

Responsiveness Summary  
Periodic Review Report Public Comment Period  
January 26 – February 27, 2012  
**Xytec Clorox Lakewood**  
Tacoma, WA

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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 Lakewood 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 recorded into 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.

**Response:** I will call the City of Lakewood Planning Department and coordinate with them regarding the RC. I will send an electronic copy of the RC to the appropriate staff at their Planning Department.



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: Xytec Plastics, Lakewood, Washington  
Facility Site ID#: 1287

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 Xytec Plastics 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:

- Soil cleanup levels have not been met at the Site; however, since the long-term integrity of the containment system is ensured and the requirements for containment technologies in WAC 173-340-360(8) have been met.
- The cleanup actions completed at the Site appear to be protective of human health and the environment.
- The Restrictive Covenant for the property is in place and continues to be effective in protecting humans from direct contact to hazardous substances and the requirements of the Restrictive Covenant are being met.
- It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the Site cover is maintained.

#### **Restrictive Covenants**

Restrictive covenants are tools that are not available to City of Lakewood 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 recorded into 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.

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

*Board of Directors*  
Alan Anderson  
Bonnie Becker  
Cheryl Greengrove  
Kathleen Hasselblad  
Bruce Kilen  
Melissa Braisted Nordquist  
Bill Pugh  
Lee Roussel  
Robert Stivers  
Angie Thomson  
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