

Responsiveness Summary
Periodic Review Report Public Comment Period
January 26 – February 27, 2012
Freighthouse Square
Tacoma, WA

Periodic Review Coordinator: Panjini Balaraju
Public Involvement Coordinator: Hannah Aoyagi

We received one comment on the Periodic Review Report. The comment is in the site file and publicly available online. The Periodic Review Report is now final.

Comment 1: Citizens for a Healthy Bay (see attached letter)

Ecology Response:

Comment: 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 use application. This will insure that City staff will be alerted to site restrictions when the application is reviewed.

Response: Currently, I am coordinating with Shirley Schultz of the City of Tacoma (Principal Planner, Building and Land Use Services) regarding this matter. She is coordinating internally with her management staff the best way to move forward with getting environmental covenants in their GIS system and/or permitting system. Once she coordinates with her staff, she will call me back and coordinate with me regarding the Restrictive Covenants. I will follow-up on this and make sure it is done as soon as possible.



February 24, 2012

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

Re: Freighthouse Square, 430 East 25th St., Tacoma, Washington 98421
Facility Site ID#: 1351

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 Freighthouse Square site.

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).

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.
- Some TPH-O soil cleanup levels may not have been met at the Site; however the cleanup action complies with cleanup standards, since the long-term integrity of the containment system is ensured and the requirements for containment technologies in have been met.
- The groundwater cleanup levels for TPH-O, Cadmium, Chromium and Lead may not have been met at the Site. There is an extremely low probability that the Site groundwater will be used for drinking water purposes.
- 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.

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.

Sincerely:

Leslie Ann Rose
Senior Policy Analyst

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