



DEPARTMENT OF
ECOLOGY
State of Washington

Public Participation Plan

**Kimberly-Clark Worldwide, Inc.
2600 Federal Avenue
Everett, Snohomish County, Washington**

Facility Site ID: 9

Cleanup Site ID: 2569

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This plan is available on the Washington Department of Ecology's website at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2569>

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Public Participation Plan

Kimberly-Clark Worldwide, Inc.

Toxics Cleanup Program
Washington State Department of Ecology
Olympia, Washington

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Introduction

Kimberly-Clark Worldwide, Inc., and the Port of Everett are addressing soil and groundwater contamination at the Kimberly-Clark Worldwide, Inc. Site (site) under a legal agreement with the Washington State Department of Ecology (Ecology). The contamination is the result of historical industrial activities conducted at the site and is above potentially harmful levels. To protect human health and the environment, the contamination must be addressed in accordance with Washington's cleanup law, the Model Toxics Control Act (MTCA).

Ecology developed this public participation plan to promote meaningful community involvement in the site cleanup process. The plan discusses the cleanup process, information about the site, and ways Ecology will inform the public about contamination investigations and options throughout cleanup.

Washington's Cleanup Law

Ecology follows the Model Toxics Control Act (MTCA) and accompanying regulations for cleanup activities. MTCA provides guidelines for contaminated site cleanup in Washington state and sets standards to ensure the cleanup protects human health and the environment.

MTCA began as a grassroots citizen's initiative in 1988 and started the process of systematically cleaning up contaminated sites in Washington. Under MTCA, anyone with a current or past relationship with a contaminated site may be held responsible for cleaning it up to standards established to protect human health and the environment.




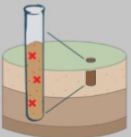





Ecology enacts MTCA and oversees cleanups in the state and issues regulations and guidance governing those cleanups. The regulations are found in [Chapter 173-340 Washington Administrative Code \(WAC\)](#)¹. Ecology investigates reports of property contamination, and if the contamination is seen as a significant threat to human health or the environment, the contaminated property is placed on the Hazardous Sites List, and the cleanup process begins.

Public participation is an important part of cleanup under the MTCA process. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk posed by the contamination. Individuals who live near the site, community groups, businesses, government, other organizations, and interested parties have the opportunity to get involved by commenting on the cleanup process.

¹ <https://fortress.wa.gov/ecy/publications/publications/9406.pdf>

Under MTCA, the cleanup process generally includes four steps, with opportunities for the public to review and comment on cleanup documents. In addition, a partial cleanup (called an interim action) can occur at any time during the cleanup process. The public is provided an opportunity to review and comment on planned interim action work as well.

Steps in Washington's Cleanup Process

 <p>Interim Action</p>		<p>If contaminants pose an immediate risk to people or the environment, action can be taken at any point in the cleanup process to reduce the risk. Interim actions may also be used to progress cleanup when only a brief opportunity is available.</p>
 <p>Remedial Investigation (RI)</p>		<p>Environmental investigation to identify the nature, extent, and magnitude of pollution at a site, and how people, plants, and animals may be exposed to the pollution.</p>
 <p>Feasibility Study (FS)</p>		<p>Uses information gathered during the Remedial Investigation to develop cleanup alternatives, and then evaluates them through an environmental benefit vs. cost analysis. This process determines a preferred alternative.</p>
 <p>Cleanup Action Plan (CAP)</p>		<p>Ecology identifies a cleanup plan based on information in the RI/FS and public input. The CAP includes cleanup standards, a schedule for design and construction work, and requirements for monitoring, operation, and maintenance.</p>
<p>Cleanup & Monitoring</p>		<p>The CAP is used to clean up the site. After construction is complete, monitoring occurs. Environmental covenants prohibit or restrict activities that would expose any remaining contamination or adversely affect the cleanup.</p>

 Opportunities for public comment

Figure 1: Steps in Washington's Cleanup Process

MTCA cleanups also require evaluation under the State Environmental Policy Act (SEPA; Chapter 197-11 WAC). Under SEPA, the potential for significant adverse environmental impacts from a project or action must be evaluated by state and local agencies when making decisions. This evaluation is subject to public review and comment in parallel with cleanup documents.

Site Information

Location, ownership, and history

The Kimberly-Clark Worldwide, Inc. site is located at 2600 Federal Avenue in Everett, Snohomish County, Washington and includes approximately 56 acres of uplands and twelve acres of tidelands. The in-water area adjacent to the site is within Everett's East Waterway and is being addressed under a separate cleanup agreement. Property within the site is owned by Kimberly-Clark Worldwide, Inc. and the Port of Everett.

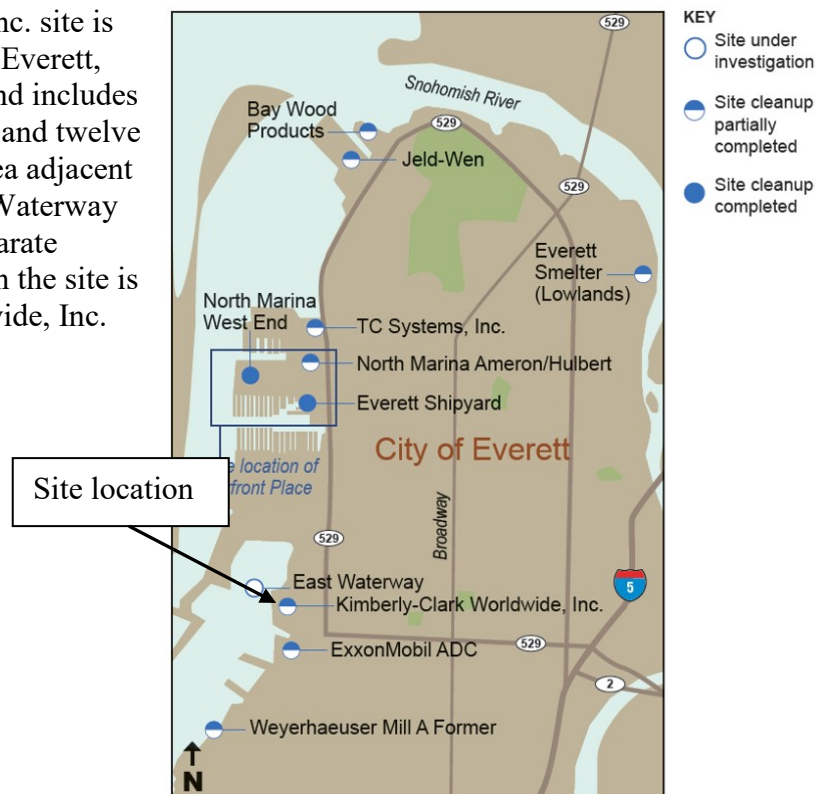


Figure 2: The Kimberly-Clark Worldwide, Inc. site location



Figure 3: The Kimberly-Clark Worldwide, Inc. site facing north, December 2020

How the site became contaminated

The site was first developed in the late 1800s/early 1900s and was used for pulp and paper manufacturing, storing bulk petroleum, and sawmilling. While in operation, the pulp and paper mill made bleached sulfite pulp and tissue products like paper towels, bath tissue, and napkins. All manufacturing work at the facility stopped in 2012, and the former mill buildings were demolished, except for the distribution warehouse building. The past use, operations, and mill demolition contributed to contamination at the site.

Contamination

Investigations to date have found contaminants in soil and groundwater associated with historical industrial uses:

- Petroleum
- Heavy metals
- Wood waste
- Polycyclic aromatic hydrocarbons (PAHs)

- Polychlorinated biphenyl compounds (PCBs)
- Semivolatile organic compounds (SVOCs)
- Dioxins/furans

Cleanup plans

Ecology is responsible for overseeing cleanup activities at this site and ensuring the cleanup protects the environment and people from direct contact with contamination. MTCA defines Ecology's work on cleanup sites and sets regulatory standards. These standards determine the concentrations of contaminants that are allowed in water, soil, and groundwater. Cleanup sites need to meet these standards before we can consider cleanup complete.

For cleanup status and updates, visit the site webpage at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2569>.

Area land use and community

The site is within Snohomish County's largest city of Everett, the seventh largest city in the state of Washington. Located on Port Gardner Bay, Everett hosts the west coast's second largest marina, United States Navy Homeport Naval Station Everett and The Boeing Company's assembly plant. As of 2019, most of the Kimberly-Clark site is part of the Port of Everett, joining a complex of maritime and marine-related businesses. While the site itself is in a heavily industrial area, there are schools, churches and hundreds of homes within a quarter-mile radius.

Ecology will reach out to cultural community organizations as part of our public involvement efforts and provide information in other languages as appropriate following federal guidance. We strive to involve the whole community in our public participation efforts and welcome your input on additional measures we can take to reach the nearby community.

The Tulalip, Suquamish, Swinomish, and Lummi Tribes are federally recognized Tribes who may be impacted by cleanup decisions in this area. Ecology will reach out to these Tribes throughout the cleanup process.

Public Involvement Activities

This section describes how Ecology will share information with the community and how you can share information with us. In addition, this section provides information about state grants that are available to help the community understand and participate in the public involvement process.

How we share information with the community

During specific stages of the cleanup process, Ecology will mail notices about public comment periods to addresses surrounding the site. The mailing list area will vary depending on the type of contamination and where it's located, but the list will at least include addresses within a quarter-mile radius of the site and other interested organizations and individuals. These notices will provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings or how to request one if not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the site's status. These informational documents will be available online and at document repositories. Print copies may be mailed to the nearby community if we feel the message warrants the associated cost and resources.

Comment period notices and other site announcements may also be posted in various locations throughout the community (for example, local businesses, schools, libraries).

Notification lists

Ecology maintains an email list and a mailing list that includes postal addresses within a quarter-mile radius of the site and relevant local, state, and federal government contacts.

We will use the lists to send notices when cleanup documents are available for public review and comment or for other site communications.

If you would like to be added to the email or mailing lists for this site, please contact Megan MacClellan at 360-688-3730 or Megan.MacClellan@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#)². To receive the *Site Register* by email, please contact Sarah Kellington at 360-280-3167 or sarah.kellington@ecy.wa.gov, or [subscribe online](#)³.

² <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data>

³ <http://listserv.wa.gov/cgi-bin/wa?SUBED1=siteregister&A=1>

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the Everett Daily Herald and Snohomish County Tribune. We will also publish notice on Ecology's [Public Input & Events Listing](#)⁴.

Ecology's website and social media platforms

We maintain a [website](#)⁵ for the Kimberly-Clark Worldwide, Inc. site. The website provides site information, and access to cleanup documents for online review or download.

We may also share information about cleanup sites through Ecology's [website](#)⁶ or [blog](#)⁷.

Document repositories

During public comment periods, you can find print documents at the following locations:

Everett Public Library

2702 Hoyt Avenue
Everett, WA 98201
425-257-8000

Washington Department of Ecology Headquarters

300 Desmond Drive SE
Lacey, WA 98503

To schedule an appointment, please contact Carol Dorn at 360-407-7224 or carol.dorn@ecy.wa.gov.

Ecology's COVID-19 Response

Please note that while Washington's Stay Home, Stay Healthy order is in effect, Ecology is not hosting in-person public meetings or supporting physical document repositories. Documents for review will be available online only. If you need access to a hard copy document or have other questions, please contact Megan MacClellan at 360-688-3730.

Signs around the cleanup site

We may also install signs displaying information about project status, traffic impacts, and health risks around the cleanup site.

⁴ <https://ecology.wa.gov/Events/Search/Listing>

⁵ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=2569>

⁶ <https://ecology.wa.gov/About-us/Get-to-know-us/News>

⁷ <https://ecology.wa.gov/Blog>

How to share information with us

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods SEPA documents. SEPA documents are often made available for review with other cleanup documents. We may hold comment periods longer than 30 days.

We may also identify public concerns and cleanup goals by meeting with and soliciting information from interested community members and organizations. To collaborate with us about this site, please contact Andy Kallus at 360-407-7324 or andrew.kallus@ecy.wa.gov.

Public comment periods

Formal 30-day comment periods allow interested members of the public to comment on draft documents, legal agreements, and proposed cleanup actions. If there is significant interest, Ecology may extend the public comment period. When Ecology oversees SEPA determinations, we hold comment periods on SEPA documents for at least two weeks.

Following a comment period, we consider all the input we received and respond to significant comments and questions. If the comments result in significant changes to the cleanup documents, the documents will be revised and re-issued for public review. If the comments do not result in significant changes, then they become final.

Public events

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if 10 people request it, and this may cause us to extend a public comment period if needed.

Events are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups interested in the site. These funds may be used to provide additional public involvement opportunities, receive technical assistance, and enhance the public's understanding of the cleanup process.

For more information about public participation grants, please contact Lynn Gooding at 360-407-6062 or lynn.gooding@ecy.wa.gov. You may also visit the [Public Participation Grant website](#)⁸.

⁸ <http://www.ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants>

Americans with Disabilities Act

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-688-3730 or email at megan.macclellan@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website](#) for more information.

Plan Amendments and Updates

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Andy Kallus at 360-407-7324 or Andrew.Kallus@ecy.wa.gov.

This plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us.

If you feel the planned outreach activities and mechanisms described in this plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach tools established as a result can be implemented right away, with or without amending this plan.

Glossary

Cleanup: The implementation of a cleanup action or interim action.

Cleanup Action: Any remedial action except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with MTCA cleanup requirements, including but not limited to: complying with cleanup standards, utilizing permanent solutions to the maximum extent practicable, and including adequate monitoring to ensure the effectiveness of the cleanup action.

Cleanup Action Plan: A document that selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the cleanup action plan, Ecology finalizes the cleanup action plan.

Cleanup Level: The concentration (or amount) of a hazardous substance in soil, water, air, or sediment that protects human health and the environment under specified exposure conditions. Cleanup levels are part of a uniform standard established in state regulations, such as MTCA.

Cleanup Process: The process for identifying, investigating, and cleaning up hazardous waste sites.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

Feasibility Study: Provides identification and analysis of site cleanup alternatives and is usually completed within a year. The entire Remedial Investigation/Feasibility Study (RI/FS) process takes about two years and is followed by the cleanup action plan. Remedial action evaluating sufficient site information to enable the selection of a cleanup action plan.

Hazardous Site List: A list of ranked sites that require further remedial action. These sites are published in the Site Register.

Interim Action: Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion

of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

Model Toxics Control Act: Refers to RCW 70.105D. Voters approved it in November 1988. The implementing regulation is WAC 173-340 and was amended in 2001.

Public Notice: At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and the opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Release: Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

Remedial Action: Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance, and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

Remedial Investigation: Any remedial action that provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the Remedial Investigation/Feasibility Study is to collect and develop sufficient site information to enable the selection of a cleanup action.