

**Site Cleanup:**

**ANACORTES PORT LOG YARD**

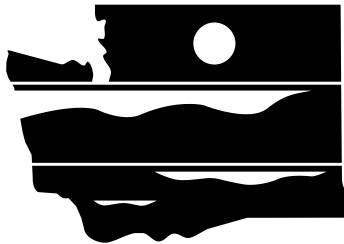
718 4<sup>th</sup> Street  
Anacortes, Skagit County, Washington

**PUBLIC PARTICIPATION PLAN**

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**Prepared by:**

Washington State Department of Ecology



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**September 2014**

## **This plan is for you!**

This Public Participation Plan (Plan) is prepared for the Anacortes Port Log Yard Site cleanup as part of the requirements of the Model Toxics Control Act (MTCA). The Plan provides information about MTCA cleanup actions and requirements for public involvement, and identifies how the Washington State Department of Ecology (Ecology) will support public involvement throughout the cleanup. The Plan is intended to encourage coordinated and effective public involvement tailored to the community's needs at the Anacortes Port Log Yard Site.

For additional copies of this document, please contact:

Washington State Department of Ecology  
Susannah Edwards, Site Manager  
Toxics Cleanup Program  
PO Box 47600  
Olympia, WA 98504-7600  
(360) 407-6798  
Email: [Susannah.edwards@ecy.wa.gov](mailto:Susannah.edwards@ecy.wa.gov)

### **Accommodation Requests:**

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at (360) 407-7170. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

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# 1.0: Introduction and Overview of the Public Participation Plan

This Public Participation Plan (Plan) explains how you can become involved in improving the health of your community. It describes public participation opportunities that will be available during this review period for a site on the Fidalgo Bay waterfront – the Anacortes Port Log Yard Site (Site). The Site is generally located at 718 4<sup>th</sup> Street in Anacortes, Washington. These opportunities are part of a collaborative effort by the Washington State Department of Ecology (Ecology) and Port of Anacortes (Port) to decide on cleanup actions for the Site. Current draft documents for review include:

- Agreed Order - a legal document between Ecology and the Port in which the Port agrees to provide remedial action at the Site where there has been a release or threatened release of hazardous substances.

Cleanup actions, and the public participation process that helps guide them, are established in Washington’s Model Toxics Control Act (MTCA).<sup>1</sup> Under MTCA, Ecology is responsible for providing timely information and meaningful chances for the public to learn about and comment on important cleanup decisions before they are made. The goals of the public participation process are:

- To promote understanding of the cleanup process so that the public has the necessary information to participate.
- To encourage involvement through a variety of public participation opportunities.

This Plan provides a framework for open dialogue about the cleanup among community members, Ecology, and other interested parties. It outlines basic MTCA requirements for community involvement activities that will help ensure that this exchange of information takes place during the investigation and cleanup. These requirements include:

- Notifying the public about available reports and studies about the site.
- Notifying the public about review and comment opportunities during specific phases of the cleanup investigation.
- Providing appropriate public participation opportunities to learn about cleanup documents, and if community interest exists, holding meetings to solicit input and identify community concerns.

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<sup>1</sup> The Model Toxics Control Act (MTCA) is the hazardous waste cleanup law for the State of Washington. The full text of the law can be found in Revised Code of Washington (RCW), Chapter 70.105D. The legal requirements and criteria for public notice and participation during MTCA cleanup investigations can be found in Washington Administrative Code (WAC), Section 173-340-600.

- Considering public comments received during public comment periods.

In addition to these basic requirements, the Plan may include additional site-specific activities to meet the needs of your community. Based upon the type of proposed cleanup action, the level of public concern, and the risks posed by the site, Ecology may decide that more public involvement opportunities are appropriate.

These opportunities form the basis for the public participation process. The intent of this Plan is to:

- Provide complete and current information to all interested parties.
- Let you know when there are opportunities to provide input.
- Provide opportunities to listen to and address community concerns.

### ***Part of the Puget Sound Initiative***

The Site is one of several waterfront sites in Fidalgo and Padilla Bays and is part of a larger cleanup effort called the Puget Sound Initiative (PSI). Washington State established the Puget Sound Initiative to protect and restore Puget Sound. The PSI includes cleaning up 50-60 contaminated sites within one-half mile of the Sound. These sites are grouped in several bays around the Sound for “baywide” cleanup efforts. As other sites in Fidalgo and Padilla Bays move forward into investigation and cleanup, information about them will be provided to the community as well as people and groups who are interested.

### ***Roles and Responsibilities***

Ecology will lead public involvement activities. Ecology maintains overall responsibility and approval authority for the activities outlined in this plan. Ecology and Port of Anacortes are responsible for cleanup at the Site. Ecology will oversee all future cleanup activities and ensure that contamination on the Site is cleaned up to concentrations that are established in state regulations and that protect human health and the environment.

### ***Organization of this Public Participation Plan***

The sections that follow in this Plan provide:

- Section 2: Background information about the Anacortes Port Log Yard Site.
- Section 3: An overview of the local community that this plan is intended to engage.
- Section 4: Public involvement opportunities in this cleanup.

This Plan addresses current conditions at the Site, but it is intended to be a dynamic working document that will be reviewed at each phase of the cleanup and updated as needed. Ecology and the Port of Anacortes urge the public to become involved in the cleanup process.

## 2.0: Site Background

### *Site Description and Location*

The Site is generally located at 718 4<sup>th</sup> Street in Anacortes, Skagit County, Washington, on Fidalgo Bay (see Figure 1). Acquired by the Port in 1965, the Site is at the northern terminus of T Avenue and bound by Guemes Channel to the North. Further investigations will sample upland and in-water areas.



**Figure 1:** The Anacortes Port Log Yard Site is shown in the above map, located at 718 4<sup>th</sup> Street in Anacortes, WA.

## ***General Site History and Contaminants***

The Site is owned by the Port of Anacortes (Port) and was historically used for log handling from the mid-1960's to about 2004. Operations included log rafting and the transfer of logs from water to upland sorting and handling areas on Pier 2. From 1978 to 1979 the Port leased the area to Forest Sales, Inc. for similar uses.

Following the closure of the facility in 2004, the Port led an investigation to assess potential impacts from decades of log handling activities. The investigation found surface sediments containing up to 75 percent wood debris by volume within a matrix of silt and fine sand.

In addition to wood waste, the investigation found levels of organic carbon and volatile solids above recommended levels.

Further investigations from 2008 to 2010 found that sediment samples failed to meet Ecology's regulatory levels: the Sediment Cleanup Objective and Cleanup Screening Levels criteria for benthic invertebrate community health (i.e., living in or near marine sediments). These investigations also indicated the site may contain dioxins/furans at levels that exceed human health risk based sediment cleanup levels.

## ***The Cleanup Process***

Washington State's cleanup process and key opportunities for you to provide input are outlined in Figure 2 on page 12. The general cleanup process includes the following steps:

- Remedial Investigation (RI) – investigates the site for types, locations, and amounts of contaminants.
- Feasibility Study (FS) – identifies cleanup options for those contaminants.
- Cleanup Action Plan (CAP) – selects the preferred cleanup option and explains how cleanup will be conducted.

Each of these steps is generally documented in reports and plans that will be available for public review. Public comment periods of at least 30 calendar days are usually conducted for the following documents:

- Draft RI report
- Draft FS report
- DCAP

These comment periods may be conducted separately or combined.



Steps in the cleanup process and related documents are described in greater detail in the following subsections.

### ***Interim Actions***

Interim actions may be completed during the cleanup if required by Ecology. An interim action partially addresses the cleanup of a site, and may be conducted if:

- It is technically necessary to reduce a significant threat to human health or the environment.
- It corrects a problem that may become substantially worse or cost substantially more to fix if delayed.
- It is needed to complete another cleanup activity, such as design of a cleanup plan.

The forthcoming RI/FS work plan will evaluate whether an Interim Action is appropriate for the Site.

### ***Overview of Agreed Order***

The proposed agreement, called an Agreed Order, is a legal document between Ecology and the Port which agrees to provide remedial action at the Site where there has been a release or threatened release of hazardous substances.

The Agreed Order describes the studies that the Potentially Liable Persons, the Port, agree to perform on the Site. The Agreed Order provides guidance on the following studies and documents:

- **Draft Remedial Investigation/Feasibility Study (RI/FS)** – This document explains the work needed to look for, identify, and analyze contamination at the Site.
- **Draft Final Cleanup Action Plan (DCAP)** – This document uses RI/FS information to identify a preferred cleanup action at the Site and sets a schedule to remove and treat the contamination.

## **3.0: Community Profile**

### ***Community Profile***

Anacortes is Skagit County's second largest city and its largest seaport. It is the principal city on Fidalgo Island. The current population is approximately 16,048 people (about 7,680 households)<sup>2</sup> situated within about 12 square miles. Located on Fidalgo Bay, Anacortes has 12.5 miles of saltwater shoreline which support three Port of Anacortes marine terminals, a shipyard, several yacht and mid-size boat building and sales operations, and four private marinas. In addition to the City's modern educational and health care facilities, four freshwater lakes and 3,300 acres of city-owned forestland and parks create a rural character in the community. The City's 2006 labor workforce was more than 7,000, predominantly employed in manufacturing, accommodations/food service, retail, and health care.<sup>3</sup>

### ***Key Community Concerns***

An important part of this Plan is to identify key community concerns for the cleanup site. Many factors are likely to raise community questions, such as the amount of contamination, how much contamination has been cleaned up and what remains, and future use of the Site. Community concerns often change over time as new information is learned and questions are answered. Identifying site-specific community concerns at each stage of the cleanup process helps ensure that they are adequately addressed. On-going key community concerns will be identified for the Anacortes Port Log Yard Site through public comments and other opportunities, as detailed in Section 4.

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<sup>2</sup> US Census Bureau, State & County QuickFacts, *available at* <http://quickfacts.census.gov/qfd/states/53/5301990.html> (Accessed 07/29/14).

<sup>3</sup> Anacortes Chamber of Commerce web site, *available at* <http://www.anacortes.org/uploads/Community%20Profile.pdf> (Accessed 07/29/14).

## **4.0: Public Participation Opportunities**

Ecology and Port of Anacortes invite you to share your comments and participate in the cleanup in your community. As we work to meet our goals, we will evaluate whether this public participation process is successful. This section describes the public participation opportunities for the Site.

### ***Measuring Success***

We want this public participation process to succeed. Success can be measured, at least in part, in the following ways:

- Number of written comments submitted that reflect understanding of the cleanup process and the site.
- Direct, in-person feedback about the site cleanup or public participation processes, if public meetings are held.
- Periodic updates to this Plan to reflect community concerns and responses.

If we are successful, this process will increase:

- Community awareness about plans for cleanup and opportunities for public involvement.
- Public participation throughout the cleanup.
- Community understanding regarding how their input will be considered in the decision-making process.

### ***Activities and Information Sources***

#### **Ecology Contacts**

Ecology is the lead contact for questions about the cleanup in your community. The Ecology staff person identified in this section is familiar with the cleanup process and activities at the Site. For more information about public involvement or the technical aspects of the cleanup, please visit our website at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3604>, or contact:

Susannah Edwards, Site Manager  
Department of Ecology  
Toxics Cleanup Program  
PO Box 47600  
Olympia, WA 98504-7600  
Phone: (360) 407-6798  
Email: [Susannah.edwards@ecy.wa.gov](mailto:Susannah.edwards@ecy.wa.gov)

## Ecology's Webpage

Ecology has created a webpage to provide convenient access to information. Documents such as the Agreed Order are posted as they are issued during the investigation and cleanup process. Visitors to the webpage can find out about public comment periods and possible meetings; download, print, and read information; and submit comments via email. The webpage also provides links to detailed information about the MTCA cleanup process. The Anacortes Port Log Yard Site webpage is available at the following address:

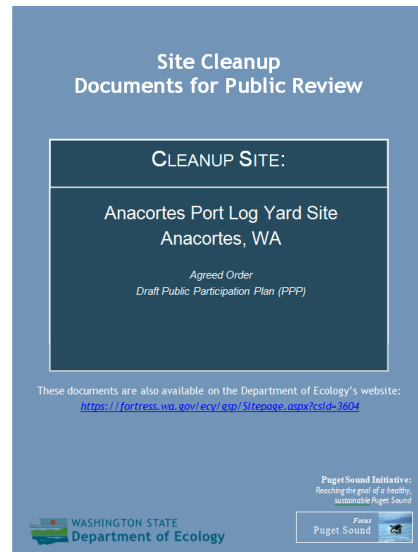
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3604>

## Information Centers/Document Repositories

The most comprehensive source of information about the Site is the information center or document repository. Two repositories provide access to the complete list of site-related documents. All Site investigation and cleanup activity reports will be kept in print at those two locations and will be available for your review. They can also be requested on compact disk (CD). Document repositories are updated before public comment periods to include the relevant documents for review. Documents remain at the repositories throughout the investigation and cleanup. For the Site, the document repositories are:

- **Anacortes Public Library**  
1220 10<sup>th</sup> Street  
Phone: (360) 293-1910  
Web:  
<http://library.cityofanacortes.org/client/default>
- **Department of Ecology Headquarters**  
300 Desmond Drive  
Lacey, WA 98503  
By appointment. Please contact Carol Dorn at (360) 407-7224 or [Carol.Dorn@ecy.gov](mailto:Carol.Dorn@ecy.gov).

Look for document covers much like the illustration on the right.



## Public Comment Periods

Public comment periods provide opportunities for you to review and comment on major documents when they are available, such as the draft Consent Decree, draft RI, draft FS, DCAP and draft Public Participation Plan. The typical public comment period is 30 calendar days.

## *Notice of Public Comment Periods*

Notices for each public comment period will be provided by local newspaper and by mail. These notices indicate the timeframe and subject of the comment period, and explain how you can submit your comments.

For the Anacortes Port Log Yard Site, a newspaper notice will be posted in American Anacortes, Skagit Valley Herald, and the Clamdigger.

Notices are also sent by regular mail to the local community and interested parties. The local community typically includes all residential and business addresses within one-quarter mile of the site, as well as potentially interested parties such as public health entities, environmental groups, and business associations.

## *Fact Sheets*

One common format for public comment notification is a fact sheet. Like the newspaper notice, fact sheets explain the timeframe and purpose of the comment period, but also provide background and a summary of the document(s) under review. Future fact sheets will be prepared at key milestones in the cleanup process.

## **MTCA Site Register**

Ecology produces an electronic newsletter called the MTCA Site Register. This semi-monthly publication provides updates of the cleanup activities occurring throughout the state, including public meeting dates, public comment periods, and cleanup-related reports. Individuals who would like to receive the MTCA Site Register can sign up three ways:

- Call (360) 407-6848
- Send an email request to [spre461@ecy.wa.gov](mailto:spre461@ecy.wa.gov)
- Register online at [http://www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html)

## **Mailing Lists**

Ecology maintains both email and regular mail distribution lists throughout the cleanup process. The lists are created from carrier route delineations for addresses within one-quarter mile of the Site; potentially interested parties; public meeting sign-in sheets; and requests made in person or by regular mail or email. You may request to be on a mailing list by contacting the Ecology staff person listed earlier in this section.

## **Optional Public Meetings**

A public meeting will be held during a comment period if requested by ten or more people, or if Ecology decides it would be useful. Public meetings provide additional opportunity to learn about the investigation or cleanup, and to enhance informed comment. If you are interested in a public meeting about the Site, please contact the Ecology staff listed earlier in this section.

### **Submitting Comments**

You may submit comments by regular mail or email during public comment periods to the Ecology Project Manager listed earlier in this section.

### **Response to Comments**

Ecology will review all comments submitted during public comment periods, and will modify documents as necessary. You will receive notice by regular mail or email that Ecology has received your comments, along with a general explanation about how the comments were addressed and where the revised document can be found.

### **Other**

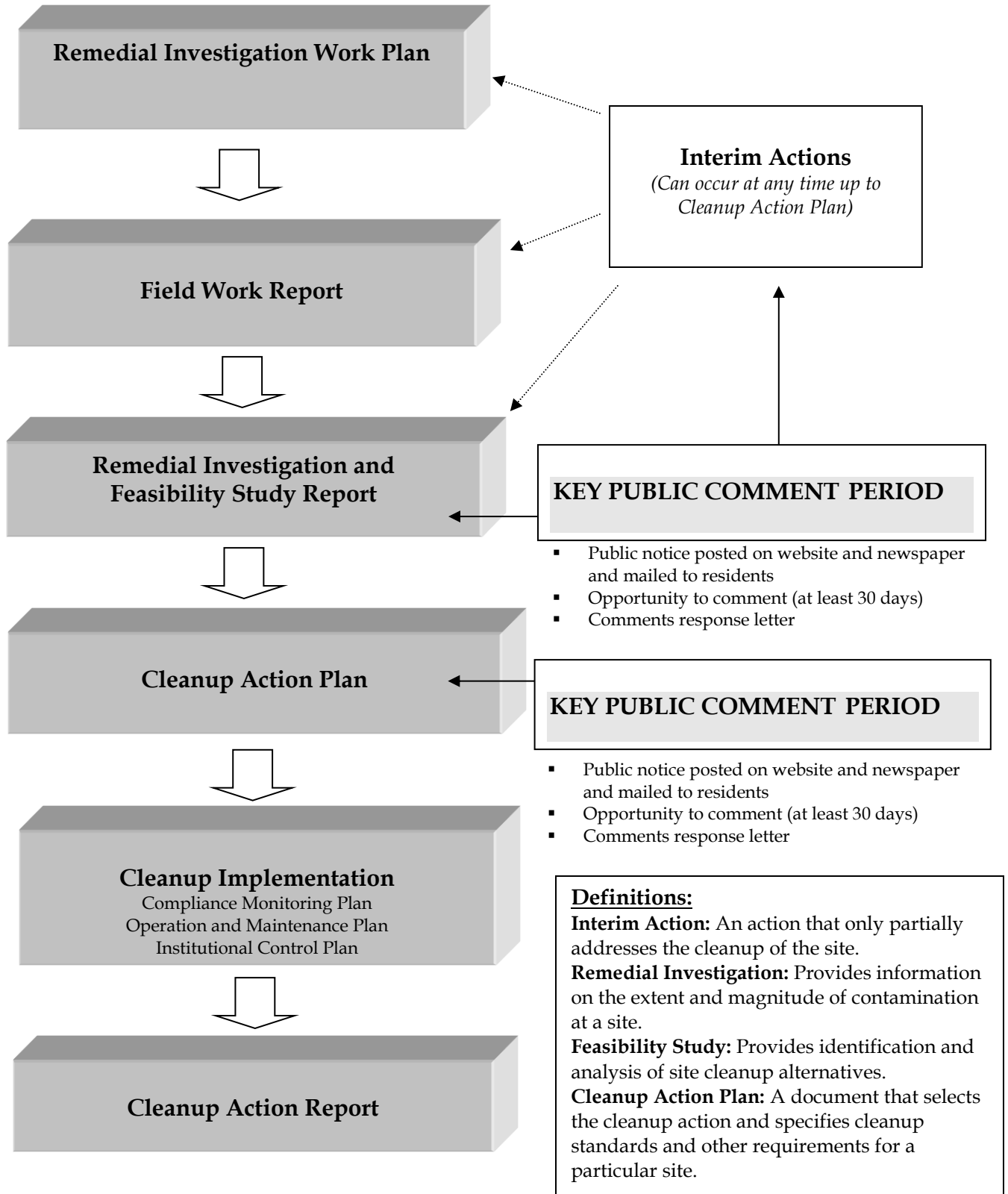
Ecology is committed to the public participation process and will consider additional means for delivering information and receiving comments, including combining public comment periods for other actions (such as those associated with the State Environmental Policy Act).

### ***Public Participation Grants***

You are eligible to apply for a Public Participation Grant from Ecology approximately every two years to provide funding for additional public participation activities. Those additional activities will not reduce the scope of the activities defined by this Plan. Activities conducted under this Plan would coordinate with the additional activities defined under the grant.

Visit [www.ecy.wa.gov/programs/swfa/grants/ppg.html](http://www.ecy.wa.gov/programs/swfa/grants/ppg.html) for more information about Ecology's Public Participation Grants.

**Figure 2: Washington State Cleanup Process**



## Glossary

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

**Cleanup Action:** Any remedial action except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with MTCA cleanup requirements, including but not limited to: complying with cleanup standards, utilizing permanent solutions to the maximum extent practicable, and including adequate monitoring to ensure the effectiveness of the cleanup action.

**Cleanup Action Plan:** A document that selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the cleanup action plan, Ecology finalizes the cleanup action plan.

**Cleanup Level:** The concentration (or amount) of a hazardous substance in soil, water, air, or sediment that protects human health and the environment under specified exposure conditions. Cleanup levels are part of a uniform standard established in state regulations, such as MTCA.

**Cleanup Process:** The process for identifying, investigating, and cleaning up hazardous waste sites.

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

**Feasibility Study:** Provides identification and analysis of site cleanup alternatives and is usually completed within a year. The entire Remedial Investigation/Feasibility Study (RI/FS) process takes about two years and is followed by the cleanup action plan. Remedial action evaluating sufficient site information to enable the selection of a cleanup action plan.

**Hazardous Site List:** A list of ranked sites that require further remedial action. These sites are published in the Site Register.

**Interim Action:** Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.



**Model Toxics Control Act:** Refers to RCW 70.105D. Voters approved it in November 1988. The implementing regulation is WAC 173-340 and was amended in 2001.

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

**Public Participation Plan:** A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

**Release:** Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

**Remedial Action:** Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance, and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

**Remedial Investigation:** Any remedial action that provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the Remedial Investigation/Feasibility Study is to collect and develop sufficient site information to enable the selection of a cleanup action.