

BURLINGTON NORTHERN (BN) OTHELLO SITE AMENDED

PROPOSED REMOVAL OF RESTRICTIVE COVENANT



The Washington State Department of Ecology has amended the Proposed Removal of Restrictive Covenant to include *Lots 6 through 8 of Block 26 in addition to Lots 9 through 16 of Block 26, and the public right of way for Spruce Street and Railroad Avenue adjacent to Block 26.*

These properties are located in the industrial section of the western portion of the City of Othello, Adams County, Washington. Lots 9 through 16 of Block 26 were purchased by the City of Othello from the Burlington Northern Santa Fe Railway Company (BNSF). The City intends to use them for a fire station and vehicle parking. The City also plans to install utilities and extend Railroad Avenue to Spruce Street and extend Spruce Street between Broadway and Railroad Avenue, which is the public right of way adjacent to Block 26. Lots 6 through 8 of Block 26 were deeded to the Adams County Fire Department in 1972.

A Restrictive Covenant was previously placed on the BN-Othello Site, including these properties (See Figure 1), and recorded with the Adams County Auditor. The restrictions were made as a result of previous cleanup work done under authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Restrictions were placed on the BN-Othello Site use and activities to preserve the integrity of the cleanup that was completed. These restrictions included: no use of groundwater; no activities that would interfere with the cleanup action (drilling and digging without Ecology's approval); limiting site use to industrial; and providing notice to Ecology of the owner's intent to convey interest in the Site.

The City has submitted a request to Ecology for removal of the Restrictive Covenant for these properties. Lots 6 through 16 of Block 26 and the public right of way for Spruce Street and Railroad Avenue adjacent to Block 26 are outside of the Site contamination. These properties are also outside the area where the containment remedy is in place at the Site. Based on this information, Ecology agrees that the Restrictive Covenant can be removed for these areas.

As required under MTCA, the Restrictive Covenant shall be removed after the public has been notified, provided an opportunity to comment and Ecology has agreed. **You are invited to send in written comments on the Amended Proposed Removal of the Restrictive Covenant January 25 through February 25, 2002.** The box on page one

FACT SHEET

January 2002

Comments Accepted:

January 25 through February 25, 2002.

Repositories where you may review documents:

Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295

Othello Public Library
101 East Main Street
Othello, WA 99344-1039

Questions and written comments to:

Dr. Teresita Bala
Department of Ecology
Toxics Cleanup Program
4601 N. Monroe
Spokane, WA 99205-1295
(509) 456-6337 or
1-800-826-7716
e-mail: tbal461@ecy.wa.gov

Mailing List:

To be added to the mailing list for this Site, contact Carol Bergin of Ecology toll free at 1-800-826-7716 or in Spokane at (509) 456-6360.

indicates where the Restrictive Covenant and associated documents may be reviewed, your questions may be answered and written comments sent.

Site Background

The Site is located in an industrial section of Western Othello in Adams County, Washington. The Site was a railroad yard built in 1908 by the Chicago, Milwaukee, St. Paul, and Pacific Railroad (Chicago-Milwaukee) and was used as a refueling facility for steam and electric locomotives. Burlington Northern purchased the property in 1980 and continued operations until 1982, when Site operations were suspended.

Investigations that started in 1986 showed the majority of Site contamination was related to elevated concentrations of total petroleum hydrocarbons (TPH) in soils, plus local occurrences of viscous Bunker-C type floating free hydrocarbon product. TPH contamination in groundwater was contained within the boundaries and within the perched aquifer only. No vertical contamination was detected. An interim action conducted in 1992 removed a total of 10,370 cubic yards of TPH contaminated soils that were recycled by mixing it into asphalt. A groundwater diversion system was installed to prevent further perching and contamination of the groundwater.

After the interim action, TPH concentrations in soils exceeding the Method A cleanup level of 200 mg/kg were found outside of the excavated area. They were found on the surface at the western edge

of the Site and below the first seven feet of clean, less permeable soils at the eastern edge of the Site. The final cleanup action implemented at the Site in 1998 required containment of these soils under an asphalt or clean soil cover, groundwater diversion, and long-term groundwater monitoring.

What Happens Next?

Ecology will review and respond to all written comments received during the comment period. A Responsiveness Summary will be prepared by Ecology and made available at the Repositories listed on page one.

How You May Be Involved:

- **Review the Amended Proposed Removal of Restrictive Covenant.** To schedule an appointment for document review at Ecology, contact Johnnie Harris at (509) 456-2751. Reviews may be scheduled Monday through Thursday, 8-5 p.m. by appointment.
- **Send in your written comments January 25 through February 25, 2002 to:** Teresita Bala at Ecology (see box on page one for details).
- **Share this information** with any individuals or groups you think should be informed about the Site.