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WAC 173-340-440 of the Model Toxics Control Act (MTCA) regulation requires that restrictions be placed on the future use and activities at certain cleanup sites where residual contamination remains after completion of a cleanup.

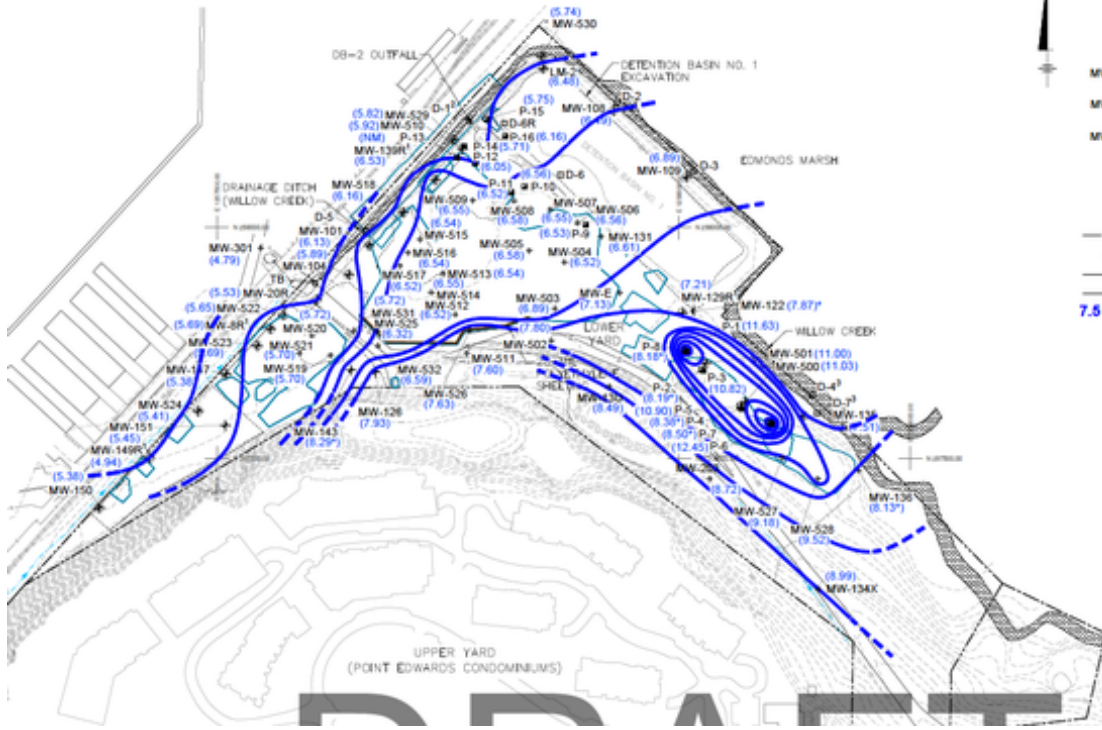
Since Dept of Ecology (DOE) became aware in 2022 that the City of Edmonds' future use of the Unocal site is to expand the Edmonds Marsh Wildlife Sanctuary and undertake a nearshore restoration and salmon recovery project to place an open tidal channel (a "salmon channel) from the southwest corner of the Unocal property across the site (exact location of meandering minimal 10-foot deep, 20-foot wide channel TBD) to the adjacent, City-owned "Wildlife Reserve" (as stipulated in the City's title to the Edmonds Marsh), please explain the following:

1. How is DOE determining what/where "residual contamination" will be allowed to remain on the site?
2. Will residual contamination be left in areas away from the "problem area" along the WSDOT pipe? If so, what is justification for that?
3. What "assurance" (factual information/studies/analyses) is there that the residual contamination around the WSDOT pipe will not "migrate" through groundwater to other locations? See attached map showing large groundwater elevation area in vicinity of WSDOT pipe contamination.
4. How will the impacts of any residual contamination on the future nearshore restoration and salmon recovery project be considered in DOE's determinations?
5. If residual contaminants left on the site negatively impacts the intended salmon recovery project, will the burden and costs to remove those contaminants fall upon the future property owner (i.e., the City of Edmonds) or stay with the entity (Unocal) that is responsible for the contamination of historic Marsh land?
6. If contaminated soil or groundwater (that exceeds cleanup levels) is "discovered" outside the areas of "identified" residual contamination on the site after final cleanup, will the future property owner (i.e., City of Edmonds) be required to do necessary cleanup and monitoring?
7. How will the TEE, Soil Management Plan and Environmental Covenants affect /consider the ecological need for digging a minimal 10-foot deep meandering channel across the Unocal Property for salmon recovery?
8. Since DOE has determined that the last Interim Cleanup Plan was not successful, why is DOE not requesting another Interim Cleanup Plan from Chevron (before the final Cleanup Plan is approved)?
9. Since the MTCA documents also serve as SEPA compliance, will DOE provide the public the list of alternatives being considered/analyzed (PRIOR to the release of the draft Final Cleanup Plan) ranging from proposed mitigation with environmental covenants to alternatives for complete cleanup (no residual contaminants on site) including removal of the WSDOT pipe as necessary.

10. Will DOE have an 'independent' validation monitoring conducted and/or use the findings of WSDOT's contractor (Landau) in DOE's final analyses and determinations?

11. The Property Transfer Agreement between WSDOT and Unocal/Chevron indicates that DOE will allow WSDOT, as future property owner, to participate in the DOE-Unocal negotiations on "Restrictive Covenants (i.e., Environmental Covenants). Since the Washington State Legislature has given the City of Edmonds first right of purchase for nearshore restoration and salmon recovery, will DOE allow Edmonds to participate in the negotiations on Environmental Covenants?

12. REQUEST: Would DOE please post each of the annual groundwater monitoring reports from 2015 to current (2023) on the Unocal website?



- LEGEND:**
- MW-100+ INTERIOR MONITORING WELL LOCATION AND DESIGNATION
 - MW-122+ DEEP MONITORING WELL LOCATION AND DESIGNATION
 - MW-109+ SURFACE WATER POINT OF COMPLIANCE MONITORING WELL LOCATION
 - P-11+ PIEZOMETER
 - D-10+ STAFF GAUGE
 - 2001 AND 2003 SOIL EXCAVATIONS BELOW GROUNDWATER TABLE
 - LOWER YARD PROPERTY BOUNDARY
 - 2007/2008 EXCAVATION BOUNDARIES
 - 1500' STORM DRAIN LINE
 - POINT EDWARDS STORM DRAIN LINE
 - GROUNDWATER ELEVATION CONTOUR (DASHED WHERE INFERRIED)
 - 7.5 GROUNDWATER ELEVATION
 - (7.33) GROUNDWATER ELEVATION
 - (8.97) GROUNDWATER ELEVATION NOT USED IN CONTOURING

- NOTES:**
1. STAFF GAUGE D-1 RE-ESTABLISHED PRIOR TO JUNE 2009 SAMPLING EVENT.
 2. STAFF GAUGE D-4 WAS ESTABLISHED PRIOR TO JUNE 2009 SAMPLING EVENT TO REPLACE STAFF GAUGE D-7 WHICH IS NOT WITHIN THE WILLOW CREEK CHANNEL.
 3. STAFF GAUGES WERE RESURVEYED BY OTM INCORPORATED JUNE 1, 2009. STAFF GAUGES WERE SURVEYED FROM TOP OF GAUGE AND WATER LEVELS ARE NOW MEASURED FROM TOP DOWN TO WATER.
 4. 20-MIL POLYETHYLENE SHEETING INSTALLED UPON COMPLETION OF PHASE I EXCAVATION. SHEETING HELD TO APPROXIMATELY 7.5 FEET ABOVE MEAN SEA LEVEL.
 5. HORIZONTAL DATUM: WASHINGTON STATE COORDINATE SYSTEM NORTH ZONE (NAD 83/98).
VERTICAL DATUM: N.A.V.D. 88
UNITS: U.S. SURVEY FEET
HORIZONTAL AND VERTICAL CONTROL ESTABLISHED BY GPS VIA VERTICAL REFERENCE STATION NETWORK (VRSN).