



DEPARTMENT OF
ECOLOGY
State of Washington

Public Participation Plan

Chevron 209335

1215 N. 45th St., Seattle, WA 98103

Facility Site ID: 70996824

Cleanup Site ID: 6537

December 2020

Contact Information

This plan is available on the Department of Ecology's website at:
<https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537>

For more information contact:

Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452
425-649-7000

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

Chevron 209335

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 Chevron Environmental Management Company (CEMC) and Stone Way Apartments LLC (Stone Way), the parties responsible for cleanup costs. 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 an Agreed Order that requires CEMC and Stone Way to draft a Remedial Investigation/Feasibility Study (RI/FS) Report and a draft Cleanup Action Plan (dCAP) for the Chevron 209335 cleanup site (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 160th Ave SE
Bellevue, WA 98008

- Dale Myers, Site Manager
dale.myers@ecy.wa.gov
425-649-4446
- Meredith Pentzien, Public Involvement Coordinator
meredith.pentzien@ecy.wa.gov
425-229-3683

Potentially Liable Parties (PLPs)

Chevron Environmental Management Company
6001 Bollinger Canyon Road
San Ramon, CA 94583

- Timothy Bishop, Project Manager
TimBishop@Chevron.com
925-842-4508
- Julia Bussey, Corporate Affairs Advisor
jbussey@chevron.com
925-842-1444

Stone Way Apartments LLC, c/o Bellwether Housing
1654 Bellevue Avenue
Seattle, WA 98122

- Michelle Hawley, Director of Property Management
mhawley@bellwetherhousing.org
206-623-0506

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

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

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 implements 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 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.

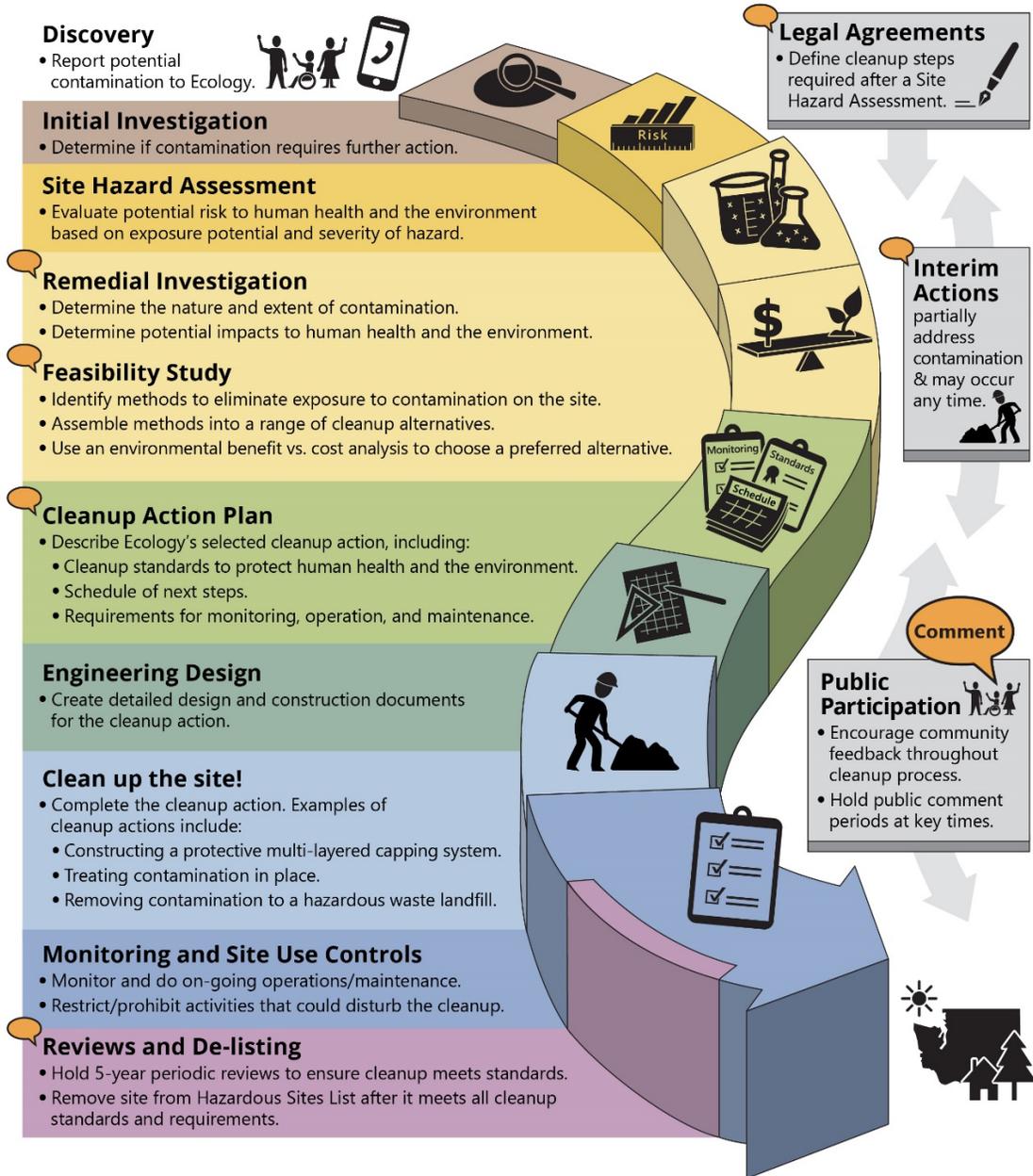
Public participation is an important part of cleanup under the MTCA process. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk posed by the contamination. Individuals who live near the site, community groups, businesses, government, 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.

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



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 process⁴.

⁴ <https://fortress.wa.gov/ecy/publications/SummaryPages/1909166.html>

State Environmental Policy Act

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

Site History

Land use

The site is located at 1215 N. 45th Street, Seattle, WA 98103 (Property). The Property is currently owned and operated by Stone Way as a mixed-use affordable housing building.

A service station operated at the Property from at least 1935. Standard Oil Company (Standard) (a predecessor of Chevron U.S.A. Inc.) purchased the Property in 1954. A gasoline service station operated at the Property until the removal of the service station building and service garage in 1969. Standard sold the Property in 1978 to the Seattle Housing Authority (SHA). The SHA then sold the Property to Housing Resources Group (HRG) in 2005, which immediately transferred ownership of the Property to Stone Way. The Property has since been developed into a four-story, mixed-use retail/residential building with an underground parking garage.



Figure 2 Aerial image of Stone Way Apartments.

Contamination

Chemicals remaining in soil and groundwater include:

- Petroleum products (Gasoline, Diesel, Oil-range Total Petroleum Hydrocarbons)
- Benzene, Toluene, Ethyl-Benzene, and Xylene (BTEX)

Cleanup plans

2005: The Property was excavated, and impacted soil was removed to a depth of 13 to 18 feet below the original grade. In addition, a total of 20 large-diameter bucket auger borings were

drilled to approximately 42 feet below the original ground surface to remove deep petroleum-hydrocarbon impacted soil. Approximately 2,490 tons of soil were removed and backfilled with clean soil or control-density fill (CDF). Five underground storage tanks were removed from the Property as well. The underground parking garage is next to North 45th Street, Stone Way North and a utility corridor that prevented further excavation. Additional groundwater monitoring wells were installed in 2005.

2005 – 2018: Groundwater samples were collected semi-annually through 2018. Additionally, light non-aqueous phase liquids (LNAPL, or petroleum products that float on top of groundwater) were removed from one monitoring well (bi-weekly to daily) from February 2006 to August 2006. A surfactant injection for enhanced LNAPL recovery occurred in 2013.

2018 – Today: LNAPL continued to be observed at the site through 2018 in one groundwater monitoring well. The residual petroleum contamination does not likely pose a health risk to the businesses or residents of the building due to the presence of a below ground parking garage, garage ventilation system and a protective vapor barrier beneath the building. A Vapor Intrusion Assessment (VIA, or study of the air in the garage) will be conducted during the remedial investigation to confirm this understanding.

We invite you to review and comment on the following documents from December 7, 2020 to January 20, 2021:

- Agreed Order – requires the PLPs to investigate environmental conditions, complete a RI/FS Report that presents the results of the investigation and an evaluation of the cleanup alternatives. The dCAP describes how the selected cleanup alternative will be performed.
- Public Participation Plan – describes how Ecology will inform the community about site activities and opportunities to be involved in the cleanup process.

Area community

The site is located in the Fremont Neighborhood of Seattle and currently is operated as a four-story, mixed-use retail/residential building with an underground parking garage. The residential building is an affordable housing apartment building. The site is [zoned](#)⁵ NC2P-55 (M) as a Mixed-Use zone where both residential and commercial development are allowed. Mandatory Housing Affordability requirements apply to development in this zone. The neighborhood surrounding the site is zoned LR1 (M1), or Multifamily residential zoning where townhomes, rowhouses, and apartments are allowed. The area has many restaurants, apartment buildings, shops, and community spaces.

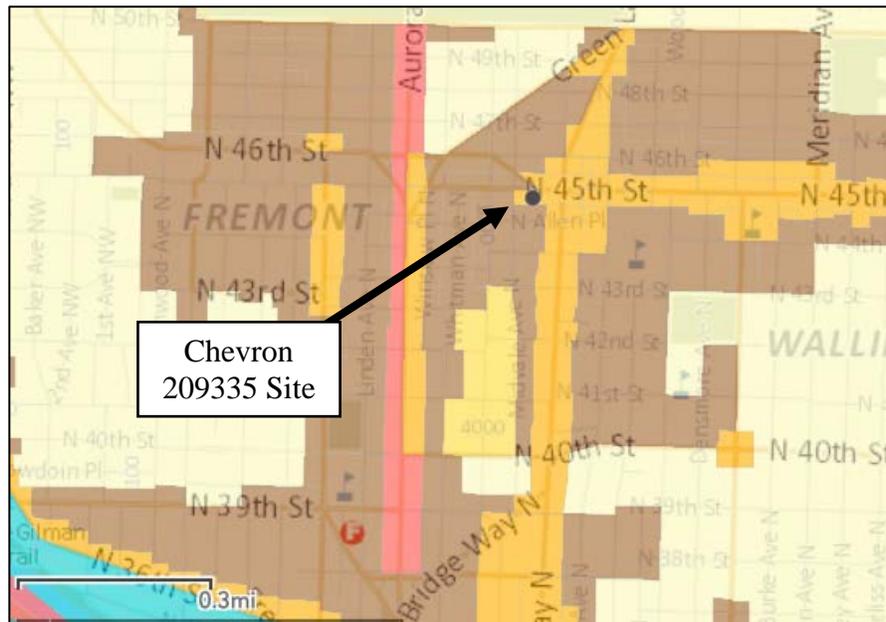


Figure 3 [Seattle Department of Construction & Inspection Zoning Map](#), Orange: NC2P-55 (M) zone, Brown: LR1 (M1) zone, Light Yellow: Single Family Residential Zone

⁵ <http://seattlecitygis.maps.arcgis.com/apps/webappviewer/index.html?id=f822b2c6498c4163b0cf908e2241e9c2>

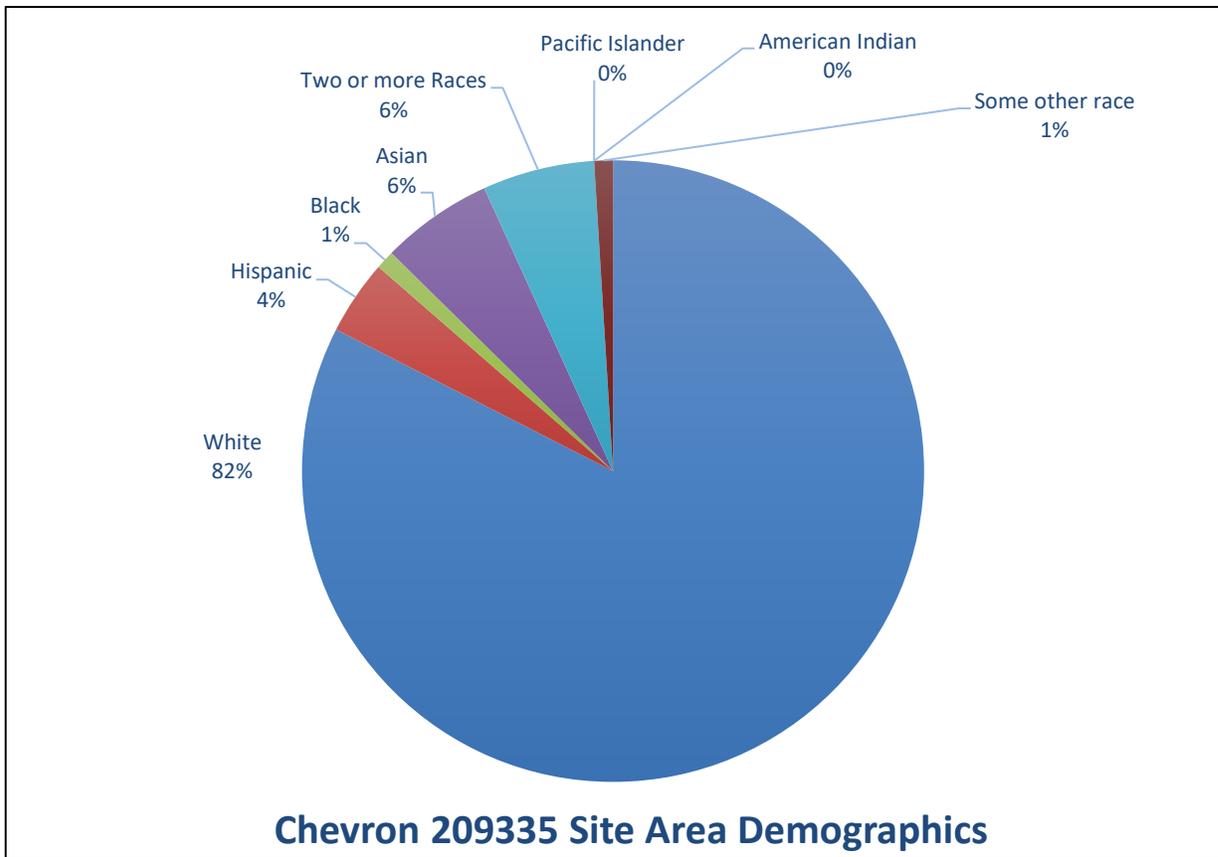


Figure 4: Chevron 209335 site area demographics

The percent of the population within one-mile radius around the site that identifies with each racial group is as follows:

- White: 82%
- Asian: 6%
- Two or more races 6%
- Hispanic: 4%
- Black: 1%
- Some other race: 1%
- Pacific Islander 0%
- American Indian: 0%

Demographic data above is from the [US Census Bureau's American Explore Census Data](https://data.census.gov/cedsci/)⁶ and Washington State Department of Health's [Washington Tracking Network A Source for Environmental Public Health Data](https://fortress.wa.gov/doh/wtnibl/WTNIBL/)⁷.

⁶ <https://data.census.gov/cedsci/>

⁷ <https://fortress.wa.gov/doh/wtnibl/WTNIBL/>

The [Environmental Protection Agency’s Environmental Justice Screening and Mapping Tool](#)⁸ reports no significant demographic indicators above the EPA 80th percentile threshold for the one-mile radius around the Chevron 209335 site.

The [US Census Bureau’s American Explore Census Data](#)⁹ census tract data reports a no significant non-English languages spoken in the one-mile radius surrounding the site. However, the affordable housing complex where the contamination is present is more linguistically diverse than the surrounding community is. After speaking with Stone Way Apartments LLC, Ecology will translate the fact sheet and meeting presentation into the languages they requested based on resident data.



Figure 5 Environmental Justice Screening report map of Seattle, WA. The population of the one-mile radius around the cleanup site is 35,889 people within 3.14 square miles.

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.¹⁰ The non-English language(s) most widely spoken in the Chevron 209335 site area are English and Spanish. The

⁸ <https://ejscreen.epa.gov/mapper/index.html?wherestr=47.505875%2C+-122.290814>

⁹ <https://data.census.gov/cedsci/>

¹⁰ 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).

languages most widely spoken within the 70-unit apartment affordable housing complex above the cleanup site are Amharic, Cantonese, Oromo, Somali, Spanish, and Tigrinya.

Ecology will consult with any appropriate Tribes that could be affected by the contamination. Ecology will ensure that the Tribe will be engaged with any decision-making process for this site and has ample opportunity to be involved throughout the process on a government-to-government basis.

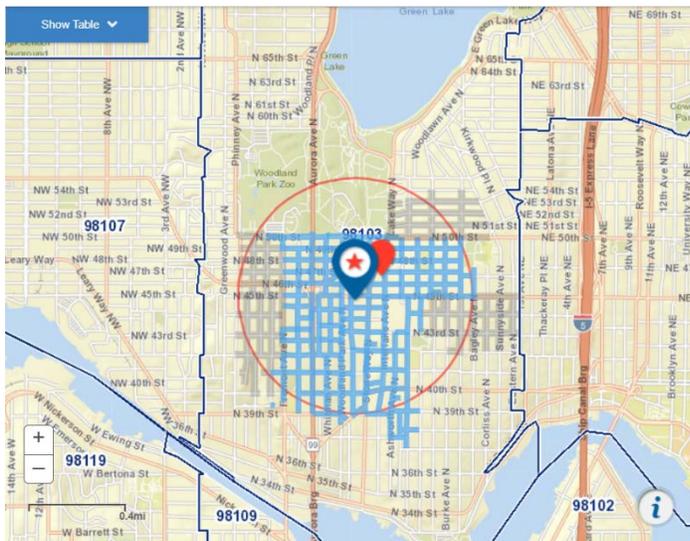
When appropriate, Ecology will provide outreach in Amharic, Cantonese, Oromo, Somali, Spanish, and Tigrinya. These languages are widely used in the affordable housing apartment building directly above the remaining contamination. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

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 (Figure 12) will 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.

Figure 6 shows a map of the postal routes that will receive a copy of the Chevron 209335 fact sheet. Postal routes are highlighted in blue. The red circle represents a 1/2 mile radius around the site. The red marker is a post office. The blue marker with a star is the site location.

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 the neighborhoods of Seattle, 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 Meredith Pentzien at 425-229-3683 or Meredith.Pentzien@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).¹¹ To receive the *Site Register* by email, please contact Sarah Kellington at 360-407-7466 or sarah.kellington@ecy.wa.gov, or [subscribe online](#).¹²

Newspaper display ads or legal notices

We announce public comment periods in an ad in *The Seattle Times*. Ecology's communications team will send a news release to *The Seattle Times* detailing the history of the site and the upcoming comment period. *The Seattle Times* may choose to publish this news release. We will also publish notice on our [Public Input & Events Listing](#).¹³

Ecology's website and social media platforms

We maintain a website for the [Chevron 209335](#) site.¹⁴ The website provides site information where you may download cleanup documents.

We may also share information about cleanup sites through [news releases, our ECOconnect blog, and social media](#).¹⁵

¹¹ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹² <http://listserv.wa.gov/cgi-bin/wa?SUBED1=siteregister&A=1>

¹³ ecology.wa.gov/Events/Search/Listing

¹⁴ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537>

¹⁵ ecology.wa.gov/About-us/Get-to-know-us/News

Document repositories

During public comment periods, you can find print documents at the following locations:

Washington Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

To schedule an appointment, please contact Northwest Regional 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 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 Dale Myers at 425-649-4446 or Dale.Myers@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 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.

Due to public health concerns regarding COVID-19, Ecology may host these meetings online.

In-person 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.

Ecology will hold a Public Meeting on December 15, 2020 from 6:00-7:00pm and December 17, 2020 from 9:30 – 10:30am on WebEx in anticipation of high interest from the community. Registration information, meeting details, and translation information are available in the printed fact sheet and on the site website.

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 Meredith Pentzien at 425-229-3683 or Meredith.Pentzien@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.