



Fact Sheet

Draft Agreed Order – Proposed Remedial Investigation Art Brass Plating Site

The Department of Ecology invites the public to read and comment on:

- Draft Agreed Order and Scope of Work for a remedial investigation at the Art Brass Plating site
- Determination of Non-Significance for the air sparging and soil vapor extraction interim action at the Art Brass Plating site
- Interim Cleanup Action Plan, prepared for Art Brass Plating by Aspect Consulting, April 5, 2007

The site is located in south Seattle, along South Findlay Street, between 3rd and 4th Avenues.

Public Comment Period November 7, through December 11, 2007

The documents identified above are available for review by appointment from 9:00 am to 5:00 pm, Monday through Friday¹, at:

Department of Ecology
Northwest Regional Office
3190 160th Ave. SE
Bellevue, WA

Comments must be postmarked or received by close of business on December 11, 2007. Hand-deliver comments to the Ecology address shown above/below.

Send your comments to:

Ed Jones
Department of Ecology
Northwest Regional Office
3190 160th Ave. SE
Bellevue, WA 98008-5452

Or, email to: ejon461@ecy.wa.gov

After reviewing public comment, Ecology will make a final decision on the draft agreed order and SEPA determination.

Overview

Ecology has held agreed order discussions with **Art Brass Plating, Inc.**, located at 5516 3rd Ave. S. Art Brass Plating entered Ecology's Voluntary Cleanup Program due to the discovery of contamination on their property caused by release of a hazardous

substance (primarily trichloroethene). Soil and groundwater have been contaminated by the release. The company is located in an area downgradient of the Philip Services Corporation's Georgetown facility (734 S. Lucile St.), and groundwater contamination associated with releases from that facility is also present. Philip Services is presently conducting corrective action to address their facility's releases pursuant to a hazardous/dangerous waste permit.

Ecology intends to issue an agreed order to Art Brass Plating to address the investigation phase of the contamination and to provide requirements for implementing and studying interim actions.

Following the completion of the investigation phase, and finalization of the site's Remedial Investigation Report, it is anticipated that a new legal instrument will be developed to guide performance of feasibility studies and the drafting of a cleanup action plan. Depending on the outcome of other investigations in the area, it may, for example, be more effective to develop a joint agreed order – with multiple Potentially Liable Persons – for performing an area-wide feasibility study.

Interim Action

Pursuant to WAC 173-340-600(16), public notice is also being provided for an Interim Action at the Art Brass Plating site. The action, which has already been initiated, involves Air Sparging and Soil Vapor Extraction (please see our Glossary section). It begins by sparging (injecting) air into the groundwater, thereby transferring volatile contaminants such as trichloroethene from the liquid (water) to the gas phase. Contaminants transferred to the gas phase then exist in the "soil vapor." Pulling these contaminated soil vapors to the surface is known as soil vapor "extraction. Once the gases have been extracted they are treated via carbon adsorption to remove harmful levels of contaminants before being exhausted to the atmosphere. The action is described in detail in Art Brass Plating's April 2007 "Interim Cleanup Action Plan."

As noted, Art Brass Plating initiated their interim action under the Voluntary Cleanup Program, prior to coming to agreement with Ecology on the terms of a draft agreed order.

¹ Except for November 12, 22, and 23.

At this time the action is in its pre-construction phase, with plans to construct sparging and extraction wells later this year. Ecology welcomes any comments the public may have on the action.

SEPA

The agreed order is limited to the investigation and interim action phases of the cleanup process. Investigations are unlikely to lead to a “probable significant adverse environmental impact” and are categorically exempt under WAC 197-11-800(18).

Interim actions conducted under the order fall into two categories: (1) those that have already been planned and which are in the process of being implemented, and (2) those that may be designed and implemented if the need becomes apparent. Interim actions at the Art Brass Plating site have already been proposed and fall into the first category. Future actions, not presently contemplated, fall into the second category.

Ecology proposes that the interim action at the Art Brass Plating site warrants a “determination of non-significance.” Our rationale (environmental checklist) accompanies the respective Determination. Since the nature of other, future interim actions is not known at this time, and therefore the probable impacts of those actions are also unknown, Ecology cannot guarantee that the impacts will not be adverse. Our judgment will consequently be reserved to that time when such future actions, if any, are suitably defined. At this time, however, the Department invites the public to comment on our determination of non-significance as well as our “proposed study areas” for the site under the order.

Ecology’s Procedures for Reaching a Final Decision

Ecology invites the public to read and comment on the proposed documents. Ecology considers all public comments before making final decisions.

The public review process regulatory requirements under the Model Toxics Control

Act (MTCA) are in Washington Administrative Code (WAC) 173-340-600.

What Happens Next

Responding to comments

Ecology will consider and respond to written comments submitted by the public.

Final decision

After considering the public’s comments Ecology will make a final decision or make a new tentative decision on these draft orders and Determinations of Non-significance.

If a final decision is reached the draft agreed order shall either: a) become final, when signed, or b) be changed, as necessary, by consideration of public comment and then finalized.

Substantial changes to the draft order proposed to the public by this notice will require a new tentative decision and an additional public comment period under MTCA.

If, in reviewing comments on the Determination of Non-significance, Ecology concludes that significant adverse impacts are likely, the Determination will be withdrawn or modified per WAC 197-11-355(4).

Effective date of final decision

Agreed Order: The effective date of Ecology’s decision will be the date Ecology signs the order.

SEPA: The effective date of Ecology’s final decision regarding the probable environmental impact associated with Art Brass’s planned interim actions will follow the comment period.

If you need this publication in an alternate format, please call the Hazardous Waste & Toxics Reduction Program, Northwest Regional Office at (425) 649-7000. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

For more information, contact:

Ed Jones at (425) 649-4449 or
ejon461@ecy.wa.gov

Department of Ecology
Hazardous Waste and Toxics Reduction
PO Box 47600
Olympia WA 98504-7600

PUBLIC COMMENT REQUESTED
We used several mailing lists. If you
receive a duplicate, please pass it on.