



City Council

Approval of Agreed Order with the Washington State Department of Ecology for Former West Olympia Landfill Site

Agenda Date: 3/7/2017
Agenda Item Number: 4.D
File Number: 17-0238

Type: contract **Version:** 1 **Status:** Passed

Title

Approval of Agreed Order with the Washington State Department of Ecology for Former West Olympia Landfill Site

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to authorize the City Manager to sign the Agreed Order between the City of Olympia and the Washington State Department of Ecology for cleanup of the former West Olympia Landfill Site.

Report

Issue:

Whether to authorize the signing of an Agreed Order for cleanup of the former West Olympia Landfill Site.

Staff Contact:

Jay Burney, Assistant City Manager, Executive Department, 360.753.8740

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The former West Olympia Landfill is an approximately 12-acre site adjacent to Haggan on the west side. The site was formerly used as a landfill from the mid-1940's until around 1968. The City has been performing environmental monitoring and analysis on the site since 1984.

In 2013, the City received assistance through the Environmental Protection Agency's (EPA) Targeted Brownfields Assessment Program to perform Remedial Investigation (RI) and an initial Feasibility Study (FS) analysis of the site. The RI work involves characterizing the extent and nature of contamination (soil borings, groundwater monitoring, soil vapor sampling), and the FS work evaluates potential cleanup options.

As we finish up the RI/FS work with the EPA's contractor, we are at a point where we need to get a formal review and approval of that work so that we can move forward with cleaning up the site. In order for that to happen, we need to be under a formal clean-up program with Ecology. The two options available are through the Voluntary Cleanup Program (VCP) or an Agreed Order. Ecology is extremely understaffed in the VCP program and it could take years for us to get feedback under that program, so Ecology is recommending the Agreed Order program, which staff concurs with. In working with Ecology we have decided to split our work into two separate Agreed Orders. The first will be for the RI/FS work, and the second Agreed Order will be for the Clean-Up Plan. The Agreed Order in front of Council for approval is for the RI/FS work.

By signing on to an Agreed Order, it allows us to move forward with Ecology review and ultimately approval of our RI/FS so that we can get to the next step, which is the development of a Clean-Up Plan. Signing the Agreed Order commits and binds the City to complete the RI/FS work and subsequently the Clean-Up of the site, which will occur on a follow-up Agreed Order. We will most likely need to spend an additional \$25-\$30k above the grant to format and complete the RI/FS and pay for Ecology review and comment. Ultimately, getting Ecology approval on the RI/FS and subsequent Clean-Up Plan allows us to market the property to developers with certainty as to what will be required for clean-up.

The funding need for the eventual clean-up will not be known until we finish the RI/FS work and get an approved Cleanup Plan from Ecology. Our preferred option will be to cap the site, vent for gasses, and commit to long-term monitoring. Under this scenario, a development partner could possibly do the majority of this work. In addition, the City is working with a consultant to investigate historical insurance policies as a source of funding for either recouping cleanup costs or to assign coverage to a future development partner.

Neighborhood/Community Interests (if known):

Cleanup and development of the former landfill site will eliminate the possibility for further contamination of surrounding properties and provide an economic development opportunity in West Olympia.

Options:

1. Authorize the City Manager to sign the Agreed Order between the City of Olympia and the Washington State Department of Ecology for cleanup of the former West Olympia Landfill Site.
2. Do not authorize the City Manager to sign the Agreed Order between the City of Olympia and the Washington State Department of Ecology for cleanup of the former West Olympia Landfill Site and provide staff with guidance moving forward.
3. Authorize the City Manager to sign the Agreed Order between the City of Olympia and the Washington State Department of Ecology for cleanup of the former West Olympia Landfill Site with modifications requested by Council.

Financial Impact:

Funding is available in the Economic Development CFP Project Fund for completion of the RI/FS work, and additional work that maybe required by Ecology. This work is estimated at \$25,000-

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\$30,000. Costs and funding for cleanup work will be determined once a Cleanup Plan is approved by Ecology.

Attachments:

Agreed Order