



DEPARTMENT OF
ECOLOGY
State of Washington

Response to Comments

Agreed Order for the Interim Remedial Action for the Gold Knob Prospects Site

Facility Site ID: 22496

Cleanup Site ID: 11610

Public comment period held:

October 25 – November 24, 2018

Summary of a public comment period and responses to comments

November 2018

Publication and Contact Information

This document is available on the Washington State Department of Ecology's website at <https://fortress.wa.gov/ecy/gsp/CleanupSiteDocuments.aspx?csid=11610>

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Toxics Cleanup in Washington State

Accidental spills of dangerous materials and past business practices have contaminated land and water throughout the state. The Washington State Department of Ecology (Ecology) Toxics Cleanup Program works to remedy these situations, which range from cleaning up contamination from leaking underground storage tanks, to large, complex projects requiring engineered solutions.

Contaminated sites in Washington State are cleaned up under the Model Toxics Control Act (MTCA, [Chapter 173-340 Washington Administrative Code](#)), a citizen-mandated law passed in 1989. This law sets standards to ensure toxics cleanup protects human health and the environment and includes opportunities for public input.

Public Comment Period Summary

Ecology held a comment period from October 25 through November 24, 2018, for the Agreed Order for the Interim Remedial Action for the Gold Knob Prospects Site, located at 1200 Circle Street in Wenatchee. The Site is also known as Saddle Rock Regional Park.

Gold Knob Prospects Site Background

The site has hiking trails to Saddle Rock above Wenatchee. These hiking trails are popular with recreational hikers.

In the late 1800's until 1989, mining exploration in the Saddle Rock area resulted in the creation of waste rock piles. These waste rock piles have high concentrations of arsenic, mercury, and selenium. To decrease human health and environmental risks, the waste rock piles will be removed and disposed of at the Wenatchee Regional Landfill.

Ecology has entered into an agreement with the City of Wenatchee for this work. The agreement is called an Agreed Order. The City of Wenatchee will be using state grant funds for the cleanup effort. The Agreed Order calls for a preliminary design and cost estimate, followed by bidding and selection of the cleanup contractor, and then final design with the cleanup, which will be documented in a report.

The arsenic and metals in soils exceeds state standards for the protection of human health and the environment. Cleanup will improve conditions at the site and reduce exposure to contaminants.

Index of Comments Received

Ecology received three comments and are listed below by the date we received their comment and the page on which their comments are printed as received. Contact information (postal and email addresses and phone numbers) has been omitted.

Name and organization (if applicable), format of comment submitted	Date received	Page
L. Enslow - via SmartComment	November 1	2
Adam Neff - via SmartComment	November 1	2
Hanne Beener, Trails Program Manager, Chelan-Douglas Land Trust - via email	November 20	3

Response to Comments

The comment letter is below followed by Ecology's response in *italic* font.

L. Enslow

I am unaware of how big each waste rock pile is but would like to suggest capping them like they do at a landfill.

Ecology's response: Thank you for your comment. Capping was evaluated as an option during the Feasibility Study conducted for the Site in 2013 (Feasibility Study, Saddle Rock Park, Wenatchee, Washington, prepared by HartCrowser, dated June 28, 2013).

The City of Wenatchee selected the cleanup option of excavation and offsite disposal at the regional landfill primarily since capping would require operations and maintenance expenditures forever, whereas the selected option will have not have operations and maintenance costs.

Adam Neff

I highly support the cleanup efforts. Is any effort being put into making the original polluters or their heirs pay for it?

Ecology's response: Thank you for your comment. The Site is being cleaned up under the Model Toxics Control Act (MTCA). Under MTCA, polluters and property owners can be held accountable for cleanup costs at contaminated sites. Polluters can include individuals, or corporate entities or their successors. Under MTCA, individual (non-corporate) heirs cannot be held accountable for actions taken by the ancestors, unless the actions took place on a property that they own.

The prospecting activities that resulted in the waste rock piles took place in the early 1900s. No individuals responsible for creating these piles are known to be alive today, nor have any corporate entities been identified that have been connected to the waste rock piles. Therefore, no polluters have been identified to date that can be held accountable. If any parties are identified in the future that meet the definition of a Potentially Liable Person (PLP) under MTCA, then Ecology can take actions to hold them accountable.

Hanne Beener, Trails Program Manager, Chelan-Douglas Land Trust

The Chelan-Douglas Land Trust is a conservation non-profit based in Wenatchee, Washington, and a partner to the City of Wenatchee in the management of the Saddle Rock Natural Area, which is the subject of this Agreed Order. The Land Trust led a successful community fundraising campaign to help the City acquire the Saddle Rock property, so we have a vested interest in seeing the Natural Area reach its full potential as a site for wildlife habitat, open space, exercise and recreation, and enjoyment of a more primitive natural experience close to our community.

We realize the Scope of Work included in present Agreed Order is for a first phase of remedial action clean up at the site, and a second phase of remedial action will be required to completely clear the site of contamination. It is imperative that funding for the second phase of remedial action be secured as soon as possible, to maximize the momentum gained from the first phase, and to make this entire process as efficient as possible for our community.

We support the language in Exhibit B, Scope of Work and Schedule that identifies the retention of the aesthetic character of the area as a goal, and we also support the re-grading of the main access road due to safety and implementation concerns, should that be necessary. The property has just a few stands of ponderosa pines, which provide valuable habitat for native species, as well as a few shade breaks for users of the trail system, and request that these be preserved where possible when removing waste rock piles from the site.

We at the Chelan-Douglas Land Trust appreciate the progress indicated by the Agreed Order toward taking action to clean up the site and restore it to a condition that allows for the full scope of management actions, including repairing, restoring, and replacing unsustainable, eroded trails and routes, and incorporating infrastructure such as benches and interpretive signage to benefit the user experience.

Thank you for your consideration of our feedback.

Ecology's response: *Ecology appreciates the comments and important work done by the Chelan-Douglas Land Trust. Ecology agrees with Chelan-Douglas Land Trust's concerns at the site. Currently, State Grant Funds have been obtained for this important work.*

Although the costs for cleanup have been estimated during previous work, uncertainties exist with respect to the cost for the cleanup work. One outcome of the Preliminary Design Task within Phase 1 of the project will be an updated estimate of cleanup costs. In addition, the Phase 1 work will provide critical data for the determining costs for the Phase 2 work. This is important because Phase 2 (work in higher parts of the site) will offer additional challenges with respect to working on steeper slopes at higher elevations. A foremost concern at the site is to conduct this challenging work safely. We anticipate developing the budget for the Phase 2 work immediately following completion of Phase 1.

Ecology agrees with the need for the project to result in improvements to trails, which are currently severely impacted by erosion, and with the need for protection of ponderosa pine trees, wherever possible. Ecology will request that the Site Engineer and Contractor work with the Chelan-Douglas Land Trust during the design and execution of the project in order to maximize benefits and minimize impacts from the project.