



Citizens for a Healthy Bay

535 Dock Street

Suite 213

Tacoma, WA 98402

Phone (253) 383-2429

chb@healthybay.org

www.healthybay.org

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Panjini Balaraju
Washington Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775
Submitted electronically

Re: X2P Marc Land Associates Site Proposed Removal from a Restrictive Covenant

Thank you for providing the opportunity to review and comment on proposed removal of the X2P Marc Land Associates site from its Restrictive Covenant.

Executive Director

Melissa Malott

Citizens for a Healthy Bay (CHB) is a 30-year-old organization whose mission is to represent and engage people in the cleanup, restoration, and protection of Commencement Bay, its surrounding waters and natural habitat. We are a 501(c)3 nonprofit providing practical, solutions-based environmental leadership in the Puget Sound area. We work side-by-side with residents, businesses, and government to prevent and mitigate pollution and to make our community healthier and more vibrant.

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Staff and expert members of CHB's Policy and Technical Advisory Committee have reviewed the proposal and supporting documents. Our comments are outlined below.

The Department of Ecology (Ecology) has proposed the removal of an environmental Restrictive Covenant at the X2P Mark Land Associates property at 1650 East 18th Street, a site in the Tacoma Tideflats north of the Puyallup River. In the past, a 500-gallon gasoline/diesel underground storage tank, contaminated soil, and existing structures were removed from the site, and groundwater monitoring indicates that petroleum contamination is below state standards. Consequently, surface contamination appears to be remediated. No subsurface investigation or cleanup is documented in the current information.

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CHB is concerned about the likelihood that this site is within the boundaries of the historic Tacoma Tideflats Landfill. This historic landfill was described in the 2010 Tacoma Pierce County Health Department report¹, and appeared to extend from the Puyallup River to the western portion of the US. Oil site. Figure 33 in the report shows the approximate boundaries for the landfill. Solid waste was reported as being relatively shallow, extending down 8-10 feet. In addition to household waste, the report indicates that waste from Hooker Chemical may have been disposed in this area. When the second phase of the nearby Gog-le-hi-te wetland was constructed, over 180,000 tons of debris including contaminated soils and solid waste was excavated. Consequently, any work done on this site may well uncover additional landfill materials.

Because of the strong possibility of subsurface contamination, CHB requests that a modified restrictive covenant for any subsurface work be placed on the property, and that Ecology be notified immediately if contamination is found. The owner should notify and obtain approval from Ecology before subsurface excavation is undertaken, and Ecology should be allowed access to the property. The previous restrictive covenant should be removed.

Thank you for considering these comments. Please contact Erin Dilworth at edilworth@healthybay.org for any questions or clarifications.

Sincerely,



Erin Dilworth
Policy & Technical Program Manager



Melissa Malott
Executive Director