

Item: 6A

Date: 7/16/24

TWAAFA Project Authorization Increase

Scott Hooton

Environmental Project Manager II

Port of Tacoma Commission Meeting

Date: July 16, 2024



Request project authorization increase in the amount of \$430,000 for a total authorization of \$2,697,000 for work associated with the Taylor Way and Alexander Avenue Fill Area (TWAAFA), Master Identification No. 101082.01.

- The Port purchased three properties adjacent to a former landfill.
- Hazardous substances from Occidental Chemical and General Metals were placed in the landfill.
- Dangerous Waste facilities were developed on the landfill and released hazardous substances.
- The Port's liability is tied to property ownership – not releases of hazardous substances.

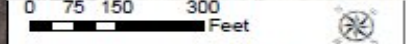
- The Port entered into a Joint Defense and Cost Sharing Agreement (JDA) with three other Potentially Liable Parties (PLPs) to develop a workplan and negotiate an agreed order.
- The JDA was dissolved after the parties were unable to reach an allocation agreement to implement the required work.
- Ecology issued an agreed order to the PLPs and an enforcement order to the Port.



EXHIBIT A
TAYLOR WAY PROPERTIES
 PORT OF TACOMA
 TACOMA, WA 98421
 PORT PARCELS: 6, 65, 102, 114, 116, 117

SHEET: 1 OF 1
PURPOSE: INFORMATION
DATE: 4/17/2019
AUTHOR: Brian Archer

- ▬ Taylor Way and Alexander Fill Site
- ▬ PQ Cleanup Site
- Redevelopment Opportunity - 30.48 Acres
- Non Port Owned Property
- Port Parcels



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- Staff has implemented all the work originally required under the EO on Port owned property.
- Additional work has since been required on Port owned property to complete the remedial investigation and feasibility study.
- Mediation and allocation of costs incurred by the Port at Parcel 111 have been unsuccessful to date.
- Trial in Federal Court is scheduled for November 3, 2025.

Scope of Work for This Request

- Implement Ecology-approved vapor monitoring workplan on Port Parcel 111.
- Implement Ecology-approved soil and groundwater investigation workplan on Port Parcel 117.
- Develop an Interim Action Workplan for Port Parcel 117 and obtain Ecology approval.
- Consulting support to influence the content of the RI/FS/dCAP under development by the PLP group.

Scope of Work for This Request

- Meetings and project coordination with the PLPs to complete the deliverables required under the orders.
- Ecology oversight costs.
- Staff time, consulting and outside legal counsel fees.
- Contingency.

Financial Summary

Item	This Request	Total Previous Requests	Total Request	Total Project Cost	Cost to Date	Remaining Cost
TOTAL	\$430,000	\$2,267,000	\$2,697,000	\$2,697,000	\$1,642,258	\$1,054,742

Source of Funds

- The current Capital Investment Plan allocates \$2,385,000 for this project and will be updated during the 2025 budget process.

Financial Impact

- Project costs will be expensed as incurred.
- In addition to past and future remediation costs, the Port will seek attorneys' fees associated with cost recovery litigation as part of the suit against Burlington Environmental, LLC pursuant to RCW 70A.305.080.

- Authorize investigation of Port owned properties as required by Ecology under the enforcement order.
- Coordinate clean-up efforts with the redevelopment opportunity in the area (total 30 acres).
- Return to Commission in Q2 of 25 to seek interim action authorization/approval.
- The next deliverable under the orders is an agency review draft Remedial Investigation/Feasibility Study. Port staff anticipate submitting this to Ecology in sometime in 2025.

- The trial for the Port's lawsuit against Burlington Environmental in Federal court is set for 10 days beginning on November 3, 2025. Additional funding will be required if acceptable settlement terms are not reached prior to the trial date.
- Continue participating in and monitoring progress on the TWAAFA DCAP and future clean-up implementation (including potential future Commission action).

Conclusion

Request project authorization increase in the amount of \$430,000 for a total authorization of \$2,697,000 for work associated with the Taylor Way and Alexander Avenue Fill Area (TWAAFA), Master Identification No. 101082.01.



Thank You

Questions & Discussion



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