

Denny Way Combined Sewer Overflow (CSO) site 3165 Alaskan Way, Seattle



Agreed Order for an Interim Remedial Action and Public Participation Plan are Available for Public Review and Comment

Washington State Department of Ecology (Ecology) invites public comments on a proposed Agreed Order and Public Participation Plan for the Denny Way Combined Sewer Overflow (CSO) site.



You are encouraged to comment on these documents between **Sept. 6 – Oct. 8, 2007**.

Agreed Order (AO)

The Denny Way CSO site is located at 3165 Alaskan Way, Seattle, WA along the northeastern shoreline of Elliott Bay. It is adjacent to Myrtle Edwards Park (see page 2 & 3).

In August 2007, Ecology and King County completed negotiations on a legal agreement called an *Agreed Order* under which King County will conduct an interim action to remediate contaminated sediments at the site.

Under the Order, King County will be required to conduct the following tasks to remediate contaminated sediments and restore the habitat:

- Dredging Contaminated Sediment

Mechanical dredging will be used to excavate the contaminated sediments present in two near shore areas next to a city park (see page 2). These contaminated sediments currently exceed Sediment Quality Standards (SQS) chemical criteria.

- Disposing Dredged Materials

The dredged materials will be placed onto a barge containing a filtration system of straw bales and geotextile materials used to meet water quality standards requirements.

The geotextile material allows water to drain through it and prevents any materials from falling back into the water during transport. The contaminated water will then be pumped into a large storage tank and taken to an approved upland disposal site.

- Backfilling With Clean Sand

Clean sand will be placed into the dredged areas as a sediment cap. The sand will be sampled to meet the Dredging Material Management Program (DMMP) standards. Only the materials below the SQS cleanup level will be used for the cap.

September 2007

**Public Comment Period:
Sept. 6 – Oct. 8, 2007**

Denny Way CSO Site website:

http://www.ecy.wa.gov/programs/tcp/sites/denny_way/dw_hp.htm

**Review the documents at
the following locations:**

Seattle Public Library
Central Library
1000 4th Ave
Seattle, WA 98104
(206) 386-4636

WA Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008
(425) 649-7190
(Call for an appointment)

Send Comments to:

Grant Yang, Site Manager
WA Department of Ecology
Toxics Cleanup Program
3190 160th Avenue SE
Bellevue, WA 98008
E-mail: gyan461@ecy.wa.gov
(425) 649-7126

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If you have special accommodation needs or require this document in alternative format, please contact Nancy Lui at (425) 649-7117 (Voice). Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 1-800-833-6388 (TTY).

- Installing an Armoring Layer

A layer of sandy gravel habitat mix will be used to protect the sediment cap from wave action and erosion.

- Post-Dredging Sediment Sampling

A sediment sampling event will be conducted at the dredged area and vicinity. The sampling results will be used as the base-line data for a 10-year monitoring program.

Public Participation Plan

King County and Ecology have prepared a Public Participation Plan for this site. The Public Participation Plan is designed to promote meaningful community involvement during the cleanup process.

The plan outlines and describes the tools and approaches that Ecology will use to inform the public about site activities, and it identifies opportunities for the community to become involved in this process.

Ecology Would Like Your Input

Ecology invites you to review and comment on the proposed Agreed Order and Public Participation Plan. **Please send your written comments by October 8, 2007 to Ecology's Site Manager, Grant Yang.** Grant Yang's contact information is located in the box on the first page of this fact sheet. Comments may be sent by mail or e-mail, with "Denny Way CSO site" in the subject line.

What Happens Next?

After the public comment period ends, Ecology will review all comments received and make recommendations for any suggested changes to the Agreed Order and Public Participation Plan. If no significant changes are necessary, the Agreed Order and Public Participation Plan will be considered final and the interim action will proceed.

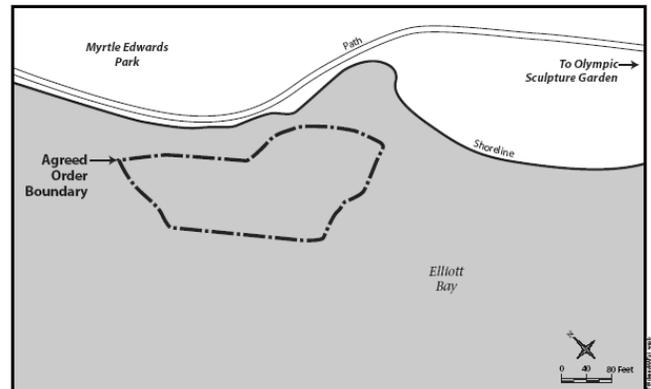
A public meeting has not been scheduled at this time. However, one will be held if ten or more people request a meeting during the comment period. For information about other Ecology public comment periods, meetings, hearings, workshops, and open houses, please visit Ecology's public events calendar

at <http://apps.ecy.wa.gov/pubcalendar/calendar.asp>. Read *Frequently Asked Questions about Effective Public Commenting* at this link to learn more about the public comment process.

Site Background

The Denny Way CSO was built in the 1960s when the Municipality of Metropolitan Seattle (formerly Metro; now King County) built the system that collected, transported, and treated wastewater in the greater Seattle area. Until 2004, the outfall of the Denny Way CSO was at the shoreline. It was exposed during normal low tide and frequently discharged directly across exposed intertidal sediment. The site is no longer affected by the discharge due to the completion of a 2005 King County CSO control project, which has diminished the frequency of discharges, treated CSOs locally and relocated the CSO pipe further offshore.

Dredge area and vicinity map



Contaminants of Concern

Numerous site studies have been conducted by the county since 1980. The studies include the collection of samples, collected from the sea-floor surface to approximately 10 feet below the mudline. Based on the lab analysis, contaminants have been identified as the following:

- Bis (2-ethylhexyl)phthalate
- Butyl benzyl phthalate
- Cadmium
- Copper
- Lead
- Mercury
- Silver
- Polycyclic aromatic hydrocarbons (PAHs)
- Polychlorinated biphenyls (PCBs)

State Environmental Policy Act (SEPA)

Checklist and Determination of Non-Significance (DNS)

The SEPA environmental checklist and Determination of Non-Significance (DNS) for this site, which have already undergone public review and comment, are also available as part of the public record. King County issued the DNS under SEPA on May 8, 2007. On May 25, 2007, the DNS was made final. This checklist evaluates the potential environmental impacts of the proposed interim action. Ecology reviewed this checklist and agrees with King County's determination

that no significant adverse environmental impacts will be caused by this project. For more information, please contact Wesley Sprague at King County at 206-684-1169 or via email at wesley.sprague@metrokc.gov. The SEPA documents along with other background documents will be located at the repository locations and on King County's website: <http://dnr.metrokc.gov/wtd/sediment/denny/index.htm>

AREA MAP





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Bellevue, WA 98008-5452

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Denny Way CSO site
Ecology Seeks Public Comment
on a proposed Agreed Order and Public
Participation Plan for the Denny Way
Combined Sewer Overflow (CSO) site.

Public Comment Period

Sept. 6 - Oct. 8, 2007