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**EXHIBIT D.  
Public Participation Plan**

**Public Participation Plan**  
**Kent Facility Parcel G Remedial Action**

**Introduction and Overview**

This Public Participation Plan (Plan) outlines the public involvement activities for the draft Consent Decree, Cleanup Action Plan, Focused Remedial Investigation/Feasibility Study (FRI/FS), and the SEPA Checklist for Parcel G of the Kent Facility, owned by BSB Diversified Company, Inc. and located in Kent, Washington (the Property). The Property is a portion of a larger site as defined under the Model Toxics Control Act (MTCA), RCW Chapter 70.105D and WAC Chapter 173-340, that includes the Property; Parcels A through E owned by the Hexcel Corporation; Parcel F, owned by Carr Prop II, LLC; and wherever hazardous substances from releases on Parcels A through G have come to be located. The legal agreement, called a Consent Decree, between Ecology and BSB Diversified Company, Inc. (BSB), will ensure that the cleanup meets the requirements of MTCA. The Cleanup Action Plan, which is being implemented under the Consent Decree, describes the Ecology-approved cleanup action and the work to be performed at the Property. The FRI/FS describes the investigation of the Property and the selection process for the cleanup action. The SEPA checklist describes the potential environmental impacts of Ecology's cleanup decisions. For more information about the Property's history and previous and ongoing remedial actions, please review the Consent Decree, Cleanup Action Plan and FRI/FS, and the SEPA Checklist.

The Property is also permitted as a dangerous waste management facility (for corrective action only) under the Hazardous Waste Management Act (HWMA), RCW Chapter 70.105, and the Dangerous Waste Regulations, WAC Chapter 173-303. BSB is the owner/operator under Dangerous Waste Management Permit for Remedial (Corrective) Action, I.D. Number WAD 07 665 5182, issued November 10, 2005 ("Permit"). Ecology intends for the Ecology-approved cleanup work implemented under the Consent Decree to satisfy BSB's obligation to perform

corrective action under the Permit. After the Consent Decree is entered with the court, Ecology intends to modify the Permit to incorporate the cleanup action obligations and schedules of the Decree into the Permit.

The activities set forth in this Plan are designed to involve the affected community in the cleanup and permit process in a meaningful way and at facilitating open communication among the community, Ecology, and BSB.

While certain aspects of a public participation plan are prescribed by regulation, this Plan has been tailored to meet the needs of the public based on the stage and nature of the cleanup, the level of public concern and the risks posed by the site.

### **Public Involvement**

Ecology uses a variety of tools that are aimed at facilitating public participation in the planning and cleanup of a MTCA site. The following is a list of these tools, their purpose and when and how they will be used during this site cleanup.

### **Formal Public Comment Period**

Comment periods are the primary way Ecology obtains feedback from the public on proposed cleanup decisions. Comment periods usually last 30 days and are required at key points of the cleanup process before final decisions are made. During a comment period, the public can comment in writing. Oral comments are taken if a public hearing is held.

For the proposed cleanup action, a 30-day public comment period is anticipated to begin by mid-April 2008 and end by mid-May 2008. During this time, the community will have the opportunity to comment on the draft Consent Decree, the Cleanup Action Plan, the FRI/FS, the SEPA checklist and this Public Participation Plan.

## **Public Meetings and Hearings**

Under MTCA, if ten or more people request a public hearing during the public comment period, Ecology will hold a public hearing for the purpose of taking oral comments on the draft documents on or about May 20, 2008.

## **Responsiveness Summaries**

After every public comment period, Ecology reviews and responds to all comments received, both oral and written, in a responsiveness summary. Ecology considers changes or revisions based on the input from the public. If significant changes are recommended by Ecology, then a second comment period is held. If no significant changes are recommended, then the Consent Decree is considered final and is signed by a judge in the Washington State Superior Court in King County. After the Consent Decree is signed by the judge, Ecology will amend the HWMA/RCRA Permit by issuing a Class 1 modification. All of those who submit comments will be advised when the responsiveness summary is available. The responsiveness summary also will be made available at the Information Repository listed below.

## **Information Repositories**

Information repositories are convenient places where you may review site information. The information repositories are often at Ecology offices, libraries or community sites where the public has access. During the comment period, the site documents will be available for review at each repository. Documents remain at the repository for the duration of the cleanup. Ecology's Central Files can make copies of documents for a fee.

For this site, drafts of the documents will be available for public review at Ecology's Northwest Regional Office in Bellevue, Washington. In addition, copies of all public notices, fact sheets, and press releases; all quality-assured monitoring data; remedial action plans and reports, supplemental remedial planning documents, and all other similar documents relating to

performance of the remedial action required by the Consent Decree will be promptly placed in the repository at Ecology's Northwest Regional Office: 3190 160<sup>th</sup> Avenue SE, Bellevue, WA 98008.

### **Site Register**

One of the communication tools of Ecology's Toxics Cleanup Program is the Site Register. All public meetings and comment periods as well as many other activities are published in this bimonthly report. The public comment period for this site will be announced in an upcoming edition of the Site Register. To receive the Site Register, contact Carol Dorn at (360) 407-7224 or register at [www.ecy.wa.gov/programs/tcp/pub\\_inv/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html).

### **Mailing List**

Ecology has compiled a mailing list for the site. The list includes all residences and businesses adjacent to the site, individuals, groups, public agencies, elected officials, and private businesses and industries that request site-related mailings, as well as other known interested parties. The list will be maintained at Ecology's Northwest Regional Office and will be updated as needed. Everyone on the list will be notified by Ecology of their opportunity to comment on the draft Consent Decree, Cleanup Action Plan, FRI/FS, and SEPA Checklist.

### **Fact Sheets**

Fact sheets are site-specific newsletter like publications that are mailed to interested persons, business and government agencies in and around affected communities. The fact sheet is used to inform them of comment periods and important site activities. Fact sheets are also used to informally update the community on the progress of the site cleanup.

### **Amendments to Plan**

The Cleanup Action Plan may be updated as the project proceeds. If the Cleanup Action

Plan is substantially amended, the revised plan will be submitted to the public for comment.

**Public Points of Contact**

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