

Site Cleanup:

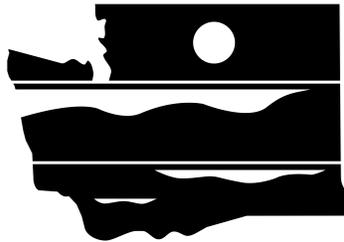
FORMER SHELL OIL TANK FARM SITE

Between 13th and 14th Streets east of Commercial Avenue
Anacortes, Washington

DRAFT PUBLIC PARTICIPATION PLAN

Prepared by:

Washington State Department of Ecology



DEPARTMENT OF
ECOLOGY
State of Washington

December 2013

This plan is for you!

This Public Participation Plan (Plan) is prepared for the Former Shell Oil Tank Farm Site cleanup as part of the requirements of the Model Toxics Control Act (MTCA). The Plan provides information about MTCA cleanup actions and requirements for public involvement, and identifies how the Washington State Department of Ecology (Ecology) will support public involvement throughout the cleanup. The Plan is intended to encourage coordinated and effective public involvement tailored to the community's needs at the Former Shell Oil Tank Farm Site.

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If you need this publication in an alternate format, please call the Toxics Cleanup Program at (360) 407-7170. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call (877) 833-6341 (TTY).

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1.0: Introduction and Overview of the Public Participation Plan

This Public Participation Plan (Plan) explains how you can become involved in improving the health of your community. It describes public participation opportunities that will be available during this review period for a site on the Anacortes waterfront – the Former Shell Oil Tank Farm Site. The Site is generally located between 13th and 14th Streets east of Commercial Avenue in the city of Anacortes, Washington. These opportunities are part of a collaborative effort by the Washington State Department of Ecology (Ecology) and Port of Anacortes (Port) to decide on cleanup actions for the Former Shell Oil Tank Farm Site. Current documents for review include:

- The draft Consent Decree, a formal legal document between Ecology and the Port agreeing upon cleanup actions for the Site.
- The draft Remedial Investigation and Feasibility Study (RI/FS) presents the results of the remedial investigation at the Site and provides an evaluation of cleanup alternatives for addressing residual contamination.
- The draft Cleanup Action Plan, a document which describes proposed cleanup actions for the Site.

The Port is currently inviting comments on the State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance (DNS) for the proposed action. For more information or to review and comment on the SEPA documents, please visit the Port's website at www.portofanacortes.com.

Cleanup actions, and the public participation process that helps guide them, are established in Washington's Model Toxics Control Act (MTCA)¹. Under MTCA, Ecology is responsible for providing timely information and meaningful chances for the public to learn about and comment on important cleanup decisions before they are made. The goals of the public participation process are:

- To promote understanding of the cleanup process so that the public has the necessary information to participate.
- To encourage involvement through a variety of public participation opportunities.

This Plan provides a framework for open dialogue about the cleanup among community members, Ecology, and other interested parties. It outlines basic MTCA requirements for

¹ The Model Toxics Control Act (MTCA) is the hazardous waste cleanup law for the state of Washington. The full text of the law can be found in Revised Code of Washington (RCW), Chapter 70.105D. The legal requirements and criteria for public notice and participation during MTCA cleanup investigations can be found in Washington Administrative Code (WAC), Section 173-340-600.

community involvement activities that will help ensure that this exchange of information takes place during the investigation and cleanup. These requirements include:

- Notifying the public about available reports and studies about the Site.
- Notifying the public about review and comment opportunities during specific phases of the cleanup investigation.
- Providing appropriate public participation opportunities to learn about cleanup documents, and if community interest exists, holding meetings to solicit input and identify community concerns.
- Considering public comments received during public comment periods.

In addition to these basic requirements, the Plan may include additional site-specific activities to meet the needs of your community. Based upon the type of proposed cleanup action, the level of public concern, and the risks posed by the Site, Ecology may decide that more public involvement opportunities are appropriate.

These opportunities form the basis for the public participation process. The intent of this Plan is to:

- Provide complete and current information to all interested parties.
- Let you know when there are opportunities to provide input.
- Provide opportunities to listen to and address community concerns.

Part of the Puget Sound Initiative

The Site is one of several Anacortes waterfront sites and is part of a larger cleanup effort called the Puget Sound Initiative (PSI). Washington State established the Puget Sound Initiative to protect and restore Puget Sound. The PSI includes cleaning up 50-60 contaminated sites within one-half mile of the Sound. These sites are grouped in several bays around the Sound for “baywide” cleanup efforts. As other sites in the Anacortes baywide area move forward into investigation and cleanup, information about them will be provided to the community as well as people and groups who are interested.

Roles and Responsibilities

Ecology will lead public involvement activities. Ecology maintains overall responsibility and approval authority for the activities outlined in this plan. Ecology and the Port are responsible for cleanup at the Site. Ecology will oversee all future cleanup activities and ensure that contamination on the Site is cleaned up to concentrations that are established in state regulations and that protect human health and the environment.

Organization of this Public Participation Plan

The sections that follow in this Plan provide:

- Section 2: Background information about the Former Shell Oil Tank Farm Site.
- Section 3: An overview of the local community that this plan is intended to engage.
- Section 4: Public involvement opportunities in this cleanup.

This Plan addresses current conditions at the Site, but it is intended to be a dynamic working document that will be reviewed at each phase of the cleanup and updated as needed. Ecology and the Port urge the public to become involved in the cleanup process.

2.0: Site Background

Site Description and Location

The Site is generally located between 13th and 14th Streets east of Commercial Avenue in the city of Anacortes, Washington on Fidalgo Bay (see Figure 1). The property was acquired by the Port of Anacortes (Port) in 1929 and leased to the Shell Oil Company (Shell) in 1930 for bulk fuel storage and distribution. The Site operated as a bulk fuel storage facility under Shell and various bulk product distributors until 1987 at which time operations ceased and the facility was reportedly decommissioned, including removal of all tanks, associated piping, and site structures.



Figure 1: The Former Shell Oil Tank Farm Site is shown in the above map, located adjacent to Fidalgo Bay in Anacortes, WA.

General Site History and Contaminants

The Former Shell Oil Tank Farm Site was purchased by the Port in 1929, and was leased to Shell and other companies who used the Site to distribute gasoline, diesel, oil, and other chemical products. During operation, it is estimated that one 2,000/4,000-gallon underground storage tank and up to four 12,500-gallon to 25,000-gallon above ground storage tanks were used. The tanks were removed from the Site in the 1980's. In 1987, petroleum hydrocarbon contamination was found at the Site and partially removed. The site is currently used by the Port for vehicle and boat trailer parking.

In 2005, petroleum hydrocarbon (gasoline, diesel, and heavy oil) contamination was found in the soil and groundwater, and in 2007 cadmium was found at the Site during storm drainage maintenance. Subsequent investigations at the Site found concentrations of petroleum hydrocarbons, carcinogenic polycyclic aromatic hydrocarbons (cPAHs), volatile organic compounds (benzene), and metals (cadmium) in the soils above the preliminary cleanup levels. Groundwater sampling at the Site did not find contaminants above preliminary cleanup levels.

The Port is currently working with Ecology to address the remaining cleanup with the actions outlined in the DCAP.

The Cleanup Process

Washington State's cleanup process and key opportunities for you to provide input are outlined in Figure 2 on page 13. The general cleanup process includes the following steps:

- Remedial Investigation (RI) – investigates the site for types, locations, and amounts of contaminants.
- Feasibility Study (FS) – identifies cleanup options for those contaminants.
- Cleanup Action Plan (CAP) – selects the preferred cleanup option and explains how cleanup will be conducted.

Each of these steps is generally documented in reports and plans that will be available for public review. Public comment periods of at least 30 calendar days are usually conducted for the following documents:

- Draft RI report
- Draft FS report
- Draft CAP

These comment periods may be conducted separately or combined.

Steps in the cleanup process and related documents are described in greater detail in the following subsections.

Interim Actions

Interim actions may be completed during the cleanup if required by Ecology. An interim action partially addresses the cleanup of a site, and may be conducted if:

- It is technically necessary to reduce a significant threat to human health or the environment.
- It corrects a problem that may become substantially worse or cost substantially more to fix if delayed.
- It is needed to complete another cleanup activity, such as design of a cleanup plan.

Overview of the draft Consent Decree

In the draft Decree, a formal legal document, Ecology and the Port agree upon the cleanup actions needed to protect human health and the environment at the Site. The Decree requires the Port to carry out the specifically identified cleanup actions described in the DCAP.

Overview of the draft Remedial Investigation/Feasibility Study

The draft RI/FS presents the results of the remedial investigation at the Site and provides an evaluation of cleanup alternatives for addressing residual contamination.

Overview of the draft Cleanup Action Plan

The DCAP was completed in 2013 based on the findings of the draft RI/FS. The DCAP describes the proposed cleanup action for the Site and outlines requirements for the cleanup.

The DCAP does the following:

- Identifies cleanup levels for soil and groundwater.
- Recommends and describes cleanup actions from the draft RI/FS.
- Presents a schedule to carry out the cleanup.
- Identifies monitoring activities to demonstrate the effectiveness of cleanup action.

The DCAP recommends the following actions to address soil contamination at the Site:

- Excavate approximately 4,000 cubic yards of contaminated soil within the readily accessible portion of the Site and dispose of contaminated soil at approved facilities.
- Obtain soil samples during remedial excavation to confirm that contaminants have been successfully removed from the accessible portion of the Site.

- Backfill excavated areas with clean soil along with oxygen-releasing material to stimulate naturally occurring microbes and enhance the breakdown of any organic contaminants that remain.
- Monitor groundwater to confirm that the concentrations of petroleum hydrocarbons, benzene, cPAHs and cadmium are not present above the groundwater cleanup levels.
- Establish environmental covenants as necessary to restrict future development and control any future soil disturbance where contamination may remain at the Site.

SEPA Checklist and Determination of Non-Significance

The Port is currently inviting comments on the SEPA Checklist and DNS for the proposed action. For more information or to review and comment on the SEPA documents, please visit the Port's website at www.portofanacortes.com.

3.0: Community Profile

Community Profile

Anacortes is Skagit County's second largest city and its largest seaport. It is the principal city on Fidalgo Island. The current population is approximately 15,941 people (about 7,600 households)² situated within about 12 square miles. Located on Fidalgo Bay, Anacortes has 12.5 miles of saltwater shoreline, giving rise to three Port of Anacortes marine terminals, a shipyard, several yacht and mid-size boat building and sales operations, and four private marinas. Four freshwater lakes and 3,300 acres of city-owned forestland and parks create a rural feeling, but the city also has modern educational and health care facilities. The city's 2006 labor workforce was more than 7,000, predominantly employed in manufacturing, accommodations/food service, retail, and health care³.

Key Community Concerns

An important part of this Plan is to identify key community concerns for the cleanup Site. Many factors are likely to raise community questions, such as the amount of contamination, how much contamination has been cleaned up and what remains, and future use of the Site. Community concerns often change over time as new information is learned and questions are answered. Identifying site-specific community concerns at each stage of the cleanup process helps ensure that they are adequately addressed. On-going key community concerns will be identified for the Former Shell Oil Tank Farm Site through public comments and other opportunities, as detailed in Section 4.

² US Census Bureau, State & County QuickFacts, <http://quickfacts.census.gov/qfd/states/53/5301990.html> (Accessed April 22, 2013).

³ Anacortes Chamber of Commerce web site, *available at* <http://www.anacortes.org/pdf/AnacortesCommunityProfileMarch2007.pdf>; Accessed 11/12/07.

4.0: Public Participation Opportunities

Ecology and the Port invite you to share your comments and participate in the cleanup in your community. As we work to meet our goals, we will evaluate whether this public participation process is successful. This section describes the public participation opportunities for the Site.

Measuring Success

We want this public participation process to succeed. Success can be measured, at least in part, in the following ways:

- Number of written comments submitted that reflect understanding of the cleanup process and the Site.
- Direct, in-person feedback about the Site cleanup or public participation processes, if public meetings are held.
- Periodic updates to this Plan to reflect community concerns and responses.

If we are successful, this process will increase:

- Community awareness about plans for cleanup and opportunities for public involvement.
- Public participation throughout the cleanup.
- Community understanding regarding how their input will be considered in the decision-making process.

Activities and Information Sources

Ecology Contacts

Ecology is the lead contact for questions about the cleanup in your community. The Ecology staff person identified in this section is familiar with the cleanup process and activities at the Site. For more information about public involvement or the technical aspects of the cleanup, please visit our website at

<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4846>, or contact:

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Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600

Phone: (360) 407-6913
Email: nicholas.acklam@ecy.wa.gov

Ecology's Webpage

Ecology has created a webpage to provide convenient access to information. Documents such as the draft Consent Decree, draft Remedial Investigation and Feasibility Study and draft Cleanup Action Plan are posted as they are issued during the investigation and cleanup process. Visitors to the webpage can find out about public comment periods and possible meetings; download, print, and read information; and submit comments via email. The webpage also provides links to detailed information about the MTCA cleanup process. The Former Shell Oil Tank Farm Site webpage is available at the following address:

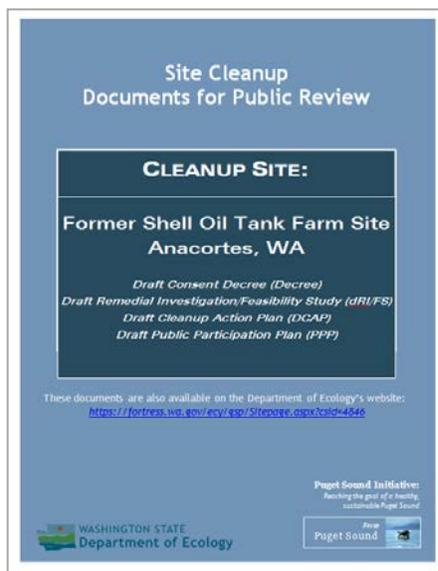
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4846>

Information Centers/Document Repositories

The most comprehensive source of information about the Site is the information center, or document repository. Two repositories provide access to the complete list of site-related documents. All Site investigation and cleanup activity reports will be kept in print at those two locations and will be available for your review. They can also be requested on compact disk (CD). Document repositories are updated before public comment periods to include the relevant documents for review. Documents remain at the repositories throughout the investigation and cleanup. For the Site, the document repositories are:

- **Anacortes Public Library**
1220 10th Street
Anacortes, WA 98221
Phone: (360) 293-1910
Web:
<http://library.cityofanacortes.org/client/default>
- **Department of Ecology Headquarters**
300 Desmond Drive
Lacey, WA 98503
By appointment. Please contact Carol Dorn at (360) 407-7224 or Carol.Dorn@ecy.wa.gov

Look for document covers much like the illustration on the right.



Public Comment Periods

Public comment periods provide opportunities for you to review and comment on major documents, such as the draft Consent Decree, draft RI/FS, draft CAP and draft Public Participation Plan. The typical public comment period is 30 calendar days.

Notice of Public Comment Periods

Notices for each public comment period will be provided by local newspaper and by mail. These notices indicate the timeframe and subject of the comment period, and explain how you can submit your comments.

For the Former Shell Oil Tank Farm Site, a newspaper notice will be posted in Anacortes America, Clamdigger and Skagit Valley Herald.

Notices are also sent by regular mail to the local community and interested parties. The local community typically includes all residential and business addresses within one-quarter mile of the Site, as well as potentially interested parties such as public health entities, environmental groups, and business associations.

Fact Sheets

One common format for public comment notification is a fact sheet. Like the newspaper notice, fact sheets explain the timeframe and purpose of the comment period, but also provide background and a summary of the document(s) under review. Future fact sheets will be prepared at key milestones in the cleanup process.

MTCA Site Register

Ecology produces an electronic newsletter called the MTCA Site Register. This semi-monthly publication provides updates of the cleanup activities occurring throughout the state, including public meeting dates, public comment periods, and cleanup-related reports. Individuals who would like to receive the MTCA Site Register can sign up three ways:

- Call (360) 407-6848
- Send an email request to spre461@ecy.wa.gov
- Register online at http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html

Mailing Lists

Ecology maintains both email and regular mail distribution lists throughout the cleanup process. The lists are created from carrier route delineations for addresses within one-quarter mile of the Site; potentially interested parties; public meeting sign-in sheets; and

requests made in person or by regular mail or email. You may request to be on a mailing list by contacting the Ecology staff person listed earlier in this section.

Optional Public Meetings

A public meeting will be held during a comment period if requested by ten or more people, or if Ecology decides it would be useful. Public meetings provide additional opportunity to learn about the investigation or cleanup, and to enhance informed comment. If you are interested in a public meeting about the Site, please contact the Ecology staff listed earlier in this section.

Submitting Comments

You may submit comments by regular mail or email during public comment periods to the Ecology Project Manager listed earlier in this section.

Response to Comments

Ecology will review all comments submitted during public comment periods, and will modify documents as necessary. You will receive notice by regular mail or email that Ecology has received your comments, along with a general explanation about how the comments were addressed and where the revised document can be found.

Other

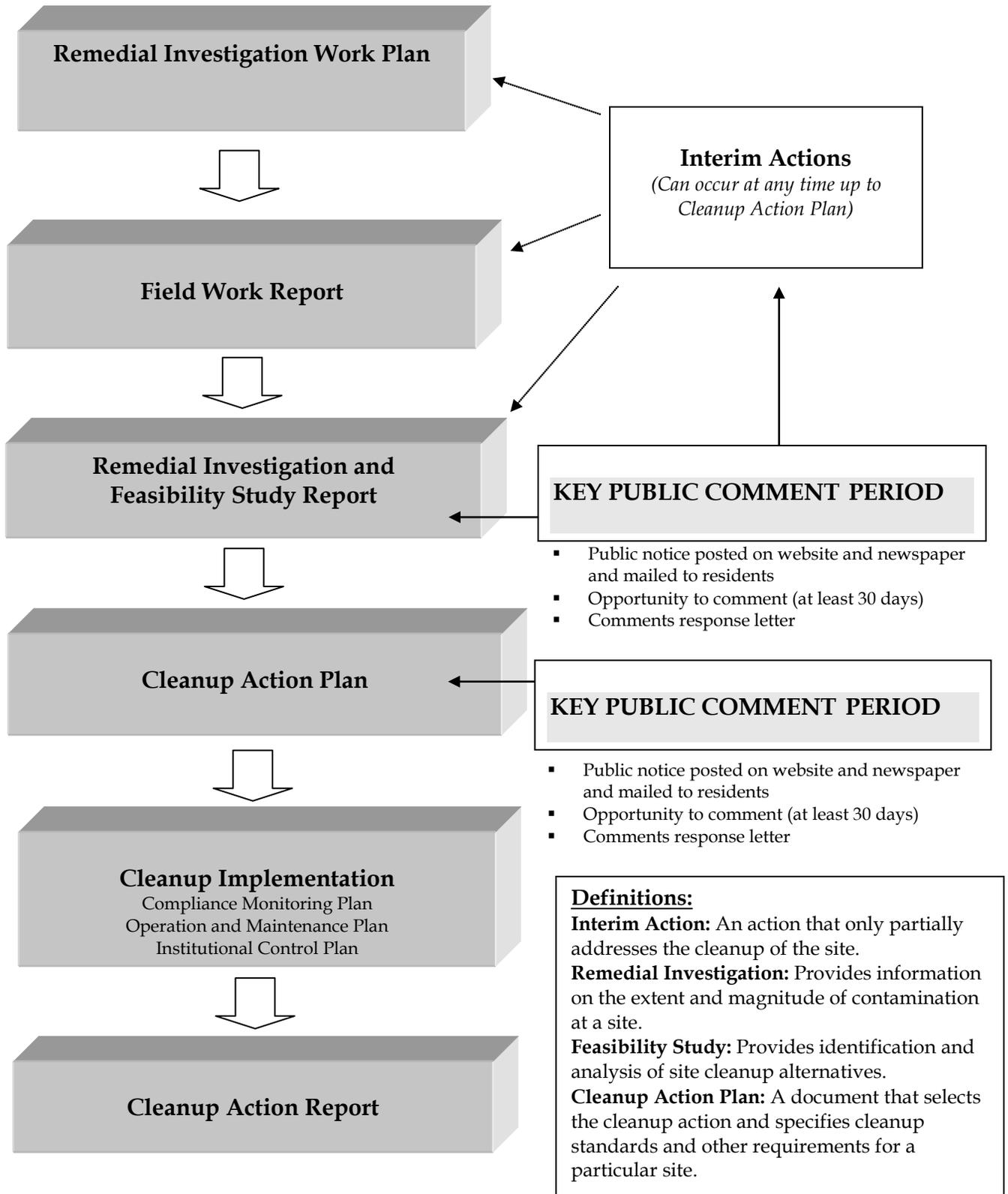
Ecology is committed to the public participation process and will consider additional means for delivering information and receiving comments, including combining public comment periods for other actions (such as those associated with the State Environmental Policy Act).

Public Participation Grants

You are eligible to apply for a Public Participation Grant from Ecology approximately every two years to provide funding for additional public participation activities. Those additional activities will not reduce the scope of the activities defined by this Plan. Activities conducted under this Plan would coordinate with the additional activities defined under the grant.

Visit www.ecy.wa.gov/programs/swfa/grants/ppg.html for more information about Ecology's Public Participation Grants.

Figure 2: Washington State Cleanup Process



Glossary

Cleanup: The implementation of a cleanup action or interim action.

Cleanup Action: Any remedial action except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with MTCA cleanup requirements, including but not limited to: complying with cleanup standards, utilizing permanent solutions to the maximum extent practicable, and including adequate monitoring to ensure the effectiveness of the cleanup action.

Cleanup Action Plan: A document that selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the cleanup action plan, Ecology finalizes the cleanup action plan.

Cleanup Level: The concentration (or amount) of a hazardous substance in soil, water, air, or sediment that protects human health and the environment under specified exposure conditions. Cleanup levels are part of a uniform standard established in state regulations, such as MTCA.

Cleanup Process: The process for identifying, investigating, and cleaning up hazardous waste sites.

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

Feasibility Study: Provides identification and analysis of site cleanup alternatives and is usually completed within a year. The entire Remedial Investigation/Feasibility Study (RI/FS) process takes about two years and is followed by the cleanup action plan. Remedial action evaluating sufficient site information to enable the selection of a cleanup action plan.

Hazardous Site List: A list of ranked sites that require further remedial action. These sites are published in the Site Register.

Interim Action: Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

Model Toxics Control Act: Refers to RCW 70.105D. Voters approved it in November 1988. The implementing regulation is WAC 173-340 and was amended in 2001.

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 or county) newspaper of largest circulation; and the opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Release: Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

Remedial Action: Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance, and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

Remedial Investigation: Any remedial action that provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the Remedial Investigation/Feasibility Study is to collect and develop sufficient site information to enable the selection of a cleanup action.