

# Former Coleman Creosoting Works Site Draft Prospective Purchaser Consent Decree Available for Public Review and Comment



The Washington State Department of Ecology (Ecology) has prepared this fact sheet pursuant to the Model Toxics Control Act (MTCA) Chapter 70.105D to invite public comment on a draft Prospective Purchaser Consent Decree, Cleanup Action Plan, and associated documents for the former Coleman Creosoting Works and former Ivars' Captain's Table Restaurant at 333 Elliott Avenue West (333 Elliott), Seattle, Washington. The site is located east of the Myrtle Edwards Park and Elliott Bay, north of Pike Place Market along the waterfront in central downtown Seattle. The site is bounded on the northeast by Elliott Avenue West, on the southeast by West Thomas Avenue, to the southwest by railroad tracks and Myrtle Edwards Park, and to the northwest by Fourth Avenue West.

The Prospective Purchaser Consent Decree is the legal document between Ecology and the prospective purchaser, 333 Elliott Avenue West, LLC, to conduct the proposed cleanup. The site is currently owned by Pacific Sound Resources, Inc., in Seattle. Note, 333 Elliott Avenue West, LLC, did not cause the contamination and is volunteering to clean up the site.

## Documents for Review

The following documents for the proposed cleanup at the 333 Elliott site are available for your information, review, and comment:

- Prospective Purchaser Consent Decree,
- Cleanup Action Plan,

- State Environmental Protection Act (SEPA) environmental checklist, and
- SEPA Determination of Non-Significance (DNS).

The public is encouraged to review and comment on these documents between December 1 and 30, 2002.

## Proposed Cleanup

Soil and groundwater are contaminated at the site with creosote, a common wood preservative substance including total naphthalenes (naphthalene) and carcinogenic polynuclear aromatic hydrocarbons (cPAHs). This probably occurred when Coleman Creosoting Works operated at the site and treated lumber with wood preservative. The proposed cleanup includes:

- Excavation of contaminated soil and off-site disposal at a certified landfill (or treatment and recycling where practical);
- Groundwater collection, containment, and treatment during excavation;
- Groundwater collection, control, and treatment during basement dewatering as required during the lifetime of the proposed development;
- Groundwater source removal and monitoring for natural attenuation;
- Excavation, delineation and treatment of hot spots if discovered; and
- Compliance monitoring.

## December 2002

### Comment Period:

**12/01/02 – 12/30/02**

### Send Comments to:

Maura S. O'Brien, Site Manager  
WA Department of Ecology  
3190 160th Avenue SE  
Bellevue, WA 98008  
(425) 649-7249  
[mobr461@ecy.wa.gov](mailto:mobr461@ecy.wa.gov)

### For other questions or to be added to the mailing list:

Rebekah Padgett  
WA Department of Ecology  
3190 160th Avenue SE  
Bellevue, WA 98008  
(425) 649-7257  
[rp461@ecy.wa.gov](mailto:rp461@ecy.wa.gov)

### Site documents can be reviewed at the following locations:

Seattle Public Library  
First Floor-Documents Review  
800 Pike Street  
Seattle, WA  
Call (206) 386-4655

WA Department of Ecology  
Central Files  
3190 160th Avenue SE  
Bellevue, WA 98008  
Call for an appointment  
Phone: (425) 649-7190

Ecology's Web Site:  
<http://www.ecy.wa.gov/programs/tcp/sites/sites.html>

For special accommodation needs or language translation assistance, call Rebekah Padgett at (425) 649-7257 (Voice) or 711 or (800) 833-8973 (TTY). Ecology is an equal opportunity agency.

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The SEPA environmental checklist and Determination of Non-Significance also are available for public review at this time. This checklist is an evaluation of the environmental factors that may be impacted if this cleanup is conducted. Ecology has reviewed the checklist and determined that there are no significant impacts that will be caused by this cleanup. In fact, the cleanup will remove contaminated soil and groundwater, thus protecting human health and the environment.

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A deed restriction may be placed on the property if it is determined that some of the contaminated soil is inaccessible and will need to remain in-place at the site. This means that special precautions will be required at this part of the site in case of future work in this area.

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A *Cleanup Action Plan* is a document that describes the cleanup alternative(s) that will be used at the site.

The *Prospective Purchaser Consent Decree* is a legal document, approved and entered by a court, formalizing an agreement between Ecology and a prospective purchaser, who offers to purchase a site and clean up the site where known or suspected contamination occurs. The prospective purchaser is *not* a potentially liable person (PLP). Once signed, the Prospective Purchaser Consent Decree relieves liability of the purchaser/owner for known contamination once the cleanup is complete.

## Public Comment on the Cleanup Documents

Ecology is holding a public comment period from December 1 to 30, 2002, during which you may comment on the draft Prospective Purchaser Consent Decree and associated documents. These documents are available at the information repositories listed on the first page of this fact sheet.

Once the public comment period ends, Ecology will review all comments received and will make recommendations for any suggested changes to the documents. The comments and Ecology's responses are compiled in a Responsiveness Summary report and it will be sent to those that made comments and you may request a copy.

If no significant changes are made, the Prospective Purchaser Consent Decree and associated documents will be considered final and the site cleanup will be ready to begin. Cleanup will commence after purchase of the property and approval of site development plans. If significant changes are made to the documents, a second public comment period will be held.

Please note, if during the public comment period, 10 or more people request a public hearing, Ecology will hold one for the purpose of receiving comments on these documents.

## Ecology would like your input!

You have an opportunity to review and comment on the draft Prospective Purchaser Consent Decree and associated documents. Please send your comments before December 30, 2002, to Ecology's Site Manager, Maura S. O'Brien at the address below. Comments may be sent by mail or e-mail.

### For more information:

Maura S. O'Brien, Site Manager  
WA Department of Ecology  
3190 160th Avenue SE  
Bellevue, WA 98008  
(425) 649-7249  
mobr461@ecy.wa.gov



3190 160th Avenue SE  
Bellevue, WA 98008-5452

**Former Coleman  
Creosoting Works Site:**

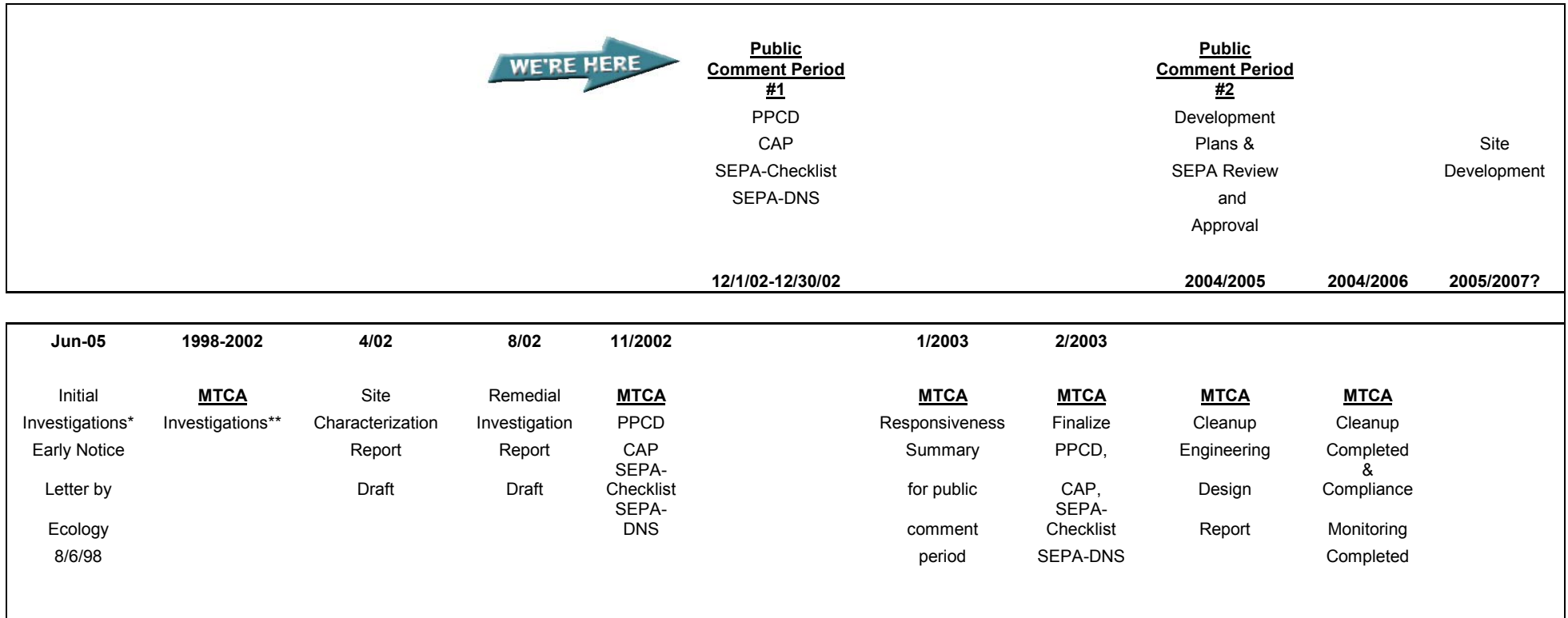
Ecology Seeks Public Comment  
on Draft Consent Decree

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Public Comment Period  
December 1-30, 2002

**Figure: Site Cleanup Time Line for 333 Elliott Ave W/former Coleman Creosoting Works Site, Seattle, WA**

**ESTIMATED TIME LINE FOR FORMER COLEMAN CREOSOTING WORKS SITE CLEANUP at  
333 ELLIOTT AVENUE WEST, SEATTLE, KING COUNTY, WASHINGTON**



\*Initial investigations: Converse Consultants, 1990; Shannon & Wilson, 1996; Ecology & Environment, Inc, 1998; and Black & Veatch, 1998.

\*\*Site characterization & Remedial Investigation Reports for 333 Elliott Avenue West Site, Seattle, Washington by Environmental Partners, Inc, April & August 2002.

CAP - MTCA Cleanup Action Plan.

MTCA - Model Toxics Control Act Cleanup Regulation Chapter 173-340 WAC.

PPCD - Prospective Purchaser Consent Decree, the legal agreement to conduct the cleanup.

SEPA-Checklist - State Environmental Policy Act environmental checklist to evaluate the environmental factors for this action.

SEPA-DNS - SEPA determination of non-significance to evaluate and make a decision on the potential and probable impacts of the proposed action.