



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 29, 2021

Doug Fortner, Town Planner
Town of Steilacoom
1030 Roe Street
Steilacoom, WA 98338

Dear Doug Fortner:

Thank you for the opportunity to comment on the determination of nonsignificance for the Alitibi Mill Master Planned Development Comprehensive Plan and Zoning Code as proposed by HDG LP. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

TOXICS CLEANUP: Eva Barber (360) 407-7094

Washington State Department of Ecology (Ecology) recognizes this is a non-project action. Future potential development and redevelopment of this area following the rezoning prompts the following comment:

The Abitibi Mill is located in an area that may have been contaminated with heavy metals due to the air emissions originating from the old Asarco smelter in north Tacoma (visit Ecology's Tacoma Smelter Plume map search tool: <https://apps.ecology.wa.gov/dirtalert/>).

Soil contamination from the former Asarco smelter poses a risk to human health and the environment. Children are at especially high risk from direct exposure to contaminated soil. Construction workers, landscapers, and others who work in the soils are also at risk.

Ecology recommends that the Town of Steilacoom consider adopting future policies related the Tacoma Smelter Plume. Ecology also recommends that the Town of Steilacoom do the following actions prior to issuing permits for development projects that involve the movement or alteration of soil:

- Sample the soil and analyze for arsenic and lead. Please contact Eva Barber with the Southwest Regional Office (SWRO), Toxics Cleanup Program at 360-999-9593 or via email at Barber@ecy.wa.gov for guidance about soil sampling within Tacoma Smelter Plume. The soil sampling results should be sent to Ecology for review.
- If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels (Chapter 173-340 WAC); construction workers, landscapers, and others should be notified of their occurrence. The applicant should contact the Environmental Report Tracking System Coordinator at the Ecology Southwest Regional Office at (360) 407-6300.

- If lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, the applicant should:
- Enter into the Voluntary Cleanup Program with - Ecology prior to issuance of any site development permits for this proposal and/or the initiation of any grading, filling, or clearing activities. For more information on the Voluntary Cleanup Program, visit Ecology website at <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process/Cleanup-options/Voluntary-cleanup-program>
- Obtain an opinion letter from Ecology stating that the proposed soil remediation will likely result in no further action under - MTCA prior to the issuance of any site development permit and/or the initiation of any grading, filling, or clearing activities.

3) Prior to finalizing site development permits, the applicant should obtain a “No Further Action” determination from Ecology indicating that the remediation plans were successfully implemented under MTCA.

- If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions should be taken to avoid escaping dust, soil erosion, and water pollution during grading and site construction. Site design should include protective measures to isolate or remove contaminated soils from public spaces. Contaminated soils generated during site construction should be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC). For information about soil disposal contact the local health department in the jurisdiction where soils will be placed.

For assistance and information about Tacoma Smelter Plume and soils contamination, contact Eva Barber at (360) 999-9593 or via e-mail at Eva.Barber@ecy.wa.gov.

TOXICS CLEANUP: Sandy Smith (360) 407-7269

Washington State Department of Ecology (Ecology) recognizes this is a non-project action. Future potential development and redevelopment of this area following potential changes to the comprehensive plan and zoning designations prompts the following comment:

The majority of the property proposed for comprehensive plan and zoning designation changes is a toxic cleanup site where hazardous substances have been released to the environment. The cleanup of this toxic cleanup site is regulated under the Washington Model Toxics Control Act (MTCA), Chapter 70A.305 RCW, and implementing regulations contained in Chapter 173-340 WAC. The site, Abitibi Consolidated Sales Corp, has been designated by Ecology as Cleanup Site ID 2884, Facility Site ID 57759125. To search and access information concerning this site see [All Cleanup Sites in Washington State](#) and [Cleanup sites - Washington State Department of Ecology](#).

Environmental Covenant 201003310170 was recorded for the site because known soil and groundwater contamination was left in place following remedial actions. The environmental covenant granted by Abitibi Consolidated Sales Corporation to Department of Ecology runs with the land and conveys to Ecology full right of enforcement of the rights conveyed under the environmental covenant pursuant to the Model Toxics Control Act (MTCA), RCW 70A.305.030 (1) (g) and the Uniform Environmental Covenants Act (UECA), RCW 64.70. The environmental covenant covers Parcels 0220294007 and 0220294025 (formerly parcel 0220294002). A copy of Environmental Covenant 201003310170 is included with this letter. The covenant prohibits any activity on the property that may result in the release or exposure to the environment of a hazardous substance, or that may create a new exposure pathway, without prior written approval from Ecology. Under Chapter 70A.305 RCW, Ecology has the right to require additional or different remedial

actions at the site should it deem such actions necessary to protect human health and the environment, and to issue orders requiring such remedial actions.

Ecology recommends that the Town of Steilacoom do the following actions:

- Include the Department of Ecology representative below on project contact and mailing lists.
- Require the project proponent coordinate with and assist Ecology with evaluations of the sufficiency of previous and potential future remedial actions on the site that Ecology may deem necessary.
- Require the project proponent to coordinate with Ecology as appropriate during planning and development to be sure proposed plans conform to the requirements of the environmental covenant, and are protective of human health and the environment.
- Require the project proponent to notify Ecology in writing 30-days in advance and coordinate with Ecology for obtaining prior written approval of any onsite activities involving environmental sampling; ground disturbing activities; or alteration, removal, or demolition of onsite structures.

If contamination is suspected, discovered, or occurs during the proposed Abitibi Mill site development or redevelopment, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, the Department of Ecology must be notified. To notify Ecology, contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about project review and subsequent site actions, contact Panjini Balaraju with the Toxics Cleanup Program at the Southwest Regional Office at (360) 999-9603 or pbal461@ecy.wa.gov.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(GMP:202101242)

cc: Eva Barber, TCP
Sandy Smith, TCP
Evan Schneider, Heartland LLC (Contact)