



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Public Participation Plan**

**Port of Vancouver Cadet/Swan, NuStar  
Terminals Services, Inc. and Kinder Morgan  
Bulk Terminals, LLC  
Vancouver, Washington**

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*Facility Site ID: 1026*

*Cleanup Site ID: 3450*

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# Publication and Contact Information

This plan is available on the Department of Ecology's website at:

<https://fortress.wa.gov/ecy/publications/summarypages/1809123.html>

For more information contact:

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300 Desmond Drive SE  
Lacey, Washington 98503  
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*To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6300 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.*

## **Public Participation Plan**

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### **Port of Vancouver Cadet/Swan, NuStar Terminals Services, Inc. and Kinder Morgan Bulk Terminals, LLC Site**

Toxics Cleanup Program  
Southwest Region  
Washington State Department of Ecology  
Lacey, Washington

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## **Public Involvement in Contamination Cleanup**

The Washington State Department of Ecology (Ecology) developed this public participation plan (plan) in cooperation with the Port of Vancouver Cadet/Swan (port), NuStar Terminals Services, Inc. (NuStar) and Kinder Morgan Bulk Terminals, LLC (KMBT), the parties responsible for site cleanup. The purpose of the plan is to promote meaningful community involvement during cleanup.

The plan describes ways Ecology will inform the public about contamination investigations and cleanup options throughout the cleanup process. Ecology encourages the public to learn about and get involved in decision-making opportunities. This plan identifies how and when the public can get involved during different stages of the investigation and cleanup of contamination.

This plan is for Agreed Order #DE-15806 for the port, NuStar and KMBT site (site).

### **Site contacts**

To be included in the site record, comments about the cleanup process must be submitted during comment periods. Questions and informal comments or information about the site's history are welcome anytime.

#### **Ecology**

Southwest Regional Office  
300 Desmond Drive SE  
Lacey, WA 98503

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## Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups interested in the site. For contaminated sites, these funds can be used to:

- Hire an expert to help interpret technical information<sup>1</sup>
- Conduct activities that enhance the public's understanding of, and participation in, the cleanup process

For more information about public participation grants, please contact Lynn Gooding at 360-407-6062 or [lynn.gooding@ecy.wa.gov](mailto:lynn.gooding@ecy.wa.gov). You may also visit the [Public Participation Grant website](#).<sup>2</sup>

## Washington's Cleanup Laws

Ecology uses the Model Toxics Control Act (MTCA) and accompanying regulations for cleanup activities.

This plan is required under MTCA, a law that passed in 1989. MTCA provides guidelines for contaminated site cleanup in Washington State and sets standards to ensure the cleanup protects human health and the environment.

### Model Toxics Control Act (MTCA)

MTCA began as a grassroots citizen's initiative in 1988, and started the process of systematically cleaning up contaminated sites in Washington. Under MTCA, a current or past property owner or operator may be held responsible for cleaning up contamination on, or coming from, their property to standards that are safe for 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 \(WAC\)](#).<sup>3</sup> Ecology investigates reports of property contamination, and if the

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<sup>1</sup> Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the site.

<sup>2</sup> [ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants](http://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants)

<sup>3</sup> <https://fortress.wa.gov/ecy/publications/publications/9406.pdf>

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.

Under MTCA, the cleanup process generally includes five phases. Each phase includes an opportunity for the public to review and comment on cleanup documents.

## Steps in Washington's Cleanup Process

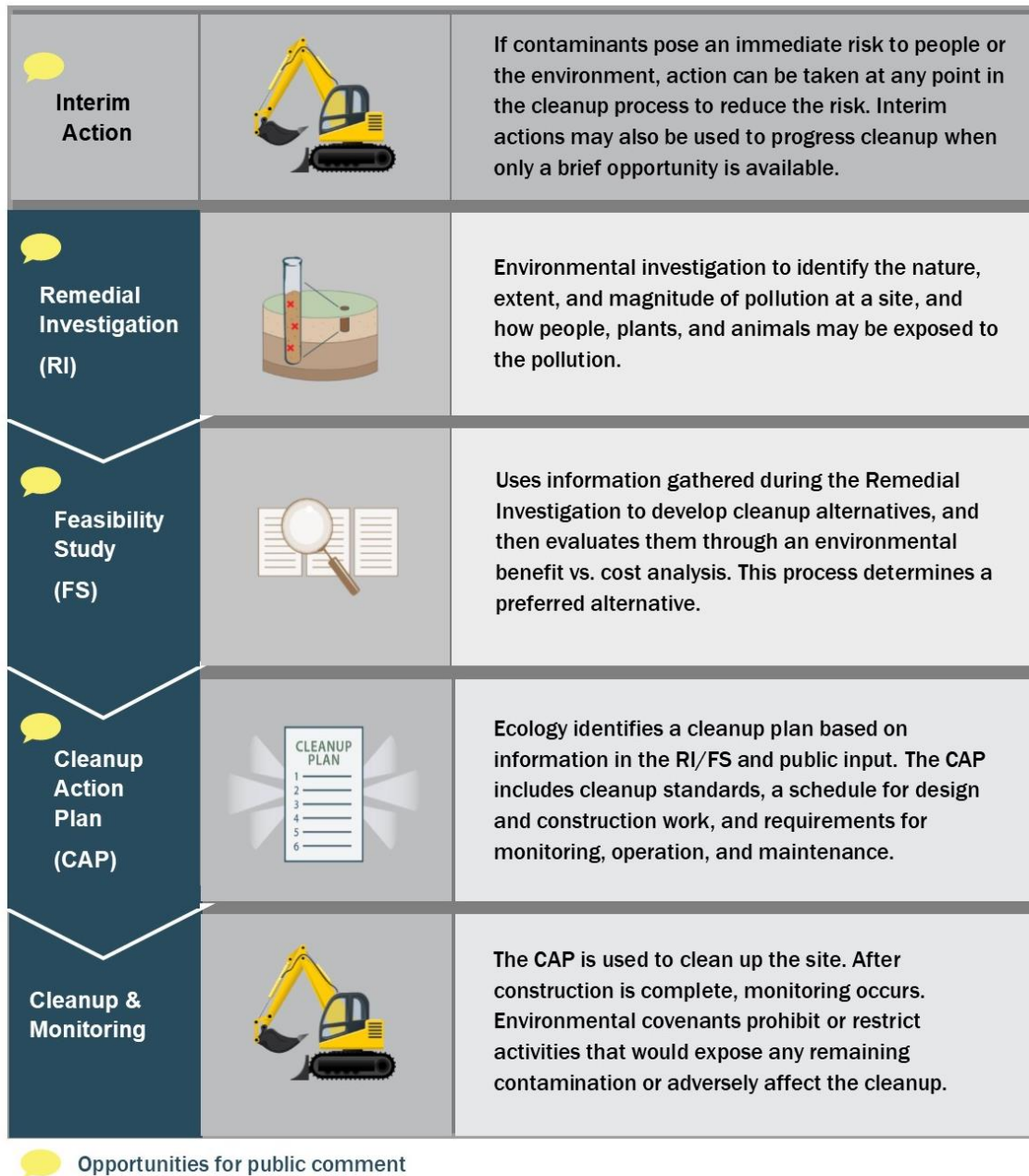


Figure 1. Steps in Washington's Cleanup Process

## State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans.

## **Site History**

### **Land use**

The site is identified by four portions located on Port of Vancouver property. The Cadet portion is generally located at 2500 West Fourth Plain Boulevard. The Swan portion is generally located between 2001 and 2501 West Fourth Plain Boulevard. The NuStar portion is generally located at 2565 NW Harborside Drive. The KMBT portion is located at 2701 NW Harborside Drive. Land use surrounding the site is industrial. It is bordered by the Columbia River to the south and bisected by SR 501 and the BNSF and Union Pacific railroad. The closest residential area is the Fruit Valley neighborhood located to the north and east.

### **How the site became contaminated**

Soil and groundwater were polluted decades ago with chlorinated solvents such as trichloroethylene (TCE) that were used by Cadet Manufacturing Company (Cadet), and the former Swan Manufacturing Company (Swan) to clean sheet metal parts. These businesses made electric heaters.

Soil and groundwater were also polluted with chlorinated solvents, such as perchloroethylene (PCE) and TCE that were used by GATX Terminals Corporation, former operators at the NuStar facility. Data indicates that contaminated groundwater migrating from the NuStar facility toward the Columbia River is a source of chlorinated solvent in sediment.

NuStar, a tenant of the port, handles bulk fertilizer products at their terminal. KMBT, another tenant of the port, handles copper ore that also contains other metals. KMBT coordinates ore transport from mines to shipping companies. KMBT's facility is located next to NuStar. NuStar found nitrate, ammonia, and copper in groundwater beneath the NuStar and KMBT facilities.

### **Contamination**

Due to historic land use and industrial practices, soil, groundwater and sediment are contaminated with Trichloroethylene (TCE) and Tetrachloroethylene (PCE).

Groundwater is also contaminated with copper, nitrate, ammonia and other metals. It has not been determined if these contaminants are present in soil or sediment.

The presence of these materials can be harmful to human health and the environment, so cleanup is important.

Public drinking water is not affected. The City of Vancouver supplies drinking water from groundwater wells at several locations within the City's limits. In addition, the port supplies drinking water to specific tenants from groundwater wells on port property. City and port wells are located outside of the contaminated area.

The areas of contamination in the groundwater are plumes. The plumes below the port, NuStar and KMBT are so close to each other, Ecology is considering them to be one, area-wide plume.

## Cleanup plans

Ecology's previous Agreed Orders with the port and NuStar were for preparation of cleanup documents. In 2017, after the 2013 NuStar Remedial Investigation (RI) was finalized, NuStar found additional contaminants in groundwater beneath the NuStar and KMBT facilities.

The new Agreed Order addresses the recently discovered contaminants by requiring supplemental work to the 2013 RI. It also includes KMBT who Ecology has named as a potentially liable person for the site. The new Agreed Order is a legal agreement that requires the port, NuStar and KMBT to:

- Prepare a supplemental RI work plan
- Conduct a supplemental RI
- Write a supplemental RI report that addresses potential contaminants in soil, sediment and groundwater
- Include supplemental and 2013 RI information into a new Feasibility Study (FS) that compares cleanup options

The port and NuStar have been doing cleanups called interim actions since 1997 to reduce contamination. Interim actions are partial cleanups.

The port is currently cleaning up soil and groundwater polluted with chlorinated solvents from the Cadet and Swan facilities. The port has used a pump and treat system since 2009 to remove pollutants from groundwater.

NuStar is cleaning up soil, sediment, and groundwater polluted with chlorinated solvents. Since 2008, NuStar has used a vapor extraction system to remove solvent vapors in the soil. They also use enhanced bioremediation to improve the ability of naturally occurring bacteria in the ground to break down solvents and nitrates in groundwater.

The port and NuStar continue to monitor contaminant levels in groundwater to ensure interim action work is effective. NuStar is sampling sediment periodically to make sure that contaminant levels decrease as source areas are cleaned up.

## Area community

The American Community Survey (ACS) data from 2011 to 2015 shows that Spanish is the most common foreign language spoken at home by persons that speak English less than “very well”. Ecology will reach out to cultural community organizations as part of our outreach and provide information in Spanish as appropriate following federal guidance.<sup>4</sup> We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

The Environmental Protection Agency’s (EPA) EJScreen Tool shows the following demographics for the area within a quarter-mile of the site:

Selected Variables	Value	State Average	Percentile in State	EPA Region Average	Percentile in EPA Region	USA Average	Percentile in USA
<b>Environmental Indicators</b>							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$ )	7.67	7.23	83	7.54	63	9.53	18
Ozone (ppb)	33.5	33.9	58	36.1	37	42.5	6
NATA* Diesel PM ( $\mu\text{g}/\text{m}^3$ )	1.04	1.4	47	1.06	60-70th	0.938	60-70th
NATA* Air Toxics Cancer Risk (risk per MM)	35	40	39	39	<50th	40	<50th
NATA* Respiratory Hazard Index	2.9	2.8	53	2.8	50-60th	1.8	80-90th
Traffic Proximity and Volume (daily traffic count/distance to road)	170	450	59	380	60	600	59
Lead Paint Indicator (% pre-1960s housing)	0.53	0.23	85	0.23	87	0.29	78
Superfund Proximity (site count/km distance)	0.22	0.17	79	0.12	86	0.12	87
RMP Proximity (facility count/km distance)	2.2	0.61	94	0.63	93	0.72	92
Hazardous Waste Proximity (facility count/km distance)	4.6	1.9	89	1.5	91	4.3	89
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	8.3E-05	0.062	67	0.038	64	30	56
<b>Demographic Indicators</b>							
Demographic Index	49%	29%	86	29%	87	36%	72
Minority Population	42%	30%	75	27%	80	38%	61
Low Income Population	56%	29%	89	32%	87	34%	82
Linguistically Isolated Population	9%	4%	86	3%	88	4%	82
Population with Less Than High School Education	17%	9%	84	10%	83	13%	71
Population under Age 5	12%	6%	92	6%	93	6%	92
Population over Age 64	7%	14%	17	14%	16	14%	17

\*The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

The Yakama Nation is a federally recognized tribe that relies on resources that could be affected by the contamination. Ecology will provide ample opportunity to the Tribe to be involved throughout the cleanup process on a government-to-government basis.

<sup>4</sup> Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).

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## Public Participation Activities

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties do not need to wait for a formal public comment period to contact Ecology.

However, to be included in the formal site record, comments about the site investigation, cleanup alternatives, or cleanups must be submitted during formal comment periods. In addition, the public is invited to review site documents before they become final. This review is the most direct and influential way to learn more about the site and be involved in the cleanup's decision-making.

### How we share information with the community

During specific stages of the cleanup, 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 1/4-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).

#### Postal mailing list

Ecology maintains a mailing list that includes addresses within a 1/4 mile radius of the site and relevant local, state, and federal government contacts.

These people receive public comment notices when draft documents are available.



We will add additional individuals, organizations, and other interested parties to the mailing list as requested. If you would like to be added to the mailing list for this site, please contact Sheila Coughlan at 360-407-6255 or [Sheila.Coughlan@ecy.wa.gov](mailto:Sheila.Coughlan@ecy.wa.gov).

## **Site Register**

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).<sup>5</sup> To receive the *Site Register* by email, please contact Cheryl Ann Bishop at 360-407-6848 or [cherylan.bishop@ecy.wa.gov](mailto:cherylan.bishop@ecy.wa.gov), or [subscribe online](#).<sup>6</sup>

## **Newspaper display ads or legal notices**

We announce public comment periods and events in ads or notices published in the *Columbian*. We will also publish notice on our [Public Input & Events Listing](#).<sup>7</sup>

## **Email lists**

Ecology maintains an email list to update interested persons about this site. If you would like to be added to the email list for this site, please contact Sheila Coughlan at 360-407-6255 or [Sheila.Coughlan@ecy.wa.gov](mailto:Sheila.Coughlan@ecy.wa.gov).

## **Ecology's website and social media platforms**

We maintain a website for the port, NuStar and KMBT site.<sup>8</sup> The [website](#) provides site information, and you may download cleanup documents.

We may also share information about cleanup sites through [news releases, our ECOconnect blog, and social media](#).<sup>9</sup>

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<sup>5</sup> [ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data](http://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data)

<sup>6</sup> <http://listserv.wa.gov/cgi-bin/wa?SUBED1=siteregister&A=1>

<sup>7</sup> [ecology.wa.gov/Events/Search/Listing](http://ecology.wa.gov/Events/Search/Listing)

<sup>8</sup> <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3450>

<sup>9</sup> [ecology.wa.gov/About-us/Get-to-know-us/News](http://ecology.wa.gov/About-us/Get-to-know-us/News)



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## Document repositories

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

Vancouver Community Library  
901 C Street  
Vancouver, WA 98660  
360-906-5106

Washington Department of Ecology  
Southwest Regional Office  
300 Desmond Drive SE  
Lacey, WA 98503

To schedule an appointment to review files, please contact Susie Baxter at 360-407-6365 or [Susie.Baxter@ecy.wa.gov](mailto:Susie.Baxter@ecy.wa.gov).

## Signs around the cleanup site

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

## 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 Sheila Coughlan at 360-407-6255 or [Sheila.Coughlan@ecy.wa.gov](mailto:Sheila.Coughlan@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 for at least two weeks.

Following a comment period, we publish all the input we received and respond to significant comments and questions. If the comments result in significant changes to the cleanup documents, then 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 so the meeting occurs during it.

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.

## **Plan Amendments**

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review the plan as the cleanup progresses and amend it as necessary. You may suggest amendments to Sheila Coughlan at 360-407-6255 or [Sheila.Coughlan@ecy.wa.gov](mailto:Sheila.Coughlan@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.