

Birchwood Neighborhood Association
7/12/2026

Ashley Grompe, P.E.
Remedial Project Manager
U.S. EPA, Region 10
Superfund & Emergency Management Division
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3123
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Re: Public comment on the fourth Five-Year Review of the Oeser Company Superfund Site, 730 Marine Drive, Bellingham, Washington

Dear Ms. Grompe,

The Birchwood Neighborhood Association submits these comments for EPA's fourth Five-Year Review of the Oeser Company Superfund Site.

Birchwood sits directly next to the site. Thousands of people live nearby. Several schools are in the immediate area. Little Squalicum Park and the Bay to Baker Trail run alongside the facility and its stormwater pathway. The people who live, study, walk, bike, and play near this site are part of the human health and environment this review is meant to protect.

We ask EPA to use the fourth review to answer the questions left open in the 2021 Five-Year Review, verify current site conditions, and include the surrounding community.

The main question is whether the cleanup is protective.

The 2021 review did not make a final protectiveness determination. EPA said it could not make that determination until it had more information, including a site inspection. That inspection had not happened because of COVID-19 protocols, and EPA expected the work to take about two years.

The 2021 review also set deadlines for four follow-up items. The site inspection was due September 2, 2022. Institutional controls, Little Squalicum Creek Area monitoring, and potential LNAPL migration monitoring were due September 2, 2026.

We have not found public documents showing whether those actions were completed. We ask EPA to state clearly, for each item, whether it was completed, when it was completed, and what document supports that conclusion. If any item is not complete, please provide the current schedule.

EPA should also clear up an apparent conflict.

EPA's public notice for this fourth review says "the previous review found that the cleanup remained protective of the environment and people's health." But the 2021 review itself deferred that finding and said a protectiveness determination "cannot be made at this time."

If EPA issued a protectiveness determination after the 2021 review, please identify it and provide it. If no such determination was issued, we ask EPA to make that determination now, based on a completed site inspection.

Institutional controls still need a clear answer.

The 2003 Record of Decision required controls to restrict groundwater use and limit the Oeser property to industrial use. The 2021 review said a restrictive covenant had been drafted in 2005 to prevent residential or recreational use and prohibit excavation of capped areas, but that the covenant was never finalized. EPA expected it to be completed by the end of 2021.

The 2021 review also said land-use controls required for the Little Squalicum Creek Area had not been implemented.

These controls matter because waste was left in place near a public park and trail. We ask EPA to confirm whether the Oeser property controls and the Little Squalicum Creek Area controls are now finalized and recorded. If they are not, please explain what remains to be done and when it will be finished.

LNAPL in shallow groundwater also needs a current update.

The 2021 EPA review recommended additional downgradient monitoring to see whether the product is migrating. The review also said shallow groundwater still showed contamination above cleanup levels, with little progress in controlling or removing source material.

We ask EPA to report whether the recommended downgradient monitoring was done, what the results show, and whether required product removal is now happening consistently.

Current conditions should be part of the review.

According to an April 7, 2026 Washington State Department of Ecology Warning Letter to Bell Lumber & Pole in the Association's files, the facility was cited for pentachlorophenol and diesel petroleum-hydrocarbon exceedances in 2024 and 2025 under its NPDES permit.

We understand that NPDES compliance is handled by Ecology and is outside the formal scope of this Five-Year Review. Still, these exceedances involve petroleum and

pentachlorophenol, both directly relevant to whether the remedy is performing as assumed. We ask EPA to consider them when assessing current site conditions.

Park and trail users should be considered in the review. More than 50,000 people and their pets visit Little Squalicum Park each year and its trails that adjoin the site and the creek that receives stormwater from the facility. The 2021 review recognized the need to coordinate with the City of Bellingham so the estuary restoration project does not expose anyone to waste left in place.

We ask EPA to confirm the status of that coordination and evaluate whether park and trail users face any current exposure pathways.

Also, the 2021 review only recorded one interview – by email – with the owner/operator representative for Oeser, who reported no community complaints. No nearby residents or park users were interviewed by the EPA.

That is not a complete picture of community experience. Residents have reported to the Birchwood Neighborhood Association that they have frequently experienced chemical odors along the Bay to Baker Trail near the facility within the past year that are strong enough to drive them indoors and close their windows.

We request that the EPA speak directly with neighbors including the Birchwood Neighborhood Association and residents in the Birchwood and Alderwood neighborhoods who live within a 1/2 mile distance from Bell Lumber (Oeser).

The site's location should matter in the risk assessment.

This is not a remote industrial parcel. The Birchwood and Alderwood neighborhoods are directly adjacent to the site. Schools, Little Squalicum Park, and the Bay to Baker Trail are close by, and a substantial residential population lives along the surrounding Marine Drive corridor.

According to a Washington Department of Health Environmental Health Disparities Map lookup reviewed by the Association, the census tract containing adjacent neighborhoods is among the highest tiers in the state for combined environmental and health impacts.

We ask EPA to reflect the substantial nearby residential population and daily park users in its site-specific risk assessment.

Specifically, we ask EPA to:

1. Identify any protectiveness determination issued after the 2021 review or make a current determination in the fourth review based on a completed site inspection.

2. Confirm whether each 2021 milestone was completed, when it was completed, and what document supports that conclusion. This includes the site inspection due September 2, 2022, and the institutional controls, LSCA monitoring, and LNAPL migration monitoring due September 2, 2026.
3. Confirm whether institutional controls and land-use controls for the Oeser property and the Little Squalicum Creek Area are finalized and recorded.
4. Report the status and results of downgradient LNAPL monitoring and whether required product removal is now occurring.
5. Consider current site conditions, including recent Ecology-documented exceedances, in the protectiveness assessment.
6. Evaluate current exposure pathways for users of Little Squalicum Park and the Bay to Baker Trail.
7. Interview nearby residents and the Birchwood Neighborhood Association as part of the review.

Thank you for your attention to this site. Please add the Birchwood Neighborhood Association to the contact list for this review and notify us when the draft review and protectiveness determination are available.

Respectfully,

Sarah Gardner

President, Birchwood Neighborhood Association (City of Bellingham)

Alicia Wills, unofficial representative for Alderwood UGA neighborhood (Whatcom County)

Sources

Factual statements above are drawn from the following. Page references are to EPA's Third Five-Year Review Report for the Oeser Company Superfund Site, Whatcom County, Washington, EPA Region 10, August 2021, available at:

<https://semspub.epa.gov/work/10/100399714.pdf>

- Deferred protectiveness determination, "Protectiveness Deferred," and two-year site-inspection timeline: p. 26; EPA "did not conduct a site inspection for this FYR": p. 23.
- Issues and milestone dates: institutional controls, LSCA monitoring, and LNAPL migration, 9/2/2026; site inspection, 9/2/2022: p. 25.

- EPA's statement that "the previous review found that the cleanup remained protective": EPA fourth-review public notice.
- 2003 ROD institutional controls; 2005 restrictive covenant never finalized: p. 15.
- Little Squalicum Creek Area land-use controls not implemented: p. 15.
- Shallow groundwater above cleanup levels; little progress removing source material: p. 20.
- Recommended additional downgradient monitoring near MW-26S: p. 20 and issues table, p. 25.
- Coordination with the City of Bellingham on the estuary project: p. 26.
- Single interview with operator representative; no resident or park-user interviews identified: community involvement section, p. 18; interview form, Appendix D, p. 30.
- EPA public notice, fourth Five-Year Review, comments due July 30, 2026:
<https://www.epa.gov/wa/epa-review-cleanup-oeser-co-superfund-site-bellingham-washington>
- EPA Superfund Site Profile, Oeser Co.:
<https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=1000590>
- Washington Department of Health Environmental Health Disparities Map, Census Tract, lookup reviewed by the Association:
<https://fortress.wa.gov/doh/wtn/WTNPortal/>
- Washington Department of Ecology Warning Letter to Bell Lumber & Pole, April 7, 2026, NPDES permit WA0030813: in the Association's files; available on request and from Ecology's Northwest Regional Office.