



DEPARTMENT OF
ECOLOGY
State of Washington

Response to Comments

Draft Agreed Order, Supplemental Upland Remedial Investigation Work Plan and Public Participation Plan

Weyerhaeuser Everett Mill E Site Everett, WA

Facility Site ID: 12

Cleanup Site ID: 2903

August 2020

Publication and Contact Information

These documents are available on the Department of Ecology's Weyerhaeuser Everett Mill E Site at <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=2903>

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- Eastern Regional Office, Spokane 509-329-3400

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Response to Comments

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Weyerhaeuser Everett Mill E Site Everett, WA

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Washington State Department of Ecology

Northwest Regional Office

Toxics Cleanup Program

Bellevue, Washington

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Public Outreach Summary

From June 22 to July 21, 2020, the Department of Ecology (Ecology) solicited public comments on a draft agreed order (legal agreement), supplemental upland remedial investigation work plan, and public participation plan for the Weyerhaeuser Everett Mill E site. The legal agreement between Ecology, Weyerhaeuser Company (Weyerhaeuser) and M.A.P. #2, LLC (M.A.P.) will require these potentially liable persons (PLPs) to complete a supplemental investigation, analyze cleanup options, and create a focused cleanup plan. 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).

Our public involvement activities related to this 30-day comment period included:

- **Fact Sheet:**
 - US mail distribution of a fact sheet providing information about the cleanup documents and the public comment period to approximately 2,800 people and other interested parties.
- **Legal Notice:**
 - Publication of one paid legal ad in *The Everett Daily Herald*, dated Friday, June 20, 2020.
- **Site Register:**
 - Publication of 3 notices in Ecology's Toxics Cleanup Site Register:
 - Comment Period Notice:
 - June 16, 2020
 - July 1, 2020
 - July 18, 2020
 - Response Summary Notice:
 - August 13, 2020
 - Visit [Ecology's Site Register website](#)¹ to download PDFs.
- **Media Coverage:**
 - *The Herald Net* ran a [story online](#)² June 25, 2020.
- **Social Media:**
 - **Twitter:** Ecology – Northwest Region @ecyseattle posted a [tweet](#)³ on June 23, 2020 alerting followers to the ongoing public comment period for this site.
- **Websites:**
 - Announcement of the public comment period and posting of the fact sheet and associated documents for review on the [Weyerhaeuser Everett Mill E](#)⁴ website.

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<https://fortress.wa.gov/ecy/publications/UIPages/PublicationList.aspx?IndexTypeName=Program&NameValue=Toxics+Cleanup&DocumentTypeName=Newsletter>

² <https://www.heraldnet.com/news/is-pollution-at-old-mill-site-reaching-the-snohomish-river/>

³ <https://twitter.com/ecyseattle/status/1275578499114258432>

⁴ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=2903>

- **Document Repositories:**
 - In consideration of public health and safety, Ecology could not offer in-person review options during the 30-day comment period. Outreach materials and websites directed the public to contact Meredith Pentzien, Outreach Specialist, for document review assistance.

Comment Summary

Ecology received six comments during the 30-day comment period.

Table 1: List of Commenters

	First Name	Last Name	Agency/Organization/Business	Submitted By
1	Robert	Andrews		Individual
2	Malcolm	Cumming		Individual
3	Cynthia	Jones		Individual
4	Bill	Trueit		Individual
5	Julie	Martinson		Individual
6	Kathleen	Sears		Individual

Next Steps

Later in 2020, supplemental investigation testing will begin at the Site. In 2021 and beyond, the PLPs will begin work on a Supplemental Remedial Investigation, Focused Feasibility Study, and draft a Focused Cleanup Action Plan. These documents will be available for public review and comment. Ecology will approve the final Focused Cleanup Action Plan and determine when it is needed.

Comments and Responses

Ecology has reviewed and considered all comments received on the draft agreed order (legal agreement), supplemental upland remedial investigation work plan, and public participation plan. Based on Ecology’s evaluation of the comments, no changes were made to the documents, and they are being finalized.

The comments are presented below, along with Ecology’s responses. Appendix A, on page 6, contains the comments in their original format.

Comment from Robert Andrews

June 26, 2020

Department of Ecology
3190 160th Ave. SE
Bellevue, WA 98008-5452

Dear Ronald Timm, Site Manager,

Re: Arsenic (Pentachlophenol)

I picked up this [article from the Google Alert – Weyerhaeuser](#)⁵. I was the manager of the Aberdeen Lumber operations, 1987-2002.

Penta was used at the planer mill which was sprayed on lumber to control mold. In the mid eight's the mill switched to another product. The mill went through a lot of testing to manage and control the Penta. It is very difficult because the Penta would cling to the wood fibers in the ground. There was a deed restriction setup up in the late nineties.

About 2006-7 the mill was closed. Eventually the ownership moved to the Historical Seaport. I now they continue to have concerns and awareness.

My point is that I don't want to see the property mis-used like for a restaurant or a school.

There are other locations like in Longview, Cottage Grove, and North Bend where Penta was used. I worked in North Bend, and had environmentally accountability for the Western Business group.

I'm not looking to cause issue, but I don't want to see environmentally at-risk property used incorrectly.

Regards,

Robert K. Andrews

[Attachment](#)⁶

PO Box 232

Aberdeen, WA 98520

Response:

Thank you for your interest in this project. This property is currently zoned M-2 Urban Industrial as are the surrounding properties and the city does not currently have plans to change it. That type of change would not be allowed under the current restrictive covenant on the property.

Comment from Malcolm Cumming

It is absolutely necessary that monitoring of soil and ground water for residual lead and arsenic continue and be given high priority. The Snohomish River empties into Puget Sound and carries any and all contaminants quickly into those waters.

⁵ <https://www.heraldnet.com/news/is-pollution-at-old-mill-site-reaching-the-snohomish-river/>

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Response:

Thank you for your support and interest in this project. Monitoring is continuing at the site. The supplemental investigation testing will begin at the Site later in 2020. In 2021 and beyond, the Potentially Liable Persons will begin work on a Supplemental Remedial Investigation, Focused Feasibility Study, and draft a Focused Cleanup Action Plan. These documents will be available for public review and comment. Ecology will approve the final Focused Cleanup Action Plan and determine when it is needed.

Comment from Cynthia Jones

I am writing to express my concern about the Weyerhaeuser Everett Mill E clean up. This site is on the Snohomish River, just around the bend from Puget Sound. It is important that toxic materials not be leached from this site into the Snohomish River and then into the Sound. In this era of budget cuts, this is a critical clean up effort which must continued. Thank you.

Cynthia Jones

Response:

Thank you for your interest in this project. The supplemental investigation testing will begin at the Site later in 2020. In 2021 and beyond, the Potentially Liable Persons will begin work on a Supplemental Remedial Investigation, Focused Feasibility Study, and draft a Focused Cleanup Action Plan. These documents will be available for public review and comment. Ecology will approve the final Focused Cleanup Action Plan and determine when it is needed.

Comment from Bill Trueit

Support and encourage continued testing for contaminants at this site. Responsible parties have an obligation to repair damage to the environment, especially when it poses a risk to human health.

Response:

Thank you for your support and interest in this project. The supplemental investigation testing will begin at the Site later in 2020. In 2021 and beyond, the Potentially Liable Persons will begin work on a Supplemental Remedial Investigation, Focused Feasibility Study, and draft a Focused Cleanup Action Plan. These documents will be available for public review and comment. Ecology will approve the final Focused Cleanup Action Plan and determine when it is needed.

Comment from Julie Martinson

This is a high priority project, where arsenic and lead are still in the ground after the earlier clean-up, and either leaking or subject to leakage into the river. These will affect tribal and sports fishing, shellfish, water contamination and recreation. I care about the time and money needed for the clean-up, but it's necessary for health reasons for wildlife, fisheries and people. I urge a thorough clean-up at this time.

Response:

Thank you for your support and interest in this project. The supplemental investigation testing will begin at the Site later in 2020. In 2021 and beyond, the Potentially Liable Persons will begin work on a Supplemental Remedial Investigation, Focused Feasibility Study, and draft a Focused Cleanup Action Plan. These documents will be available for public review and comment. Ecology will approve the final Focused Cleanup Action Plan and determine when it is needed.

Comment from Kathleen Sears

I am writing to express my concern that the toxins remaining on Mill Site E and the Uplands area in Everett pose a significant risk to human health and must remain a top priority for study and cleanup. Arsenic, lead, and other toxins at Mill Site E endanger not only human health, but plant and animal life in the Snohomish River and Puget Sound as well, since the site is just 2 miles away from the river mouth. How do we know that toxins are not already leaching into the river? I did not see any testing of river water or sediment in the plan.

I am also concerned that Covid-19 will result in a budget shortfall that may delay or derail some projects. I urge Ecology to ensure that the environmentally critical Mill E site remain a high priority and that testing and monitoring continue as currently scheduled.

Response:

Thank you for your interest in the project. The upland investigation plan did not include surface water or sediment sampling because more soil and groundwater data is needed first to better define how/where contaminants may be reaching the river. After the initial investigation is complete, the Agreed Order requires that more investigation be performed, including of the sediments, until enough information is provided to prepare a feasibility study report and cleanup plan. The schedule in this Agreed Order will remain active until all the requirements are completed, and Ecology will continue to make this project a priority as long as the order is effective.

Appendices

Appendix A. Public Comments in Original Format

June 26, 2020

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Bellevue, WA 98008-5452

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I'm not looking to cause issues, but I don't want to see environmentally at-risk property used incorrectly.

Regards,



Robert K. Andrews
Attachment

PO Box 232
Aberdeen, WA 98520



The former site of a Weyerhaeuser mill along the Snohomish River in north Everett is covered by grass and a parking area (center) used by an adjacent Amazon warehouse. (Chuck Taylor / The Herald)

Is pollution at old mill site reaching the Snohomish River?

Over 20 years after an initial cleanup, the state isn't sure arsenic on a 9-acre lot is contained.

By Julia-Grace Sanders

Thursday, June 25, 2020 1:30am | [HERALD BUSINESS JOURNAL](#) [LOCAL NEWS](#) [EVERETT](#)

EVERETT — There's not enough data to show if contamination from a former mill site in Everett is leaking into the Snohomish River, according to the state Department of Ecology.

The state made that call in 2016, but just this week announced a plan to take a closer look at the 9 acres just southeast of the Highway 529 bridge between Everett and Marysville.

“Due to workload issues and various other issues we haven’t pursued any more active cleanup activities,” said Ron Timm, cleanup project manager with the Department of Ecology.

The land was first cleaned up by former owners in 1999. Since then, Ecology has reviewed the site every five years on top of annual monitoring.

Now Ecology is calling for a year-long study to determine if arsenic in the soil is at risk of reaching the Snohomish River.

“It’s still not certain that we need to be concerned about the containment,” Timm said. “We just need more evidence to confirm it.”

In its Mill Town days, Everett’s waterfronts were lined with industrial plants churning out pulp, lumber, and other products.

Today, most of those buildings are gone, but some environmental impacts of their operations linger.

To the west, crews are set to kick off cleanup of the 60-acre Kimberly-Clark site near the Port of Everett.

To the east, the proposed pollution study would take place along the Snohomish River, where the Weyerhaeuser Co. mill operations once stretched along its banks.

As mill operations began to slow down in the mid-1900s, Weyerhaeuser leased the 9-acre site to American Lumber and Treating Corporation. The company treated lumber there using arsenic, a pesticide called Pentachlorophenol, petroleum and other chemicals.

“Which is when the problems started,” Timm said.

The land changed hands a few more times to an engine maintenance shop, sawmill and wood pallet storage throughout the years. Today, it's zoned as heavy industrial and is used as overflow parking and storage for the nearby Amazon distribution center.

Ecology sued Weyerhaeuser in 1998, leading to a settlement that required Weyerhaeuser to clean up the Snohomish River site.

While petroleum and some of the other contaminants present will break down over time — arsenic will not, Timm said.

So in 1999 Weyerhaeuser paved about four acres to trap arsenic in the soil.

Asphalt reduces rainfall infiltration, which helps reduce the chance arsenic will leach.

"...But when you have other chemicals in the soup it tends to want to be mobile," Timm said. "It's a very unpredictable chemical and it doesn't usually break down, it just changes forms."

In 2016, Ecology wasn't convinced the arsenic was sufficiently contained.

Now they're asking current owner M.A.P. #2, LLC and past owners of the land to collect more data.

"The soil has been covered so there's no real threat to human health through direct contact," Timm said. "It's just how the contaminates could still be moving through groundwater and getting to the river sediments."

Over the next year, Seattle environmental consulting agency Floyd|Snider will test groundwater and soil at the site four times, once each season. To do so, they'll dig 10 groundwater monitoring wells and five soil probes in other parts of the lot.

The full work plan is open for public comment through July 21.

Once the year-long data collection period is complete, Ecology will

determine a path forward.

“One of the concerns we’ve had in the past is that we didn’t have a thorough knowledge of what was going on at the site,” Timm said. “We want to solve that problem and collect as much data as we can to fully understand (it).”

How to comment

To make public comment, visit the state Department of Ecology’s website at <http://tcp.ecology.commentinput.com/?id=FE4Ye> or email Ronald.Timm@ecy.wa.gov. You may also mail comments to: Dept. of Ecology; Attn Ronald Timm, Site Manager; 3190 160th Ave. SE; Bellevue WA 98008-5452.

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- If you have an opinion you wish to share for publication, send a letter to the editor to letters@heraldnet.com or by regular mail to The Daily Herald, Letters, P.O. Box 930, Everett, WA 98206.
- More contact information is [here](#).

Gallery



The former site of a Weyerhaeuser mill along the Snohomish River in north Everett is covered by grass and a parking area (center) used by an adjacent Amazon warehouse. (Chuck Taylor / The Herald)

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