

## Consent Decree for Cleanup Proposed

The Washington Department of Ecology proposes, under terms of the Model Toxics Control Act (MTCA, Chapter 70.105D RCW), a consent decree with Foss Waterway Development Authority to clean up metals-contaminated soil and groundwater at the American Plating site. The consent decree also resolves the potential liability of Foss Waterway Development Authority as the prospective purchaser, since Foss Waterway Development Authority did not cause the contamination. A consent decree is a legal document, approved and issued by a court, formalizing an agreement between Ecology and Foss Waterway Development Authority. This agreement ensures that proposed activities are conducted in a timely fashion, in accordance with MTCA and other applicable laws and regulations. As part of the consent decree, a draft cleanup action plan describing the site cleanup alternatives has been prepared.

In addition, Ecology is issuing a State Environmental Policy Act (SEPA, Chapter 197-11 WAC) determination of non-significance (DNS) for the cleanup action proposed in the cleanup action plan. After review of the completed checklist and other information on file, Ecology (as SEPA lead agency) has determined that this proposal will not have a probable adverse impact on the environment. This action will benefit the environment by

diminishing the release of toxic chemicals from the site.

Your comments on the proposed consent decree, cleanup action plan (as an exhibit of the consent decree), and SEPA DNS are welcome through **December 29, 2003**. Ecology will hold a public hearing about this consent decree if 10 or more people request one. The box to the right provides information about where to review the proposed consent decree as well as where to submit comments.

### Site Background

The 1.5-acre American Plating site is a former electroplating shop located at 2110 East "D" Street in Tacoma, on the eastern bank and near the head of the Thea Foss Waterway. The site is bounded to the west by Thea Foss Waterway, to the north by Foss Landing Marina (formerly Pick's Cove Marina), to the east by East "D" Street, and to the south by Berg Scaffolding. The site is built on fill which was brought in in the early 1900's, when the waterway was developed. Groundwater is about 5 to 9 feet below the ground surface and flows toward the waterway.

The property has been primarily used for light industrial activities. Puget Sound Plating and Seymour Electroplating

**November 2003**

#### FACT SHEET

Ecology Southwest Regional Office  
Toxics Cleanup Program  
300 Desmond Drive SE  
P.O. Box 47775  
Olympia, WA 98504-7775  
(360) 407-6300 (voice)  
(360) 407-6306 (TDD)  
e-mail mcol461@ecy.wa.gov

#### PUBLIC COMMENT PERIOD ON CONSENT DECREE, CLEANUP ACTION PLAN, SEPA DNS:

November 28, 2003 to  
December 29, 2003

Comments and requests for updates should be directed to Marv Coleman, Site Manager, at the Ecology address listed above or at (360) 407-6259.

#### INFORMATION REPOSITORIES

The documents can be reviewed at the following locations:

[www.ecy.wa.gov/programs/tcp/sites/sites\\_information.html](http://www.ecy.wa.gov/programs/tcp/sites/sites_information.html)

[www.ecy.wa.gov](http://www.ecy.wa.gov), then click on "Public Events Calendar page"

Ecology Southwest Regional Office  
address listed above

Citizens for a Healthy Bay  
917 Pacific Avenue Suite 406  
Tacoma, WA 98402-4421  
(253) 383-2429

Tacoma Public Library-Main Branch  
Northwest Room  
1102 Tacoma Avenue South  
Tacoma, WA 98402-2006  
(253) 591-5666

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operated an electroplating business on the site between 1955 and 1976. Lewis R. Jones has owned the property since 1962. American Plating Company operated at the site from 1976 to 1986. All three of these companies performed metal *electroplating* (a process of applying a thin coat of metal -- in this case, brass, cadmium, chromium, copper, nickel, and zinc -- onto an object using electricity). American Plating Company ceased operations in January 1986 and filed for bankruptcy in April 1986.

The site used to have two buildings and a concrete pad. Building 1 housed most of the plating lines. A 25,000-gallon concrete-lined *sump* (a hole which collects excess liquid) was underneath the western half of the building. A 1000-gallon degreasing tank was located in the southcentral part of the building. Parts were degreased in this tank using chlorinated organic solvents before plating. A 658-gallon gasoline underground storage tank was east of Building 1, adjacent to "D" Street. In addition to electroplating, Building 1 was used for painting, storing chemicals, testing product, and office space. Building 2 housed a zinc plating line as well as chemical and waste storage.

During plating operations, used plating and washdown solutions from both buildings were rinsed into the sump under Building 1. Between 1976 and 1978, waste that accumulated in the sump was pumped directly into Thea Foss Waterway. From 1978 until 1986, waste was pumped directly into the City of Tacoma's sanitary sewer system. The waste was not treated until 1984.

Between 1980 and 1985, Ecology determined that several spills and leaks had occurred at the site. In November 1986, Ecology entered into a consent order with the property owner,

Lewis R. Jones, for emergency site stabilization. A second consent order between Ecology and Lewis R. Jones required a remedial investigation to determine the nature, extent, and magnitude of site contamination. EPA began cleaning up the site under the federal Resource Conservation and Recovery Act (RCRA) in September 1987. In October 1995, Ecology resumed site cleanup under MTCA. The site was ranked on the Hazardous Sites List in August 1997 as a "2" (1 being high priority relative to other statewide sites; 5 being low). Ecology began an interim action in September 2002 and completed it in Summer 2003. The interim action included removing the two buildings, underground storage tank, sump, and concrete pad; disposing of 18,000 gallons of wastewater in the concrete sump; and sampling soil and groundwater. Soil samples showed that soil was contaminated above cleanup levels for cadmium, copper, cyanide, lead, nickel, and vinyl chloride. Groundwater samples were contaminated with cadmium, copper, nickel, and cyanide above cleanup levels.

### What Is Being Done?

The proposed consent decree, including the cleanup action plan, requires Foss Waterway Development Authority to take the following actions:

- ▶ cover the pile of contaminated soil and debris;
- ▶ remove and dispose of contaminated soil and concrete that designate as dangerous waste because of high levels of cadmium;
- ▶ excavate contaminated soil where no paving is proposed;
- ▶ cover contaminated soil, where paving is proposed, with three feet of clean soil or a paved parking area;

- ▶ close five of eleven groundwater monitoring wells;
- ▶ monitor groundwater twice a year to verify the effectiveness of the cleanup action;
- ▶ place deed restrictions to ensure that future owners will not disturb the cap and will continue maintaining elements of the cleanup.

After the cleanup is completed and after the "D" Street overpass is constructed, the site is planned to be redeveloped as a public park. Ecology will oversee the project to ensure that all terms of the consent decree are satisfied.

### What Happens Next?

Public comment on the proposed consent decree, cleanup action plan, and SEPA DNS will be considered and the consent decree will be modified, if necessary. The decree will be finalized by being entered in court and final cleanup work will begin. The work for the cleanup will be done in two phases, with the first phase (stabilizing the site, before the "D" Street overpass is built) expected to be completed by December 2004 and the second phase (after the "D" Street overpass is built) to be completed by December 2007. Further formal public comment opportunities will occur after the cleanup is completed.

### Ecology Wants Your Comments!

You may review and comment on the proposed consent decree, cleanup action plan, and SEPA DNS through **December 29, 2003**. The public comment period presents a chance to have your ideas and comments heard by Ecology. Information repositories, which include the documents undergoing review, have

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been set up at the locations listed in the box on page one. To review more detailed site documents than those in the information repositories, contact Ecology's Southwest Regional Office records center at (360) 407-6365 to schedule an appointment.

Please submit your written comments to Marv Coleman, Site Manager, at the

Ecology address listed in the box on page one. Ecology will review and respond to all comments received, and may revise the consent decree. Updates of site activities will be provided to those who submit comments or request to be placed on the site mailing list. (If you received this fact sheet directly from Ecology, you are already on the site mailing list.)

