



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Public Participation Plan**

### **Kaiser Mead National Priorities List Site**

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*Facility Site ID: 3*

*Cleanup Site ID: 2901*

March 2019



## Contact Information

This plan is available on the Department of Ecology's website at:  
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2901>

For more information contact:

Industrial Section  
P.O. Box 47600  
Olympia, WA 98504  
360-407-6999

Washington State Department of Ecology – [www.ecology.wa.gov](http://www.ecology.wa.gov)

- Headquarters, Olympia 360-407-6000
- Northwest Regional Office, Bellevue 425-649-7000
- Southwest Regional Office, Olympia 360-407-6300
- Central Regional Office, Union Gap 509-575-2490
- Eastern Regional Office, Spokane 509-329-3400

*To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.*

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## Public Involvement in Contamination Cleanup

The Washington State Department of Ecology (Ecology) developed this public participation plan (plan) in cooperation with the Mead Custodial Trust, the legal entity created to manage the cleanup activities at the site in Mead when Kaiser Aluminum went bankrupt. The purpose of the plan is to promote meaningful community involvement during cleanup.

Ecology encourages the public to learn about and get involved in decision-making opportunities. This plan:

- Describes ways we will inform the public about cleanup activities at the site.
- Identifies how and when the public can get involved during different stages of the investigation and cleanup of contamination.

This plan is for the Supplemental Remedial Actions for the Kaiser Mead National Priority List (NPL) site.

### Site contacts

To be included in the site record, comments about the cleanup process must be submitted during comment periods. Questions and informal comments or information about the site's history are welcome anytime.

#### Ecology

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#### Mead Custodial Trust

Mead Custodial Trust  
606 Columbia St NW, Suite 212  
Olympia, WA 98501

Daniel J. Silver, Custodial Trustee  
danieljsilver@msn.com  
360-754-9343

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## Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups interested in the site. For contaminated sites, these funds can be used to:

- Hire an expert to help interpret technical information
- Conduct activities that enhance the public's understanding of, and participation in, the cleanup process

For more information about public participation grants, please contact Lynn Gooding at 360-407-6062 or [lynn.gooding@ecy.wa.gov](mailto:lynn.gooding@ecy.wa.gov). You may also visit the [Public Participation Grant website](#).<sup>1</sup>

## Washington's Cleanup Law

Ecology uses the Model Toxics Control Act (MTCA) and accompanying regulations for cleanup activities in Washington. The United States Environmental Protection Agency (EPA) placed the Kaiser Mead site on the National Priorities List (NPL) in 1983 making it a federal "Superfund" site and also subject to the federal cleanup law known as the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Kaiser Aluminum declared bankruptcy in 2002. In 2004, Ecology and the EPA entered into a legal agreement (called a consent decree) with the bankruptcy court to address the contamination issues at the site. The consent decree identifies Ecology as the lead oversight agency for the cleanup with EPA in a supporting role.

This plan is required under MTCA, a state law that passed in 1989. MTCA provides guidelines for contaminated site cleanup in Washington State and sets standards to ensure the cleanup protects human health and the environment.

## Model Toxics Control Act (MTCA)

MTCA began as a grassroots citizen's initiative in 1988, and started the process of systematically cleaning up contaminated sites in Washington. Under MTCA, a current or past property owner or operator may be held responsible for cleaning up contamination on, or coming from, their property to standards that are safe for human health and the environment.

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<sup>1</sup> [ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants](http://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants)

Ecology administers MTCA and oversees cleanups in the state and issues regulations and guidance governing those cleanups. The regulations are found in [Chapter 173-340 Washington Administrative Code \(WAC\)](#).<sup>2</sup> Ecology investigates reports of property contamination, and if the contamination is seen as a significant threat to human health or the environment, the contaminated property is placed on the Hazardous Sites List, and the cleanup process begins.

Public participation is an important part of cleanup under the MTCA process. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk posed by the contamination. Individuals who live near the site, community groups, businesses, government, other organizations, and interested parties have the opportunity to get involved by commenting on the cleanup process.




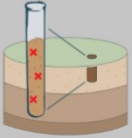





Under MTCA, the cleanup process generally includes five phases. Each phase includes an opportunity for the public to review and comment on cleanup documents.

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<sup>2</sup> <https://fortress.wa.gov/ecy/publications/publications/9406.pdf>



## Steps in Washington's Cleanup Process

 <p><b>Interim Action</b></p>		<p>These actions can be taken at any point in the cleanup process to reduce risk to people or the environment.</p>
 <p><b>Remedial Investigation (RI)</b></p>		<p>Environmental investigation to identify the nature, extent, and magnitude of pollution at a site, and how people, plants, and animals may be exposed to the pollution.</p>
 <p><b>Feasibility Study (FS)</b></p>		<p>Uses information gathered during the Remedial Investigation to develop cleanup alternatives, and then evaluates them through an environmental benefit vs. cost analysis. This process determines a preferred alternative.</p>
 <p><b>Cleanup Action Plan (CAP)</b></p>		<p>Ecology identifies a cleanup plan based on information in the RI/FS and public input. The CAP includes cleanup standards, a schedule for design and construction work, and requirements for monitoring, operation, and maintenance.</p>
<p><b>Cleanup &amp; Monitoring</b></p>		<p>The CAP is used to clean up the site. After construction is complete, monitoring occurs. Environmental covenants prohibit or restrict activities that would expose any remaining contamination or adversely affect the cleanup.</p>

 Opportunities for public comment

Figure 1. Steps in Washington's Cleanup Process

## State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans.

## Site History

### Land use

The aluminum smelter was built by the United States government on about 240 acres of undeveloped land in 1942 to provide aluminum for aircraft used in World War II. It was originally operated by ALCOA. Kaiser Aluminum purchased the smelter in 1946. The company permanently closed the smelter in 2000 and filed for bankruptcy in 2002.

The Kaiser Mead NPL site covered by this plan includes about 50 acres owned by the Mead Custodial Trust and the area of groundwater contamination.

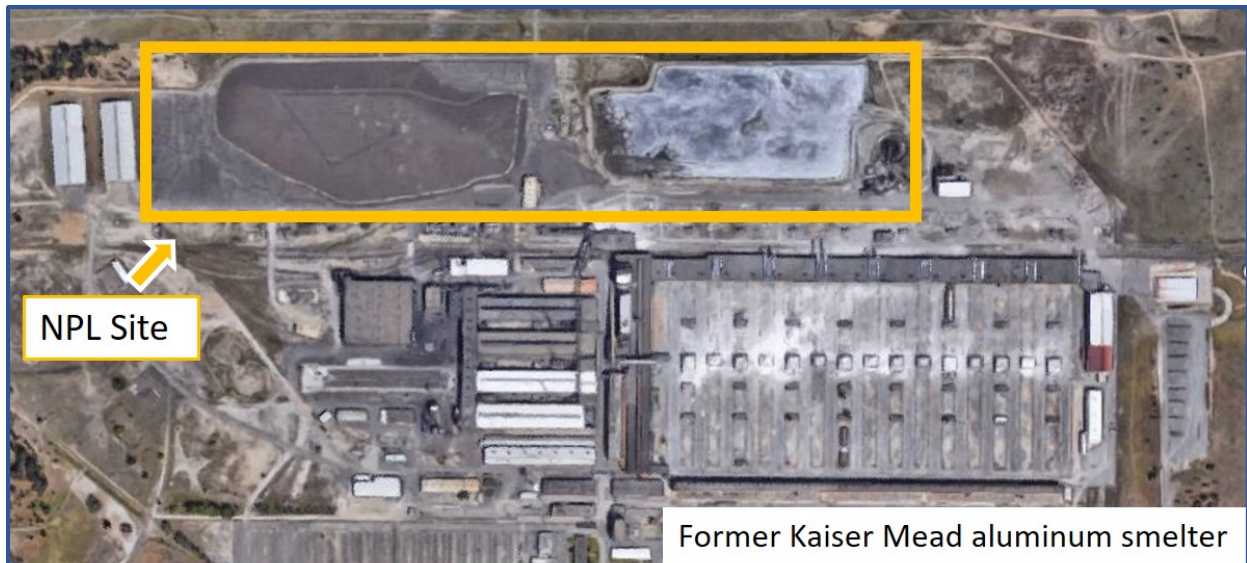
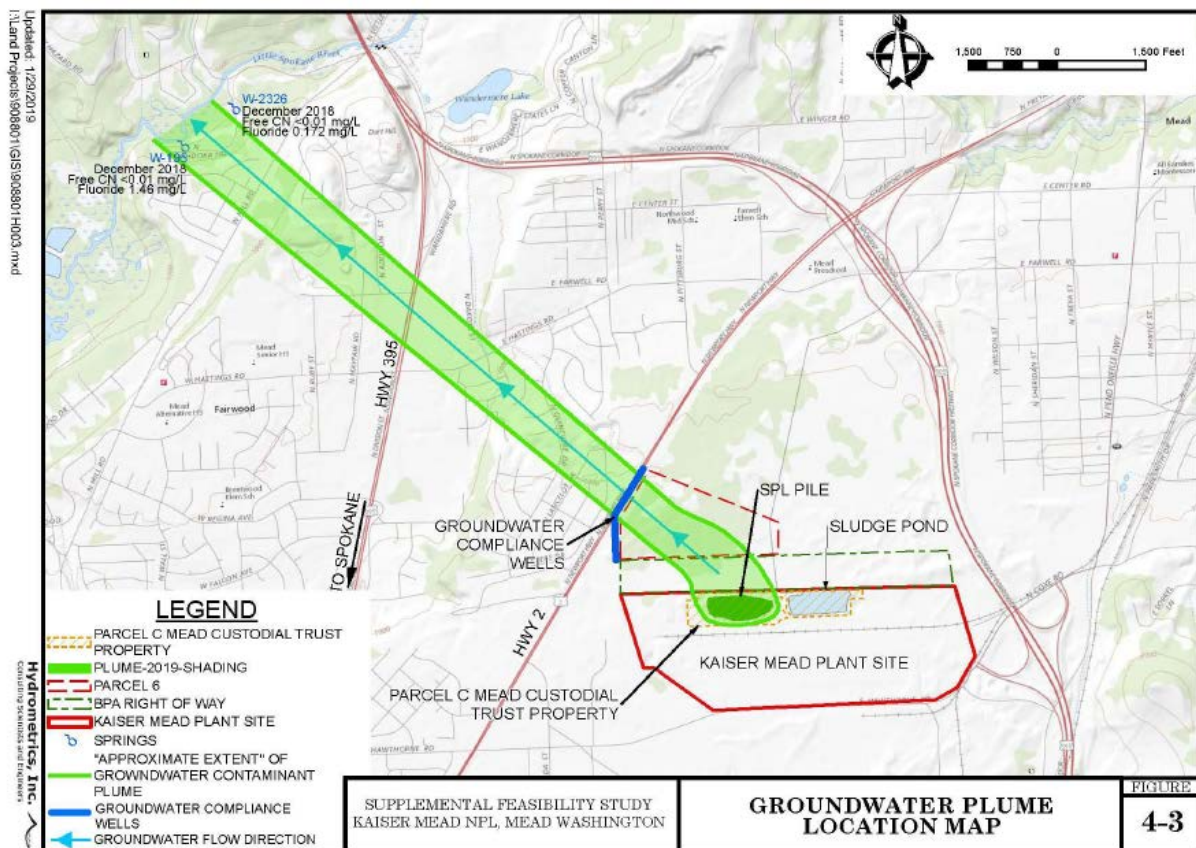


Figure 2. Aerial view of former Kaiser Mead aluminum smelter



**Figure 3. Map of Former Kaiser Mead aluminum smelter NPL site groundwater plume**

The remainder of the former Kaiser Aluminum Mead plant was sold through the bankruptcy process, is under separate ownership and not part of this cleanup.

## How the site became contaminated

The Kaiser Aluminum Company produced aluminum at the site for more than 50 years. Waste handling practices used from the 1940s to the late 1970s led to contamination of soil and groundwater.

## Contamination

One of the byproducts of aluminum production was “spent potliner” (SPL), the lining material used in the aluminum production pots. SPL contains significant concentrations of cyanide and fluoride. For many years when a production pot failed, the company would remove the pot, move it to an area to the northwest of the production area and fill it with water to loosen the potliner. After soaking, the water and spent potliner was dumped on the ground and the shell was reused.

Over time, these activities led to high levels of cyanide and fluoride in the soil and groundwater underneath a pile of SPL and other wastes.

## **Cleanup plans**

In the late 1970s Kaiser discovered that their waste management practices were impacting nearby wells. Further investigation found that the contamination could be measured in groundwater all the way to springs next to the Little Spokane River.

Since then, a number of actions have been taken address the problem.

- Kaiser worked with the local health department to notify well owners, and provide new water sources to impacted properties.
- Ecology ordered the company to change their waste management practices and investigate the extent of contamination and possible cleanup options.
- Studies were conducted of the potential impacts to fish and wildlife in the Little Spokane River.
- The wastes remaining at the site were capped to prevent further leaching of contamination and a program to monitor groundwater was put in place.
- New development in the area was required to hook up to public water systems to ensure there would be no new users of the contaminated groundwater.

Ecology was working with the company to investigate and cleanup the property when Kaiser filed for Chapter 11 bankruptcy in 2002. In an effort to secure funding for environmental cleanup after Kaiser declared bankruptcy, the EPA and Ecology entered into a consent decree through the bankruptcy court which created the Mead Custodial Trust, secured funds for cleanup activities and purchased an insurance policy to pay for further cleanup of groundwater, if needed.

While the cleanup actions already taken have helped control the risk posed by the site, levels of contamination in the groundwater have not declined as quickly as expected. Ecology believes there is more that should be done to clean up the aquifer. Ecology is proposing an Interim Action to install a groundwater treatment system.

## **Area community**

Mead is an unincorporated suburb of Spokane. While formerly largely an industrial and undeveloped area, the community in the vicinity of the site is now predominantly a mix of suburban residential and commercial development. The site itself is still zoned for industrial activities, but the zoning in the area impacted by the groundwater plume allows residential and commercial land uses. Recent

development in the area includes a Costco Warehouse approximately a half mile to the north of the site and new residential construction along N. Perry Street approximately two miles north and west of the site.

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.<sup>3</sup> While Spokane county is ethnically diverse, with the Russian, Vietnamese, and Spanish being the most widely spoken non-English languages, this is not the case in the city of Mead area. English is spoken in most households.<sup>4</sup>

Based on community interaction, Ecology identified a rise in homeless population in the area around the site. Ecology will ensure public notice information is posted at the site and will reach out to community organizations working with the homeless population as needed.

We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

The Spokane Tribe is a federally recognized tribe that relies on resources that could be affected by the contamination. Ecology has contacted the Tribe and offered to consult with them on a government-to-government basis regarding the site.

## **Public Participation Activities**

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties do not need to wait for a formal public comment period to contact Ecology.

However, to be included in the formal site record, comments about the site investigation, cleanup alternatives, or cleanups must be submitted during formal comment periods. In addition, the public is invited to review site documents before they become final. This is the most direct and influential way to learn more about the site and be involved in the cleanup's decision-making.

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<sup>3</sup> Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).

<sup>4</sup> United States Census American Fact Finder Database. 2017 ACS 5-year estimates on English Usage and Language Spoken at Home in Mead CDP, Washington.

## How we share information with the community

During specific stages of the cleanup, Ecology will mail notices about public comment periods to addresses surrounding the site. The mailing list area will vary depending on the type of contamination and where it's located, but the list will at least include addresses within a 1/4-mile radius of the site and other interested organizations and individuals. These notices will provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings or how to request one if not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the site's status. These informational documents will be available online and at document repositories. Print copies may be mailed to the nearby community if we feel the message warrants the associated cost and resources.

Comment period notices and other site announcements may also be posted in various locations throughout the community (for example, local businesses, schools, libraries).

### Postal mailing list

Ecology maintains a mailing list that includes addresses within a 1/4-mile of the site, and relevant local, state, and federal government contacts.

These people receive public comment notices when draft documents are available.

We will add additional individuals, organizations, and other interested parties to the interested list as requested. If you would like to be added, please contact Angie Fritz at 360-407-7393 or [angela.fritz@ecy.wa.gov](mailto:angela.fritz@ecy.wa.gov).

### Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).<sup>5</sup> To receive the *Site Register* by email, please contact Sarah Kellington at 360-407-7466 or [sarah.kellington@ecy.wa.gov](mailto:sarah.kellington@ecy.wa.gov), or [subscribe online](#).<sup>6</sup>

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<sup>5</sup> [ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data](http://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data)

<sup>6</sup> <http://listserv.wa.gov/cgi-bin/wa?SUBED1=siteregister&A=1>

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## Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the Spokesman-Review. We will also publish notice on our [Public Input & Events Listing](#).<sup>7</sup>

## Ecology's website and social media platforms

We maintain a [website for this site](#).<sup>8</sup> The website provides site information, and you may download cleanup documents.

We may also share information about cleanup sites through [news releases, our ECOconnect blog, and social media](#).<sup>9</sup>

## Document repositories

During public comment periods, you can find print documents at the following locations:

North Spokane Public Library  
44 E Hawthorne Rd  
Spokane, WA 99218  
509-893-8350

Washington Department of Ecology  
Industrial Section  
300 Desmond Drive SE  
Lacey, WA 98503  
360-407-6916

If you would like to review documents, you may do so using one of the following options.

- [Submit a request online](#) <sup>10</sup>,
- E-mail your request to [PublicRecordsOfficer@ecy.wa.gov](mailto:PublicRecordsOfficer@ecy.wa.gov)

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<sup>7</sup> [ecology.wa.gov/Events/Search/Listing](http://ecology.wa.gov/Events/Search/Listing)

<sup>8</sup> <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2901>

<sup>9</sup> [ecology.wa.gov/About-us/Get-to-know-us/News](http://ecology.wa.gov/About-us/Get-to-know-us/News)

<sup>10</sup> <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests/Request-form-for-public-records>

- Mail your request to:

Public Records Officer  
WA Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

You may download Ecology's [Record Request Form \(pdf\)](#)<sup>11</sup> and use it to submit your request by e-mail or mail.

## **Signs around the cleanup site**

We may also install signs displaying information about project status, traffic impacts, and health risks around the cleanup site.

## **How to share information with us**

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods SEPA documents. SEPA documents are often made available for review with other cleanup documents. We may hold comment periods longer than 30 days.

We may also identify public concerns and cleanup goals by meeting with and soliciting information from interested community members and organizations. To collaborate with us about this site, please contact Angie Fritz at 360-407-7393 or [angela.fritz@ecy.wa.gov](mailto:angela.fritz@ecy.wa.gov).

## **Public comment periods**

Formal 30-day comment periods allow interested members of the public to comment on draft documents, legal agreements, and proposed cleanup actions. If there is significant interest, Ecology may extend the public comment period. When Ecology oversees SEPA determinations, we hold comment periods for at least two weeks.

Following a comment period, we publish all the input we received and respond to significant comments and questions. If the comments result in significant changes to the cleanup documents, then the documents will be revised and re-issued for public review. If the comments do not result in significant changes, then they become final.

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<sup>11</sup> <https://fortress.wa.gov/ecy/publications/summarypages/ecy01037.html>



## Public events

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if 10 people request it, and this may cause us to extend a public comment period so the meeting occurs during it.

Events are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

## Plan Amendments

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Angie Fritz at 360-407-7393 or [angela.fritz@ecy.wa.gov](mailto:angela.fritz@ecy.wa.gov).

This plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us.

If you feel the planned outreach activities and mechanisms described in this plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach tools established as a result can be implemented right away, with or without amending this plan.