



PUBLIC PARTICIPATION PLAN UPDATE

**Kenmore Industrial Park Site
(aka Lakepointe)**

Kenmore, Washington



Updated July 2012

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INTRODUCTION

The Washington State Department of Ecology (Ecology) has developed this Public Participation Plan Update in cooperation with Pioneer Towing Company Inc, the site owner and citizens of the City of Kenmore pursuant to the Model Toxics Control Act (MTCA) WAC 173-340-600. The intent is to update the Public Participation Plan for the site with current site information in order to support community involvement associated with activities conducted at the Kenmore Industrial Park Site (also known as Lakepointe) in Kenmore, Washington. This plan provides updated information regarding site activities, and outlines and describes the tools that Ecology will use to inform and work with the public about those activities. This plan will also identify opportunities for community involvement.

BACKGROUND



The Kenmore Industrial Park is a 45-acre area located at the confluence of the Sammamish River and Lake Washington and the Kenmore Navigation Channel in the City of Kenmore. The Kenmore Industrial Park Site is a former demolition debris landfill that operated as a King County Landfill under permits P-69-138 and 118-72-P receiving primarily wood construction debris. Landfilling ended in 1969 and the landfill was graded and covered with soil. Subsequently, the Site

has been used as an industrial yard for maritime and concrete manufacturing businesses.

In the 1990s, the site drew attention for a proposed commercial/residential waterfront development called Lakepointe. In 2001, Ecology and the Site owner, Pioneer Towing Company Inc, completed negotiations for the Cleanup Action Plan and a legal agreement called a Consent Decree to implement work necessary to ensure that the Site meets Ecology cleanup requirements for both existing use and potential future use. The Consent Decree and Cleanup Action Plan outlined the scope of work that Pioneer Towing would implement with Ecology's oversight and approval for both continued industrial use and potential future commercial/residential redevelopment. The scope of work included implementation of compliance monitoring. Monitoring conducted in 2001, 2009, 2010 and 2012 has confirmed that soil and ground water at the site meet Ecology requirements for continued industrial use.

As a component of the Consent Decree, A Public Participation Plan was prepared by Ecology and Pioneer Towing. The Final Public Participation Plan was issued August 8, 2001, and is included as Attachment A (page 16) to this Public Participation Plan Update. Requirements of the Public Participation Plan have been met throughout the Consent Decree, Cleanup Action Plan and monitoring process. The Public Participation Plan defines public participation activities that will be conducted for implementation of all future actions required under the Cleanup Action Plan such as the additional remedial actions associated with commercial/residential development.

The property owner has obtained and renewed the development and building permits with the City of Kenmore for a future commercial/residential waterfront development such as Lakepointe but such development has not yet gone forward.

In 2011, Pioneer Towing leased a portion of the Site to Kiewit/General/Manson (KGM) for use as an industrial support yard for (WSDOT) 520 Bridge Reconstruction. KGM is the design-build contractor hired by the Washington State Department of Transportation (WSDOT) for the bridge project, and will use the property to build concrete bridge anchors and deck panels. Prior to leasing the property to KGM, Pioneer Towing acquired permits from the City of Kenmore and Ecology to perform deferred maintenance to support this continued industrial use.

The deferred industrial maintenance work restores the western 14-acres of the site for continued industrial use.

The maintenance work adds a new gravel surface, upgrades storm water drainage, removes surface stockpiled soil, reinforces the existing bulkhead and wharf, and adds a perimeter berm to protect existing shoreline vegetation.

The maintenance work includes:

- Removal of surface soils and debris stockpiled by a former tenant
- Installation of a new gravel surface
- Upgrade of storm water drainage
- Reinforcement of the existing bulkhead and wharf
- Installation of a perimeter berm to protect existing shoreline, vegetation, and wetlands at the shoreline.



Installing the storm drainage upgrades required penetrating into the former demolition debris landfill at two locations. The soil and materials removed at these two locations were isolated and taken off-site to a permitted landfill.

The deferred maintenance work began in December 2011, and will be completed in June 2012. KGM operations at the property began in January 2012, and will be conducted at the Site through 2015.

For more details visit the Kenmore Industrial Site webpage at: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2134>



With the deferred maintenance work, Ecology and the City of Kenmore requested ground-water performance monitoring to evaluate if the maintenance work has changed the subsurface. These changes may create migration of chemicals of concern to move through the ground water into the adjacent waterways: Sammamish River, Lake Washington and the Kenmore Navigation Channel.

The ground-water monitoring will test for known chemicals of concern at the site and additional chemicals:

Known Chemicals of Concern:

- petroleum diesel and oil, arsenic, barium and lead.

Additional Chemicals Tested:

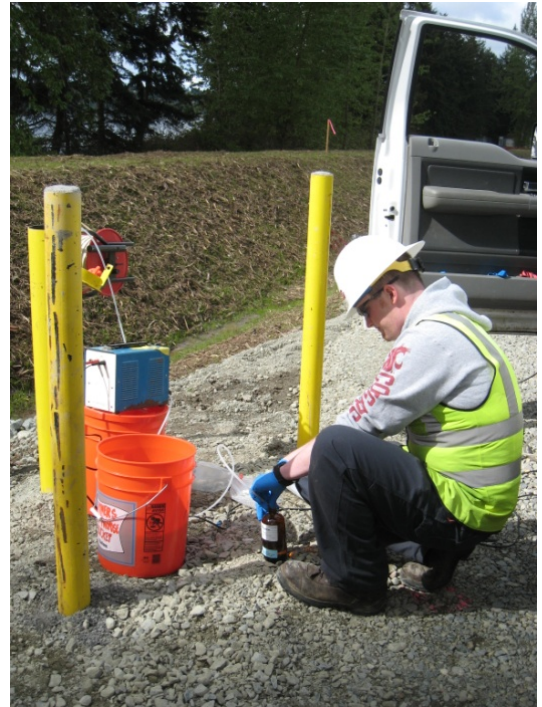
- cadmium, copper, zinc and semi-volatile organic compounds including PAHs (poly-aromatic hydrocarbons).

The performance monitoring was conducted in April 2012 and will be conducted again in September 2012. If monitoring results show compliance concerns, Ecology will require additional evaluation or response action.

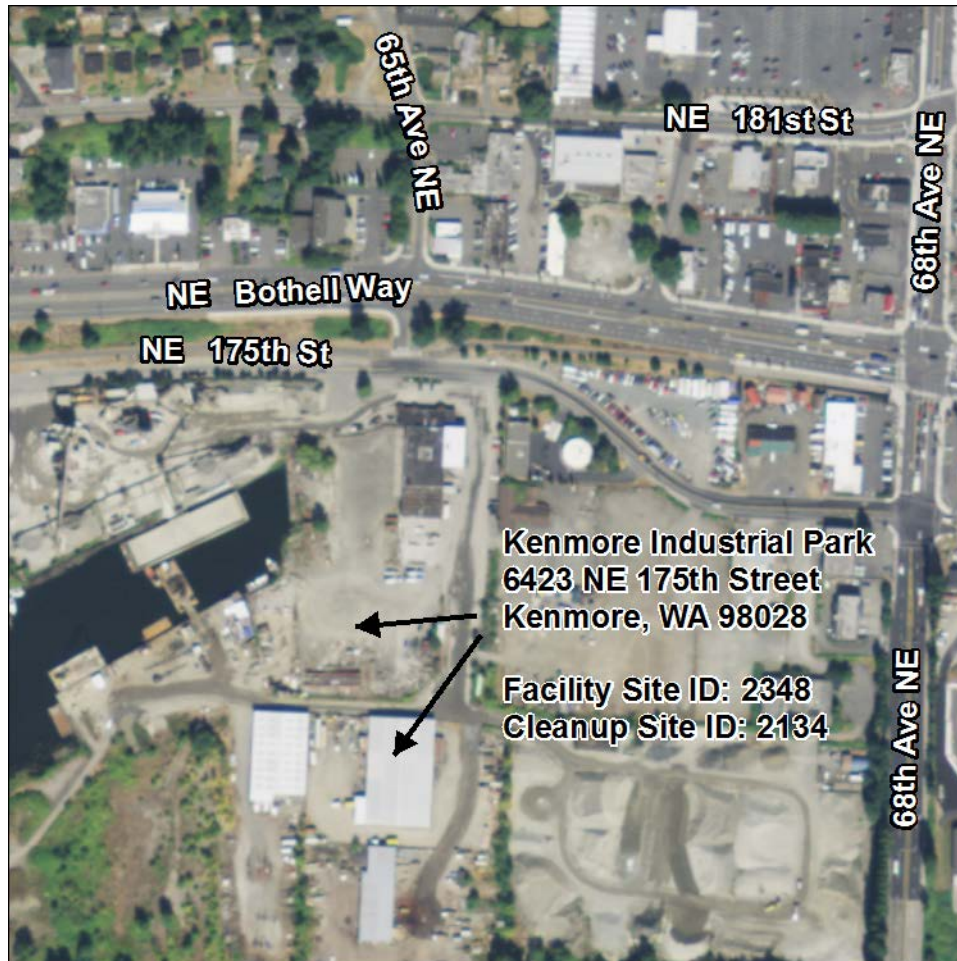
The performance monitoring results for April 2012 show the deferred maintenance work has not caused changes in the subsurface and has not caused chemicals of concerns or additional chemicals tested to migrate through ground water to the adjacent waterways. Monitoring in 2001, 2009, 2010 and 2012 confirm that soil and groundwater at the Site meets Ecology requirements for continued industrial use. There are no known chemicals of concern moving from the upland into adjacent waterways (Sammamish River, Lake Washington and Kenmore Navigation Channel).

Ecology will continue oversight under the state cleanup and water quality regulations at the Kenmore Industrial Park Site including:

1. Complete the deferred maintenance and associated storm water permit.
2. Publish the deferred maintenance performance monitoring results on Ecology's website.
3. Oversee storm water National Pollutant Discharge Elimination System (NPDES) permit compliance for the WSDOT 520 bridge work.
4. Oversee protocols for off-site soil disposal.
5. Conduct the second deferred maintenance performance ground-water monitoring in September 2012. Results will be posted on Ecology's website.



SITE BACKGROUND AND SITE MAP



Kenmore Industrial Park Site also known as Lakepointe is located southwest of the intersection of Bothell Way N.E. and 68th Avenue N.E. in Kenmore, King County, Washington along the 6300 to 6800 blocks of N.E. 175th Street. The site is currently used primarily for industrial activities, including:

- Sand and gravel storage, recycling and sales.
- Redi-mix operations, concrete storage, concrete recycling and sales.
- Top soil and bark storage and sales.
- Marine transportation of all types.
- Shoreline, bulkhead, dock and wharf repair and construction.
- Short term and long term storage, maintenance and repair of boats, trailers, and other equipment.
- Washington State Department of Transportation (WSDOT) 520 Bridge Reconstruction support.

The site is located along the Sammamish River where it flows into Lake Washington. The southwestern portion of the property forms a peninsula that

extends into Lake Washington where the KGM 520 Bridge support work will be located. The current owner of the site is Pioneer Towing Company Inc. The property owner has obtained and renewed the development and building permits with the City of Kenmore for a future waterfront development such as Lakepointe.

For current information on the Site, check Ecology's website at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2134>

Site History and Historical Operations

At the turn of the 20th century, the southern and western portions of the site comprised a shallow, submerged delta. In 1916, the U.S. Army Corps of Engineers lowered Lake Washington when the locks were constructed.

Beginning in approximately 1956, significant filling activities occurred at the property. During this time, the site operated as a King County Landfill under permits P-69-138 and 118-72-P. By 1969, the entire property was filled to its current elevation. The fill consisted mostly of wood debris, with smaller amounts of concrete, brick and asphalt rubble, and minor soil. The origin of the fill is reported to be housing demolition debris related to construction of the Interstate I-5. The landfill was eventually graded and covered with 1 to 2 feet of clean soil. Subsequently, the Site has been used as an industrial yard for maritime and concrete manufacturing businesses.

In the early 1980s, the US Environmental Protection Agency (EPA) reviewed the site and did not take action. In the early 1990s, Ecology began an investigation focusing at the former landfill and ranked the site based upon the presence of contamination. Between 1991 and 2001, multiple investigations including soil and groundwater, surface water and sediment and landfill gas were performed.

In 2001, Ecology and Pioneer Towing entered into a legal agreement called a Consent Decree and associated Cleanup Action Plan to implement work necessary to ensure that the Site meets Ecology cleanup requirements. The Consent Decree and Cleanup Action Plan outlined the scope of work that Pioneer Towing would implement with Ecology's oversight and approval for both continued industrial use and potential future commercial/residential redevelopment.

The Consent Decree allows two options:

1. Continue industrial use with compliance monitoring and a Restrictive Covenant (recorded 2001).
2. To implement the Cleanup Action Plan with the proposed development and install an engineered cap if the property is developed for commercial/residential use and conduct compliance monitoring.

The scope of work included implementation of compliance monitoring. Monitoring conducted in 2001, 2009, 2010 and 2012 has confirmed that soil and ground water at the site meet Ecology requirements for continued industrial use.

Chemicals of Concern

The chemicals of concern for both soil and ground water at the Kenmore Industrial Park Site are petroleum diesel and oil, and arsenic, barium and lead. Monitoring conducted in, 2001, 2009, 2010 and 2012 has confirmed that for these chemicals, soil and ground water at the site meet Ecology requirements for continued industrial use.

A full range of other chemicals (including PCBs), and pesticides were tested in soil and ground water and were dismissed because they were not detected, or detected at levels well below applicable cleanup levels. Landfill gases were also tested and dismissed.

PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES

The purpose of the Public Participation Plan update is to support public understanding and participation in the Model Toxics Control Act (MTCA) cleanup activities implemented for this site. This section of the plan describes the updated ways in which Ecology will share information and receive public comments and community input on the site activities.

Ecology supports and encourages public involvement in the cleanup and compliance monitoring process.

Information will continue to be provided regularly regarding Site activities. This plan is intended to be a flexible working document that will be updated with additional available information regarding Site activities. If commercial/residential development proceeds at the property in the future, additional work will be required under the Cleanup Action Plan. The associated Engineering Design Report for that work will be subject to formal public review and comment.

PROJECT SCHEDULE FOR KENMORE INDUSTRIAL PARK SITE

Schedule 2011	Activity	Public Involvement
September – January 2012	Permitting was conducted for deferred industrial maintenance and KGM work	<ul style="list-style-type: none"> • October public meeting Public comment periods on permit applications • November City meeting with concerned citizens • Materials posted on City website
January – June 2012	<ul style="list-style-type: none"> • Pioneer Towing conducted maintenance work • KGM began operations 	<ul style="list-style-type: none"> • Citizen access to Ecology, City and WSDOT for information • City status updates on website • Ecology and DOH meetings with concerned citizens • February public meeting
Since Fall 2011	Ecology Monthly Updates to the Kenmore Industrial Site Webpage	Opportunity for Ecology and public to discuss and receive comments and input.
April 2012	Groundwater Performance Monitoring for Deferred Industrial Maintenance	Posted on the website
June 2012	Fact Sheet Mailing to announce the public meeting.	Inform the public regarding the status of the project and next steps
June 2012	Groundwater Performance Monitoring Report	Publish results on the website.
July 18, 2012	Ecology's Open House/Public Meeting	Opportunity for Ecology and public to discuss and receive comments and input.
March – July 2012	Public Participation Plan Update	Opportunity for Ecology to receive public comments and input
Summer 2012	Revised Public Participation Plan Update	Posted on Website
September 2012	Groundwater Performance Monitoring Round 2	Publish results on website When available November

To arrange for a briefing with project staff, ask questions, provide comments on Ecology's Public Participation Plan update or other aspects of the cleanup, please contact one of the persons listed below.

For More Information about the Kenmore Industrial Park Site for Washington State Department of Ecology	
Ecology's Northwest Regional Office	
Jeannie Summerhays – Northwest Regional Office Director	Robert W. Warren, P.Hg., MBA – Northwest Regional Office Section Manager
Phone: (425) 649-7010 email: jeannie.summerhays@ecy.wa.gov	Phone: (425) 649-7054 email: bob.warren@ecy.wa.gov
Ecology's Toxics Cleanup Program (TCP)	
Ching-Pi Wang – TCP Upland Unit Supervisor	Maura S. O'Brien – Site Manager
Phone: (425) 649-7134 email: ching-pi.wang@ecy.wa.gov	Phone: (425) 649-7249 email: maura.obrien@ecy.wa.gov
Nancy Lui – Outreach Coordinator	Larry Altose – Public Information Officer
Phone: (425) 649-7117 Email: nancy.lui@ecy.wa.gov	Phone: (425) 649-7009 email: larry.altose@ecy.wa.gov
For additional information about Kenmore Industrial Park Website: https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2134	

Public Involvement Activities

Ecology uses a variety of activities to facilitate public participation in the investigation and cleanup of Model Toxics Control Act sites. Ecology will take into consideration input provided by the community.

This list details the public involvement activities that Ecology will use, their purposes, and descriptions of when and how they will be used during this site cleanup.

Formal Public Comment Periods

Comment periods are the primary method Ecology uses to get feedback from the public on proposed cleanup decisions. Comment periods usually last 30-days and are required at key points during the investigation and evaluation of proposed cleanup process before final decisions are made.

Comment periods were held on the Consent Decree and Cleanup Action Plan and associated documents for this Site in 2001. A formal public comment period will be held in the future for the Engineering Design Report for implementation of

remedial actions associated with potential future commercial/residential development. Public comment periods may be held for other documents.

During a comment period, the public can comment in writing or email. At the conclusion of the comment period, Ecology reviews all comments and may respond in a document called a Responsiveness Summary. Ecology will consider the need for changes or revisions based on input from the public. If significant changes are made, then a second comment period may be held. If no significant changes are made, then the draft document(s) will be finalized.

Enhanced Public Participation

Ecology will work with citizen groups and stakeholders to enhance public participation efforts that occur for this site. Ecology site manager and outreach coordinator may participate in community meetings and events as needed. Ecology may coordinate with citizen groups throughout the public involvement process. This may include such activities as coordination for public meetings and sharing drafts of documents for review, as appropriate.

Webpage

Ecology has a webpage for the Kenmore Industrial Park Site. This website will be updated every month until the deferred maintenance is completed and when new information becomes available. Documents will be made available on the website.

You may access the webpage at:

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2134>

Public Meetings and Hearings

Public meetings may be held at key points during the process of implementation of the Cleanup Action Plan requirements. Ecology may also offer public meetings for actions expected to be of particular interest to the community. Also, if ten or more people request a public meeting or hearing during a formal public comment period, Ecology will hold a public meeting for the purpose of taking comments on draft documents.

Information Repositories

Information repositories are convenient places where the public can go to read and review site information. The information repositories are often at libraries or community sites which provide public access. During a formal public comment period, the site documents will be available for review at each repository listed below. For special accommodations or translation assistance, please contact Nancy Lui at nancy.lui@ecy.wa.gov or call (425) 649-7117, please indicate you would like assistance with the "**Kenmore Industrial Park Site**".

Ecology has established three repositories for the Kenmore Industrial Park Site aka Lakepointe in addition to the webpage listed below:

- **Kenmore City Hall – Front Desk**
18120 68th Avenue Northeast, Kenmore WA 98028
Phone: (425) 398-8900
- **King County Library System – Kenmore,**
6531 Northeast 181st Street Kenmore, WA 98028
Phone: (425) 486-8747
Documents at the Library will be at the Reference Desk to the space available at the library.
- **Washington State Department of Ecology – Northwest Regional Office**
3190 160th Avenue SE, Bellevue, WA 98008
Phone: (425) 649-7190. Please call for an appointment.
All documents can be found at Ecology's Central Records Office
- **Ecology's web site for the Kenmore Industrial Park Site aka Lakepointe:** <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2134>

This website will be updated every month until the deferred maintenance is completed and when new information becomes available. Documents will be made available on the website.

Site Register and Public Events Calendar

Ecology's Toxics Cleanup Program uses the Site Register and web-based Public Involvement Calendar to announce all of its public meetings and comment periods as well as additional site activities.

To receive the Site Register in electronic or hard copy format, please call (360) 407-6000. The Site Register is available on Ecology's website at: http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html

The Public Involvement Calendar is available on Ecology's website at: <http://apps.ecy.wa.gov/pubcalendar/calendar.asp>

Fact Sheet

Ecology will prepare and mail fact sheets to persons and organizations interested in the Kenmore Industrial Park Site to inform them of public meetings and comment opportunities and important site activities. Ecology also may mail fact

sheets about the progress of site activities. The fact sheets will be posted on Ecology's website for this site.

Mailing List

Ecology has compiled and maintained a list of interested parties, organizations and residents living near the cleanup site. This mailing list will be used to provide information regarding this project. If you are not on the mailing list for this site and wish to be added, please contact Nancy Lui at nancy.lui@ecy.wa.gov or at (425) 649-7117. In the subject line, please indicate "**Kenmore Industrial Park**" mailing list. To request to be taken off the mailing list, please indicate "Remove from Kenmore Industrial Park" mailing list.

Newspaper Display Ads

Ecology will place ads in the Seattle Times and Bothell/Kenmore Newspaper to announce formal public comment periods, public meetings or hearings for the site.

PUBLIC PARTICIPATION GRANTS AND TECHNICAL ASSISTANCE

Additionally, citizen groups living near known or suspected contaminated sites may apply for public participation grants during open application periods. These grants help citizens receive technical assistance in understanding the cleanup process and create additional public participation avenues. For more information about the public participation grant, please go to Ecology's website at: <http://www.ecy.wa.gov/programs/swfa/grants/ppg.html>

Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the Site.

PUBLIC PARTICIPATION PLAN AMENDMENTS

This Public Participation Plan Update was developed by Ecology and complies with the MTCA regulations (Chapter 173-340 WAC). It will be reviewed as cleanup progresses and may be amended if necessary. Amendments may be submitted to Ecology's site manager, Maura S. O'Brien, for review and consideration at maura.obrien@ecy.wa.gov or mail your request to Department of Ecology, 3190 160th Ave SE., Bellevue, WA 98008.

GLOSSARY

Cleanup: Actions taken to deal with a release, or threatened release of hazardous substances that could affect public health and/or the environment. The term "cleanup" is often used broadly to describe various response actions or phases of remedial responses such as the remedial investigation/feasibility study.

Comment Period: A time period during which the public can review and comment on various documents and proposed actions. For example, a comment period may be provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans.

Information Repository: A file containing current information, technical reports, and reference documents available for public review. The information repository is usually located in a public building that is convenient for local residents such as a public school, city hall, or library.

Model Toxics Control Act (MTCA): Legislation passed by the State of Washington in 1988. Its purpose is to identify, investigate, and clean up facilities where hazardous substances have been released. It defines the role of Ecology and encourages public involvement in the decision making process. MTCA regulations became effective March 1, 1989 and are administered by the Washington State Department of Ecology.

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 and county) newspaper of largest circulation; and the opportunity for the 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.

Responsiveness Summary: A summary of oral and/or written public comments received by Ecology during a comment period on key documents, and Ecology's responses to those comments.

Site: Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

Site Register: Publication issued every two weeks of major activities conducted statewide related to the study and cleanup of hazardous waste sites under the Model Toxics Control Act. To receive this publication, please call (360) 407-7200.

APPENDIX A

**Kenmore Industrial Park Site
Aka Lakepointe**

Public Participation Plan

August 8, 2001

**FINAL
PUBLIC PARTICIPATION PLAN**

**KENMORE INDUSTRIAL PARK
KENMORE, WASHINGTON**

August 8, 2001

Prepared by
Washington State Department of Ecology,
with input from Kenmore Industrial Park

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INTRODUCTION

The purpose of this Public Participation Plan is to assist in promoting public understanding and participation in the Kenmore Industrial Park cleanup. Cleanups conducted under the Washington State Model Toxics Control Act (MTCA) and the regulations that guide site cleanup (Chapter 173-340-WAC), require public notice and encourage public comment and participation. This Public Participation Plan outlines a variety of tools and activities to encourage public involvement in the Kenmore Industrial Park cleanup. While certain aspects of the Public Participation Plan are prescribed by regulation, the intent is to customize the approach to meet the specific community information needs.

This Public Participation Plan complies with MTCA and the MTCA regulations. The following sections provide a brief description of the site background and community profile and outline the public involvement tools and activities for the Kenmore Industrial Park.

This plan covers activities at the site for the State Remedial Investigation/Feasibility Study (RI/FS), Cleanup Action Plan, Consent Decree and State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS) for the cleanup. SEPA compliance for the redevelopment is covered by the Northshore Community Plan Environmental Impact Statement (EIS), adopted in 1993, and the Lakepointe Mixed Use Master Plan Supplemental EIS, dated July 14, 1998. Pioneer Towing Company, Inc. (Pioneer Towing) and the Washington State Department of Ecology (Ecology) are committed to providing public participation opportunities prior to and during the cleanup of this site. This Plan is intended to promote public understanding of Pioneer Towing's and Ecology's responsibilities, planning activities, and remedial activities at the site. It also provides an opportunity to receive information from the public on a comprehensive cleanup plan to protect human health and the environment. Figure 1 shows the cleanup process and public participation activities, as well as opportunities for public comment.

SITE BACKGROUND

SITE LOCATION AND DESCRIPTION

Kenmore Industrial Park is located southwest of the intersection of Bothell Way NE and 68th Avenue NE in Kenmore, King County, Washington, along the 6500 to 6800 blocks of NE 175th Street (Figure 2). The site comprises approximately 45 acres. The site is located adjacent to and north of the mouth of the Sammamish River and the southwestern portion of the property forms a peninsula that extends into Lake Washington. The site is relatively flat and bordered by road and shoreline embankments.

The site is currently used as an industrial park and is occupied predominantly by a sand and gravel stockpile yard and several smaller storage and light industrial operations. The current owner of the site is Pioneer Towing.

Cleanup Process and Public Participation Activities

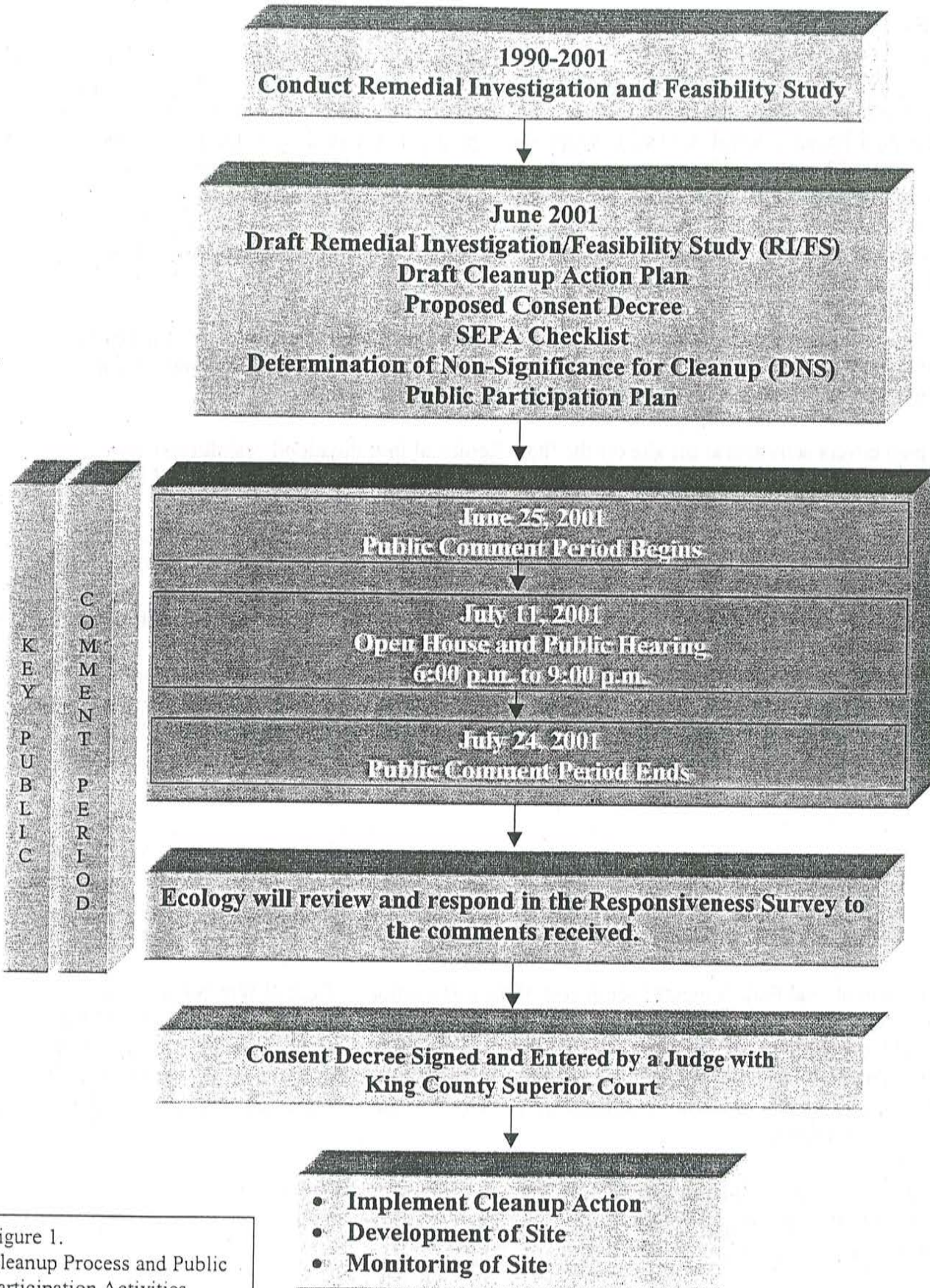


Figure 1.
Cleanup Process and Public
Participation Activities

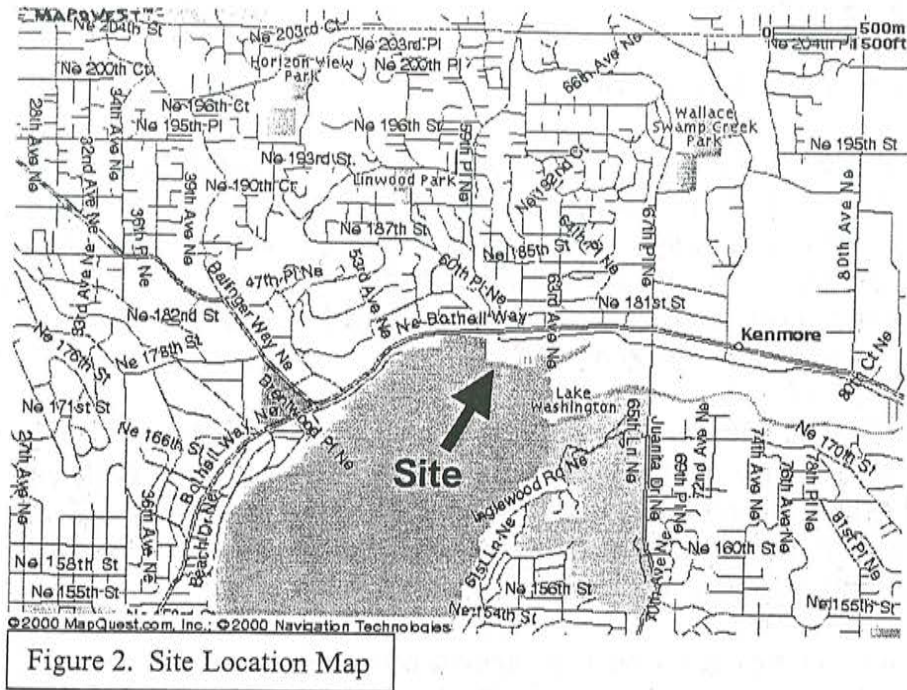


Figure 2. Site Location Map

SITE HISTORY AND HISTORICAL OPERATIONS

At the turn of the 20th century, the southern and western portions of the site comprised a shallow, submerged delta. In 1916, the United States Army Corps of Engineers lowered the lake level. As development progressed at the site, the southern and western portions were subject to reclamation. By 1956, significant filling activities occurred at the north margin of the property. During that time, various fill materials were placed at the site, resulting in a landfilled peninsula elevated above the former deltaic environment. By 1969, the entire property appears to have been filled to its current elevation. Fill records indicate that construction debris were disposed at the site. The fill consisted predominantly of demolition debris, with smaller amounts of concrete and asphalt rubble, and a minor soil matrix. The origin of the fill is reported to be housing demolition debris related to construction of the Interstate I-5. The landfill was eventually graded, covered with soil, and used as an industrial park.

A number of businesses historically operated at the site. Historic operations have included assorted small storage and manufacturing industries, sand and gravel staging and support facilities, and associated offices. In a fenced compound in the north-central portion of the property, a concrete truck fleet was fueled and maintained. Fuels were stored in above ground storage tanks inside the fenced compound. On the western portion of the site, a pond was maintained where excess concrete and concrete truck washwater was collected.

COMMUNITY PROFILE

KENMORE COMMUNITY DESCRIPTION

The site is located in the City of Kenmore. Kenmore, incorporated in August 1998, has a population of about 17,000 and covers an approximately 6-square-mile area within King County, Washington. Upon incorporation, Kenmore became responsible for the review and approval of all building and land use permits within its boundaries. The City Council has given priority to local control of planning and land use decision-making and began accepting new land use permits at Kenmore City Hall in the winter of 1998.

Kenmore has adopted King County development regulations and zoning codes, with minor exceptions, in an effort to provide continuity to the community; however, these regulations may change over time. Similarly, Kenmore negotiated an interlocal agreement with King County Department of Development and Environmental Services in an effort to assure a smooth transition in administration from King County to the City of Kenmore.

Kenmore recently drafted a vision statement to express its community goals and purposes. The preliminary vision statement provides a sense of the Kenmore community as it exists today and how it will likely exist in the future:

With integrity as its cornerstone, Kenmore is a city that will meet its obligations by providing:

- Public safety
- Effective and efficient services
- A community-generated plan for the future
- Forums for citizen participation and involvement
 - Fair-friendly service responsive to the diverse needs of the citizens
 - Representation of Kenmore's interests in local and regional partnerships
- ... leaving a sustainable legacy.¹

¹ City of Kenmore, <http://www.cityofkenmore.com/>, June 12, 2001.

KEY COMMUNITY CONCERNS

Overall, the community is supportive of the property being cleaned up and redeveloped. Community input into the proposed redevelopment and cleanup has come primarily through the efforts of the Lakepointe Citizens' Advisory Task Force. The Lakepointe Citizens' Advisory Task Force functioned for over three years and in the course of its work consulted on issues related to site cleanup and development of the project's Master Plan, Commercial Site Development Permit Application, and Shoreline Substantial Development Permit Application. The work of the Task Force involved continuing, substantive input from the very beginning of the cleanup process by a highly diverse group of local residents and representatives from the many community interests drawn from those geographic areas potentially effected by the cleanup and redevelopment. Ecology was active in the public participation process by presenting information, providing materials, and answering questions regarding the process and procedures applicable to the site cleanup. The Task Force meetings were open to the public and broadly advertised. Public comment was solicited at the beginning of each meeting, and public questions and comments were encouraged during most meetings. Although some concerns have been raised about traffic congestion associated with the redevelopment, in the course of a close collaboration with the development team, King County, and other interested groups, a broad consensus among the members developed a broad outline of the project as reflected in the Master Plan and the various permit applications. The consensus included confidence that the project would be built on the site in a manner protective of human health and the environment.

SITE CLEANUP AND REDEVELOPMENT

The cleanup action will be fully integrated with and will occur at the same time as the proposed redevelopment of the site. The objectives of the cleanup action are to prevent human contact with contaminants in the landfilled demolition debris and to prevent the migration of contaminants above levels of concern to surrounding surface waters. Contaminants that pose concern at the site include certain metals (lead, arsenic, barium, and selenium) and certain petroleum hydrocarbons.

CLEANUP ACTION PLAN

The proposed cleanup action includes: placement of soil cover, construction of site structures that form an engineered cap over a portion of the upland area of the property, long-term monitoring of groundwater, and implementation of measures to limit and/or prohibit activities that may interfere with the integrity of the cleanup or result in exposure to contaminants at the site. The proposed Cleanup Action Plan will be implemented in phases in conjunction with redevelopment and include the following tasks:

- ◆ Soil cover;
- ◆ Design of the redevelopment structures that will form an engineered cap over portions of the upland area of the property;
- ◆ Construction of the redevelopment structures that form the engineered cap;

- ◆ Implementation of physical measures in areas not yet redeveloped and in areas not currently under construction to limit access and potential exposure to landfilled debris at the site;
- ◆ Implementation of site modifications outside the engineered cap that reflect habitat preservation and enhancement goals;
- ◆ Implementation of worker health and safety plans and required property notices; and
- ◆ Monitoring of groundwater.

If the site remains in industrial use, deed notices, access controls, erosion controls, and groundwater monitoring appropriate for continued industrial uses will constitute the proposed cleanup action.

SITE REDEVELOPMENT

Site redevelopment will occur in conjunction with, and form an integral part of, the cleanup action. The proposed redevelopment will provide mixed commercial and residential uses, and may include phased development of residential units, professional office space, retail and commercial space, a marina with recreational boat slips, parking stalls, and construction of a new public street connecting NE Bothell Way and 68th Avenue NE. Open space on the site will include natural open space, public park areas, pedestrian walkways and trails, and possibly a public amphitheater. The open space areas on the site will also provide public access and viewpoints to Lake Washington and the Sammamish River.

ESTIMATED CLEANUP SCHEDULE

The schedule for cleanup will run concurrently with and be based on the schedule for site redevelopment. An estimated timeline for phases of the site cleanup and development is set out in the Cleanup Action Plan.

This estimated timeline might be modified during the course of redevelopment.

PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES

The purpose of this Public Participation Plan is to promote public understanding and participation in the Model Toxics Control Act (MTCA) cleanup planned for this site. This section of the Plan addresses how Ecology and Pioneer Towing will share information and receive public comments and community input on the site cleanup. Ecology, working with Pioneer Towing, retains lead responsibility for these activities.

PUBLIC INVOLVEMENT TOOLS

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

Formal Public Comment Period

For the Kenmore Industrial Park a thirty-day comment period will be held from June 25 to July 24, 2001. During this time, the community will have the opportunity to provide written comments on drafts of the Remedial Investigation/Feasibility Study (RI/FS), Consent Decree, Cleanup Action Plan, SEPA checklist and DNS, and this Public Participation Plan.

Public Hearing

In addition, a public hearing will be held at the Northshore Utility District Building, 6830 NE 185th Street, Kenmore, on the evening of July 11, 2001, from 7:00 – 9:00 PM, with an open house from 6:00 – 7:00 PM. At this hearing, Ecology and Pioneer Towing will communicate with the public directly, discuss the proposed cleanup actions, respond to questions and concerns about the proposed cleanup actions, and accept formal verbal comments.

Responsiveness Summary

After the public comment period, Ecology will review and respond to any comments received, both verbal and written, in a responsiveness summary. Ecology will consider changes or revisions based on input from the public. If significant changes are recommended, then a second comment period will be held. If no significant changes are recommended, then the Consent Decree will be finalized and recorded in Washington State Superior Court and preparation of the Cleanup Engineering Design report will begin. A copy of the responsiveness summary will be sent to all people who submitted comments, and it also will be made available at the Information Repositories listed below with the other site documents.

Information Repositories

During the comment period, the site documents will be available for review at information repositories. These documents will remain at the repositories for the entire duration of the cleanup. Ecology also can make copies of documents for a fee.

For the Kenmore Industrial Park cleanup, the information repositories are:

Kenmore Public Library 18138 73rd NE Kenmore, WA (425) 486-8747	Lake Forest Park Public Library Lake Forest Park Towne Centre 17171 Bothell Way NE Seattle, WA (206) 362-8860	Washington State Department of Ecology Northwest Regional Office 3190 160th Avenue SE Bellevue, WA 98008 Call Sally Perkins for an appointment: Phone: (425) 649-7190 Fax: (425) 649-4450 E-mail: perk461@ecy.wa.gov
Monday and Wednesday 11:00 AM – 9:00 PM	Monday – Friday 11:00 AM – 9:00 PM	Monday – Thursday 8:00 AM – 12:00 PM and 1:00 – 4:00 PM
Thursday, Friday, and Saturday 11:00 AM – 5:00 PM	Saturday 11:00 AM – 6:00 PM	

Site information will also be posted on the Ecology web site at:
<http://www.ecy.wa.gov/programs/tcp/cleanup.html>

Documents available for public review at these repositories will include drafts of the RI/FS, Consent Decree, Cleanup Action Plan, SEPA checklist, DNS, and this Public Participation Plan.

Site Register

One of the primary 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 the site will be announced in the Site Register on June 26, 2001. To receive the Site Register, contact Sherrie Minnick at (360) 407-7200 or shan461@ecy.wa.gov.

Mailing List

Ecology, with Pioneer Towing, will jointly compile a mailing list for the site. The list will include individuals, groups, public agencies, elected officials, and private businesses and industries that request site-related mailings, potentially affected parties, as well as other known interested parties. The list will be maintained at Ecology's Northwest Regional Office and will be updated as needed.

Fact Sheet

A fact sheet is a site-specific newsletter-like publication that is mailed to potentially affected parties, as well as interested persons, businesses and government agencies in and around affected communities. The fact sheet is used to inform them of public comment periods and important site activities. A fact sheet may also be used to informally update the community regarding progress of the site cleanup.

For this site, a fact sheet was prepared and mailed out to announce the formal comment period, public hearing and availability of site documents to be reviewed. Future fact sheets will be prepared as appropriate to periodically update the community on the progress of the site cleanup.

Display Ad

The paid display ad for the site to announce the comment period and public hearing will be placed in the *Seattle Times*, the *Northlake News*, and the *Northshore Citizen*.

PLAN UPDATE

This Public Participation Plan may be updated as the project proceeds. If an update is necessary the revised plan will be submitted to the public for comment.

PUBLIC POINTS OF CONTACT

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GLOSSARY

Cleanup: Actions taken to deal with a release, or threatened release of hazardous substances that could affect public health and/or the environment. The term "cleanup" is often used broadly to describe various response actions or phases of remedial responses such as the remedial investigation/feasibility study.

Cleanup Action Plan (CAP): A document that explains which cleanup alternative(s) will be used at sites for the cleanup. The Cleanup Action Plan is based on information and technical analysis generated during the remedial investigation/feasibility study and consideration of public comments and community concerns.

Comment Period: A time period during which the public can review and comment on various documents and Ecology or EPA actions. For example, a comment period is provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans. Also, a comment period is held to allow community members to review and comment on draft feasibility studies.

Consent Decree: A formal legal document, approved and issued by a court which formalizes an agreement reached between the state (and EPA if involved) and the potentially liable person(s) (PLPs) on what will take place during the Remedial Investigation/Feasibility Study and/or cleanup action. A Consent Decree is similar to an Agreed Order except that a Consent Decree goes through the courts. Consent Decrees are subject to public comment. If a decree is substantially changed, an additional comment period is provided.

Feasibility Study (FS): See Remedial Investigation/Feasibility Study.

Groundwater: Water found beneath the earth's surface that fills pores between materials such as sand, soil, or gravel. In some aquifers, ground water occurs in sufficient quantities that it can be used for drinking water, irrigation and other purposes.

Information Repository: A file containing current information, technical reports, and reference documents available for public review. The information repository is usually located in a public building that is convenient for local residents such as a public school, city hall, or library.

Model Toxics Control Act (MTCA): Legislation passed by the State of Washington in 1988. Its purpose is to identify, investigate, and clean up facilities where hazardous substances have been released. It defines the role of Ecology and encourages public involvement in the decision making process. MTCA regulations became effective March 1, 1989 and are administered by the Washington State Department of Ecology.

Public Participation Plan: A plan prepared to encourage coordinated and effective public involvement designed to the public's needs at a particular site.

Remedial Investigation/Feasibility Study: Two distinct but related studies. They are usually performed at the same time, and together referred to as the "RI/FS." They are intended to:

- Gather the data necessary to determine the type and extent of contamination;
- Establish criteria for cleaning up the site;
- Identify and screen cleanup alternatives for remedial action; and
- Analyze in detail the technology and costs of the alternatives.

Responsiveness Summary: A summary of oral and/or written public comments received by Ecology during a comment period on key documents, and Ecology's responses to those comments. The responsiveness summary is especially valuable during the Cleanup Action Plan phase at a site when it highlights community concerns.