

1147 DOCK STREET TACOMA, WASHINGTON



Agreed Order to Complete Remedial Investigation and Conduct Feasibility Study, and Develop Cleanup Action Plan

The Washington State Department of Ecology and Federal Asset Recovery, Inc. have agreed to a Model Toxics Control Act (MTCA, Chapter 70 105D RCW) order to finalize site investigations and determine if additional cleanup actions are needed so that the site can be removed from Ecology's Hazardous Sites List.

The agreed order is a legal document agreed to between Ecology and potentially liable persons (PLPs), to ensure that proposed activities are conducted in a timely way, in agreement with MTCA and other applicable laws and regulations.

Your comments on this proposed agreed order are welcome through November 16, 2006. The box to the right provides information about where to review the agreed order and where to submit comments.

Site Background

The site is an approximately 1/2 acre parcel located at 1147 Dock Street on the west shore of the Thea Foss Waterway in Tacoma. From the early 1920's until 1980, the Consumer Central Steam Heat generating plant was

located on the property. The plant provided steam heat to businesses in downtown Tacoma. The buildings were removed in 1980, and the site has remained vacant since then. The land is currently owned by Federal Asset Recovery, Inc. Underground heating oil tanks that were present on the site to fuel the boilers were removed in 1992 by a previous owner.

The site is located along the Thea Foss Waterway, which is included within the Commencement Bay Nearshore/Tideflats Federal Superfund site.

In 1993, as part of a program of inspections to discover and control sources of pollution to the Superfund waterways, Ecology discovered a non-soil fill material that had been deposited along the site shoreline and was in contact with Thea Foss Waterway. It is not known what the material originated from, but it was found to contain high levels of mercury.

Ecology attempted to enlist the site owner at the time to participate in a voluntary investigation and cleanup, but eventually issued an enforcement

OCTOBER, 2006 Fact Sheet

Public Comment Period

October 16 – November 16,
2006

Please direct your questions & written comments to:

Joyce Mercuri, Site Manager
Washington Department of Ecology
SWRO Toxics Cleanup Program
300 Desmond Drive
PO Box 47775
Olympia, WA 98504-7775
(360) 407-6260
JMER461@ECY.WA.GOV

You may view a copy of the agreed order documents at the following locations:

Tacoma Public Library
1102 Tacoma Ave
Tacoma, WA
(253) 591-5666

Citizens for A Healthy Bay
917 Pacific Ave Suite 100
Tacoma, WA 98402
(253) 383-2429

WA Department of Ecology
SWRO Toxics Cleanup Program
300 Desmond Drive
PO Box 47775
Olympia, WA 98504-7775
(360) 407-6365
LKOZ461@ecy.wa.gov

Web Sites:

http://www.ecy.wa.gov/programs/tcp/sites/dock_st/dock_st_hp.htm
www.ecy.wa.gov, "Public Events Calendar"

printed on recycled paper

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If you have special accommodation needs, or require this document in an alternative format, please call (360) 407-6300 (voice), (360) 407-6306 (TDD), or 1-877-83-6341 (TTY), or email JMER461@ecy.wa.gov

order to the owner. Very soon after the order was issued, the property went to tax foreclosure and was purchased by a new owner

Ecology then issued an enforcement order to the new owner to conduct an interim action to investigate and remove the mercury source to Thea Foss Waterway. When Ecology did not gain cooperation from that party to conduct the actions, Ecology moved forward to conduct the cleanup using state funds. The interim action to remove the mercury source was conducted through an Ecology contractor in 1997.

The interim action included removing the shoreline fill material where it was found on the northern three-fourths of the site shoreline, from the top of the bank to the lowest tide level that could be reached. The excavated area was then covered with a structural fabric and backfilled with rock. In 2003, the shoreline along the entire site was further capped with a three foot thickness of rock and sand as part of the Superfund cleanup in Thea Foss Waterway.

The actions taken to date addressed only the shoreline of the site. Although some information has been generated about the site uplands, no full remedial investigation has taken place.

What is being done?

The proposed order with the present site owner includes:

- Summarizing all known environmental information about the site in a report, and identifying additional information needed to fully characterize the site.
- Obtain the additional information, if needed, and submit a Remedial Investigation Report.
- Develop a feasibility study for evaluating cleanup options.
- Develop a cleanup action plan, if deemed necessary by Ecology.
- Reimburse Ecology for cleanup expenses from 1996, plus a portion of interest that has accrued since 1996.

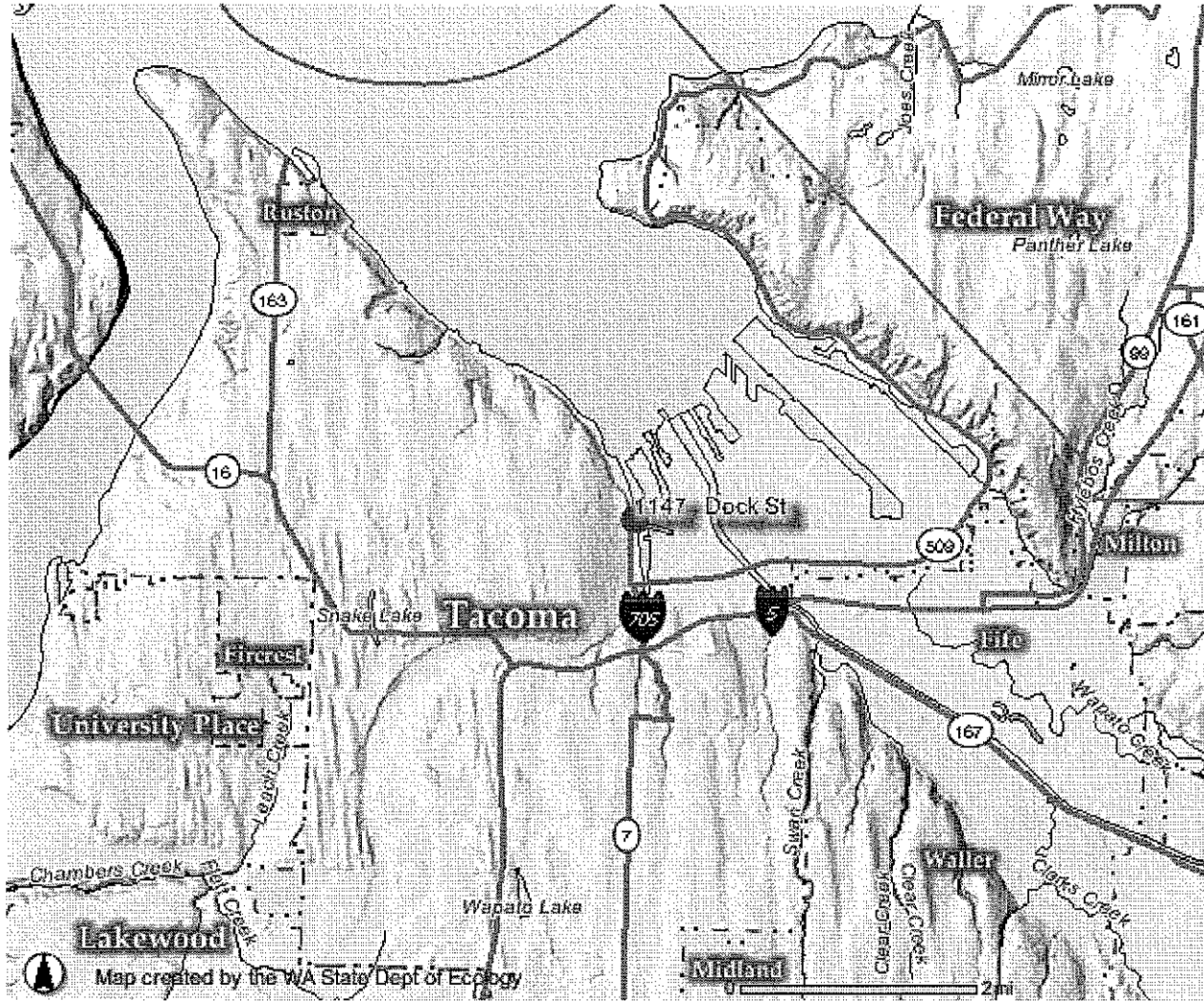
What Happens Next?

Public comment on the agreed order will be considered and the order may be modified, if necessary, based on the comments received. When the Remedial Investigation and Feasibility Study is completed, a notice of its availability will be published in Ecology's Site Register publication. Further formal public comment opportunities will occur when the draft cleanup action plan is developed.

Ecology Wants Your Comments!

You are invited to review and comment on the proposed agreed order through **November 16, 2006**. The public comment period presents an opportunity to have your ideas and comments heard by Ecology. Information repositories, which include the agreed order, have 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 Joyce Mercuri, 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 agreed order. 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.)



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Southwest Regional Office
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