on-going investigations. The key public participation tools are outlined below.

#### **1. Public Comment Period**

Public review of documents in 2007 included public comment from June 12 through July 14, 2007.

The following documents were made available for public comment:

- Draft Consent Decree
  - Draft Cleanup Action Plan
  - Draft Public Participation Plan
- Draft Supplemental Environmental Impact Statement

The Consent Decree contains the natural resource damages settlement with BNSF for the site in the amount of \$5.5 million. The money will be used to restore, enhance and protect the natural resources and compensate for lost recreational opportunities in and around the Town of Skykomish as well as the Skykomish and Snohomish River watersheds.

The Cleanup Action Plan contains the schedule for work to be accomplished 2007 through 2011 or the years of cleanup within the Town.

The documents may be reviewed at the information repositories, on Ecology's website at [http://www.ecy.wa.gov/programs/tcp/sites/bnsf\\_sky/bnsf\\_sky.html](http://www.ecy.wa.gov/programs/tcp/sites/bnsf_sky/bnsf_sky.html), and on CDs by request.

Comments during public comment periods will be accepted in writing any time during the designated comment period and orally at public hearings. See the planned activities and opportunities to comment during the public comment period below. Recent public comment events are detailed below.

<b>Date</b>	<b>Time</b>	<b>Activity</b>	<b>Lead</b>	<b>Location</b>
June 13	6 – 8 pm	Public Meeting Present Documents	Ecology	Skykomish
June 27	6 – 8 pm	Community Meeting	SEC	Skykomish
July 2	6:00 pm	School Board	School	Skykomish
July 9	6:30 pm	Town Council	Town	Skykomish
July 10	6 – 8 pm	Public Meeting/Hearing	Ecology	Skykomish
July 12	10 am – 12 Noon	Public Meeting/Hearing	Ecology	Bellevue
July 14	10 am –12 Noon	Availability Session	Ecology	Skykomish
Ecology Information Office in the Community Center at 208 Railroad Ave., Skykomish will be open Tuesdays and Wednesdays during the month of June.				

*Notification of Public Comment Period*

Notification of the public comment period was accomplished in a number of ways to reach the intended audiences.

- A fact sheet was mailed to the site mailing list on June 7.

- Notices were placed in Ecology's Site Register on June 7, June 21, and July 6.
- Newspaper display ads were published in the Seattle Times, Seattle PI, Everett Herald and Monroe Monitor June 11-13.
- A notice was placed in Ecology's SEPA register on June 12.
- Meeting and hearing dates were placed on Ecology's public involvement calendar from June 7 through July 14.
- A press release was sent to local newspapers and TV and radio stations on June 7.

Notification of the proposal to use restrictive covenants as part of the draft cleanup action plan was given to the Town with the notification of this public comment period. The Town has the land use planning authority for real property subject to the restrictive covenants. It was the responsibility of the Town to comment during the comment period on whether the proposed restrictive covenants are consistent with any current or future land use plans.

### *Websites*

Information on the public comment period, including links to documents for review and public meeting and hearing dates is available on the following Ecology websites.

- Ecology BNSF Skykomish Website  
[http://www.ecy.wa.gov/programs/tcp/sites/bnsf\\_sky/bnsf\\_sky.html](http://www.ecy.wa.gov/programs/tcp/sites/bnsf_sky/bnsf_sky.html)
- Ecology Site Register  
[http://www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html)
- Public Involvement Calendar  
<http://apps.ecy.wa.gov/pubcalendar/calendar.asp>
- SEPA Register  
<http://apps.ecy.wa.gov/sepa/index.asp>

### *Response to Comments*

After the formal comment period concluded, all comments received were reviewed and incorporated into the final documents where appropriate and possible. A response to the comments has been prepared and provided as part of the Final EIS to show how the comments were incorporated.

## **2. Planning for 2008 Cleanup Activities**

In the fall of 2007, BNSF and Ecology will present plans for the cleanup activities in 2008. Community members are encouraged to comment informally on the cleanup plans.

### *Community Meetings*

Community meetings will be held to allow community members and the interested public to participate in planning details for work to be conducted in 2008. Residents will also be able to discuss the upcoming work with BNSF and Ecology to have their questions answered and express any concerns.

### *Town Council and School Board Meetings*

Cleanup staff will attend Town Council and School Board meetings throughout the planning phase. If requested, Ecology and BNSF will attend meetings to provide information on specific topics or issues.

Because of the cleanup decision to not move the school, a large masonry structure, a technology for cleaning up under the school will need to be developed. With the school's unique role in the Skykomish community, Ecology and BNSF will conduct early and open communication with the school board regarding the development of the technology in an effort to minimize and mitigate impacts on the learning environment and the community as a whole.

### *Mailings*

Ecology and BNSF may distribute newsletters or fliers to inform residents of the progress in cleanup planning during the coming year.

## **3. Investigations**

Ecology and BNSF have been conducting investigations to define the distribution of contamination in further detail and will continue until active cleanup within Town begins in 2008. During investigation activities, residents and visitors may need to communicate with cleanup staff. Similarly, cleanup staff may need to keep the community up to date on the investigations. The following tools are particularly useful in this phase of the project.

### *Community Meetings*

Community meetings will be held to present information and update the community regarding the progress of the site investigations.

### *Town Council and School Board Meetings*

Cleanup staff will attend Town Council and School Board meetings throughout the investigations.

### *Posted Notices*

Notices will be posted for residents as needed during the investigations.

### *Mailings*

- Update Letter  
An update letter from Ecology's Site Manager may be produced and distributed at any time.
- Fact Sheet  
An update fact sheet may be produced and distributed at any time.

### *Websites*

The Skykomish Cleanup website, Ecology website, Ecology *Site Register*, and Town of the Skykomish website will all continue to be updated regularly to provide information about the cleanup.

## Schedule of Events for 2007 and through March 2008

Date	Time	Activity	Lead	Audience
On-going		Cleanup: Community group briefings	BNSF/Ecology	Community groups
On-going		Investigations: Sampling and surveying notifications	BNSF	Skykomish community
On-going		Investigation updates	BNSF/Ecology	Skykomish community, Skykomish valley, agencies, elected officials, other interested parties and the general public
June 12 – July 14		<b>Public Comment Period</b>	Ecology	Skykomish community, Skykomish valley, agencies, elected officials, other interested parties and the general public
October		Responsiveness Summary and Final EIS available	Ecology	Washington State King County Superior Court, Skykomish community, Skykomish valley, agencies, elected officials, other interested parties and the general public
November		Meetings to plan for 2008 cleanup work	Ecology/BNSF	Skykomish community
January, 2008		Public Update Meeting	Ecology/BNSF	Skykomish community, Skykomish valley, agencies, elected officials, other interested parties and the general public
February 4, 2008		Draft Public Participation Plan for 2008	Ecology/BNSF	Skykomish community, Skykomish valley, agencies, elected officials, other interested parties and the general public

<b>Date</b>	<b>Time</b>	<b>Activity</b>	<b>Lead</b>	<b>Audience</b>
March 15, 2008		Final Public Participation Plan for 2008	Ecology/BNSF	Skykomish community, Skykomish valley, agencies, elected officials, other interested parties and the general public
March, 2008		Public Meeting for EDR, CPS, and PPP for 2008	Ecology/BNSF	Skykomish community, Skykomish valley, agencies, elected officials, other interested parties and the general public