



DEPARTMENT OF
ECOLOGY
State of Washington

Public Participation Plan

Weyerhaeuser Everett Mill E Cleanup Site Everett, WA

Facility Site ID: 12

Cleanup Site ID: 2903

June 2020

Publication and Contact Information

This document is available on the Department of Ecology's Weyerhaeuser Everett Mill E website at: <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=2903>

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Public Participation Plan
Weyerhaeuser Everett Mill E Cleanup Site
Everett, WA

Facility Site ID: 12
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Washington State Department of Ecology
Northwest Regional Office
Toxics Cleanup Program
Bellevue, Washington

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Introduction

Weyerhaeuser Company (Weyerhaeuser) and M.A.P. #2, LLC (M.A.P.) are addressing soil and groundwater contamination at the Weyerhaeuser Everett Mill E Cleanup Site (Site) under a legal agreement with the Washington State Department of Ecology (Ecology). After cleanup in 1999 by Weyerhaeuser under an Ecology-approved cleanup plan, periodic sampling shows that contamination levels may still be present in uncontained parts of the Site. Potential releases like this may be harmful to human health and the environment and must be further investigated and addressed under the Model Toxics Control Act (MTCA).

Ecology developed this public participation plan (plan) as required under the MTCA, to promote meaningful community involvement in the Site cleanup process. The plan first discusses the MTCA and the cleanup process, then provides information about the Site. Next, it describes planned public involvement activities, plan updates, and amendments.

Washington's Cleanup Law

Ecology derives its authority to require cleanup of contamination from the state Model Toxics Control Act (MTCA; [Chapter 70.105D Revised Code of Washington \(RCW\)](#)¹). The MTCA provides requirements for contaminated site cleanup in Washington State and sets standards to ensure the cleanup protects human health and the environment. Standards for sediment cleanup are established in the state Sediment Management Standards, [Chapter 173-204 Washington Administrative Code \(WAC\)](#)².

The MTCA began as a grassroots citizen's initiative in 1988 and started the process of systematically cleaning up contaminated sites in Washington. Under the MTCA, anyone with a current or past relationship with a contaminated site may be held responsible for cleaning it up to standards established to protect human health and the environment.

Ecology enacts the MTCA and oversees cleanups in the state and issues regulations and guidance governing those cleanups. The regulations are found in [Chapter 173-340 WAC](#)³. Ecology investigates reports of contamination, and if it poses a significant threat to human health or the environment, the site is placed on the Confirmed and Suspected Contaminated Sites List for further assessment. The cleanup process can begin at any time after a release of a hazardous substance to the environment has been discovered.

Public participation is an important part of cleanup under the MTCA. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk posed

¹ <https://fortress.wa.gov/ecy/publications/publications/9406.pdf>

² <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-204>

³ <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

Washington's Cleanup Law

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 during the cleanup process.

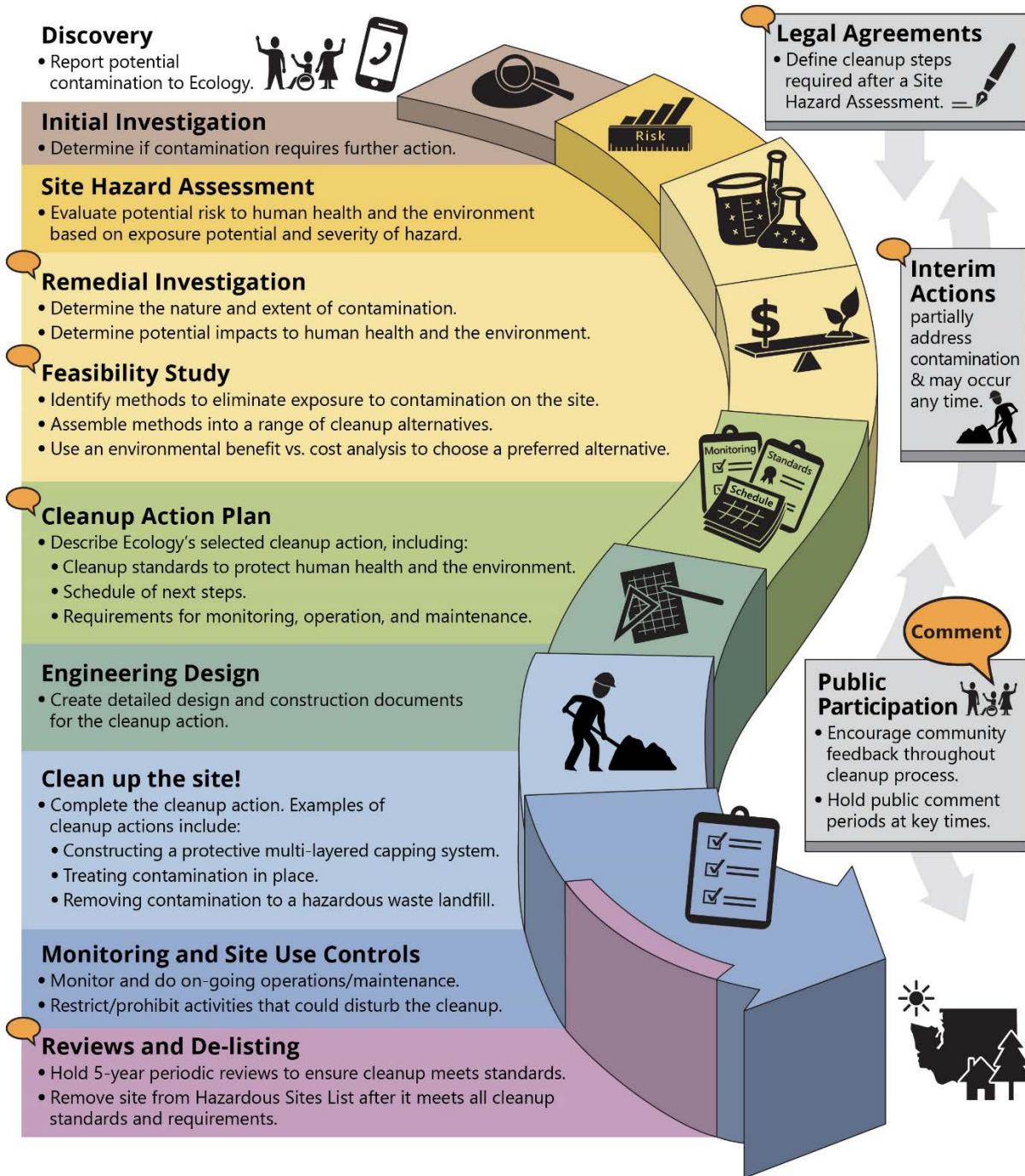
Under the MTCA, the cleanup process generally includes multiple steps (see Figure 1 on page 3), with opportunities for the public to review and comment on cleanup documents. In addition, a partial cleanup (called an interim action) can occur at any time during the cleanup process. The public is provided an opportunity to review and comment on planned interim action work as well.

MTCA cleanups also require evaluation under the State Environmental Policy Act (SEPA; [Chapter 197-11 WAC](#)⁴). Under SEPA, the potential for significant adverse environmental impacts from a project or action must be evaluated by state and local agencies when making decisions. This evaluation is subject to public review and comment in parallel with cleanup documents.

⁴ <https://apps.leg.wa.gov/wac/default.aspx?cite=197-11>



Washington's Formal Cleanup Process



Washington's Cleanup Law

Model Toxics Control Act (MTCA)

MTCA defines the cleanup process. This public-initiated environmental law directs upland cleanups (on land or in groundwater) and sediment cleanups (in freshwater or marine environments). Ecology enacts MTCA and regulates the cleanup process.

September 2019
Ecology Publication 19-09-166

Figure 1: Steps in Washington's Cleanup Process⁵

⁵ <https://fortress.wa.gov/ecy/publications/SummaryPages/1909166.html>

Site Information

Location, history, and ownership

The Weyerhaeuser Everett Mill E Site is 8.9 acres located in northeast Everett, along the western bank of the Snohomish River. The Site is approximately two miles upstream of the river's mouth that flows into Puget Sound. It is industrial property that is zoned M-2 heavy manufacturing. The Site was once part of a larger sawmill complex known as Mill B, or the Weyerhaeuser Everett East Site.

- **1915-1948:** Weyerhaeuser used Mill E for lumber storage.
- **1948-1963:** American Lumber and Treating Corporation (Koppers Company aka Beazer East, Inc.) used the Site for treating lumber from 1948 to 1963.
- **1963-1984:** Weyerhaeuser converted part of the facility into an engine maintenance shop.
- **1971-1984:** A small-diameter log sawmill operated at the northeast end of the site.
- **2005:** Weyerhaeuser sold property that included Mill E in August 2005 to M.A.P. who used the site to store wood pallets.



Figure 2: Aerial view of cleanup site, August 2018

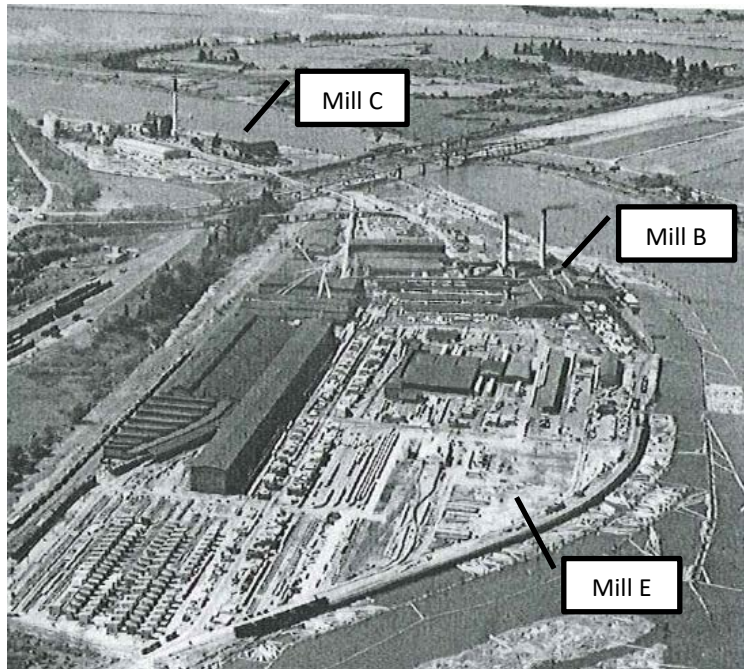


Figure 3: Everett Lumber plant site along edge of Snohomish River. In center of picture is Mill B, planing mill, loading shed; on far side of bridges is Mill C (dark buildings). Everett Pulp Division kraft mill is in the upper left. Weyerhaeuser Archives.



Figure 4: Cleanup site facing southeast, March 2020

Cleanup Completed in 1999

Weyerhaeuser and Ecology entered into a Consent Decree (legal agreement) in 1998. Under that legal agreement, Weyerhaeuser completed cleanup actions at the Site in 1999. Long-term monitoring has been conducted since then under the terms of the Consent Decree.

There is an Environmental Covenant on the Site that restricts certain activities that would compromise the cleanup.

Contamination and focused cleanup

Weyerhaeuser and M.A.P. conduct annual cleanup performance monitoring under the Consent Decree. Ecology performs periodic reviews of these testing reports. These monitoring reports and periodic reviews are available for review on the Weyerhaeuser Everett Mill E cleanup site [Document Repository](https://apps.ecology.wa.gov/gsp/CleanupSiteDocuments.aspx?csid=2903)⁶ webpage.

Contamination in uncontained areas on the Site requires additional investigation. Arsenic contamination remains in soil and groundwater exceeding MTCA cleanup standards.

Additional testing, beginning in 2020, will provide information for the Supplemental Remedial Investigation Report that will describe the nature and extent of contamination on the Site. The Focused Feasibility Study and draft Focused Cleanup Action Plan will address contamination still present after the 1999 cleanup actions.

⁶ <https://apps.ecology.wa.gov/gsp/CleanupSiteDocuments.aspx?csid=2903>

Status of cleanup

The Site is in the beginning steps of the formal cleanup process shown in Figure 1 on page 3. After cleanup in 1999 by Weyerhaeuser under an Ecology-approved cleanup plan, periodic sampling shows that contamination levels may still be present in uncontained parts of the Site. Potential releases like this may be harmful to human health and the environment and must be further investigated and addressed under the MTCA. The formal cleanup process going forward will require a

- Supplemental Remedial Investigation
- Focused Feasibility Study
- Focused Cleanup Action Plan.

In 2020, Ecology will issue an Agreed order (legal agreement) for public review. This legal agreement between Ecology, Weyerhaeuser, and M.A.P. requires these potentially liable persons (PLPs) to complete a supplemental investigation, analyze cleanup options, and create a focused cleanup plan.

Design and performance of the cleanup work described in the Focused Cleanup Action Plan will occur in the future under a separate legal agreement. The public will be able to review and comment on all future legal agreements.

Area community

Land Use and zoning

The Site is located in northeast Everett on the Snohomish River. The Site is currently leased for overflow parking and storage (see Figure 5).

The Site is zoned “Heavy Manufacturing, M-2⁷” (see Figure 6). A latest draft of the City of Everett’s “[Rethink Zoning](#)⁸” planning lists the site as “Heavy Industrial, H1⁹” (See Figure 7)



Figure 5: Cleanup site facing east, March 2020

⁷ <https://everettwa.gov/DocumentCenter/View/15145/ZONING-91918-WALL-MAP-PDF>

⁸ <https://everettwa.gov/2509/Maps>

⁹ https://everettwa.gov/DocumentCenter/View/23625/Ex_4_Zoning-Map_Draft_11x17-1-15-20

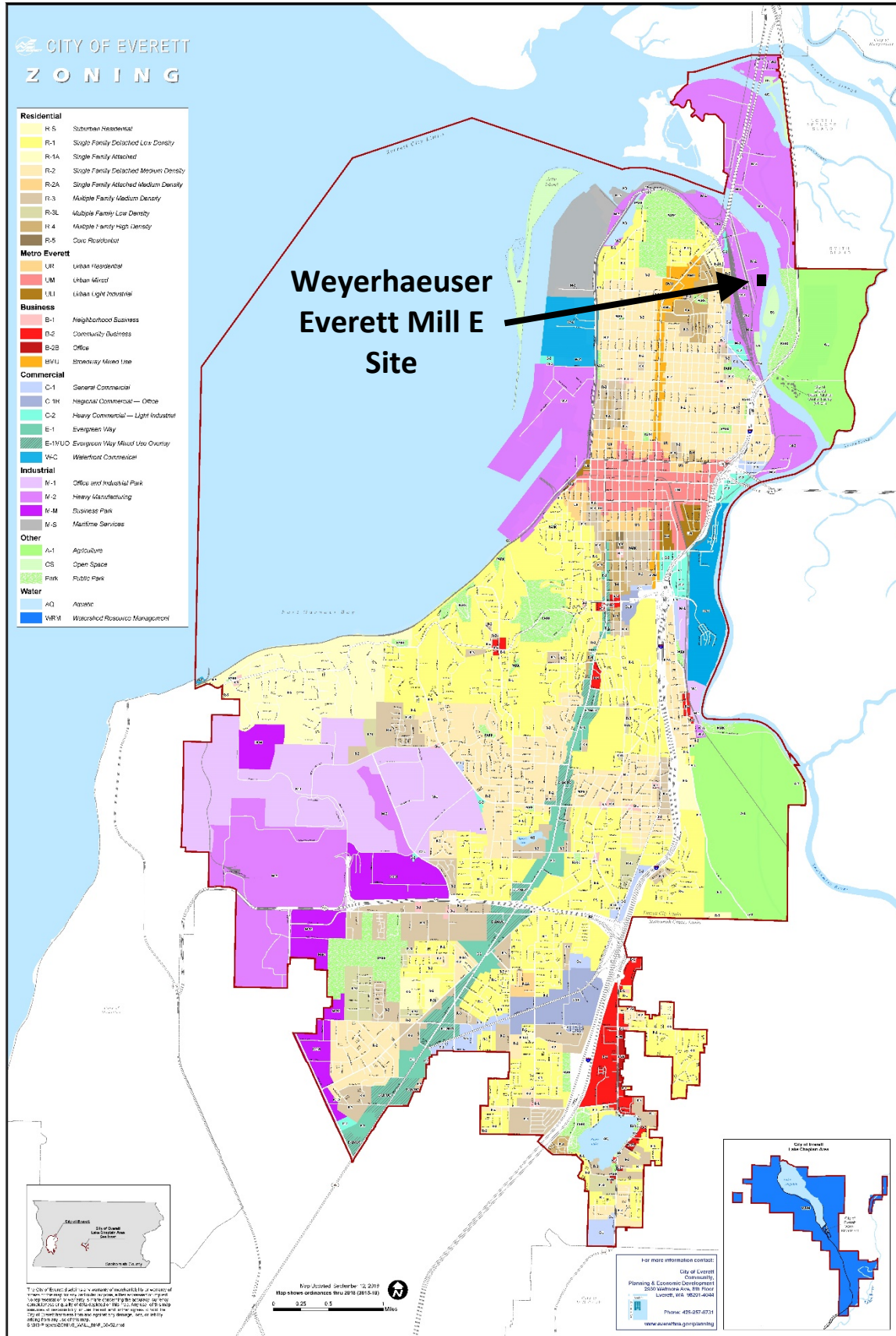


Figure 6: City of Everett Zoning Map, September 12, 2018

Site Information

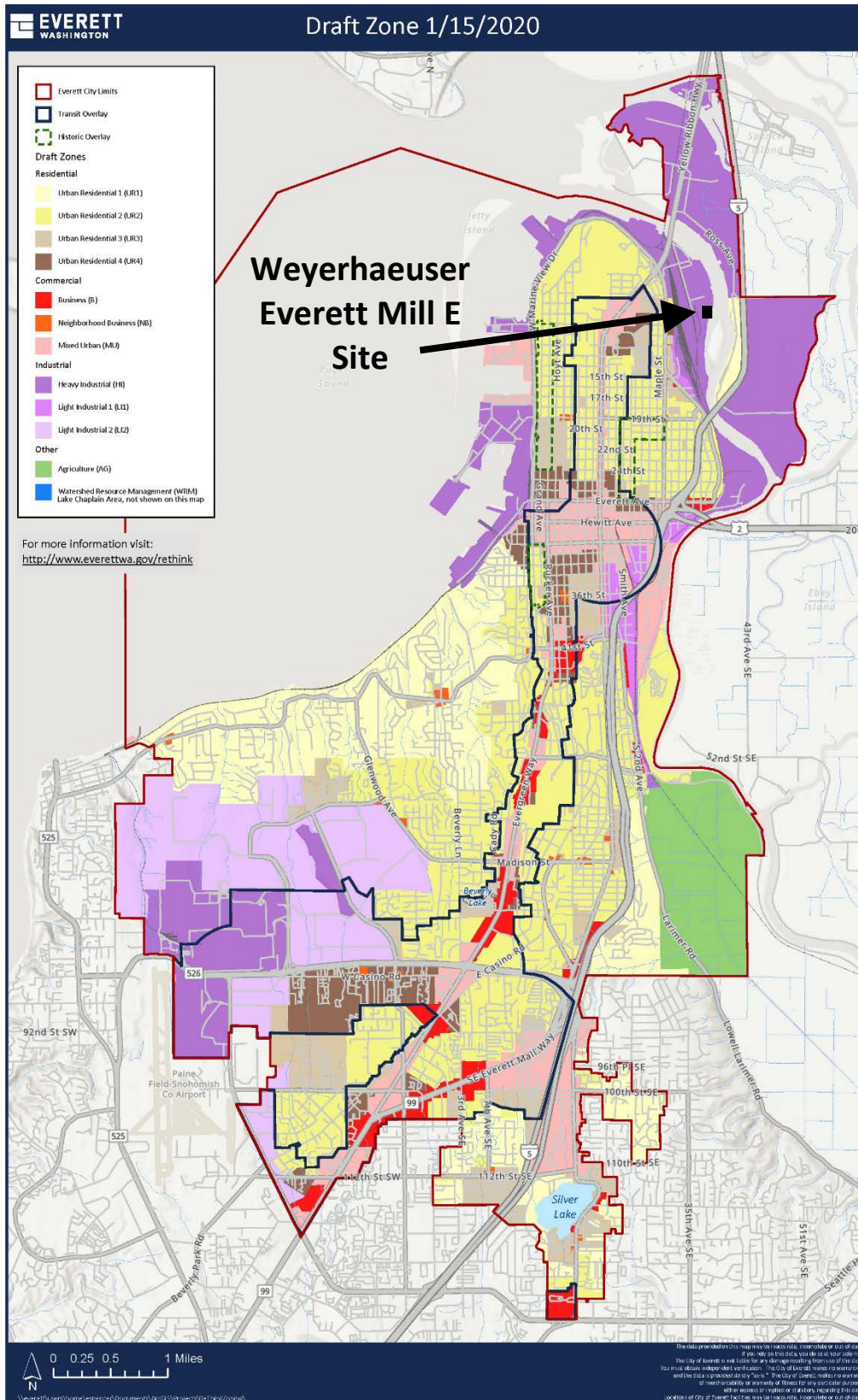


Figure 7: City of Everett Rethink Zoning Map, Draft January 15, 2020

Environmental Justice, spoken languages, and community outreach

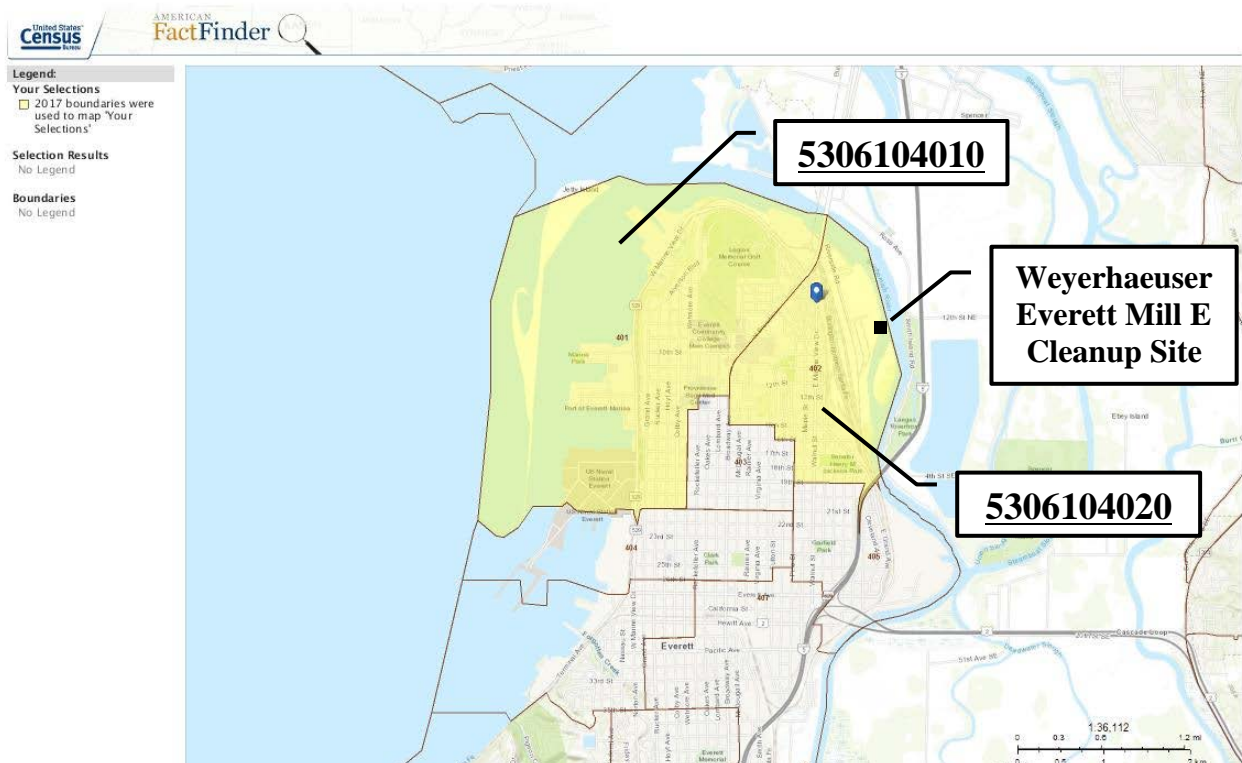


Figure 8: Map of Census Tracts 5306104010 & 5306104020 near cleanup site (US Census Bureau)

The percent of the population in Census Tract 5306104010 (Figure 9) that identifies with each racial group is as follows:

- White: 80%
- Hispanic: 8%
- Black: 4%
- Asian: 4%
- Two or more races: 3%
- American Indian: 1%

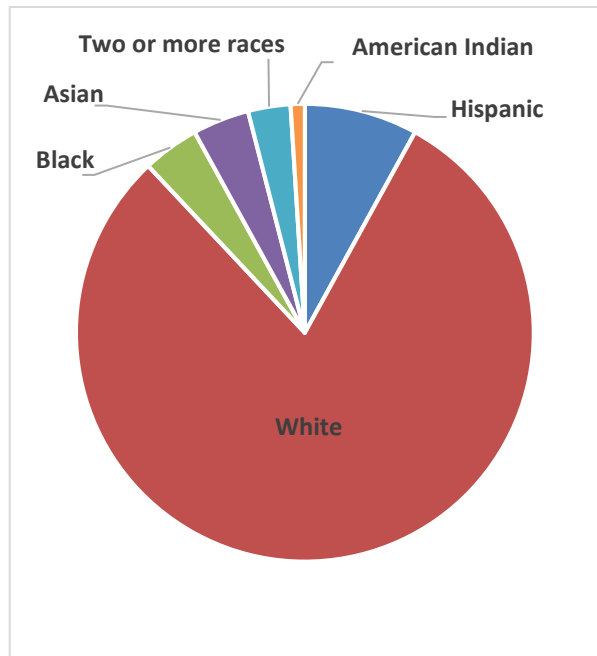


Figure 9: Census Tract 5306104010 population percentages

Site Information

The percent of the population in Census Tract 5306104020 (Figure 10) that identifies with each racial group is as follows:

- White: 60%
- Hispanic: 18%
- Asian: 8%
- Black: 5%
- Two or more races: 4%
- Pacific Islander: 3%
- American Indian: 1%

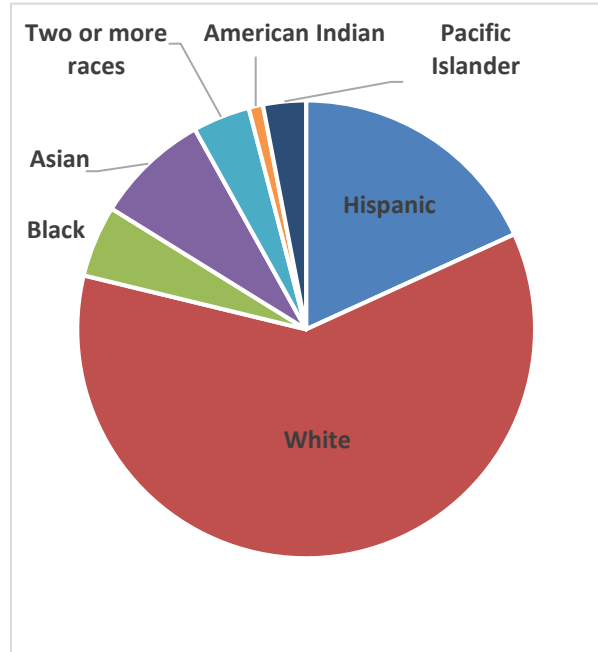


Figure 10: Census Tract 5306104020 population percentages

Demographic data above is from the [US Census Bureau's American Explore Census Data](#)¹⁰ and Washington State Department of Health's [Washington Tracking Network A Source for Environmental Public Health Data](#)¹¹.

The [Environmental Protection Agency's Environmental Justice Screening and Mapping Tool](#)¹² reports no significant demographic indicators above the EPA 80th percentile threshold for Census Tract 5306104010. For Census Tract 5306104020, the EPA EJSCREEN tool found: "Low income population" (88th percentile), "Linguistically isolated population" (88th percentile), and "Population with less than high school education" (92nd percentile).

The [US Census Bureau's American Explore Census Data](#)¹³ census tract data reports a significant "Other Slavic Languages" population speaking English less than "very well" (5.76% of population, 299 people).

Ecology will reach out to cultural community organizations as part of our public involvement efforts and provide information in other languages as appropriate following federal guidance.¹⁴

¹⁰ <https://data.census.gov/cedsci/>

¹¹ <https://fortress.wa.gov/doh/wtnibl/WTNIBL/>

¹² <https://ejscreen.epa.gov/mapper/index.html?wherestr=47.505875%2C+-122.290814>

¹³ <https://data.census.gov/cedsci/>

¹⁴ 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).

The non-English languages most widely spoken in the Site area are Spanish, Vietnamese, and Russian. When appropriate, Ecology will provide outreach in Spanish, Vietnamese, and Russian. We strive to involve the whole community in our public participation efforts and welcome your input on additional measures we can take to reach the nearby community.

The Tulalip Tribes and the Stillaguamish Tribe of Indians are federally recognized tribes that rely on resources that could be affected by the contamination. Ecology will reach out to these tribes throughout the cleanup process.

Public Involvement Activities

This section describes how Ecology will share information with the community and how you can share information with us. In addition, this section provides information about state grants that are available to help the community understand and participate in the cleanup process.

How we share information with the community

During specific steps of the cleanup process, Ecology will mail notices about upcoming public comment periods to residences and businesses near the Site. The mailing list area may vary depending on the type of contamination and where it is located, but at a minimum, it will include addresses within a quarter-mile radius of the Site, and other interested organizations and individuals. The 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 one is not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the Site's status. We will make these informational documents available online and, if warranted, by US mail.

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

Notification lists

Ecology maintains an email list and a mailing list that includes: postal addresses within a quarter-mile radius of the Site; relevant local, state, federal, and tribal government contacts; and, other interested parties.

We will use these lists to send notices when cleanup documents are available for public review and comment or for other Site communications.

If you would like to be added to the email or mailing lists for this Site, please contact Meredith Pentzien at 425-649-7191 or Meredith.Pentzien@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).¹⁵ To receive the *Site Register* by email, please contact Sarah Kellington at 360-208-3167 or sarah.kellington@ecy.wa.gov.

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the *Everett Herald*. We will also publish notice on our [Public Input & Events Listing](#).¹⁶

Ecology's website and social media platforms

We maintain a [website for the Weyerhaeuser Everett Mill E](#) site.¹⁷ The website provides Site information, including current status, public comment period information and documents, and other Site documents.

We may also share information about cleanup sites through [news releases, our ECOconnect blog, and social media](#).¹⁸

Document repositories

During public comment periods when review locations are accessible, you can find print documents at the following locations:

Everett Public Library

2702 Hoyt Avenue
Everett, WA 98201
Phone: 425-257-8010

Washington Department of Ecology

Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

To schedule an appointment, please contact the Northwest Region Office Central Records staff at 425-649-7190 or nwro_public_request@ecy.wa.gov.

When locations listed above are not accessible, please contact Ecology for document review assistance: Meredith Pentzien at 425-229-3683 or Meredith.Pentzien@ecy.wa.gov.

Signs at the Site

We may also install signs displaying information about cleanup status, traffic impacts, and health risks at the Site.

¹⁵ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹⁶ ecology.wa.gov/Events/Search/Listing

¹⁷ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=2903>

¹⁸ ecology.wa.gov/About-us/Get-to-know-us/News

How to share information with us

Interested persons may ask questions, submit informal comments, or share Site information with Ecology at any time. However, to be included in the formal Site record, comments must be submitted in writing during designated comment periods. These written comments can be submitted via:

- Ecology's online comment form
- Email or mail to the Ecology Site Manager

We may also meet with interested community members and organizations to gather information and identify public concerns. To collaborate with us about this Site, please contact Meredith Pentzien at 425-649-7191 or Meredith.Pentzien@ecy.wa.gov.

Public comment periods

At minimum, the MTCA requires 30-day public comment periods for cleanup documents. Ecology may hold longer public comment periods based upon the complexity of the documents, level of public interest, or other compelling factors.

For related SEPA documents, these are typically issued for public review with the cleanup documents and follow their public comment period.

Following a comment period, we publish all the input we received and respond to significant comments and questions, as appropriate. We will place our responses on [Ecology's Weyerhaeuser Everett Mill E webpage](#)¹⁹. 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 in-person or online public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if we receive 10 or more written requests.

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.

¹⁹ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=2903>

Public participation grants

Qualified individuals and not-for-profit public interest organizations are eligible to apply for a Public Participation Grant (PPG) from Ecology. For contaminated sites, these funds may be used to:

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

For more information about PPGs, please contact Lynn Gooding at 360-407-6062 or lynn.gooding@ecy.wa.gov. You may also visit Ecology's [Public Participation Grant website](#).²⁰

Plan Amendments/Updates

Ecology will review this plan as the cleanup progresses and amend/update it as necessary.

The public involvement activities presented herein describe Ecology's current plans for keeping the public informed and for receiving information and comments from the public.

If you feel the public involvement activities described in this plan are insufficient, or need modification, please contact Meredith Pentzien at 425-649-7191 or Meredith.Pentzien@ecy.wa.gov.

²⁰ ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants