

Wyckoff Eagle Harbor
Department of Ecology Generational Remedy Evaluation
Steering Committee Meeting Summary - September 14, 2009

AGENDA

- Welcome, Introductions, Meeting Purpose and Agenda Overview
- Proposed Structure and Schedule for the Generational Remedy Evaluation
 - * Role of the Steering Committee and Operating Guidelines
 - * Future Steering Committee Meeting Dates
- Communication Strategy
 - * Providing the Community with Information about the Process
 - * Providing Opportunities for Community Input
 - * Input on How Best to Engage the Community
- Input from Audience
- Objectives for the Generational Remedy Evaluation
 - * Objectives for the Evaluation Process
 - * Definition and Objectives for the Generational Remedy
- Input from Audience
- Wrap-up and Next Steps

STEERING COMMITTEE ATTENDEES

Tim Nord	Washington State Department of Ecology
Dawn Hooper	Washington State Department of Ecology
Perry Barrett	Bainbridge Island Parks
Rich Brooks	Suquamish Tribe
Libby Hudson	City of Bainbridge Island
Janet Knox	Association of Bainbridge Communities
Clarence Moriwaki	Japanese American Exclusion Memorial Committee
Frank Stowell	Citizen at Large

ADDITIONAL ATTENDEES

Kate Snider	Floyd Snider
Erin Breckel	Floyd Snider
Pat Serie	EnvirolIssues
Chung Yee	Washington State Department of Ecology
Lori Herman	Aspect Consulting
Jeremy Porter	Aspect Consulting
Howard Orlean	U.S. EPA

MEETING SUMMARY

This meeting summary was prepared by Kate Snider and Erin Breckel. It is based on notes and transcriptions of the flip charts used during the meeting to document the discussion.

Introduction and Meeting Purpose

Tim Nord began the meeting by thanking the steering committee members for their willingness to participate in the Department of Ecology's (Ecology's) Generational Remedy Evaluation.

Kate Snider then gave a brief overview of the purpose and proposed approach for the Generational Remedy Evaluation. This overview covered the material which was first presented in the August 6, 2009 public meeting held by Ecology. Documents describing the purpose and proposed approach for the evaluation include the August 6th Meeting Summary and the Generational Remedy Evaluation Overview that was provided at the August 6th meeting. These documents are available for review.

The consulting team that will be supporting Ecology and the steering committee throughout this process, and their roles, are described below:

- Kate Snider of Floyd|Snider will facilitate and manage the steering committee and expert panel processes.
- Erin Breckel of Floyd|Snider will provide technical and coordination support.
- Pat Serie of EnvirolIssues will manage community involvement for the effort, by developing and implementing an overall communications plan and coordinating and managing community outreach associated with the process.
- Lori Herman and Jeremy Porter of Aspect Consulting will provide hydrogeological and technical input regarding the Wyckoff site. Lori and Jeremy have worked on the Wyckoff site for many years, representing the interests of the City of Bainbridge Island.

The goals of this first steering committee meeting were to discuss the proposed structure and schedule for the process, the community communication strategy, and the objectives for the Generational Remedy Evaluation.

Proposed Structure and Schedule for the Generational Remedy Evaluation

The steering committee composition and purpose, as detailed in the attached handout, were reviewed. The primary role of the steering committee was described as providing input on the management of the generational remedy process. The intent is to have a process that is informed as possible by members of the Bainbridge Island community who have extensive knowledge about the community and the site.

The schedule for the proposed process was then reviewed in detail. Comments and input received by the steering committee members on the schedule and proposed process are described below. An updated version of the proposed schedule meeting handout, based on comments received from the committee members, is attached.

- Over the 9-month evaluation process, there will be five steering committee meetings. There was general agreement by the committee members on the overall schedule for these meetings.
- For coordination of steering committee meetings:
 - * Meeting dates for the remaining steering committee meetings will be proposed by Floyd|Snider and e-mailed to the committee members for review and comment. Adjustments will then be made to the meeting dates if necessary.
 - * Steering committee meeting times for the four upcoming meetings will be set from 10 am to 3pm as place holders. These times would be adjusted closer to the actual meeting dates based on the agenda for the meeting, as some of the meetings may require more or less time.
 - * The committee members requested that prior to each meeting appropriate materials be distributed to them for review, so that they can be prepared.
- It was noted that this is an aggressive schedule and that the community may question why this is moving forward at such a quick pace. There were several reasons identified for this aggressive schedule. Ecology wants this to be a legitimate and inclusive process, but to have a clear end point and produce a useful outcome. Ecology also wants to avoid creating another long and drawn out process and therefore has set a discrete amount of time and has identified milestones that will be met along the way. It was noted that this is an important message to be communicated to the community.
- The next steering committee meeting will occur in early November. The purpose of this meeting will be to vet the expert panel and the existing conditions summary. The committee members will discuss the Ecology Team's recommendations for experts to be included on the panel. The agenda and logistics for the expert panel workshop will also be discussed at this meeting. The existing conditions summary will be used

by the selected experts to bring them up to speed on the site. It was suggested that a shorter summary also be prepared for the public and placed on Ecology's website.

- The expert panel workshop will occur in early January. It was asked whether technical experts were aware of this opportunity yet. The response was not yet, but that Ecology's team was working on putting together ideas of who to include on the panel and how to get the word out. The importance of quickly finding a venue for the workshop was also discussed. IslandWood was suggested as a location and Ecology is looking for other possible ideas from the committee members.
- Ecology stressed the importance of the committee members not talking on behalf of the steering committee or others within the committee. Members instead need to speak only on behalf of themselves.
- Clear and common messaging to the community is really important. The process needs to be transparent and open.
- While communication to the community regarding the process is important, it was also agreed that the point of this whole process is to conduct high quality technical work. The group should not lose track of the focus to find good technical solutions for the site.
- Opportunities for public involvement:
 - * Each steering committee meeting and the expert panel workshop will be open to the public and there will be opportunities during these meetings and workshop for the public to provide input.
 - * Ecology has proposed holding two community meetings – one during the expert panel workshop and one at the end of the process which summarizes the effort. There was discussion on whether to add an additional public meeting in March when the steering committee was in the process of reviewing alternatives and cost estimates or to move the proposed April public meeting to March. It was generally agreed to move the April meeting to March, with the understanding that the process could be adjusted at a later date.
 - * EPA is holding a community meeting on October 6, 2009. This evening meeting will be held between 7:30 and 9:30 at the City Hall Council Chambers. EPA will give an update to the community on what work EPA has been conducting at the site and what will be occurring at the site over the next year. Howard Orlean stated that EPA plans to demolish the old treatment facility and to upgrade the groundwater extraction system in the next year. Tim Nord will also discuss the Ecology Generational Remedy process at that meeting.

Community Communication Strategy

Pat Serie led the discussion on community communication. She told the steering committee that she would be a resource for them in engaging and dealing with the community. She also planned during this discussion to learn from the steering committee what their thoughts were on

engaging the community, such as lessons they have learned in the past and what do people from the community expect.

Ideas for community engagement included the following:

- An Ecology website page on the Generational Remedy Effort. This website could then be added as a link on the committee members' organizations websites.
- E-mail list serve
- Informal briefings by the committee members to their respective organizations
- Meeting with various community groups (e.g. Land Trust) to try and cover a cross-section of the community
- Public input during the steering committee meetings and expert panel workshop. It was suggested that part of the expert panel workshop occur either in the evening or on a weekend so that more of the community could be involved.
- Charette type meeting for the public during the expert panel workshop
- Potentially an additional public meeting in the spring (as discussed earlier)
- Media – possibly media releases or briefings for local outlets. The Islander was identified as the best media partner, as it had the best circulation across the island. It was suggested that an exciting article be released prior to the expert panel public meeting. Ecology could also pay for an advertisement in the newspaper.
- Kiosk at the site providing information about what's going on and how to get involved

Frank Stowell brought forth the idea that this is great opportunity for educating and engaging the community in science. People will want to learn and that this is really an “island classroom” or “barn-raising” moment for the community. “We are putting our heads together to come up with best solution for the future.”

Clarence Moriwaki stated that we need to come up with a set of basic facts for the site that everyone can agree on – such as what do we know about site, its contaminants and their mobility. It is important that when the committee members talk to the community that they rely on and begin their conversations with these known facts. He also stressed the need to remove any jargon or acronyms when communicating in documents or talking to the community. It is important that communications be clean and simple.

This discussion of basic facts led into further discussion on what will be included in the existing conditions summary that will be prepared by the Ecology Team. It was asked if a summary of potential new technologies would be included in the summary. Kate Snider responded that this would really fall to the expert panel to identify any new technologies out there that might work at the site. It was also suggested that EPA's National Remedy Review Board (NRRB) process and findings be documented in the summary as this may be useful for the experts to know what technologies were reviewed for the site in the past. Additionally, it was suggested that it would be good to include a short explanation on the two processes occurring at the site (i.e., the EPA CERCLA process and Ecology's process) and why Ecology is taking this next step. A timeline

in the existing conditions summary would also be helpful and the one on EPA's website could be used as a starting point.

Libby Hudson stated that lots of various planning processes are attached to this property. It should be made clear what portion of the site we are talking about when we are discussing the Generational Remedy Evaluation to help avoid any confusion. The steering community needs to be cautious about Ecology's process getting taken off track by other community issues or processes. For example, it is important to make sure the community knows that the Generational Remedy process is separate from the Shoreline Master Plan update. The group agreed it is important to clearly distinguish what the Generational Process is trying to accomplish. The objectives for the process need to be set early with the media and the community.

Pat Serie asked the committee members to think about the key people or organizations within the community that we should be communicating with and to provide that information to her. She also asked the committee members to provide her with an electronic distribution lists for people or groups who would like to receive information on the process. She planned on e-mailing the committee members with this request and said they could e-mail her back with their ideas. Pat stated she also planned to produce a draft community communication plan for the committee members to review, which she hoped to begin implementing in November.

As steering committee members discuss the project in the community, it is important that the committee members summarize any input they get back from the community and feed this information back to the steering committee.

Objectives for the Generational Remedy Evaluation

The attached project objectives document was reviewed in detail. Key input and suggestions brought up during the discussion of this document are summarized below.

- The project objectives document is to be used by the steering committee and the expert panel to 1) define the purpose and structure of the evaluation process, and 2) list the guiding principles all potential remedies identified should meet. It is important to keep in mind who the audience is for this document and to realize that other materials will be generated for communicating the effort to the public.
- The last paragraph under the Objectives for the Generational Remedy Evaluation Process section was identified by the steering committee as a key paragraph, as it discusses the process forward following the evaluation. Consider moving this paragraph earlier in the document. The emphasis is that this is just the beginning of a long process if remedial alternatives are identified. This process does not result in a decision or recommendation, but rather provides conceptual ideas.
- The steering committee stated again the need to clarify the portion of the property being addressed in the evaluation. Good diagrams depicting the area should be produced. The area has been referred to as the "Former Process Area" by EPA, but this is a historic term.

- The goal of Ecology's evaluation is to determine if there is additional work that could occur at the site (in addition to EPA's containment remedy), using existing known technology, to remove the contaminants from the site and to reduce the dependency of future generations for O&M and replacement. In addition to evaluating how contaminants can be removed from the site, the evaluation will also consider how the mobility of the contaminants can be reduced. The goal of the effort is to get the maximum source removal or mobility reduction.
- There are several reasons Ecology is evaluating additional options for the site. The first is to reduce the environmental risk at the site. Ecology wants to avoid a situation in the future where there is a failure of the containment remedy resulting in a catastrophic release of contaminants into the environment. Secondly, Ecology wants to reduce the financial obligation of O&M and replacement of components on future generations.
- There was the question by what is meant by long-term or generational. It was suggested that a "300 year timeframe" helps communicate to the community the potential length of the future obligation with the containment remedy. The steering committee liked the concept of seven generations used by the Tribes. Conveying the obligation of the containment remedy to these future generations becomes more and more difficult over time. The purpose of the Generational Remedy would be to reduce the obligations at the site for the future generations.
- There was concern about the name "Generational Remedy." There were different ideas of what the term "generational" means. Some committee members thought of generational as new, different, or the next one (e.g., cars), while others thought of the word as having to do with future generations of people.
- The term "protectiveness" is difficult and should not be used in reference to the Generational Remedy, as it has specific meaning for regulatory cleanups.
- It is important to recognize the complexity of the site and to not try and simplify things too much.
- There should be clear messages regarding the Ecology and EPA processes. The EPA containment remedy is important as the site has to be contained and is required by law. Ecology supports EPA's work; however EPA's containment remedy does not address Ecology's concern of environmental and financial risks over the long-term and Ecology therefore wants to take the next step and try to address these long-term risks. Ecology is not going to commit to long-term O&M at the site until different options to reduce the burden for O&M and the replacement of remedy components are evaluated. Again, it is important to note that this Generational Remedy process is coming up with a vision and not a decision.
- It is important to clarify the importance of the park on the Wyckoff property. There is a highly invested constituency in the park, the park has a multitude of users, and the property it is one of the first places you see as you come onto the island. A Generational Remedy could enhance the opportunity for public use at the site. However, it should also be noted that the Generational Remedy could result in a disruptive construction project. There is a balance between the future use of the site

and using the site now. The community is going to be interested in the next steps after this evaluation process.

The project objectives document will be revised by the Ecology Team based on the input received from the steering committee.

Wrap-up and Next Steps

The Ecology Team will complete the tasks listed below prior to the next steering committee meeting in November. Tasks which call for steering committee input are shown in *italics*. For review of documents by the steering committee, the Ecology Team will provide a deadline for which comments need to be submitted by the committee members.

- Update the Project Objectives document, which will be used for the steering committee and expert panel audience. *This updated document will be submitted to the steering committee for final review.*
- Coordinate with EPA to participate in their October 6th community meeting.
- Develop concept for the expert panel workshop including the schedule, agenda, and logistics.
- Find a venue to host the expert panel workshop. *Steering committee members can email Dawn Hooper and/or Kate Snider with location ideas.*
- Develop an expert panel identification and selection approach.
- Prepare the existing conditions summary to be used by the expert panel.
- Schedule all steering committee meetings. *The proposed dates will be e-mailed to the steering committee and will be modified if committee members identify any conflicts.*
- Prepare a draft Community Messages document. *This document will be submitted to the steering committee for review.*
- Prepare a draft Community Engagement Strategy.
- Get the Generational Remedy webpage up.
- *Provide Pat Serie with information regarding community organizations and distribution lists.*

Attachments

- Handout: Steering Committee Composition and Purpose, September 11, 2009
- Handout: Proposed Process Drawing, September 2009
- Handout: Project Objectives for Steering Committee Review on September 14, 2009

Wyckoff Eagle Harbor
Department of Ecology Generational Remedy Evaluation
Steering Committee Composition and Purpose
9/11/09

STEERING COMMITTEE PURPOSE

The Washington State Department of Ecology's (Ecology) goal is to involve and solicit the input of the "community" of Bainbridge Island in the Generational Remedy Evaluation Process. To do this, a Steering Committee is formed that will work with, and offer advice and input to Ecology throughout the Generational Remedy Evaluation Process. Membership to the Steering Committee is geared toward those members of the Bainbridge Island community who have extensive historical knowledge and interests to the Wyckoff Site.

STEERING COMMITTEE MEMBERS

Libby Hudson	City of Bainbridge Island
Rich Brooks	Suquamish Tribe
Perry Barrett	Bainbridge Island Parks
Janet Knox	Association of Bainbridge Communities
Frank Stowell	Citizen at Large
Clarence Moriwaki	Japanese American Exclusion Memorial Committee
Tim Nord	Washington State Department of Ecology

STEERING COMMITTEE GUIDELINES

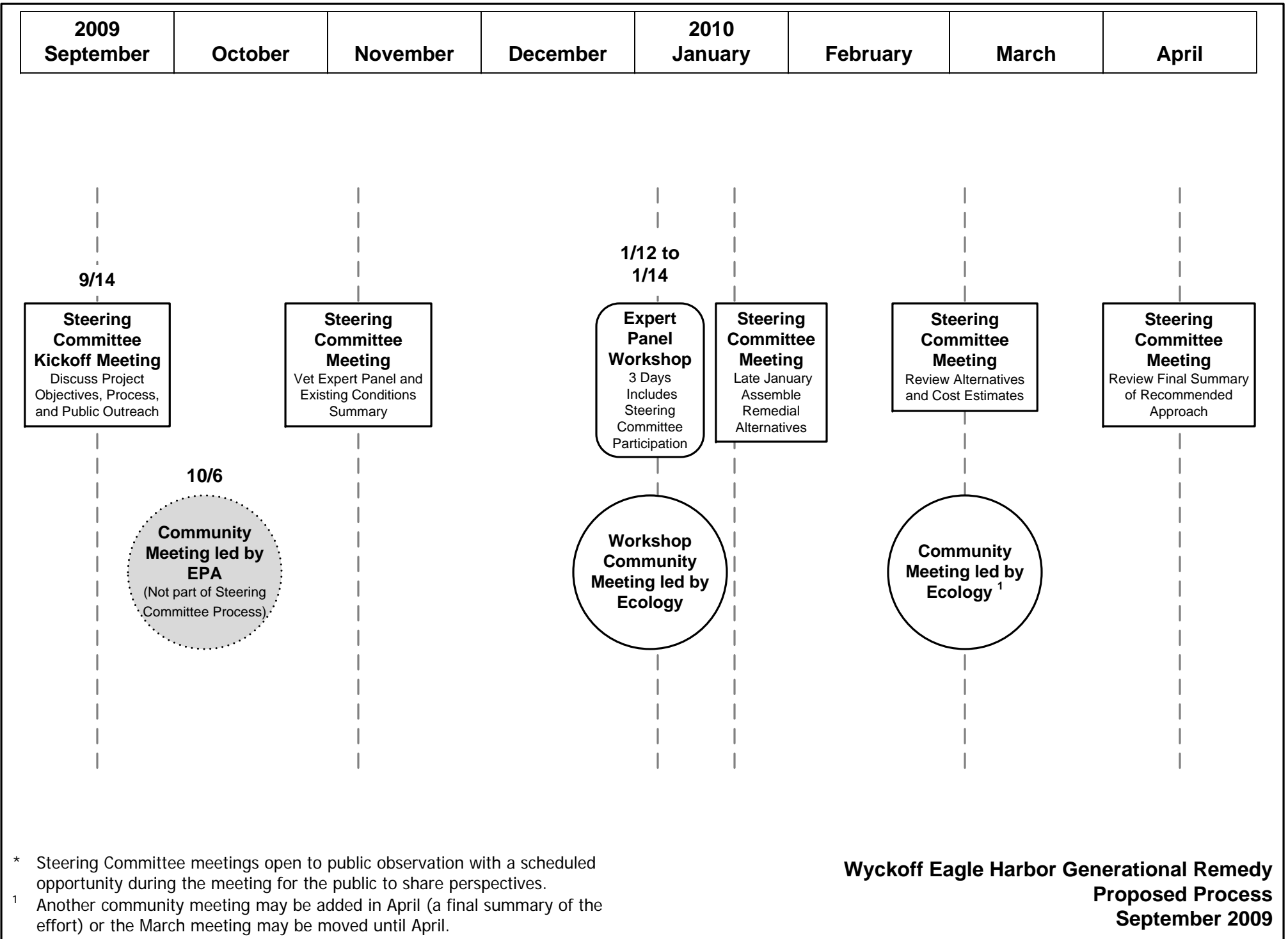
- Steering Committee members will endeavor to provide continuous representation at Steering Committee meetings throughout this process and will also be involved in the Expert Panel Workshop.
- The Steering Committee will provide input to Ecology in structuring the effort, in defining remedy objectives, selecting the expert panel, and reviewing outcomes.
- The Ecology Team will provide logistical and technical support to the Steering Committee. The Steering Committee will receive materials for review provided by the Ecology Team in advance of Steering Committee meetings.
- Steering Committee members provide an important viewpoint and knowledge of local interests that will assist Ecology in the Generational Remedy Evaluation Process. It is therefore expected that frank, respectful, and open discussions will occur during committee meetings.

STEERING COMMITTEE RESOURCES

Kate Snider, Floyd|Snider, kate.snider@floydsnider.com, (206) 292-2078

Pat Serie, EnviroIssues, pserie@enviroissues.com, (206) 269-5041

Dawn Hooper, Washington State Department of Ecology, dawn.hooper@ecy.wa.gov, (360) 407-7182



* Steering Committee meetings open to public observation with a scheduled opportunity during the meeting for the public to share perspectives.

¹ Another community meeting may be added in April (a final summary of the effort) or the March meeting may be moved until April.

Wyckoff Eagle Harbor Department of Ecology Generational Remedy Evaluation

Project Objectives For Steering Committee Review on 9/14/09

OVERVIEW

EPA is implementing a containment remedy at the Wyckoff Eagle Harbor site under CERCLA (Superfund). The containment remedy includes a perimeter wall, site cap, and groundwater extraction system to contain soil and groundwater contamination and mobile tar compounds. The containment remedy is necessary for near-term control of site contamination and protectiveness of human health and the environment.

The Department of Ecology agrees the containment remedy is necessary, but has concerns regarding the containment remedy that relate to long-term stewardship. Ecology has two primary concerns:

1. The long-term environmental consequence of leaving large amounts of mobile contamination at this site, especially given the important and sensitive location of the site on the shores of Puget Sound; and,
2. The financial burden that this action places on the state – an in-perpetuity obligation for active operation and maintenance, including periodic rebuilding of the remedy components.

Therefore, Ecology has made a commitment to evaluate potential remedial alternatives for Wyckoff soil and groundwater that would reduce the source or mobility of the contamination and that would remain protective of humans and the aquatic environment for future generations with little active management over the long term. The goal is that a “generational remedy” would minimize the potential for, and consequences of, a potential future environmental release, and significantly reduce long-term financial obligations to state government and burdens on the local community.

Ecology will undertake the Generational Remedy Evaluation over an approximate 9-month period in 2009-2010, with the assistance of a panel of regional and national experts, and a Steering Committee with community and tribal representatives.

Objectives are defined below for the 9-month Evaluation process – what Ecology hopes to achieve by the end of the evaluation.

Additionally, guiding principles for a “Generational Remedy” are defined – what the characteristics are of a remedy that would be protective for multiple generations with minimal on-going operations and maintenance costs.

OBJECTIVES FOR THE GENERATIONAL REMEDY EVALUATION PROCESS

Objectives for the evaluation process include the following:

- Evaluate options for a “generational remedy” that could be protective for multiple generations with minimal on-going operations and maintenance requirements or costs (see “generational remedy” definition below).
- Work with the community to fully engage and look at the problem in a different way.
 - Form a community-based steering committee with membership from local government, Tribes and the community. The steering committee will provide input to Ecology in structuring the effort, in defining remedy objectives, selecting the expert panel, and reviewing outcomes. The steering committee provides an important reality check and knowledge of local goals.
 - Utilize an expert panel of national and local experts within the environmental cleanup field and other fields, experienced in the remediation of similar sites and large construction projects in challenging or constrained environments.
 - Provide information to the broader Bainbridge community about the generational remedy process, information developed, options under consideration, and resulting recommendations, including integrating public input into Steering Committee meetings, holding several community dialogue events, and providing other informal opportunities for information-sharing within the community as indicated by community interest.
- Recognize that this process is outside the regulatory framework. This is not about meeting regulatory cleanup standards, but about looking at concerns at the site from a viewpoint of future generations.
- The effort is not meant to replace EPA’s containment remedy which has been determined to be necessary for near-term control of the site.
- The outcome will be the identification of 1-3 primary alternatives for a “generational remedy”, and associated order-of-magnitude costs and schedule information.
- A document will be prepared defining generational remedy alternatives that can be used by agency management and political representatives to consider whether to pursue implementation of generational remedy components to supplement the EPA containment remedy.

This evaluation process is just a first step in a long process. Whatever alternatives are evaluated, they will likely be quite costly, and their implementation would require a sustained funding source. Given questions of funding, responsibility, and schedule, if a viable alternative is identified for pursuit, it would likely take quite a bit of time to develop an implementation strategy.

GUIDING PRINCIPLES FOR A GENERATIONAL REMEDY

For this initial conceptual evaluation, the guiding principles for a Generational Remedy are described below. Each of the remedial alternatives identified through this evaluation should meet this list of guiding principles.

- The remedy evaluation will focus on the cleanup prism within the Former Process Area (FPA) or “The Point” at the site. The cleanup prism extends vertically to the upper aquitard unit and horizontally to the existing sheet pile wall (or a barrier, just outside of the existing wall). Diagrams to be developed to clarify this definition.
- Evaluate remedies that remove, treat, and/or significantly reduce the mobility of mobile contaminant sources (creosote product and creosote-soaked soils) within the FPA, so that remedy protectiveness is not reliant on long-term maintenance and rebuilding of containment structures or active pumping systems.
- Evaluate remedies that would significantly reduce the risk of a large-scale and unrecoverable release threatening humans and the aquatic environment if active operation and maintenance of systems at the site was terminated or significantly reduced, and no full-scale reconstruction of containment remedy components (extraction/treatment system and containment wall) was conducted.
- In defining such remedies, acknowledge the likelihood of significant earthquake and sea level rise to occur over generational time.
- Allow for open use by the public, including realization of the community’s plan for park use, and a healthy and sustainable terrestrial and marine ecosystem.
- Evaluate remedies that can be implemented at this location given currently available, readily obtainable and constructible infrastructure, including methods for waste transport and disposal.