



DEPARTMENT OF
ECOLOGY
State of Washington

Response to Comments

Draft Agreed Order and Public Participation Plan

Chevron 209335 Site Seattle, WA

Facility Site ID: 70996824
Cleanup Site ID: 6537

January 2021

Publication and Contact Information

These documents are available on the Department of Ecology's Chevron 209335 Site at <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537>

For more information contact:

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

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- 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

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Response to Comments

Draft Agreed Order and Public Participation Plan

Chevron 209335 Site Seattle, WA

Facility Site ID: 70996824

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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 December 7, 2020 to January 20, 2021, the Department of Ecology (Ecology) solicited public comments on a draft agreed order (legal agreement) and public participation plan for the Chevron 209335 site. The legal agreement between Ecology, Chevron Environmental Management Company (CEMC) and Stone Way Apartments LLC (Stone Way) will require these potentially liable persons (PLPs) to investigate the site and develop cleanup alternatives. The documents detailing their findings is called a Remedial Investigation/Feasibility Study (RI/FS) Report. The PLPs will develop a plan based on that report called a draft Cleanup Action Plan (dCAP).

Our public involvement activities related to this 45-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 5,000 households and other interested parties.
 - Hard copy distribution of all translated fact sheets were provided to Stone Way Apartments to be distributed to residents who were known to require these specific translations.
 - Digital copies of all English, Spanish, Somali, Tigrinya, Amharic, Chinese-Simplified, and Oromo fact sheets were located on the site webpage⁴.
- **Public Meetings:**
 - Two virtual public meetings held on December 15, 2020 (6:00-7:00pm) and December 17, 2020 (9:30-10:30am) using Webex. Dynamic Language provided simultaneous interpretation in Spanish, Somali, Tigrinya, Amharic, Chinese-Simplified, and Oromo at both meetings using designated phone lines.
- **Legal Notice:**
 - Publication of one paid legal ad in *The Seattle Times*, dated Friday, December 4, 2020 on page A11.
- **Site Register:**
 - Publication of 5 notices in Ecology's Toxics Cleanup Site Register:
 - Comment Period Notice:
 - December 3, 2020
 - December 17, 2020
 - December 31, 2020
 - January 14, 2021
 - Response Summary Notice:
 - February 11, 2021
 - Visit [Ecology's Site Register website](#)¹ to download PDFs.
- **Media Coverage:**
 - The Department of Ecology published an [online news release](#)² on December 4, 2020.

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

² <https://ecology.wa.gov/About-us/Get-to-know-us/News/2020/Dec-4-Stone-Way-Apartments>

- **Social Media:**
 - **Twitter:** Ecology – Northwest Region @ecyseattle posted a [tweet](#)³ on December 4, 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 [Chevron 209335](#)⁴ webpage.
- **Document Repositories**
 - In consideration of public health and safety, Ecology could not offer in-person review options during the 45-day comment period. Outreach materials and websites directed the public to contact Meredith Waldref, Outreach Specialist, for document review assistance.

³ <https://twitter.com/ecyseattle/status/1334975658783432704>

⁴ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537>

Comment Summary

Ecology received three comments during the 45-day comment period.

Table 1: List of Commenters

| | First Name | Last Name | Agency/Organization/Business | Submitted By |
|---|------------|-----------|------------------------------|--------------|
| 1 | Steven | Krival | | Individual |
| 2 | Herb | Bergamini | | Individual |
| 3 | Amy | Mann | | Individual |

Comments and Responses

Ecology has reviewed and considered all comments received on the draft agreed order (legal agreement) 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. Appendix A, on page 6, contains the comments in their original format and all emailed responses. Comments were all transcribed into eComments by Meredith Waldref.

Comment from Steven Krival

Transcribed Voicemail to Louise Bardy - December 11, 2020 @1:25pm

Yes. Hi Louise Bardy. My name is Steven Krival. My number is 206-380-2926. I am calling you because Dale Myers left a message on his phone to call you if he could not be reached. I am trying to get information about the Chevron 209335 cleanup site in Wallingford, Seattle. I am unable to reach the http website address that is given for site information in the Public Comment Period description. There is a 404 server error. I am able to get online and reach other websites just fine, so it seems to be an issue with your connection. And I would like to read all of that information before I submit a public comment. I would appreciate it if you could get back to me and get access to that information. Thank you very much.

Response:

See Appendix A for email response.

Comment from Herb Bergamini

December 11, 2020 6:28pm (email)

Hello Dale,

I am the recipient of a postal notification recently sent out in the Wallingford neighborhood regarding the intersection of Stoneway N and N 45th St.

My questions/concerns are regarding the current construction site immediately to the South from the 1215 N 45th St site (the former Big Wheel Auto Parts.) Presumably this site has contaminated soils, being downslope (down stream?) from the former gas stations

What are the boundaries of the pollution plume from the former service stations? Was/is there contamination of the current hole/building site immediately to the South of 1215 N 45th St? Is this also being addressed?

If it would be better to attend one of the online meetings for the public to raise these questions I can certainly go that route. Please let me know your thoughts when you get a chance.

Best regards,

Herb Bergamini

Response:

See Appendix A for email response.

Comment from Amy Mann

Hi, I received your information on the Cleanup today also have a question. How will this impact the residents of the building?

And how will this impact the new construction going on next to the building on the lot on Stone Way?

Thank you,

Amy Mann
4400 Stone Way N #414
Seattle, WA 98103
253-759-2796

Response:

See Appendix A for email response.

Appendices

Appendix A. Public Comments in Original Format and Ecology's responses.

From: [Myers, Dale - TCP \(ECY\)](#)
To: [Amy Mann](#)
Cc: [Waldref, Meredith \(ECY\)](#); [Myers, Dale - TCP \(ECY\)](#)
Subject: RE: Chevron 209335 Cleanup Site
Date: Tuesday, December 15, 2020 12:01:05 PM
Importance: High

Hello Ms. Amy Mann

Thank you for your email and questions

In response to your first question: **How will this impact the residents of the building?**

- The residents will hardly notice the Remedial Investigation
- The only impacts will be occasional sidewalk diversions along 45th and Stoneway
- Very limited One day select parking space closure

In response to your second question: **And how will this impact the new construction going on next to the building on the lot on Stone Way?**

- The construction at the former Big Wheel Auto Parts building site immediately to the South of 1215 N 45th St, is not a part of this Agreed Order with Stone Way Apartments.
- The Remedial Investigation conducted under the Agreed Order with Stone Wat Apartments will not impact the construction at the former Big Wheel Auto Parts Store

Ecology will reply to all comments at the end of the public comment period. Your response has been logged into our online comment tracking system.

If you would like to learn more about this site, please join us at our upcoming online public meetings:

Tuesday, December 15, 2020 (6:00pm-7:00pm)

Thursday, December 17, 2020 (9:30am-10:30am)

You can register for our meetings on our [Chevron 209335 site webpage](https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537) (<https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537>).

Respectfully,
Dale Myers

From: Amy Mann [mailto:amygmann@gmail.com]
Sent: Friday, December 11, 2020 2:54 PM
To: Myers, Dale - TCP (ECY) <DAMY461@ECY.WA.GOV>
Subject: Chevron 209335 Cleanup Site

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Hi, I received your information on the Cleanup today also have a question. How will this impact the residents of the building?

And how will this impact the new construction going on next to the building on the lot on Stone Way?

Thank you,

Amy Mann
4400 Stone Way N #414
Seattle, WA 98103
253-759-2796

From: [Myers, Dale - TCP \(ECY\)](#)
To: [Erica n Herb](#)
Cc: [Waldref, Meredith \(ECY\)](#); [Myers, Dale - TCP \(ECY\)](#)
Subject: Herb Bergamini: Chevron 209335
Date: Tuesday, December 15, 2020 11:57:15 AM
Importance: High

Thank you Mr. Herb Bergamini for your question:

- I am the recipient of a postal notification recently sent out in the Wallingford neighborhood regarding the intersection of Stoneway N and N 45th St.
- My questions/concerns are regarding the current construction site immediately to the South from the 1215 N 45th St site (the former Big Wheel Auto Parts.) Presumably this site has contaminated soils, being downslope (down stream?) from the former gas stations
- What are the boundaries of the pollution plume from the former service stations? Was/is there contamination of the current hole/building site immediately to the South of 1215 N 45th St? Is this also being addressed?
- If it would be better to attend one of the online meetings for the public to raise these questions I can certainly go that route. Please let me know your thoughts when you get a chance.
- Best regards,
- Herb Bergamini

Ecology response

- The boundaries of the downstream contaminate plume are unknown at this time
- It is also unknown if contamination has come to be located at the former Big Wheel Auto Parts
- This investigation will be conducted under the Agreed Order during the Remedial Investigation
- You may attend one of the online meetings for the public to raise these questions if you wish, the answer will be the same as above

Ecology will reply to all comments at the end of the public comment period. Your response has been logged into our online comment tracking system.

If you would like to learn more about this site, please join us at our upcoming online public meetings:

Tuesday, December 15, 2020 (6:00pm-7:00pm)

Thursday, December 17, 2020 (9:30am-10:30am)

You can register for our meetings on our [Chevron 209335 site webpage](https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537) (<https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537>).

Respectfully
Dale Myers
Department of Ecology

From: Erica n Herb [mailto:ehaberg3@comcast.net]
Sent: Friday, December 11, 2020 6:28 PM
To: Myers, Dale - TCP (ECY) <DAMY461@ECY.WA.GOV>
Subject: Chevron 209335

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Hello Dale,

I am the recipient of a postal notification recently sent out in the Wallingford neighborhood regarding the intersection of Stoneway N and N 45th St.

My questions/concerns are regarding the current construction site immediately to the South from the 1215 N 45th St site (the former Big Wheel Auto Parts.) Presumably this site has contaminated soils, being downslope (down stream?) from the former gas stations

What are the boundaries of the pollution plume from the former service stations? Was/is there contamination of the current hole/building site immediately to the South of 1215 N 45th St? Is this also being addressed?

If it would be better to attend one of the online meetings for the public to raise these questions I can certainly go that route. Please let me know your thoughts when you get a chance.

Best regards,

Herb Bergamini

Sent from [Mail](#) for Windows 10

From: [Myers, Dale - TCP \(ECY\)](#)
To: [Steve Krival](#)
Cc: [Waldref, Meredith \(ECY\)](#); [Myers, Dale - TCP \(ECY\)](#)
Subject: Mr. Steve Krival: Responding to your VM
Date: Tuesday, December 15, 2020 11:50:00 AM

Thank you Mr. Krival for your question and following up with me with your email address

I hope you have been able to resolve your internet issue in being not able to connect to Ecology's web page

All the Environmental Reports have been uploaded to the Chevron 209335 web page and can be downloaded for your review.

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

As these reports are rather large, it may not be possible to email them to you.

Ecology will reply to all comments at the end of the public comment period. Your response has been logged into our online comment tracking system.

If you would like to learn more about this site, please join us at our upcoming online public meetings:

Tuesday, December 15, 2020 (6:00pm-7:00pm)

Thursday, December 17, 2020 (9:30am-10:30am)

You can register for our meetings on our [Chevron 209335 site webpage](https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537) (<https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=6537>).

Respectfully
Dale Myers
Department of Ecology

From: Steve Krival [mailto:stevekrival@live.com]
Sent: Saturday, December 12, 2020 1:32 AM
To: Myers, Dale - TCP (ECY) <DAMY461@ECY.WA.GOV>
Subject: Responding to your VM

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You now have my email address, as you requested.

Business Insider reported that Axios reported that hackers today attacked DNS servers which function to convert internet name addresses to IP addresses. Many major DNS were attacked. I suspect this is why your Chevron site internet address was not functioning yesterday.

Regarding the Chevron site, I live some 8 blocks away from it, am an Environmental Toxicologist and am interested in any and all public health risk assessments that may have been conducted. I am also interested in the known vertical and lateral extent of contamination in the ground, ground water characteristics, directional flow etc.

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