



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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April 1, 2019

Erik Gerking  
Port of Everett  
1205 Craftsman Way  
Everett, WA 98201-1588

Carol Wiseman  
Weyerhaeuser NR Company  
220 Occidental Ave. South  
Seattle, WA 98104

**Re: March 27, 2019 meeting to discuss Ecology's comments on the Upland RI data report for the Weyerhaeuser Mill A Former Site (Cleanup Site ID 2146)**

Dear Mr. Gerking and Ms. Wiseman:

This letter serves to document discussions that occurred during our meeting on March 27, 2019, as pertaining to directives from the Washington State Department of Ecology (Ecology) concerning data gaps for the Weyerhaeuser Mill A Former Site (Mill A Site) upland remedial investigation (RI). At that meeting, Ecology set forth its requirements to complete the RI for the Site. During the meeting, Ecology provided rationale for additional data needs at the following Site areas: NCD, Equipment Storage Area, ET04, ET12, ET05, ET15, EDP29, EDP33, EDP35, Former Smokestack Area, Open Space Area, and the intertidal area adjacent to the open space. We also discussed uncertainties associated with elevated reporting limits.

Ecology indicated during the meeting that additional RI data is needed for the Site to: delineate the extent of contamination and to more accurately reflect cleanup costs for the feasibility study (FS), identify and delineate sources of groundwater contamination, and to identify potential groundwater contamination where a soil source is present. Further rationale for requiring additional RI data at the Site, as expressed by Ecology during the meeting, is presented below.

- Cleanup actions under the Model Toxics Control Act (MTCA) must use permanent solutions to the maximum extent practicable, and provide for a reasonable restoration time frame (*see* WAC 173-340-360(2)(b)). Additional data at the Mill A Site is critical to inform the evaluation and costing of permanent solutions as part of the FS. In particular,

sufficient RI data is required to reasonably cost out cleanup alternatives that may include excavation of contaminated soil. Ecology needs this additional RI data to better evaluate and select cleanup alternatives as part of the FS. Ecology acknowledged that some supplemental data could be collected as part of the FS, however it should be limited in scope compared to the RI data needs. Any additional data collected as part of an engineering design phase (i.e., post RI/FS) should be focused on refining the construction effort for the selected cleanup alternative.

- The Mill A Site cleanup is being conducted as part of a comprehensive effort under the Puget Sound Initiative (PSI) to cleanup and restore nearshore sites that pose a threat to Puget Sound. Where practicable, Ecology requires more permanent cleanup solutions to address the long-term threat from sources of contamination, such as threats posed by sources at nearshore PSI sites. Reasons for requiring additional RI data to inform more permanent cleanup solutions at the Mill A Site, as expressed by Ecology during the meeting, are provided below.
  - The Mill A Site is located within an area of high susceptibility to liquefaction during an earthquake event. Also, sea level rise associated with climate change may have a long-term impact on the Site. These factors must be considered as part of the RI and additional data is needed to be able to reasonably cost out permanent cleanup solutions as part of the FS.
  - Permanent cleanup solutions reduce the need for long-term management of sources of contamination.
  - If the potentially liable persons (PLPs) seek to rely on natural attenuation at the Site, it's only appropriate where source control has been conducted to the maximum extent practicable (*see* WAC 173-340-370(7)).
- It should not be automatically assumed that the Site qualifies for a conditional point of compliance in groundwater. Ecology stated that to qualify for a groundwater conditional point of compliance, the PLPs must demonstrate that it is not practicable to meet the groundwater cleanup level at the standard point of compliance within a reasonable restoration time frame (*see* WAC 173-340-720(8)(c)). Additional RI data is required to evaluate (as part of the FS) whether or not it's practical to meet a standard groundwater point of compliance throughout the Site.

During the meeting, we discussed the need for a schedule for developing the supplemental RI sampling approach, including the possibility of performing the sampling in phases due to cost considerations mentioned by the Port of Everett (Port). Ecology indicated that it would consider a phased approach. The rationale for a phased supplemental investigation should be included in the proposed sampling approach. After Ecology approves the sampling approach, the PLPs will develop an RI work plan addendum. Ecology agreed that the work plan addendum can be in the form of a technical memo with reference to the approved RI/FS work plan and procedures where applicable.

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Ecology expects that the Port and Weyerhaeuser will work collaboratively to develop the sampling approach for the supplemental RI. If the Port and Weyerhaeuser cannot come to agreement on some elements of the approach, please submit separate recommendations and Ecology will make the decision on the data required for the supplemental RI.

Ecology emphasized during the meeting that a singular RI/FS report (not separate ones by each PLP) should be developed for the Site in accordance with Ecology's letter sent to the Port and Weyerhaeuser on April 18, 2018. Ecology also emphasized that the Port and Weyerhaeuser should continue to follow all of the expectations identified in the April 18, 2018 letter.

If you have any questions, please feel free to contact me at (360) 407-7259 or at [andrew.kallus@ecy.wa.gov](mailto:andrew.kallus@ecy.wa.gov).

Sincerely,

A handwritten signature in black ink that reads "Andrew S. Kallus". The signature is written in a cursive style with a long, sweeping underline.

Andrew S. Kallus, Site Manager  
Headquarters Cleanup Section  
Toxics Cleanup Program

cc: John Level, ATG  
Erika Shaffer, Department of Natural Resources  
Barry Rogowski, Ecology