



DEPARTMENT OF
ECOLOGY
State of Washington

Public Participation Plan

Taylor Way & Alexander Avenue Fill Area Tacoma, Washington

Facility Site ID: 1403183

Cleanup Site ID: 4692

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Publication and Contact Information

This plan is available on the Department of Ecology's website at:
<http://ecyaptcp/dsars/docViewer.aspx?did=94798>

For more information contact:

Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775
(360) 407-6300

Washington State Department of Ecology – www.ecology.wa.gov

- 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 Americans with Disabilities Act accommodation, or printed materials in a format for the visually impaired, contact the Ecology ADA Coordinator at 360-407-6831 or ecyadacoordinator@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. 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

Taylor Way & Alexander Avenue Fill Area

Toxics Cleanup Program
Southwest Region
Washington State Department of Ecology
Olympia, 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 potentially liable parties (PLPs), the parties responsible for cleanup costs. The PLPs are: the Port of Tacoma (Port), General Metals of Tacoma (General Metals), Occidental Chemical Corporation (Occidental), and Burlington Environmental LLC (BE). 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 is for legal agreements (Agreed Order No. DE 14260 and Enforcement Order No. DE 19410) that require the PLPs to write a Remedial Investigation and Feasibility Study report, and a draft Cleanup Action Plan for the Taylor Way & Alexander Avenue Fill Area (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

Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775

Steve Teel, Cleanup Project Manager
Steve.Teel@ecy.wa.gov
(360) 407-6247

Nancy Davis, Public Involvement Coordinator
Nancy.Davis@ecy.wa.gov
(360) 407-0067

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 information¹
- 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. You may also visit the [Public Participation Grant website](#).²

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 \(WAC\)](#).³ Ecology investigates reports of property contamination, and if the

¹ 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.

² ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants

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

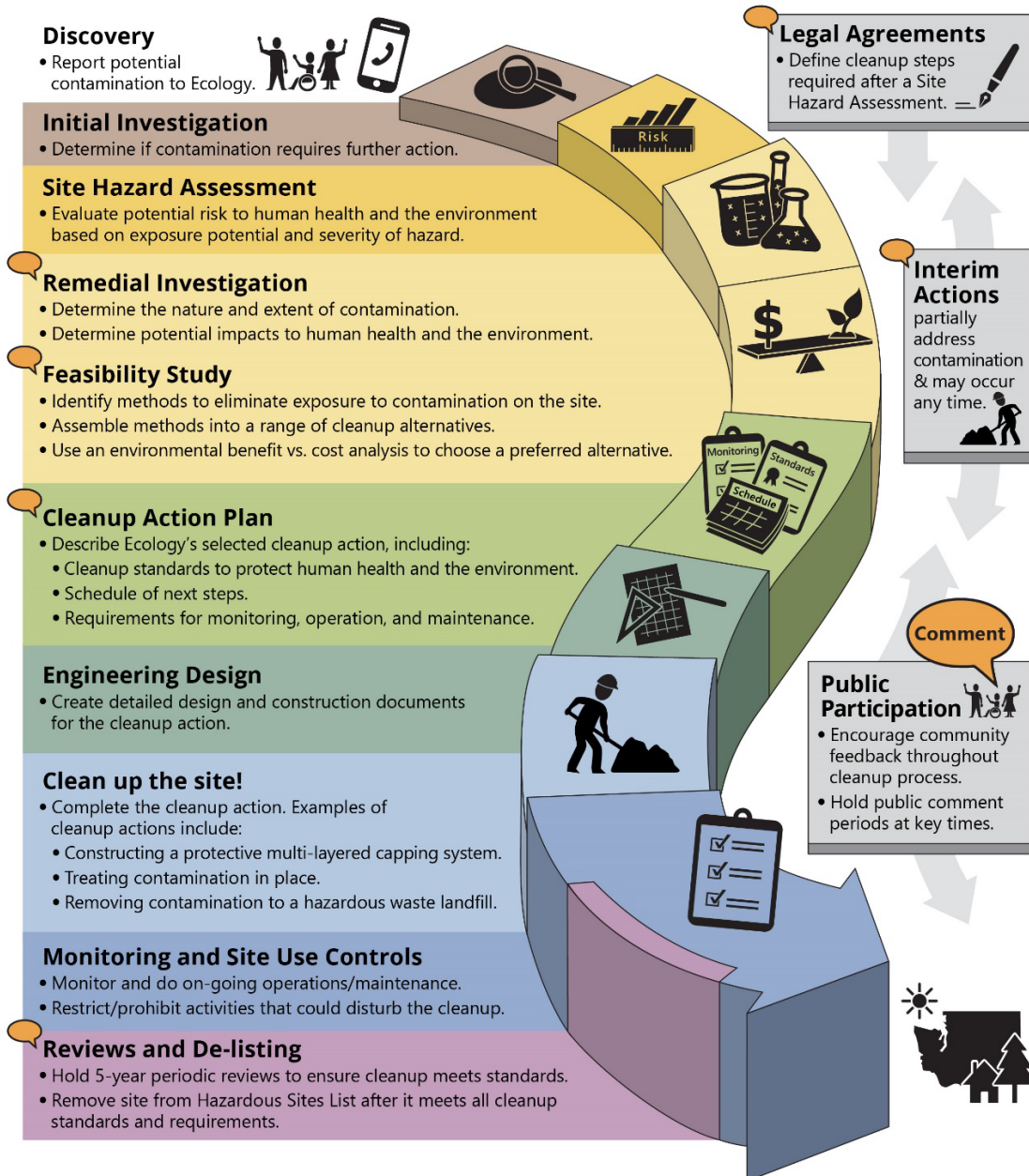
contamination is seen as a significant threat to human health or the environment, the contaminated property is placed on the Hazardous Sites List, and the cleanup process begins.

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 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 on cleanup documents.



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

State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans.

Site History

Land use

The TWAAFA site is located in the general vicinity of 1500 Taylor Way East near the Hylebos Waterway in the Tacoma Tideflats. The site and surrounding area have a long and diverse industrial history, which is reflected in the nature of contamination. Before the 1930s, the Tideflats was the tidal marsh of the Puyallup River Delta.

The site includes 15 parcels that are owned by the Port, BE, and Pierce County (Figure 1). The former CleanCare parcels are now owned by Pierce County because the previous owner did not pay their property taxes. The BE parcels are mostly used for chemical waste treatment, storage, and disposal and also for storage of containers and truck trailers. The Pierce County parcels have a vacant industrial facility. The Port parcels are used as a commercial warehouse, for light manufacturing and truck trailer and container repair, or they are vacant and undeveloped.



How the site became contaminated

Part of the site was used as an unpermitted landfill for industrial waste that accepted lime solvent sludge and other lime wastes, and auto fluff (plastics, foam, textiles, rubber and glass that is contaminated with rust, dirt and a variety of fluids). Other land uses included storing fuel and oil in large tanks, hazardous waste treatment and storage, waste oil recycling, lumber milling, and warehousing and shipping operations. Over the years, there were many spills and leaks of petroleum, organic compounds, and other chemicals.

The [parcel history document](#)⁴ shows the historical ownership, activities, and releases at the site.

Contamination

Previous remedial investigation activities were done for part of the site by BE, ProLogis (a former owner/operator), Port of Tacoma, Tacoma Pierce County Health Department (with grant

⁴ <http://ecyaptcp/dsars/docViewer.aspx?did=94784>

funding by Ecology), and others. These investigations showed that the following contaminants are present and may be harmful to human health and the environment:

- Total petroleum hydrocarbons (TPH) or petroleum
- Volatile organic compounds (VOCs) such as benzene, vinyl chloride, trichloroethylene (TCE), and tetrachloroethylene (PCE)
- Semi volatile organic compounds (SVOCs)
- Polychlorinated biphenyls (PCBs)
- Metals such as arsenic and lead

Air at the site also needs to be investigated. Air inside the buildings may have one or more VOCs that are harmful to human health. Also, methane was found below ground surface. Methane levels in buildings need to be investigated because they can cause a fire or explosions. So far, the methane testing in buildings show it is safe.

Only a limited area of the site has been cleaned up. At Ecology's request, in 1999-2000, the Environmental Protection Agency (EPA) removed a large volume of hazardous waste that was left behind when the former CleanCare facility was abandoned. In 2017, Ecology supervised the Port's partial cleanup combined with redevelopment for three parcels on the east side of the site that are now leased for warehouse use (Agreed Order DE 13921).

Area community

To better understand communities surrounding the site, Ecology will use the Environmental Protection Agency's EJSCREEN, the Tacoma Equity Index, and the Washington Tracking Network. These tools provide language access and environmental justice information that influence how we conduct our public outreach and participation activities.

The city of Tacoma's population is ethnically and economically diverse. In the district surrounding the site (WA Legislative District 27), there are large African-American, Latino/Hispanic, Asian American, and Native American populations. The non-English languages most widely spoken in the larger Tacoma area are Spanish and Korean. Ecology has been informed that many workers in the Tideflats speak Russian as their primary language. Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.⁵

In addition, Ecology is aware of several demographic indicators that show a need to consider environmental justice for:

⁵ 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).

- Low income populations
- Minority populations
- Population with Less Than High School Education

Ecology will accommodate different communication needs when writing documents and web content, and arrange for venues near the site or those served by public transportation in the event of public meetings or open houses. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

The Puyallup Tribe is a federally recognized tribe that owns land or relies on resources that could be affected by site contamination. For thousands of years, the Tribe has used the surrounding natural resources including the riparian areas of the Puyallup River for food, medicines, and materials for clothing. They have a spiritual connection to the land. Ecology will provide ample opportunity to the Tribe to be involved throughout the cleanup 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 1/4-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

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 a ¼ mile radius of the TWAAFA site and relevant local, state, and federal government contacts.

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 Nancy Davis at (360) 407-0677 or Nancy.Davis@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).⁶ To receive the *Site Register* by email, please contact Sarah Kellington at 360-407-7466 or Sarah.Kellington@ecy.wa.gov, or [subscribe online](#).⁷

Newspaper display ads or legal notices

We announce public comment periods and events in ads published in the Tacoma News Tribune. We will also publish notice on our [Public Input & Events Listing](#).⁸

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 contact Nancy Davis at (360) 407-0677 or Nancy.Davis@ecy.wa.gov.

⁶ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

⁷ <http://listserv.wa.gov/cgi-bin/wa?SUBED1=siteregister&A=1>

⁸ ecology.wa.gov/Events/Search/Listing

Ecology's website and social media platforms

We maintain a website for the [TWAAFA](#) site.⁹ 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](#).¹⁰

Document repositories

Due to COVID-19, site documents will not be available at repositories or by mail. If you are unable to view information on the Ecology website and have questions, please contact Steve Teel, Cleanup Project Manager or Nancy Davis, Public Involvement Coordinator at (360) 407-0677.

Once Ecology's office reopen to the public, you can schedule an appointment with Susie Baxter to view printed documents. Please contact her at 360-407-6365 or Susan.Baxter@ecy.wa.gov.

Signs around the cleanup site

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

How to share information with us

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods SEPA documents. SEPA documents are often made available for public review with other cleanup documents. In that case, we combine the comment periods, and they last at least 30 days. 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, please contact Nancy Davis at (360) 407-0677 or Nancy.Davis@ecy.wa.gov.

⁹ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=4692>

¹⁰ ecology.wa.gov/About-us/Get-to-know-us/News

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 and may extend to 30 days or more when other cleanup documents are concurrently available for review.

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, 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.

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.

Americans with Disabilities Act

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, contact the Ecology ADA Coordinator at 360-407-6831 or ecyadacoordinator@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

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 Nancy Davis at (360) 407-0677 or Nancy.Davis@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.

Appendix A Glossary

Agreed Order: A legal agreement between Ecology and a Potentially Liable Person (see below) to conduct work toward a cleanup.

Cleanup: Actions that deal with a release or threatened release of hazardous substances that could affect public health or the environment. Ecology often uses the term "cleanup" broadly to describe response actions or phases of cleanup, such as the Remedial Investigation/Feasibility Study.

Cleanup Action Plan (CAP): A plan that explains which cleanup option(s) will be used at a site. The Remedial Investigation and Feasibility Study provide the data and analysis to write a CAP. It also takes into account public comments and public concerns.

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.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels

Enforcement Order: A legal agreement between Ecology and a Potentially Liable Person (see below) to conduct work toward a cleanup. Enforcement orders may be issued when attempts at negotiating an agreed order are unsuccessful,

Feasibility Study: This study develops and evaluates cleanup options for a site.

Groundwater: Water found beneath the earth's surface that fills spaces between materials such as sand, soil, or gravel. In some aquifers, ground water occurs in large enough amounts to be used for drinking water, irrigation and other purposes.

Repository: A file containing site information and reports for public review. It is usually located in a public building convenient for local residents, such as a public school, city hall, or library.

Model Toxics Control Act (MTCA): A law passed by Washington voter initiative in 1988. Its purpose is to find, investigate, and clean up places where hazardous substances have been released. It defines Ecology's role and encourages public involvement in cleanup decisions.

Potentially Liable Person: Any individual(s) or company(s) potentially responsible for, or contributing to, the contamination problems at a site. Whenever possible, Ecology requires PLPs to clean up sites.

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 that describes how the public can provide input on the cleanup of the site.

Remedial Investigation: This study characterizes the site and defines the extent of contamination.

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.

Risk: The probability that a hazardous substance, when released into the environment, will cause an adverse effect in the exposed humans or living organisms.

Site: Any area where a hazardous substance, other than a consumer product in consumer use, has come to be located.