

ENVIRONMENTAL Fact Sheet



Commencement Bay-Nearshore Tidelands, Tacoma, WA

U.S. Environmental Protection Agency, Region 10

April 2006

Comments Invited on Hylebos Waterway Sediment Cleanup Agreement

The U.S. Department of Justice (USDOJ) has announced a public comment period on a proposed settlement between the United States and Zidell Marine Corporation. The agreement resolves liability for contaminated sediment cleanup in Tacoma's Hylebos Waterway. **Please send your comments by May 26, 2006, to the address at right.**

About the Settlement

Zidell Marine Corporation is one of several parties partly responsible for contamination of sediments within the three-mile long Hylebos Waterway. Zidell dismantled ships, mostly under contracts with the U.S. Navy after World War II, on property now owned by Occidental Chemical and the Port of Tacoma.

The Department of Justice, which represents EPA in matters before the court, has filed the proposed settlement, called a consent decree, in federal district court. The proposed consent decree is a *cashout* settlement. It requires Zidell to pay \$3,239,973.38 to the U.S. Treasury, and in return the U.S. agrees not to sue or take administrative action against Zidell pursuant to applicable Superfund and hazardous waste laws. In the event that contamination is found to be more serious or widespread than now known, the consent decree may be re-opened.

Written comments should refer to:

United States v. Zidell Marine Corp., et al.
No. C06-cv-5437RJB
DOJ Ref. #90-11-2-726/3.

Sent comments no later than May 26, 2006, to:

Assistant Attorney General
Environmental & Natural Resources Div.
U.S. Department of Justice
P. O. Box 7611
Washington, D.C. 20044-7611

After reviewing and responding to comments received during the public comment period, USDOJ will determine whether to ask the court to finalize the consent decree.

Copies of the proposed settlement are available for review at:

Office of the United States Attorney
601 Union Street, Suite 5100
Seattle, WA 98101

U.S. EPA Region 10
Superfund Records Center
call for an appointment: 206-553-4494
1200 Sixth Avenue
Seattle, WA 98101

You can also request a copy from the U.S. Department of Justice by sending a check payable to the

U.S. Treasury in the amount of \$6.00 (\$0.25 per page) to: Consent Decree Library, U.S. Dept. of Justice, P.O. Box 7611, Washington, DC 20044-7611. Be sure to reference *United States vs. Zidell Marine Corporation*. You can also email or fax your request to:

Tonia Fleetwood
Fax: 202-514-0097
tonia.fleetwood@usdoj.gov



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*Public comments invited by May 26th
Commencement Bay-Hylebos Waterway
Tacoma, Washington
April 2006*



*Please contact Jeanne O'Dell at 202-553-1369 if
you need information in an alternative format.
TTY users please call 800-877-8339.*

General information on Hylebos Waterway

The Commencement Bay Nearshore/Tideflats Superfund site is located in Tacoma, Washington, near the southern end of Puget Sound. EPA placed the site on the Superfund National Priorities List in 1983 due to widespread upland and sediment contamination.

Cleanup of contaminated sediments within the three-mile long Hylebos Waterway is being conducted by two different groups of responsible parties, each with EPA oversight. The Head of Hylebos Cleanup Committee, composed of Schnitzer Steel and Arkema Chemical, is responsible for the upper third of the waterway. The Mouth of Hylebos group, composed of Occidental Chemical Corporation and the Port of Tacoma, is handling the lower two-thirds of the waterway.

EPA issued Unilateral Administrative Orders (UAOs) to both groups in March of 2002 to force continued progress on cleanup of contaminated sediments in the Hylebos Waterway. Each of the

groups later negotiated separate consent decrees with the U.S., while conducting the sediment cleanup under their respective UAOs. The Head of Hylebos consent decree was approved by the court in September 2003, and the Mouth of Hylebos consent decree was approved by the court in January of 2005.

For more information, please contact:

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