



## **Responsiveness Summary 2015 Removal from the Hazardous Sites List for Cornet Bay Marina**

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December 2015  
Publication no. 15-09-218

## **Publication and Contact Information**

This report is available on the Department of Ecology's website at  
<https://fortress.wa.gov/ecy/publications/SummaryPages/1509218.html>

Cornet Bay Marina Site Cleanup Website  
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5048>

For more information contact:

Toxics Cleanup Program  
P.O. Box 47600  
Olympia, WA 98504-7600  
Phone: (360) 407-7170

Washington State Department of Ecology - [www.ecy.wa.gov](http://www.ecy.wa.gov)

- Headquarters, Olympia 360-407-6000
- Northwest Regional Office, Bellevue 425-649-7000
- Southwest Regional Office, Olympia 360-407-6300
- Central Regional Office, Yakima 509-575-2490
- Eastern Regional Office, Spokane 509-329-3400

**Accommodation Requests:** To request ADA accommodation including materials in a format for the visually impaired, call Ecology at Toxics Cleanup Program at 360-407-7170. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

# **Responsiveness Summary 2015**

## **Removal from the Hazardous Sites List**

### **Cornet Bay Marina**

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**Public Comment Period:**  
**October 9 – November 9, 2015**

*Toxics Cleanup Program – Northwest Regional Office  
Washington State Department of Ecology  
Bellevue, Washington*



## Table of Content

Introduction	3
Site Background	3
Public Comments and Responses	
Steve Thompson	5
Bob Spiller	6
Glenn Hayman	7
Norm Hepner	8
Appendix A – Original Comments	9

## **Introduction**

A public comment period was held from October 9 to November 9, 2015, to remove the Cornet Bay Marina from the Hazardous Sites List in February 2016. This report contains Ecology's responses to all the comments received during the public comment period.

Details on the Site and Site documents are available at the Washington State Department of Ecology (Ecology) website: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5048>

## **Site Background**

The Cornet Bay Marina Site is associated with a marina located at 200 Cornet Bay Road in Oak Harbor on Whidbey Island. It is bounded on the west by Cornet Bay and on the east by Cornet Bay Road and mixed residential and light commercial land uses.

Deception Pass State Park is immediately adjacent north of the Site. The marina was constructed in the 1960s and has been operated as a marina and general store since then. The Site, which covers approximately 1.1 acres of upland property, includes a store building, a gravel parking lot, and a 360-foot-long bulkhead that separates the upland facility from the marina. Fuel is provided to boats via a vaulted underground storage tank.



Releases from petroleum fuel lines in 1989 resulted in soil and groundwater contamination at the property. Gasoline and benzene were the most consistently detected compounds in soil and groundwater although diesel was also detected exceeding cleanup standards. Ecology conducted the cleanup under a 1993 consent decree with the property owner. The cleanup included:

- **Bulkhead wall construction:** Installed a 360-foot new steel bulkhead wall adjacent to a deteriorating timber bulkhead before starting excavation, then removed and disposed of the old bulkhead.
- **Removal of contaminated soil:** Excavated about 23,000 tons of petroleum contaminated soil and disposed of at CEMEX in Everett, WA. The excavated area was backfilled with clean imported material.
- **Building relocation:** The store building was temporarily relocated to the adjacent state park property to enable excavation beneath the building. Following excavation, the building was moved back to its original location.
- **Wetland habitat creation:** Removed petroleum contaminated soil from a small wetland, then re-graded the area to restore and create additional aquatic habitat.
- **Confirmation monitoring:** Soil and groundwater confirmation samples were collected and analytical results have shown compliance with cleanup standards.

Ecology has determined that the cleanup work at the Site meets the requirements of state cleanup regulations. Ecology proposed to remove the site from the Hazardous Site list and held a public comment period during the period from October 9, 2015 to November 9, 2015. Following this public comment period, Ecology reviewed all the comments received, prepared this responsiveness summary, and has made the decision to remove the Site from the Hazardous Sites List in February 2016.

## **Public Comments and Responses**

### **Commenter #1 Steve Thompson**

How would I go about requesting the total cost information for this project?

### **Ecology's Response:**

The project cost approximately \$4.2 million.

## **Commenter #2 Bob Spiller**

I've read the documentation on the clean-up efforts conducted over the past years at Cornet Bay. Good job!

I'm tickled that, in spite of the all the political nonsense, the system can work and we can move on.

I strongly recommend pulling this site off of the Hazardous Sites List.

### **Ecology's Response:**

Ecology appreciates your comment, and we are glad that the Site has finally been cleaned up. Ecology is planning to remove the site from the Hazardous site list in February 2016.

### **Commenter #3 Glenn Hayman**

I did some work on the Coronet Bay Marina site for Ecology when I worked at EA. There was a sheen coming off a bulkhead so it was clearly very contaminated and Ecology was responsible for the cleanup.

Anyway, I was scanning through the 4th quarter of post remedial action monitoring report and noticed a couple of things that seemed unusual in Table 3. The benzene MTCA Method A Cleanup Level is 51 ug/L. On the same page the detection limit (1200) for TPH-G exceeds the cleanup level (1000) for the last monitoring round. Also, there are only two sampling events for the seeps not the four quarters of monitoring that Ecology requires.

Why are these deviations from MTCA and Ecology guidance being accepted for this site?

#### **Ecology's Response:**

The benzene cleanup level for groundwater at the Site was established at 51 ug/L, based on EPA's National Ambient Surface Water Quality Criteria, not Model Toxics Control Act Method A. Since groundwater at the Site discharges to surface water, it is more appropriate to use the applicable or relevant and appropriate requirements of Surface Water Quality Criteria as the Site groundwater cleanup level when such criteria is available per MTCA 173-340-720.

The gasoline detection limit for the sample of Seep-2 was 1,200 ug/L, as shown on Table 3 of the May 2015 Quarterly Groundwater Monitoring Event Report. This detection limit did exceed the cleanup level of 1,000 ug/L for gasoline. We should have added a footnote to that table to justify that the sample was compromised due to foaming at the instrument. It had to be diluted which resulted in a higher detection limit.

Samples collected from groundwater monitoring wells are a better representation of Site groundwater conditions than seep samples because seep samples might have high turbidity and might be a mixture of Site groundwater and inflow from the bay. Ecology tested the seeps as an additional check to verify that contamination from the Site is not entering the bay. The seep sampling was not intended for compliance purposes. The final determination of compliance is based on soil sampling results and the four consecutive quarters of groundwater data collected from the monitoring wells.

## **Commenter #4 Norm Hepner**

What is the basis for allowing 1 year of groundwater monitoring to confirm compliance with MTCA cleanup standards for this Site? Why are MTCA statistical methods not be used for this Site? Is Ecology intending to change MTCA to demonstrate that Ecology policy is being used in lieu of MTCA regulatory standards to meet cleanup standards throughout Washington State?

### **Ecology's Response:**

In accordance with MTCA 173-340-720(9), when groundwater cleanup levels have been established at a site, sampling of the groundwater shall be conducted to determine if compliance with the groundwater cleanup levels has been achieved. However, MTCA doesn't specify how many quarters of groundwater monitoring events have to be conducted for determination of compliance. Considering seasonal variations in the water table as well as rebound effects, the groundwater data collected from the four consecutive quarters at this Site is considered sufficient to detect potential variations in contaminant concentrations and to make a determination of compliance.

Statistical methods may be used to demonstrate compliance, but the decision to use this approach is not a requirement under MTCA regulations. Also, because the groundwater confirmation sampling results have shown compliance, the use of a statistical approach wasn't deemed necessary.

We do not intend to deviate or make any changes in MTCA or any Ecology policies to demonstrate compliance with cleanup standards at this Site. The cleanup conducted at this Site has followed MTCA requirements.

# **Appendix A**

-----Original Message-----

From: Steve Thompson [[mailto:thompsons\\_smt@comcast.net](mailto:thompsons_smt@comcast.net)]  
Sent: Tuesday, October 06, 2015 7:53 AM  
To: Lui, Nancy (ECY)  
Subject: CORNET BAY MARINA, Site 5048

Good morning,

How would I go about requesting the total cost information for this project?

thank you,  
Steve Thompson

**From:** Bob Spiller [<mailto:spillerr@comcast.net>]  
**Sent:** Friday, October 09, 2015 6:01 PM  
**To:** Liu, Jing (ECY)  
**Subject:** Cornet Bay Marina Comments

Dear sir,

I've read the documentation on the clean-up efforts conducted over the past years at Cornet Bay. Good job!

I'm tickled that, in spite of the all the political nonsense, the system can work and we can move on.

I strongly recommend pulling this site off of the Hazardous Sites List.

Sincerely,

Bob Spiller  
2774 Laurel Lane  
Oak Harbor, WA 98277

**From:** Glenn Hayman [<mailto:ghayman54@gmail.com>]  
**Sent:** Tuesday, October 13, 2015 2:40 PM  
**To:** Liu, Jing (ECY)  
**Subject:** Fwd: ECOLOGY NEWS: Cleanup completed at Cornet Bay Marina

Jing,

I did some work on the Coronet Bay Marina site for Ecology when I worked at EA. There was a sheen coming off a bulkhead so it was clearly very contaminated and Ecology was responsible for the cleanup.

Anyway, I was scanning through the 4th quarter of post remedial action monitoring report and noticed a couple of things that seemed unusual in Table 3. The benzene MTCA Method A Cleanup Level is 51 ug/L. On the same page the detection limit (1200) for TPH-G exceeds the cleanup level (1000) for the last monitoring round. Also, there are only two sampling events for the seeps not the four quarters of monitoring that Ecology requires.

Why are these deviations from MTCA and Ecology guidance being accepted for this site.

Glenn

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**Glenn A. Hayman**

18425 NE 95th St. Unit 201  
Redmond, WA 98052-2940

206.235.0589

[ghayman54@gmail.com](mailto:ghayman54@gmail.com)

----- Forwarded message -----

From: Partridge, Sandra (ECY) <[shug461@ecy.wa.gov](mailto:shug461@ecy.wa.gov)>  
Date: Tue, Oct 13, 2015 at 1:23 PM  
Subject: ECOLOGY NEWS: Cleanup completed at Cornet Bay Marina  
To: [ECOLOGY-NEWS@listserv.wa.gov](mailto:ECOLOGY-NEWS@listserv.wa.gov)

Washington Department of Ecology – NEWS

Oct. 13, 2015

Contacts:

[Larry Altose](#), communications, [@EcySeattle](tel:425-649-7009)

[Jing Liu](#), cleanup site manager, [425-649-4310](tel:425-649-4310)

# Cleanup completed at Cornet Bay Marina

## *Site to be removed from state's contaminated sites list*

OAK HARBOR – The [Cornet Bay Marina](#) environmental cleanup site near Oak Harbor is ready to come off the state's list of contaminated sites, according to a proposal by the Washington Department of Ecology.

The 1.1 acre site at 200 Cornet Bay Road underwent cleanup in 2014, followed by a year of groundwater monitoring. Ecology has determined that the site now meets state standards for protecting public health and the environment, and is seeking public comment before removing the property from its Hazardous Sites List.

As part of the cleanup work, crews:

- Installed a new 360-foot [steel bulkhead wall](#) adjacent to a [timber bulkhead](#) before starting upland excavation, then removed and disposed of the old bulkhead.
- Excavated about 23,000 tons of petroleum [contaminated soil](#) for disposal, and brought in [clean soil](#) to backfill the area.
- Temporarily [relocated](#) the marina's small store to state park property next door during cleanup work.
- Removed petroleum contaminated soil from a [small wetland](#), then re-graded the area to create additional aquatic habitat as required under a federal wetland permit.
- Collected soil and groundwater samples for a year to confirm compliance with state cleanup standards.

Ecology conducted the \$4.2 million cleanup under a cost sharing plan as part of a 1993 legal agreement with the property owner.

Information about the cleanup and Ecology's proposed delisting is available at:

- Ecology's [website](#)

- Oak Harbor Public Library, 1000 SE Regatta Dr.
- Anacortes Public Library, 1220 10th Street
- Ecology's Northwest Regional Office, 3190 160th Ave SE in Bellevue, by appointment: [425-649-7190](tel:425-649-7190) or [sally.perkins@ecy.wa.gov](mailto:sally.perkins@ecy.wa.gov)

Comments will be accepted through Nov. 9, 2015. Please send comments and technical questions to Jing Liu, site manager:

- Mail: Department of Ecology, 3190 160<sup>th</sup> Ave. SE, Bellevue WA 98008
- Email: [Jing.Liu@ecy.wa.gov](mailto:Jing.Liu@ecy.wa.gov)
- Phone: [425-649-4310](tel:425-649-4310), for questions only; please send comments by mail or email.



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**Glenn A. Hayman**

18425 NE 95th St. Unit 201  
Redmond, WA 98052-2940

206.235.0589

[ghayman54@gmail.com](mailto:ghayman54@gmail.com)

**From:** norm hepner [<mailto:nthdegrees@gmail.com>]  
**Sent:** Tuesday, October 13, 2015 2:44 PM  
**To:** Liu, Jing (ECY)  
**Subject:** Fwd: ECOLOGY NEWS: Cleanup completed at Cornet Bay Marina

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Thanks

Norm Hepner

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Washington Department of Ecology – *NEWS*

Oct. 13, 2015

Contacts:

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- Email: [Jing.Liu@ecy.wa.gov](mailto:Jing.Liu@ecy.wa.gov)
- Phone: [425-649-4310](tel:425-649-4310), for questions only; please send comments by mail or email.



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Norman T Hepner

NTH Degree Environmental Engineering Solutions

1307 Heritage Hills Dr.

Selah, WA 98942

(509) 388-4833