



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Public Participation Plan**

### **Terminal 115 Plant 1 Cleanup Site 6020 W Marginal Way SW, Seattle WA**

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*Facility Site ID: 98422914*

*Cleanup Site ID: 11307*

April 2020

# Publication and Contact Information

This plan is available on the Department of Ecology's website at:  
[Ecology's Terminal 115 Plant 1 Web Page](#)

For more information, contact:

Northwest Regional Office  
3190 160<sup>th</sup> Ave SE  
Bellevue, WA 98008

Washington State Department of Ecology – [Department of Ecology Homepage](#)

- 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) 407-6831 or visit [Department of Ecology's Accessibility Homepage](#). People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.*

# **Public Participation Plan**

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## **Terminal 115 Plant 1**

Toxics Cleanup Program  
Northwest Region  
Washington State Department of Ecology  
Bellevue, Washington

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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 Boeing Company and the Port of Seattle, the parties responsible for cleanup at the Terminal 115 Plant 1 Site (Site). The purpose of the plan is to promote meaningful community involvement during cleanup.

The plan describes ways Ecology will inform the public about contamination investigations and cleanup options throughout the cleanup process. Ecology encourages the public to learn about and get involved in decision-making opportunities. This plan identifies how and when the public can get involved during different stages of the investigation and cleanup of contamination.

This plan has been developed for the Agreed Order for the Terminal 115 Plant 1 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

Northwest Regional Office  
3190 160<sup>th</sup> Ave SE  
Bellevue WA 98008

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425-649-7254

Kelsey Ketcheson, Outreach Specialist  
[kelsey.ketcheson@ecy.wa.gov](mailto:kelsey.ketcheson@ecy.wa.gov)  
425-649-7287

#### Potential Liable Parties (PLP)

The Boeing Company  
Attn: Joe Flaherty, Environmental  
Remediation  
PO BOX 3707  
Seattle, WA 98124  
P: 206-769-5987  
E: joseph.l.flaherty@boeing.com

Port of Seattle  
Attn: Roy Kuroiwa, Sr. Environmental  
Program Manager  
2711 Alaskan Way  
Seattle, WA 98121  
P: 206-787-3814  
E: kuroiwa.r@portseattle.org

## 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<sup>1</sup>
- 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), or visit the [Public Participation Grant website](#).<sup>2</sup>

## Washington's Cleanup Laws

Ecology uses the Model Toxics Control Act (MTCA) and accompanying regulations for cleanup activities. This plan is required under MTCA, a 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.

Ecology enacts 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>3</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

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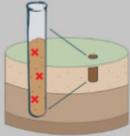
<sup>1</sup> Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the site.

<sup>2</sup> [ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants](https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants)

<sup>3</sup> <https://fortress.wa.gov/ecy/publications/publications/9406.pdf>

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.

## Steps in Washington's Cleanup Process

 <p><b>Interim Action</b></p>		<p>If contaminants pose an immediate risk to people or the environment, action can be taken at any point in the cleanup process to reduce the risk. Interim actions may also be used to progress cleanup when only a brief opportunity is available.</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

The Site is located on the western shore of the Lower Duwamish Waterway, between [Port of Seattle N Terminal 115](#) and Glacier Northwest Inc. cleanup sites to the north and Highland Park Way SW to the south. It occupies an area of approximately 99.5 acres and is owned by the Port of Seattle.

Between 1916 and 1970, a portion of the southern end of the site was the location of the former Boeing Plant 1 facility, used for the manufacture of wood and metal airplanes. Other historic uses of the property included retail gasoline service stations, gravel and cement production, salvage yard, storage of log booms (former river portions), and a smelter.

Until approximately 1969, large areas of the Site were part of the waterway and were under water. In 1969-1970, a large portion of the Site was filled to create usable land.

Since then, the Site has been used for Port-related functions including cargo storage, loading and off-loading, gasoline sales and associated storage in underground storage tanks (USTs), seafood processing, retail sales and vehicle and shipping container maintenance.



***Terminal 115 Plant 1 Site, 1941.***

## Contamination & Previous Cleanup Work

Previous investigations at the Site found the following in soil and groundwater:

- Diesel range petroleum hydrocarbons, including free-phase petroleum floating on groundwater
- Vinyl chloride
- Benzene
- Lead

All of these contaminants were found at levels that exceed allowable standards under the state's cleanup law, the Model Toxics Control Act (MTCA) and, therefore must be addressed.

## Cleanup plans

As of April 27, 2020, Ecology will conduct a 30-day public comment period on the Agreed Order and Public Participation Plan. The Agreed Order directs the Boeing Company and the Port of Seattle to investigate contamination, suggest cleanup alternatives, and develop a cleanup action plan. Interim actions may be conducted under the Agreed Order if they are deemed necessary. Should any comments result in significant changes to these documents, the new version will be put out for a new comment period. If there are no public comments that require significant changes to the documents, they will be signed and considered final. Boeing and the Port of Seattle will then move ahead with the site investigation.

## Why this site matters

The LDW Superfund Site includes a 5-mile stretch of the Duwamish River that flows north into Elliot Bay. The U.S. Environmental Protection Agency (EPA) added the LDW to the Superfund National Priorities List in 2001. EPA is leading efforts to clean up the river sediments. Ecology is leading efforts to stop or reduce sources of pollution to the LDW Superfund Site so that the sediment cleanup can proceed, a task commonly known as “source control”. The long-term goal for source control is to minimize recontamination of the river sediments above the limits established by EPA.

Due to its proximity to the river, understanding how much Site conditions contribute to the LDW is an important step for source control. Contaminants in the soil and groundwater near the river may pose a risk to human health and the environment. They can also find their way into the river through storm runoff and other pathways. The sediments in the river contain a wide range of contaminants due to decades of industrial activity and runoff from urban areas.

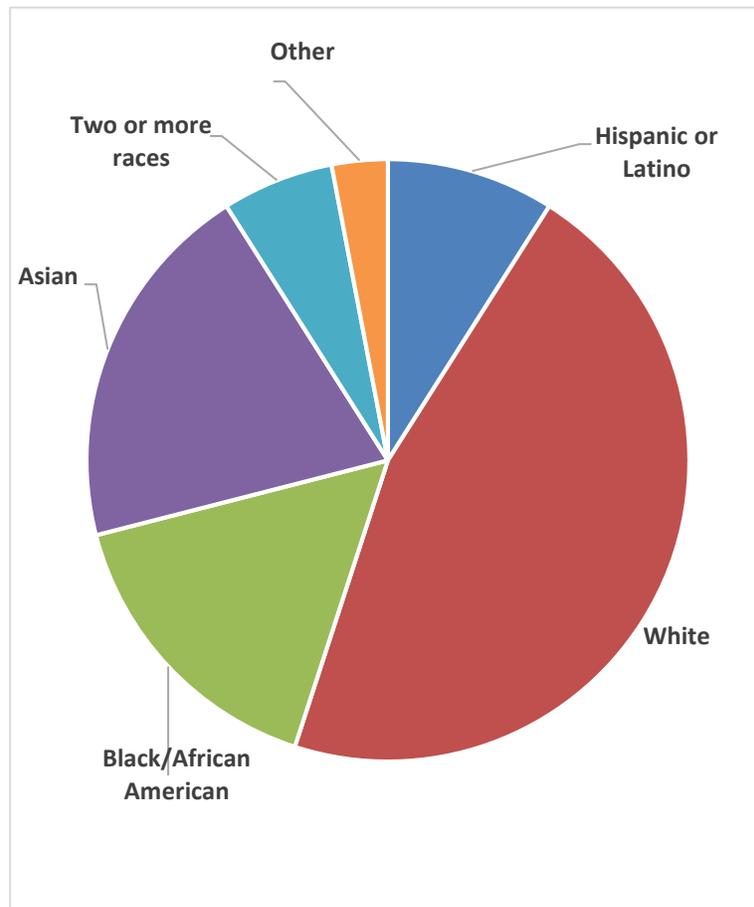
## Area community

Land use in the immediate Site vicinity consists primarily of industry and manufacturing with W Marginal Way SW and the West Duwamish Greenbelt to the west. The South Park neighborhood is south of the Site.

According to the most recent United States census data, the median annual household income near the Site is \$55,314.

The percent of the population that identifies with each racial group is as follows:

- Hispanic or Latino: 9%
- White: 46%
- Black/African American: 16%
- Asian: 20%
- Two or more races: 6%
- Other 3%



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>4</sup> The non-English languages most widely spoken in the Terminal 115 Plant 1 Site area are Vietnamese and Spanish. When appropriate, Ecology will provide outreach in this language. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

There are no federally recognized tribes that own land that could be affected by the project work. However, Ecology will ensure that tribes with interest in natural and cultural resources will be engaged with any decision-making process for this Site and have ample opportunity to be involved throughout the process on a government-to-government basis.

## **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.

## **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 1/2-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

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<sup>4</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).

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 the neighborhoods of Seattle, relevant local, state, and federal government contacts, and other interested parties.

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

We will add additional individuals, organizations, and other interested parties to the mailing list as requested. If you would like to be added to the mailing list for this site, please contact Kelsey Ketcheson at 425-649-7287 or [kelsey.ketcheson@ecy.wa.gov](mailto:kelsey.ketcheson@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 Marcus Humberg at 360-407-7213 or [marcus.humberg@ecy.wa.gov](mailto:marcus.humberg@ecy.wa.gov), or [subscribe online](#).<sup>6</sup>

## **Newspaper display ads or legal notices**

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

## **Email lists**

Ecology maintains an email list to update interested persons about this site. If you would like to be added to the email list for this site, please email Kelsey Ketcheson at [kelsey.ketcheson@ecy.wa.gov](mailto:kelsey.ketcheson@ecy.wa.gov).

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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>

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

## **Ecology's website and social media platforms**

We maintain a website for the Terminal 115 Plant 1 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:

Seattle Public Library  
South Park Branch  
8604 8<sup>th</sup> Avenue South  
Seattle, WA 98108  
Phone: 206-615-1688

Washington Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Ave SE  
Bellevue WA 98008

To schedule an appointment, please contact Sally Perkins at 425-649-7190 or [nwro\\_public\\_request@ecy.wa.gov](mailto:nwro_public_request@ecy.wa.gov).

In consideration of public health and safety, the physical repositories may not be available. The documents will be available on the Terminal 115 Plant Site website:

<https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=11307>

## **Signs around the cleanup site**

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

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<sup>8</sup> <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=6584>

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

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

At minimum, MTCA requires 30-day public comment periods for certain draft cleanup documents and 14-day comment periods for 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, contact Kelsey Ketcheson at 425-649-7287 or Maureen Sanchez at [Maureen.Sanchez@ecy.wa.gov](mailto:Maureen.Sanchez@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. In this case Ecology is not overseeing SEPA at this time.

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.

## **Public events**

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting during a public comment period, 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.

In consideration of public health and safety, Ecology will hold public meetings online if the requirement for a public meeting is met-

## **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 Kelsey Ketcheson at 425-649-7287 or [kelsey.ketcheson@ecy.wa.gov](mailto:kelsey.ketcheson@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.