



RESPONSIVENESS SUMMARY

**Taylor Way & Alexander Avenue Fill Area
June 22 – July 24, 2017 Public Comment Period**

Agreed Order and Interim Action Work Plan

Prepared by
Washington State Department of Ecology
Southwest Regional Office
Toxics Cleanup Program
300 Desmond Drive
Olympia, Washington 98504-7775

October 2017

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Acronyms and Abbreviations

CAP	Cleanup action plan
COCs	Chemicals of concern
Ecology	Washington State Department of Ecology
EPA	United States Environmental Protection Agency
IA	Interim Action
LNG	Liquefied Natural Gas
MTCA	Model Toxics Control Act
PAHs	Polycyclic aromatic hydrocarbons
PCBs	Polychlorinated biphenyls
PSE	Puget Sound Energy
PLPs	Potentially liable persons or parties
RI/FS	Remedial investigation and feasibility study
SAP	Sampling and Analysis Plan
WAC	Washington Administrative Code

Introduction

The Department of Ecology (Ecology) held a public comment period June 22 through July 24, 2017, on an Agreed Order for an interim cleanup action of the Taylor Way & Alexander Avenue Fill Area site. The potentially liable party (PLP) signing the order is the Port of Tacoma.

As written in the Agreed Order, this interim action was planned to take place on one portion of the Taylor Way and Alexander Avenue Fill Area cleanup site. To reduce confusion, we will refer to the smaller area that this document focuses on as the *interim action area*. The word *site* will refer to either generalized cleanup projects or the entire Taylor Way & Alexander Avenue Fill Area site.

The interim action area is generally located at 1514 Taylor Way, Tacoma, WA 98632. Three parcels at the easternmost corner of the site define it: 0321355007, 0321356008, and 0321267005, all of which are owned by the Port of Tacoma.

The following documents were available for public review and comment:

- **Interim Action Work Plan** — Outlines cleanup activities for a part of the site.
- **Agreed Order** — Requires the PLPs to implement the interim action work plan.
- **State Environmental Policy Act (SEPA) determination** — says the proposed cleanup does not pose environmental threats that cannot be addressed through mitigation.
- **Public Participation Plan** — Describes the tools Ecology will use to inform the public about, and gather input on, the cleanup.

Public comments and Ecology's responses are summarized in this document.

Contacts

Steve Teel, Cleanup Project Manager
Washington Department of Ecology
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Olympia WA 98504-7775
(360) 407-6247
Steve.Teel@ecy.wa.gov

Megan MacClellan, Public Involvement Coordinator
Washington Department of Ecology
(360) 407-0067
Megan.MacClellan@ecy.wa.gov

Site Location

The Taylor Way & Alexander Avenue Fill Area site is located at 1514 Taylor Way in Tacoma, Washington (Figure 1, below). The Interim Action Area, covered under this Agreed Order, is at the north east corner of the site, comprising about 1/5 of the broader site footprint (Figure 2, below).

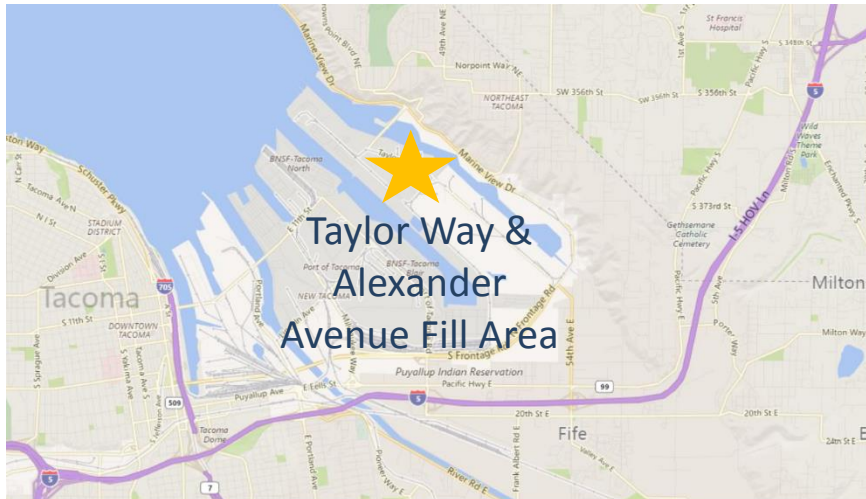


Figure 1

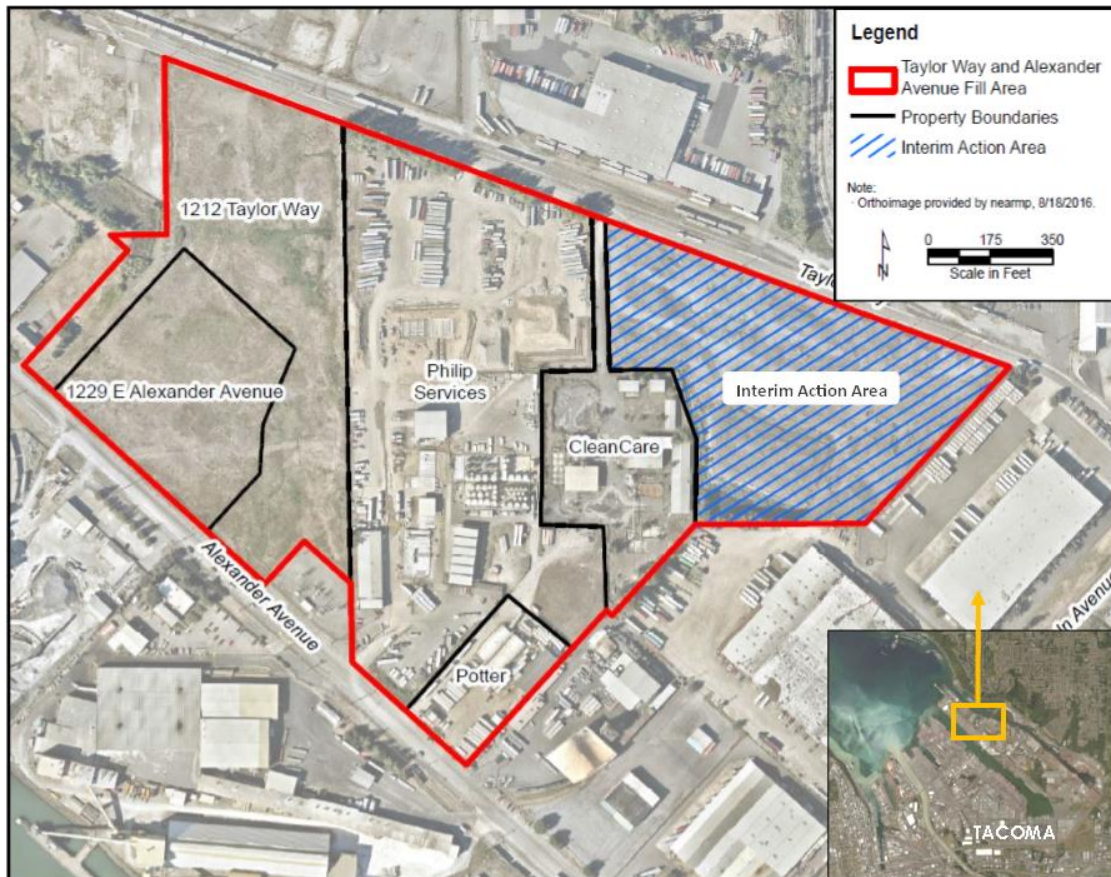


Figure 2

Format of the Responsiveness Summary

Ecology reviewed and responded to all of the comments we received. We received some comments and questions several times. In those cases, we have grouped and responded to them in the beginning of this responsiveness summary. Otherwise, comments are organized alphabetically by the commenter and individual responses follow.

The rest of this responsiveness summary is organized into the following sections:

- Summary of Public Involvement
- List of Commenters
- Acronyms and Abbreviations
- Responses to Common Comments
- Responses to Individual Comments

Summary of Public Involvement

Washington's cleanup law, the Model Toxics Control Act¹ (MTCA) mandates public involvement in the site cleanup process. Specifically, Ecology must inform stakeholders and nearby residents of milestone developments in cleanup by posting in Ecology's Site Register, mailing notification to nearby residents, posting in Ecology's Public Involvement Calendar, and emailing notification to select public officials and people who have expressed interest.

The public comment period for the Agreed Order and Interim Action Work Plan ran June 22—July 24, 2017.

Fact Sheets and Other Outreach

Ecology provides public notice at the beginning of 30 day comment periods for all MTCA-based cleanup sites. We provided notice through the following avenues to advertise and describe the Taylor Way and Alexander Avenue Fill Area comment period:

- Fact sheet mailer – Sent to about 140 neighboring residents and stakeholders.
- Email announcement – Sent to about 110 interested residents and stakeholders including:
 - Neighborhood Council chairs
 - Tribal representatives
 - Contacts with non-profit organizations and community groups such as Citizens for a Healthy Bay and Redline Tacoma
 - city, county, state, and federal agency officials
 - individuals who have requested to be on the mailing list for this specific site
- Website – <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4692>.
- Notice on Ecology's Public Involvement Calendar.
- Notice on Ecology's [Site Register](#), an update of cleanup activities conducted with Ecology's oversight that is published every two weeks.
- Legal ad placed in the Tacoma News Tribune.

Summary of Comments

We received 11 comments on the Agreed Order and Interim Action Work Plan for the Taylor Way and Alexander Avenue Fill Area. The comments did not suggest substantive changes. The cleanup documents are available in the site file and online at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4692>

¹ Model Toxics Control Act (WAC 173-340), Revised 2013

We received several comments that had similar themes or questions. Therefore, we have made a group response (see Common Comments and Responses, below) that covers the themes.

The following items are a summary of the group themes or questions:

- Adequacy of outreach, access to outreach materials
- Notification of all Ecology projects in the Port of Tacoma area
- Request for comment period extension and public meeting
- Concerns about the proximity of the of the Site to the LNG Pipeline Excavation
- Concern that the interim action may become the final cleanup
- Concern about the effect of sea level rise on the cleanup

List of Commenters

Name	Affiliation	Date
Alison Tracy Hale	Individual	7/23/17
Bradley Thompson	Individual	7/23/17
Christine Ok	Individual	7/24/17
Debby Herbert	Individual	7/24/17
Desiree Douglass	Douglass Consulting	7/24/17
Dorothy Walker	Individual	7/24/17
Karen Gogins	Citizens for a Healthy Bay	7/24/17
Noah Davis	IN PACTA Lawyers PLLC	7/24/17
Steve Storms	Northeast Tacoma Neighborhood Council, Advocates for a Cleaner Tacoma	7/23/17
Todd Hay	Advocates for a Cleaner Tacoma	7/24/17
Yvonne McCarty	Northeast Tacoma Neighborhood Council	7/24/17

Common Comments and Responses

Adequacy of outreach, access to outreach materials

Several people noted that they had only recently learned of this project and communicated their desire for broader, more thorough public notification.

Ecology Response

For every public comment period concerning specific milestone events under MTCA, Ecology conducts a standard series of outreach tasks. These are detailed in the Public Participation Plan for the Taylor Way and Alexander Avenue Fill Area. The outreach for this project is also summarized above in the section titled *Summary of Public Involvement*.

Ecology's Toxics Cleanup Program manages about 140 active cleanup sites in the Tacoma Tidelands, and thousands more in the rest of the geographic area our staff works on. Keeping the public informed about the milestones of these projects is a critical part of our work. In order to reach people efficiently enough to accommodate this number of projects, we rely on a consistent suite of public outreach tools.

We do extend beyond those fundamental tools to include, for example, public meetings, when we know a cleanup site has a lot of public interest. It is clear that many in Tacoma are interested in all cleanup activities in the Tidelands, however we must make judgements about how to use our limited resources.

To be informed as quickly as possible when new comment periods come up in the future, those interested can take three steps:

- Sign up to receive Ecology's Site Register, an update of cleanup activities conducted with Ecology's oversight that is published every two weeks.
- If you are on an email list, make sure messages from Ecology are not being routed into your spam folder.
- If you are on list to receive paper mail, keep an eye out for mailers from Ecology.

Receiving notification of all Ecology projects in the Port of Tacoma area

Several comments included interest in being included on Ecology's email list for all projects in the Tacoma Tidelands.

Ecology Response

We will include anyone who makes a request on email or mailing lists for specific sites. Ecology does not currently have a centralized list for all projects in the Tacoma Tidelands. We are actively

working toward a centralized option that makes it easier for people to stay updated about region-wide cleanup activities.

You can find a list of the outreach tools we used for this public comment period, including a summary of who was contacted by email, above in the *Summary of Public Involvement* section of this document.

For projects concerning the Tacoma Tideflats, we aim to include Neighborhood Council chair(s) for the relevant neighborhood, and potentially interested NGOs such as Citizens for a Healthy Bay. We hope that by notifying groups like these, we can take advantage of their networks to get word out to people we are not able to reach. We have included a number of individuals on all email lists for the Tideflats area as well.

Comment period extension & public meeting

Many people requested an extension to the public comment period, and some also requested a public meeting for ecology staff to present the documents up for comment and invite questions.

Ecology Response

In accordance with WAC 173-340-600, Ecology strives to promote public participation. The reasons that we did not extend the comment period or hold a public meeting for the Taylor Way and Alexander Avenue Fill Area site include:

- The routine nature of the contemplated interim remedial action.
- While parts of the Taylor Way and Alexander Avenue Fill Area are heavily contaminated, the area where the interim action is planned is not. The interim action occurs in an area of relatively low concentration and is at the periphery of the site.
- Ecology's Southwest Regional Office manages over 550 cleanup sites, about 140 of which are in the Tacoma Tideflats. One full time person and one half time person are available to meet the public involvement needs for the entire region. In order to serve as many people as possible, we use standard practices defined in MTCA, that lean heavily on printed material to inform and educate the public.
- We believed that the questions we received from the comment period could be answered in a Responsiveness Summary format.

Concerns about the proximity of the of the site to the LNG pipeline excavation

Comments on this topic included concerns that contaminated soil and/or groundwater would be encountered during Puget Sound Energy's (PSE) liquified natural gas (LNG) pipeline construction or that the pipeline would spread contamination from the site.

Ecology Response

Cleanup sites are not defined by property boundaries, but rather the extent of contamination in soil, sediment, and/or groundwater. Puget Sound Energy's liquid natural gas pipeline is not within the extent of the Taylor Way and Alexander Avenue Fill Area site. Therefore, the pipeline project will not encounter contaminated soil from the site.

Regarding the concern that the pipeline could spread or divert groundwater contamination, it is our understanding that pipeline construction includes "trench breakers" that are intended to slow potential seepage flows along the pipeline and minimize the amount of soil transported by water flow within the backfilled trench. Therefore, Ecology does not believe that the proximity of the PSE LNG pipeline to the site will have any effect on the adequacy and effectiveness of the interim action at the site.

Concern that the interim action may become the final cleanup

Comments on this topic included concerns that the interim action would become the final cleanup and concerns regarding capping (containment of contamination) versus removal of contamination.

Ecology Response

The central function of Ecology's Toxics Cleanup Program is to implement Washington's cleanup law, the Model Toxics Control Act (MTCA). Under MTCA, the goal of cleanup is to protect human health and the environment from hazardous materials. The interim action used in this case, capping, containment, and required assurance of successful containment into the future, meets these standards.

Before we finalize an interim cleanup action plan, we verify that the plan meets state cleanup standards as defined by MTCA. These plans are also evaluated among other potential alternatives, to make sure there are not other options that are more effective within established constraints. Sometimes the full extent of contamination is unknown and sometimes the final cleanup levels are unknown when interim action plans are made. In those cases, binding contingencies are included that ensure cleanup that meets state standards once that information is available.

Since they can very effectively prevent exposure to hazardous materials, capping and containment are common cleanup methods. Capping involves placing clean materials on top of contaminated materials. The types and amounts of these clean materials depend on the nature of the contamination, the surrounding environment, and the way the site will most likely be used in the future.

Regarding the use of capping (containing contamination and using a variety of tools to ensure successful containment into the future) at cleanup sites, this is a commonly used remedy at many sites provided that human health and environment are protected and that the necessary monitoring is performed.

This interim action – containing the contaminated soil and preventing future exposure – may become the final cleanup action. If, during future investigations, we find that it will not meet MTCA's cleanup standards for some reason, the cleanup will be amended.

Concern about the effect of sea level rise on the cleanup

Several commenters cited their concern that sea level rise could threaten the integrity of the partial cleanup described in the Interim Action Work Plan.

Ecology Response

Ecology's Toxics Cleanup Program is actively working to integrate guidance around climate change and sea level rise into our cleanup plans.

Regarding the Taylor Way and Alexander Avenue Fill Area Site in particular, we believe that covering contamination with soil, capping, and institutional controls (required assurance of successful contamination containment into the future) in this portion of the site will be protective even if/when sea levels do rise because the concentration of contamination in the soil in this portion of the site does not appear to be significantly impacting groundwater.

The Interim Action Work Plan also requires the thickness of the cap to be maintained, even in the event of sea level rise.

Responses to Individual Comments

Advocates for a Cleaner Tacoma, Todd Hay

From: Todd Hay [<mailto:toddahay@gmail.com>]

Sent: Monday, July 24, 2017 5:31 AM

To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>

Cc: Janna Stewart <jls@alaska.net>; Steve Storms <storms123@aol.com>; Nanette Reetz <n.reetz@comcast.net>; shirley l <shirleylow501@gmail.com>

Subject: Comments for Taylor Way & Alexander Ave Fill Area

Dear Mr. Teel,

Enclosed are comments from Advocates for a Cleaner Tacoma. We are requesting an extension to this comment period to allow more time for a more thorough review of the documentation.

Thank you for your consideration of this request.

Sincerely,

Todd Hay, President

Advocates for a Cleaner Tacoma

Tacoma, WA

ADVOCATES FOR A CLEANER TACOMA (ACT)

2661 N. Pearl St #409

Tacoma, WA 98407

July 23th, 2017

Mr. Steve Teel
Toxics Cleanup Program, Southwest Regional Office
Washington Department of Ecology
PO Box 47775
Olympia, WA 98504-7775

Subject: Request for Comment Period Extension for Taylor Way & Alexander Ave Fill Area, Tacoma, WA Site

Dear Mr. Teel,

We are writing to request a one month extension to the comment period for the Taylor Way & Alexander Ave Fill Area site in the Port of Tacoma. ACT is a Tacoma-based non-profit committed to improving the air, water, and soil quality of Tacoma.

Comment 1

We only recently learned of this effort and have since been in contact with personnel from the Washington Department of Ecology to be added to all email lists for similar initiatives in the Port of Tacoma.

On our limited reading to date, we have three primary concerns:

Comment 2

Interim Action Work Plan may become the Final Solution - We are concerned that the draft Interim Action Work Plan that includes filling and capping, once accomplished, would become the final resolution, even if it determined that that is not an adequate solution. This does nothing to actually clean up the problem, but rather, just tries to contain it.

Comment 3

Proximity to PSE LNG Infrastructure - We are also concerned with the proximity of this effort to the Puget Sound Energy Liquefied Natural Gas facility and the associated pipeline currently being installed. For instance, during the drilling of this pipeline, will any attempt be made to test the soil and water quality to ensure that it is not contaminated? The chances for an expanded contamination need to be more thoroughly understood before proceeding with this remediation project.

Comment 4

Projected Sea Level Rise - We are also concerned with the projected sea level rise in the Port of Tacoma over the next 25 - 50 years. As noted in the City of Tacoma Climate Resiliency

1 of 2

Advocates for a Cleaner Tacoma, contd.

Study, 2016¹, a significant portion of the Port of Tacoma is projected to be under water during extreme high tide situations. This will almost certainly impact the groundwater at this site and could cause the contamination to spread. A detailed review of this site should be performed to determine the projected status of it during such extreme tide situations.

Thank you for considering extending this comment period. We look forward to a more thorough review of the project.

Sincerely,

// Signed //
Todd Hay, President

// Signed //
Steve Storms, Vice President

// Signed //
Janna Stewart, Secretary

// Signed //
Shirley Low, Treasurer

// Signed //
Nanette Reetz, Director

¹ http://cms.cityoftacoma.org/Sustainability/Climate_Resilience_Study_Final_2016.pdf

Comment 1

We only recently learned of this effort and have since been in contact with personnel from the Washington Department of Ecology to be added to all email lists for similar initiatives in the Port of Tacoma.

Response 1

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see “Adequacy of outreach, access to outreach materials” on page 10, and “Receiving notification of all Ecology projects in the Port of Tacoma area,” also on page 10.

Comment 2

Interim Action Work Plan may become the Final Solution - We are concerned that the draft Interim Action Work Plan that includes filling and capping, once accomplished, would become the final resolution, even if it determined that that is not an adequate solution. This does nothing to actually clean up the problem, but rather, just tries to contain it.

Response 2

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see “Concern that the interim action may become the final cleanup” on page 12.

Comment 3

Proximity to PSE LNG Infrastructure - We are also concerned with the proximity of this effort to the Puget Sound Energy Liquefied Natural Gas facility and the associated pipeline currently being installed. For instance, during the drilling of this pipeline, will any attempt be made to test the soil and water quality to ensure that it is not contaminated? The chances for an expanded contamination need to be more thoroughly understood before proceeding with this remediation project.

Response 3

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see “Concerns about the proximity of the site to the LNG pipeline excavation” on page 11.

Comment 4

Projected Sea Level Rise - We are also concerned with the projected sea level rise in the Port of Tacoma over the next 25 - 50 years. As noted in the City of Tacoma Climate Resiliency Study, 2016 , a significant portion of the Port of Tacoma is projected to be under water during extreme high tide situations. This will almost certainly impact the groundwater at this site and could cause the contamination to spread. A detailed review of this site should be performed to determine the projected status of it during such extreme tide situations.

Response 4

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see “Concerns about the effect of sea level rise on the cleanup” on page 12.

Alison Tracy Hale, July 23

From: Alison Tracy Hale [<mailto:ahale2778@gmail.com>]
Sent: Sunday, July 23, 2017 9:18 AM
To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>
Subject: Clean up at Alexander Ave. and Taylor Way Fill Area

Dear Mr. Teel,

As a concerned Tacoma homeowner, resident, and parent, I am writing to request that, especially given this site's toxicity and its proximity to the proposed LNG facility, the public comment period be extended. In addition, I believe this work and the future of the site should receive the opportunity for full public discussion, and would request that a public hearing be held to inform the citizens of Tacoma fully about the scope and potential of this project and to allow for robust public commentary.

Those of us whose health and property are directly affected by decisions at the Port of Tacoma deserve transparency and greater input into the processes by which those decisions are made.

Thank you for considering my comment.

Sincerely yours,

Alison Hale
4419 N 30th St
Tacoma WA 98407

Ecology Response:

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see “Comment period extension & public meeting” on page 11, and “Adequacy of outreach, access to outreach materials” on page 10.

Bradley Thompson, July 23

From: Bradley Thompson [<mailto:bradleythomp@gmail.com>]
Sent: Sunday, July 23, 2017 7:09 PM
To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>
Subject: Taylor Way & Alexander Avenue Fill Area

July 23, 2017

Steve Teel, Site Manager
Washington Department of Ecology
P.O. Box 47775
Olympia WA 98504-7775

RE: Taylor Way & Alexander Avenue Fill Area
Facility Site ID: 1403183
Cleanup Site ID: 4692

Dear Mr. Teel,

I am writing in reference to the above cleanup. I just happened to learn of it online last Friday, even though I thought that I had previously signed up on WA Dept of Ecology's E-mail List.

I respectfully request:

- 1) The deadline for public comments be extended by at least an additional month, during which better public outreach can be performed.
- 2) A public informational forum be presented in NE Tacoma, so as to educate the public and answer public concerns & questions.
- 3) The soil under Taylor Way, just adjacent to this cleanup site, be tested for chemical contaminants. As you may/may not be aware, that roadway is currently being torn up to lay gas pipeline. Workers are not currently using any protective equipment, and protestors (including Puyallup Tribal members) are standing along the side of the road while digging, drilling, and excavation of the soil is being performed. If contamination from this cleanup site extends into the roadway, then public health may be at risk.

Thank you.

Bradley Thompson
2314 S Ainsworth Ave
Tacoma, WA 98405
206-601-5442

Ecology Response:

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see the following sections: “Receiving notification of all Ecology projects in the Port of Tacoma area” on page 10, “Comment period extension & public meeting” on page 11, and “Concerns about the proximity of the site to the LNG pipeline excavation” on page 10.

Christine Ok, July 24

From: Christine Ok [<mailto:cyoo913@yahoo.com>]

Sent: Monday, July 24, 2017 2:55 PM

To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>

Subject: PSE/LNG

Steve,

I am a resident of NE Tacoma and live in the Pointe Woodworth subdivision, which is very close to the proposed LNG site. As a concerned citizen, who is worried for the health and well being of my family, I request for the public hearing and an extension on the public comment period.

Your immediate consideration is appreciated. Let's do the right thing for Tacoma!

Sincerely,

Christine Ok
1808 Pointe Woodworth Dr NE
Tacoma, WA 98422

Sent from my iPhone

Ecology Response:

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Regarding your request for an extension of the comment period and a public meeting, please see “Comment Period Extension and Public Meeting” on page 11. You may also be interested in the “Concerns about the proximity of the site to the LNG pipeline excavation,” also on page 11.



July 24, 2017

535 Dock Street
Suite 213
Tacoma, WA 98402
Phone (253) 383-2429
Fax (253) 383-2446
chb@healthybay.org
www.healthybay.org

Steve Teel
Site Manager, Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600
Steve.Teel@ecy.wa.gov

Re: Comment on draft Taylor Way & Alexander Avenue Fill Area partial cleanup

Executive Director
Melissa Malott

Dear Mr. Teel:

Thank you for providing the opportunity to review and comment on the draft Taylor Way & Alexander Avenue Fill Area partial cleanup in Tacoma, Washington.

Board of Directors
Jeff Barney
Bonnie Becker
Brice Boland
Dean Burke
Sherrie Duncan
Bryan Flint
Cheryl Greengrove
Kathleen Hasselblad

Citizens for a Healthy Bay (CHB) is a 27-year-old environmental organization whose mission is to represent and engage people in the cleanup, restoration and protection of Commencement Bay, the surrounding waters and natural habitat. We are a 501(c)3 nonprofit providing practical, solutions-based environmental leadership in the Puget Sound area. We work side-by-side with local residents, businesses and governments to prevent water pollution and make our community more sustainable. CHB has been involved in the cleanup of the Port for the last sixteen years and we are committed to pursuing an adequate cleanup to ensure a sustainable future for Tacoma and our waters.

Charles Joy
Ann Locsin
Kelly McCord
Marco Pinchot
Emily Pinckney
Angie Thomson
Sheri Tonn

CHB staff and expert members of our Policy and Technical Advisory Committee have reviewed the draft Interim Action Work Plan and related materials, including the draft Agreed Order (AO), the draft Public Participation Plan, and the draft State Environmental Policy Act (SEPA) determination. Our comments are outlined below.

Background

This site was originally tidal wetlands, but was filled and contaminated by various industries throughout the last century. Major concerns with the site are the soil and groundwater contaminants and their potential exposure to humans and wildlife. The following contaminants were found to exceed soil and groundwater screening levels SSL: total petroleum hydrocarbons, metals (arsenic, barium, chromium, and zinc), and semi-volatile organic compounds.

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

General Comments

Overall, CHB finds the draft Interim Action Work Plan and related documents to be mostly adequate. However, several decisions in the documents are lacking the justification required. These deficiencies, which must be address before the plan is finalized, are outlined below.

Comment 1

- The draft plan calls for compaction of soil over contaminated material followed by additional soil and buildings/pavement. What is the justification for there not being an impermeable cap on the site?

Comment 2

- In section 5.4, the Port of Tacoma cannot just claim that the aquifer is not potable. The Washington State Department of Ecology must provide and/or approve an analysis.

Comment 3

- Section 5.6 provides for methane sampling prior to building construction. What are the action levels that will be used to require methane resistant construction and sampling once buildings are constructed? It is unclear from the text whether future sampling is for methane or methane *and* volatile organic compounds.

Comment 4

- In section 6.7, no mention of a requirement for a Construction QA/QC plan for soil placement is provided. This must be added, including both compaction requirements and required sampling.

Comment 5

- Table 5.4 mixes ug/liter with mg/kg levels and must be corrected. Water concentrations are in ug where contract figures are in mg or ug/kg. The marine standard for arsenic 50 times lower than the interim cleanup level. There must be an adequate explanation for why the Port of Tacoma believes that this number is acceptable, and why the cleanup level is not the marine standard.

Comment 6

- The groundwater monitoring network will be developed in a later document. CHB requests being sent this document as soon as it becomes available.

Please contact me if there are questions regarding our comments. Thank you for the opportunity to provide feedback for the draft Taylor Way & Alexander Avenue Fill Area partial cleanup.

Sincerely,



Melissa Malott
Executive Director, Citizens for a Healthy Bay
mmalott@healthybay.org, (253) 383-2429

Ecology Response:

Comment 1

The draft plan calls for compaction of soil over contaminated material followed by additional soil and buildings/pavement. What is the justification for there not being an impermeable cap on the site?

Response 1

The concentrations of contamination in soil in this portion of the site do not appear to be significantly impacting groundwater. In addition, surface water infiltration will be dramatically reduced from the current (undeveloped) condition of the site since 90% of the interim action area will be covered by pavement and/or buildings.

Also, based on current information, there does not appear to be a significant groundwater plume that extends beyond the boundary of the interim action area. Therefore, it does not seem necessary to install an impermeable cap. Additional groundwater monitoring will be conducted following the interim action to monitor the extent of groundwater contamination.

Comment 2

In section 5.4, the Port of Tacoma cannot just claim that the aquifer is not potable. The Washington State Department of Ecology must provide and/or approve an analysis.

Response 2

Ecology does not disagree with the statement in Section 5.4 of the Interim Action Work Plan that the shallow and intermediate aquifers at the site are non-potable, primarily due to their proximity and hydraulic connection to Commencement Bay.

Comment 3

Section 5.6 provides for methane sampling prior to building construction. What are the action levels that will be used to require methane resistant construction and sampling once buildings are constructed? It is unclear from the text whether future sampling is for methane or methane and volatile organic compounds.

Response 3

The methane survey will be conducted according to ASTM Standard E2993-16: Standard Guide for Evaluating Potential Hazard as a Result of Methane in the Vadose Zone. This is documented in Appendix B of the Interim Action WorkPlan. The E2993-16 action levels are shown in Appendix B, Table 1. If these action levels are exceeded, then vapor controls (mitigation) will be required

for the building. Volatile organic compounds will also be measured during the survey as indicated in Appendix B.

Comment 4

In section 6.7, no mention of a requirement for a Construction QA/QC plan for soil placement is provided. This must be added, including both compaction requirements and required sampling.

Response 4

Soils at the site will be compacted at the site consistent with the Geotechnical Report (Appendix E of the Interim Action Work Plan). Also, the soil placement will have undergone regulatory review by the City of Tacoma when the City issued a grading permit (#SDEV17-0042) on June 29, 2017.

Comment 5

Table 5.4 mixes ug/liter with mg/kg levels and must be corrected. Water concentrations are in ug where contract figures are in mg or ug/kg. The marine standard for arsenic 50 times lower than the interim cleanup level. There must be an adequate explanation for why the Port of Tacoma believes that this number is acceptable, and why the cleanup level is not the marine standard.

Response 5

The Interim Action Work Plan does not contain a Table 5.4. Please see Table 5.3 of the Interim Action Work Plan. This table does not appear to contain the errors that you are referring to. As shown in Table 5.3, the arsenic groundwater interim action cleanup level is based on the arsenic background groundwater concentration (see WAC 173-340-900, Table 720-1, footnote b).

Comment 6

The groundwater monitoring network will be developed in a later document. CHB requests being sent this document as soon as it becomes available.

Response 6

The Groundwater Monitoring Plan is currently being prepared. This plan will be one of the Exhibits to Agreed Order DE 14260 for the Taylor Way and Alexander Avenue Fill Area. Agreed Order DE 14260 is currently being negotiated. The scope of this Agreed Order includes the implementation of a data gap work plan and groundwater monitoring plan, and preparation of a Remedial Investigation and Feasibility Study and draft Cleanup Action Plan. A public comment

period for this Agreed Order will be held when negotiations are completed. We will notify CHB about comment periods for this site.

Debby Herbert, July 24

From: tahoedebby@aol.com [<mailto:tahoedebby@aol.com>]

Sent: Monday, July 24, 2017 2:25 PM

To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>

Subject: PSE gas pipeline along Taylor Way

Hello Steve,

I am writing to you out of concern for a work action plan in the Port of Tacoma. Puget Sound Energy will be laying a gas pipeline along Taylor Way, adjacent to a site that was for years used as a toxic dumpsite. I'm asking for a public hearing on this work action plan and an extension of the public comment period.

This is very important to the citizens of Tacoma since the port is in a highly populated area. We need to be properly informed and a full opportunity for our input. We are part of the stakeholders.

Thank you.

Debby Herbert

Ecology Response:

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Regarding your request for an extension of the comment period and a public meeting, please see “Comment Period Extension and Public Meeting” on page 11. Regarding your concerns about the relationship between this cleanup and the gas pipeline, please see “Concerns about the proximity of the site to the LNG pipeline excavation,” also on page 11. For our response to your concern about being properly informed, please see “Adequacy of outreach, access to outreach materials” on page 10.

Desirée Douglass, July 24

From: Desirée Douglass [<mailto:dld@douglassconsulting.net>]
Sent: Monday, July 24, 2017 11:34 AM
To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>
Cc: Desiree Douglass <dld@douglassconsulting.net>
Subject: IMPORTANT! Comment on Port of Tacoma Taylor Way and Alexandra Ave Fill Site Action
Importance: High

Dear Steve,

I am writing re: the WDOE informational flier on the Interim Work on Taylor Way & Alexandra Ave Fill site.

First, I urge you to extend the comment period and schedule a public hearing on this proposed work for the following reasons:

1. The work is described as “interim clean-up” with the anticipated future use being “warehouse and distribution center”. I cannot tell if the proposed “interim clean-up” is the only clean-up activity that will happen, and if buildings are placed upon the site, how will any future clean-up be conducted? The public needs to see a phasing plan with all of the clean-up steps outlined and scheduled before the interim work is allowed to go forward.
2. The proposed LNG fracking gas pipeline is proposed to be placed in the Taylor Way right-of-way within or immediately adjacent to this site, yet there is no mention of it in the WDOE flier. The presence of such a pipeline on a toxic site that is not fully cleaned up is a serious danger to public health.
3. Please understand that stating that the Port will be “staging” the work site prior to public comment being complete is tantamount to telling the public that their comments will not make a difference and discourages citizens from commenting because they feel it won’t do any good, the project as conceived by the Port will happen. I don’t think this is what you or WDOE intended.

I request that WDOE reissue the informational flier, extend the comment period, and schedule a public hearing before any further action is allowed on this fill site.

I look forward to your response.

Respectfully,

Desiree



Environmental Planning & Design

Desirée L Douglass
3518 Fremont Avenue North #289
Seattle, WA 98103
mobile: 360-220-1422
dld@douglassconsulting.net
www.douglassconsulting.net

Ecology Response:

Thank you for your comment. For reference, you can find the notification mailer referred to in your comment included as Attachment A. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Regarding your first and second comments, please see “Adequacy of outreach, access to outreach materials” on page 10 regarding your comments about public discussion and transparency. Regarding your request for an extension of the comment period and a public meeting, please see “Comment Period Extension & Public Meeting” on page 11. Regarding your request to test soil under Taylor Way, please see “Concerns about the proximity of the site to the LNG pipeline excavation” on page 11.

Regarding our acknowledgement of staged materials on site; thank you for this feedback. You are correct that it was not our intention to imply that public comments are not meaningful. Our intention was to be sure the public was aware of this important piece of information.

Dorothy Walker, July 24

From: Dorothy Walker [<mailto:dorothyw@centurylink.net>]
Sent: Monday, July 24, 2017 4:35 PM
To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>
Subject: Taylor Way & Alexander Ave. Fill Area

Steve Teel,
Site Manager
WA Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775

Dear Mr. Teel,

I am writing to request that you extend the comment period for the Interim Action Work Plan, the Agreed Order, the State Environmental Policy Act (SEPA) determination and the Public Participation Plan and that you conduct a public hearing on the project.

Naturally, I am in favor of cleaning up the terrible messes on the tide flats. But I do not think the public is well informed that this particular clean-up is happening and should be able to examine the adequacy, extent and possible adverse side effects. The location of the contaminated property adjacent to the proposed LNG site and the path of the natural gas pipeline construction make it especially critical and of interest to the public.

Thank you,
Dorothy Walker
3608 Forest Beach Dr
Gig Harbor, WA

Ecology Response:

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Regarding your request for an extension of the comment period and a public meeting, please see “Comment Period Extension and Public Meeting” on page 11. Regarding your request to test soil under Taylor Way, please see “Concerns about the proximity of the site to the LNG pipeline excavation” on page 9. Lastly, regarding the adequacy of Ecology’s outreach, please see “Adequacy of outreach, access to outreach materials” on page 10.

Noah Davis, July 24

Hi Steve,

My understanding is that there is some serious contamination underfoot? How will this be independently monitored by Ecology (without continuing to rely on PSE to provide soil samples as they choose). We need independent monitoring by Ecology and these sites need to be tested first, before PSE starts digging.

And, has anyone thought of the sea level rise and the effect that will have on contamination. And then during digging, what of the constant airborne particulates? Its way to dry to be digging this summer.

I have to say, that based on what I saw at the proposed LNG site with the digging there and the swirls of dust taking off, and the trucks tracking soil out, that Ecology has to step up its game and take over monitoring. We have to stop being so reactive and stop relying on the potential polluters to be completely independent and objective.

Noah Davis, Esq | IN PACTA Lawyers PLLC

☎ 206.709.8281 | F 206.860.0178

☎ 206.734.3753 (Direct) | Ext 101

✉ nd@inpacta.com | www.inpacta.com

801 2nd Ave | Ste 800 | Seattle WA 98104

Ecology Response:

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see “Concerns about the proximity of the site to the LNG pipeline excavation” on page 11 regarding your comments about the Puget Sound Energy excavation.

Steven R. Storms, July 23

Email:

From: Steve [<mailto:storms123@aol.com>]

Sent: Sunday, July 23, 2017 10:43 PM

To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>

Subject: Comment Period Extension for Taylor Way & Alexander Ave Fill Area

Dear Mr. Teel

Attached is a "Request for a Comment Period Extension for Taylor Way & Alexander Ave Fill Area".

Please consider an extension to allow a more thorough review of this project. There are several serious concerns that need to be addressed.

Steven R. Storms

BScE, PE. Retired

Board Member, Northeast Tacoma Neighborhood Council

Attached document:

Mr. Steve Teel

Toxics Cleanup Program, Southwest Regional Office

Washington Department of Ecology

PO Box 47775

Olympia, WA 98504-7775

Subject: Request for Comment Period Extension for Taylor Way & Alexander Ave Fill Area, Tacoma, WA Site

Dear Mr. Teel,

I am writing to request a one month extension to the comment period for the Taylor Way & Alexander Ave Fill Area site in the Port of Tacoma. There are several areas that seem to need more review.

Below are the three areas that cause me the most concern.

The Final Solution Should be More Than the Interim Work Plan - I am concerned that the draft Interim Action Work Plan that includes filling and capping, once accomplished, would become the final resolution, even if it determined that that is not an adequate solution. The proposed capping of the site seems more like an interim plan instead of a final solution. As your organization is called, Toxic Cleanup Program, there is no clean up involved with this plan. It leaves the contamination in the ground and only hopes that it will not be disturbed at some future time.

Proximity to PSE LNG Infrastructure – I am also concerned with the proximity of this cleanup plan to the Puget Sound Energy Liquefied Natural Gas facility and the associated pipeline currently being installed. Disturbing the ground with the pipeline can cause different water penetrations and mixing with runoff. Even the chemicals used in the trenches and horizontal drilling will get mixed with contaminated soil.

Projected Sea Level Rise – There is a large concern with the projected sea level rise in the Port of Tacoma over the next 25 - 50 years. As noted in the City of Tacoma Climate Resiliency Study, 2016, a significant portion of the Port of Tacoma is projected to be under water during extreme high tide situations. A detailed review of this site should be performed to determine the projected status of it during such extreme tide situations. If the sea level rises as predicted, the ground water level will impact the contamination at the site even if it is covered with several feet of earth and covered with asphalt. There would be a large potential for contamination in both the Hylebos and the Blair Waterways.

Please consider extending this comment period. I believe that a more thorough review of this project is required.

Thanks

Steven R. Storms
BSChE, PE. Retired

Ecology Response

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Please see the following sections for Ecology’s responses: “Concern that the interim action may become the final cleanup” on page 12, “Concerns about the proximity of the site to the LNG pipeline excavation” on page 11, “Concern about the effect of sea level rise on the cleanup” on page 12, and “Comment period extension & public meeting” on page 11.

Yvonne McCarty, July 24

From: Comcast Yvonne [<mailto:yvonne.mccarty@comcast.net>]

Sent: Monday, July 24, 2017 1:28 PM

To: Teel, Steve (ECY) <STEE461@ECY.WA.GOV>

Cc: Nanette Reetz <N.Reetz@comcast.net>; Robert Thoms <robert.thoms@cityoftacoma.org>; Mello, Ryan <rmello@cityoftacoma.org>; Ann Locsin <locsinann@gmail.com>

Subject: Taylor Way & Alexander Ave. Fill Area

Re: TAYLOR WAY & ALEXANDER AVE FILL AREA

1500 Block Taylor Way E, Tacoma, WA 98409

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4692>

Dear Mr. Teel,

I'm writing to you to formally request a public meeting for the community of Northeast Tacoma regarding the above mentioned project. We would like a public meeting to be conducted in Northeast Tacoma (suggest the Center at Norpoint) to include a presentation of the key project materials that are posted on your website for this project (Agreed Order, Interim Action Work Plan, Public Participation Plan, SEPA Determination Draft, and the SEPA Checklist). Ideally, this public meeting will have ample and broad public notification to the greater Tacoma community, but especially to the community of NE Tacoma. Due to this project's proximity to our community and the serious public health risks associated the contamination on this site, we feel that we should have the opportunity to learn more about it from the Department of Ecology directly and be afforded the opportunity to ask questions.

I would also like to request that you extend the public comment period accordingly, and allow ample time following the public meeting for additional public comments to be submitted.

Finally, I just learned of this project this weekend. What do I need to do to get on a notification list for all projects that you are the SEPA lead agency that fall within the Tacoma Tidelands or NE Tacoma/Browns Point/Dash Point communities?

Sincerely,
Yvonne McCarty
NE Tacoma Neighborhood Council Co-Chair
cell: 253-219-0349

Ecology Response:

Thank you for your comment. Others submitted similar comments and we have responded to them in the “Responses to Common Comments” section above. Regarding your first and second comments, Please see “Adequacy of outreach, access to outreach materials” on page 10 regarding your comments about public discussion and transparency. Regarding your request for an extension of the comment period and a public meeting, please see “Comment period extension & public meeting” on page 11.

ATTACHMENT A

Notification mailer for 2017 Taylor Way and Alexander Avenue Fill Area
interim action public comment period

Taylor Way & Alexander Ave. Fill Area



CONTACTS & INFORMATION

Written comments accepted:

June 22—July 24, 2017

Submit comments to:

Steve Teel, Site Manager
WA Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775
Phone: (360) 407-6247
Steve.Teel@ecy.wa.gov

Document review locations:

Tacoma Public Library

1102 Tacoma Avenue S.
Tacoma, WA 98402
(253) 292-2001

Citizens for a Healthy Bay

535 Dock Street, Suite 213
Tacoma, WA 98402
(253) 383-2429

WA Department of Ecology Southwest Regional Office

300 Desmond Drive SE
Lacey, WA 98503

By appointment only:

Contact Susie Baxter, (360) 407-6365
PublicDisclosureSWRO@ecy.wa.gov

Website

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4692>

Facility Site ID #: 1403183

Cleanup Site ID #: 4692

Cleanup is beginning at the Taylor Way and Alexander Avenue Fill Area cleanup site!

The Washington Department of Ecology has drafted a legal agreement with the Port of Tacoma, committing them to a partial cleanup at the Taylor Way and Alexander Avenue Fill Area.

The legal agreement, called an agreed order, requires the Port of Tacoma (Port) to conduct a partial cleanup called an interim action. The interim action would be in one part of a larger site between the Blair and Hylebos waterways in Commencement Bay's tideflats (see page 3 for a site map).

In addition to the agreed order, you can review and comment on a work plan for the interim action and other cleanup documents. The Port of Tacoma will be getting ready for construction by staging materials and doing other non-invasive work during this comment period.

We want to hear from you!

We invite written comments from **June 22 to July 24, 2017** on these draft documents:

- **Interim Action Work Plan** — outlines cleanup activities for a part of the site.
- **Agreed Order (AO)** — a legal agreement that requires the Port of Tacoma to do the partial cleanup.
- **State Environmental Policy Act (SEPA) determination** — says the proposed cleanup does not pose environmental threats that cannot be addressed through mitigation.
- **Public Participation Plan** — describes the tools we will use to inform the public and gather feedback.

The box to the left shows how to submit comments and where you can review documents.

Partial cleanup plan

The agreed order focuses on the east corner of the site, called the interim action area. The Port of Tacoma currently owns that part of the site. We will address cleaning up the entire Taylor Way and Alexander Avenue Fill



Area site through a separate agreement.

For the interim action, the Port of Tacoma plans to use a soil cap. They will cover contaminated soil with several feet of clean fill. Then they will further prevent contact with contamination by covering the clean soil with pavement and buildings. Under the plan, soil erosion would be controlled and air quality would be tested to be sure that soil vapors do not pose a risk to future workers on the site.

Interim action area background

The interim action area of the Taylor Way and Alexander Avenue Fill Area site has a complex history. Originally saltmarsh and wetlands, industrial use began in that area with lumber milling followed by manufactured home construction.

Remaining wetlands were filled during the 1970s. Companies used the area for warehouse and trucking operations from the early 1980s. In the 1990s, a leaking underground tank storing gasoline was discovered. In 2000, Ecology determined this contamination was cleaned up. Sometime after 2000, a stormwater detention pond was constructed in one portion of the interim action area.

Research into where contamination is and how much is there began in 2005. We used information from those studies to evaluate cleanup options for the interim action area.

The Port of Tacoma bought the interim action area in 2007. The property was vacant until 2015, when the Port used it to store new cars.

Contamination

Past research shows that soil and/or groundwater in the interim action area is contaminated with chemicals that could pose a risk to human health and the environment. These chemicals include:

- Total petroleum hydrocarbons (TPH)
- Metals
- Semivolatile organic chemicals (SVOCs)

Future development of the interim action area

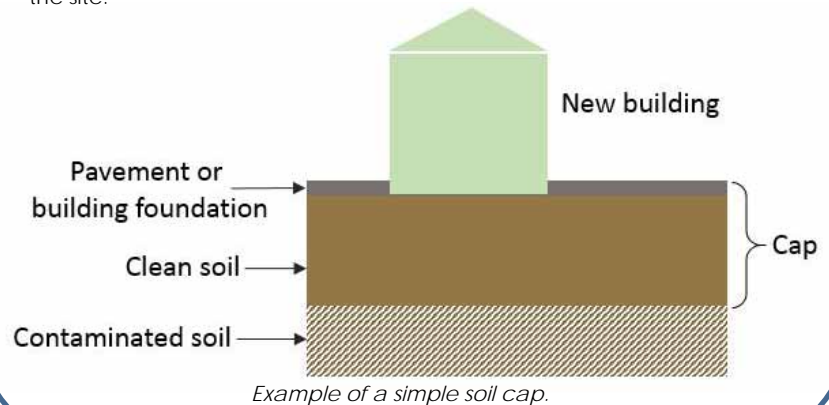
The Port plans to build a warehouse and distribution center on the interim action area. At many cleanup sites, some contamination is left on site when it can be safely contained. When that happens, like in this case, Ecology can use tools called institutional controls to make sure that no one accidentally releases contamination into the environment. At Taylor Way & Alexander Avenue Fill Area, the institutional controls are specially designed caps that cover the contaminated soil and an environmental covenant that restricts certain types of land use and groundwater use on the site.

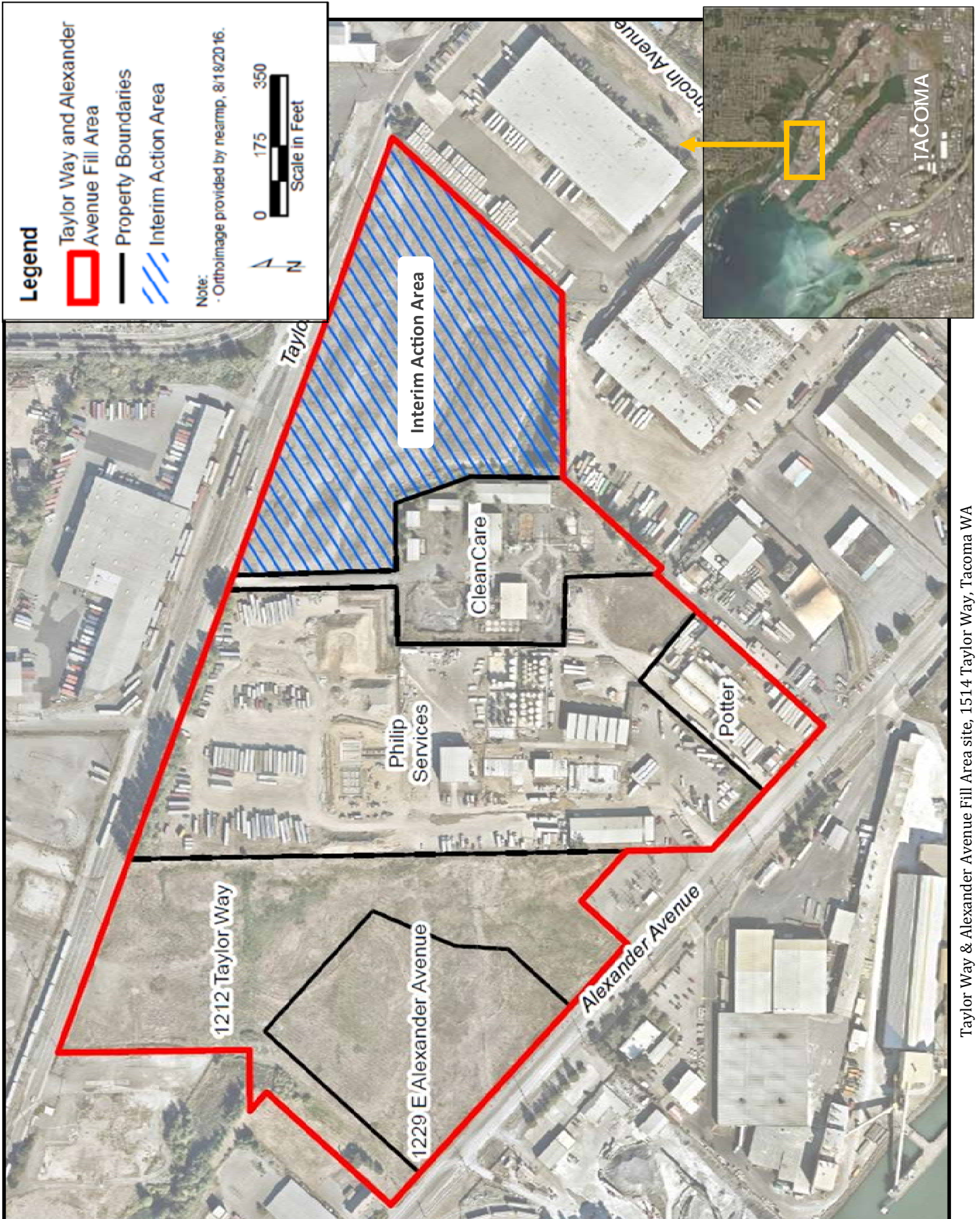
What's next?

After the comment period ends, we will reply to comments we received. Next, we will continue implementing interim action plans. After construction, the port will do the monitoring described in the cleanup plan and file an environmental covenant.

What is capping?

Soil caps cover contaminated material to prevent contamination from spreading, and to protect people and wildlife from exposure. They limit rain and stormwater from carrying contamination offsite, and prevent wind from blowing material offsite. Experts design soil caps to meet the needs of specific sites. They can be simple or complex depending on the nature of the site.





Taylor Way & Alexander Avenue Fill Area site, 1514 Taylor Way, Tacoma WA

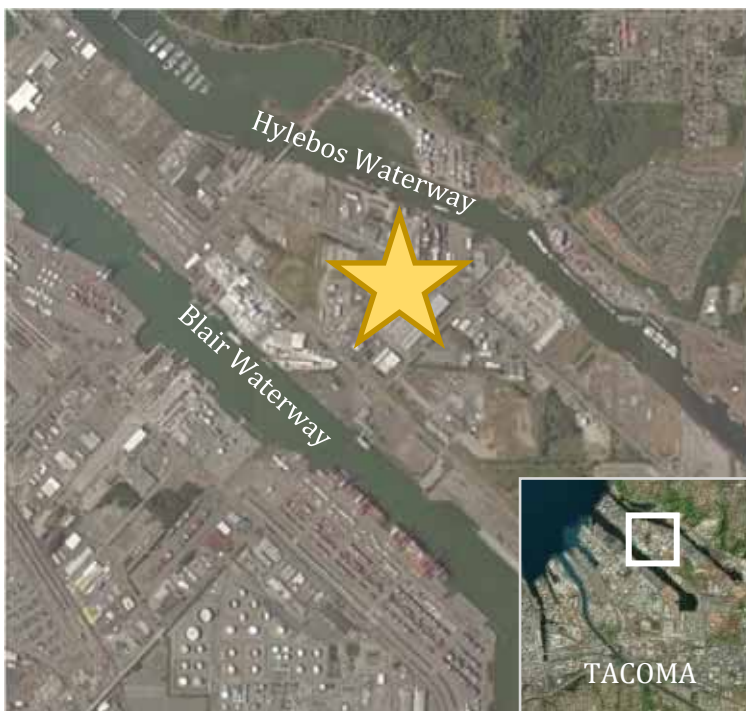




PO Box 47775

Olympia, WA 98504-7775

Join the discussion about cleanup at the Taylor Way & Alexander Ave Fill Area site!



Ecology seeks public comment on cleanup plans

Public Comment Period:
June 22 — July 24, 2017

Facility Site ID #: 1403183
Cleanup Site ID #: 4692

To request ADA accommodation, including materials in a format for the visually impaired, call Ecology at (360) 407-6300.

Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

¿Habla Español? Si necesita esta información en español, contáctenos a preguntas@ecy.wa.gov.