

Lower Duwamish Waterway Superfund Site
EPA Proposed Plans for
Terminal 117 Superfund Non Time Critical Removal Site
Public Hearing
Thursday, June 17, 2010
South Park Community Center
Seattle, Washington

PUBLIC COMMENTS

Reported by: Linda M. Grotefendt, CCR
License No. 3013

MS. GALLEGOS: My name is Christina Gallegos; C-h-r-i-s-t-i-n-a, G-a-l-l-e-g-o-s. I represent the Community Coalition For Environmental Justice. We are a nonprofit organization that has been alive and well in Seattle for the past 16 years. Our mission is to work with communities who are suffering environmental injustices and to help them find pathways out of that injustice.

We support Option Number 2 in regards to the cleanup. We think it would be best for the cleanup to go as thorough and as deep as possible. South Park, in our perspective, from our viewpoint, is an environmental justice community. If you've watched the news lately or you've read the newspaper lately, you know the kinds of things that we are going through.

In less than 15 days, there's going to only be one way in and one way out of this neighborhood, especially if you want to cross the river. We think that cleanup of T-117 is the perfect opportunity for us to set the bar high and continue to raise that bar for the remainder of the cleanup on the river.

The Duwamish River has been virtually invisible for the last 20 years in this community; not in South Park, but in Seattle. But I'd like to remind you that the Duwamish River is a sacred place. It was a sacred place to the First Peoples who lived here and, for those people who live on or around or near the river, it remains to be a sacred place. And we want our river cleaned up to the same or at least as close to what it originated as possible.

We also would like you to remember that South Park residents are exposed to more than just the river as far as pollution is concerned. We are exposed to historic pollution that has remained in our yards, in our gardens, on our homes, in our walls for over the last 50 years.

We also suffer from being a left-out community, the lowest community on the totem pole, if you might. We're the last to get resources, we're the first to be cut, we're the last to be seen. And in the cleanup of the Duwamish River, we want to change that perspective.

We have done a lot of work on the vision of what the river could be if the cleanup went as well as possible, as well as could be expected. And we think there is great potential for this neighborhood to come out from underneath the dioxins, the PCBs, the slimy, polluted sludge of the Duwamish River and rise like a phoenix out of the ashes.

We know that people who live here chose to live here, pollution or no pollution, because we love this place and we want it cleaned up to the best possible extent that EPA can oversee.

I mentioned earlier about a Community Benefits Agreement. One of the issues that remains high for people who live in this community is unemployment. And a community benefits package that could be overseen by EPA would be the icing on the cake for us, because it would mean that people who are unemployed in our neighborhood would be trained to do the brown-field cleanup. They would have jobs, and you know what? They wouldn't be adding to that carbon footprint. They could walk to work.

The last thought that I want to leave you with is, I'd like you to treat South Park as though it were your neighborhood, as though it were your front yard next to T-117. Please do us the honor and the respect of cleaning up our neighborhood the way you would want your neighborhood cleaned.

(End of comment.)

MS. BEAL: Hello. My name is Liana Beal; L-i-a-n-a, B-e-a-l. I grew up in South Park; came here in the '70s, raised my son here, and myself and my family were a witness to some of the contamination here in South Park. And unfortunately, unknowingly, we played in the contamination.

The Malarkey site was a great place to play for some of us kids. It was unpaved, it was dirt, gravel, and there were a lot of mud puddles. And so a lot of kids would have fun riding their bikes through and jumping in it and getting each other dirty.

At one point, it did stop because it was too oily and too dirty. But we played alongside the river, we played in the river. We saw the ooze and goo, and we saw unknown barrels leaking. We saw oil trucks going and spraying oil along the roads. But they didn't just do it right there on Malarkey, where it was unpaved. They took it out into the neighborhood. I was raised over here on Southern and saw those trucks out here -- bring it from Malarkey out into the neighborhood, onto the paved roads.

And as kids, we played on those roads. We were barefoot. We went barefoot on those roads. We made mud pies. We got into the dirt. So we probably did a pretty good job contaminating ourselves.

Some of the concerns I have are health concerns. My son and I now have asthma. I have thyroid problems. And we have a friend who we recently ran into not too long ago. He lived in South Park with his aunt, and he now has cancer, bone cancer. His aunt died of it, and he's now dying of it. One of the potential causes is dioxin. We're being exposed to dioxins.

So I just want to be sure that -- it's important to know that, when we get this cleaned up, if we can continue to test all the way until we don't

see any -- not random spots, not just here and there, but to go past the little -- more side roads in the neighborhood so that everybody is safe, and maybe do some sort of health testing for current and past residents.

Thank you.

(End of comment.)

MS. LEVKOVITZ: Thea Levkovitz, T-h-e-a, L-e-v-k-o-v-i-t-z, speaking on behalf of the Duwamish River Cleanup Coalition/TAG. A lot of what I'm going to say has already -- we've already said, but I'm going to say it for the record as well.

But I did actually want to circle back. So mebody asked a great question about dredging, and I believe, in the previous comments that we made, that we had suggested the use of hydraulic dredges, so we would like to suggest again that that's something that be explored in depth.

In addition to that, we understand that there are very effective silt curtains that can be used. I certainly, probably, already know about this, and I'm guessing this comes in the design phase. However, I think you heard the concerns of the neighbors about making sure that we don't have another Duwamish Diagonal situation in which there's recontamination. I think that was a lesson that we don't have to learn again.

Of course, we're in support of the habitat restoration coming in right on the heels of the cleanup. We think that's a great idea.

We will be submitting written comments. You've got a lot of them as well. But for the record tonight, I want to make sure that we say a couple more things.

Concluding what we said before about the dioxin sampling, I hope we're going to hear that a lot, that it takes care of the T-117 neighbors. Those 24 neighbors that live right next to that site should know what's in their yard and what's going to be done with it. That should be a no-brainer.

There are samples that have already been taken. We urge that whatever needs to be analyzed for, those be analyzed. And we certainly hope and pray

that that money used to analyze those samples does not come out of the Ecology money that's already -- that's being looked at for a larger South Park sampling.

We want that process to start now, quickly, and we want citizens to be involved. And as the community advisory group to EPA and the organization that also has a public-participation agreement with the Department of Ecology, we would insist and assume that we would be part and parcel of the conversations for that design sampling at all phases during that process.

I think I'll leave it at that for now. Thank you.

(End of comment.)

MS. TRIM: Good evening. My name is Heather Trim; H-e-a-t-h-e-r, T-r-i-m, and I'm here tonight representing People For Puget Sound, and I would like to start off by saying, again, kudos to the agencies.

I would not say something unless I was going to be saying something positive, and I'd like to say that, you know, I do a lot of work on a lot of cleanup sites and a lot of Superfund sites, and it has really been great on this site. We've had an excellent technical lead, which is Piper, at EPA.

But we've also had strong leads from the Port and from the City and from Ecology.

And I also want to just give a little bit of the history, that was sort of said earlier, but not entirely, which is that the reason that we have a better cleanup at this site is because the Port of Seattle Commissioners, specially led by John Creighton and Lloyd Hara, three years ago, at a big meeting where there was a lot of community there -- the Port Commission decided to do a better cleanup than they had to. They did not have to clean the site up as well as they are.

And furthermore, the Port staff has worked very hard. We can't talk about habitat at this site, but, of course, what we want is great habitat at this site when we're done. And this will be better than the normal habitat, because it will be off channel. So it won't just be on the edge, but it will be coming into the site. And there's still sort of legal/lawyering things that are keeping us from being able to talk about that yet, but I hope folks realize that this really is -- we're at a really good point on this site.

And also, the City Council and the Mayor have been engaged, behind the scenes, in this site. So the politicians are listening to the community on this, and to DRCC and TAG.

We would have a lot of comments tonight, but we don't. And the reason we don't is because there's been, actually, quite a bit of comments that we, DRCC/TAG, have already made to EPA and Ecology through the enhanced public participation that's been going on for probably, what, a year and a half, maybe more, just on this part of the cleanup. So really, the agencies have been very responsive, and we are in a really good spot on this site.

The one area that is basically remaining, of concern, is the issue about the sampling in the neighborhood. And so it's great that Ecology is going to be donating -- donating, it's our money -- is going to be bringing forward \$100,000 to do sampling.

What we need to ensure, though, is that this sampling -- because \$100,000 for dioxin doesn't go very far. It costs \$800 to a thousand dollars for each site. There are about 34 blocks in South Park in the area that's east of 14th. And if we want to really do a good-quality study for South Park, to really look at the association with T-117, and is this coming from the various pathways--which is aerial, from the plume that they might have had from the burning; from the road, truck track-out; or from the oiling of the roads, using oil from this facility--we need to have a quality sampling effort for this particular part of the Duwamish Valley.

100K is not going to go that far if we try to also do all of the Duwamish. So we do need Ecology, EPA, and the City to focus that work to really answer the key questions about the connection to T-117, but specifically, do we have dioxin in these yards in this area? And you can bet your bottom dollar that, if this was Magnolia or Laurelhurst, they would already be sampling.

So we need to make sure that this area gets sampled soon, with a really good-quality, well-thought-out study that is answering very specific questions related to this site.

And the last thing I'd like to say is that there has been a delay in cleaning up this site. This could have been done three years ago. But the delay has actually ended up with a cleanup that is way better and a cleanup that's looking at some things that we might not have done, which -- the dioxin

in the neighborhood.

And so this -- in terms of looking forward to the rest of the river, do we rush and do an okay job, or do we spend a little bit more time, do better source control in some of the other parts of the river and, here, do a better job and come up with a really excellent cleanup in the end?

Thank you very much.

(End of comment.)

MS. GUEVARRA: Good evening. My name is Robin Guevarra; R-o-b-i-n, G-u-e-v-a-r-r-a; and my first comment is, I want to thank all the agencies that have come together to work with South Park, in South Park, with the community. The cooperation we have received and the help and education we have received is unprecedented. And I believe it is a wonderful model, for the whole country, of how people can come together and work together for a very positive solution. And thank you very much for paying attention to our comments and our requests and taking them seriously and working with it and coming through for us. And I really appreciate it.

My comment now -- I was struggling with the word "highest" or "lowest," and I came up with the word "most," because PCBs -- you can talk about "high" and "low," but which is which, and, compared to PCBs or dioxins, what level do you really want? So I'm asking that you clean up the Duwamish River to the most stringent standards possible.

It is less expensive, as you well know, to clean it up now. And it is more efficient to do the right thing now than come back later, maybe five, 10, 15, 20 years down the road, and have to spend millions more dollars in redoing the job that should have been done in the first place.

Thank you.

(End of comment.)

MS. CRONN: I'm Dagmar Cronn. First name, Dagmar, D-a-g-m-a-r; last name, Cronn, C-r-o-n-n.

I am the president of the South Park Neighborhood Association. The residents who are that association have not made a motion and a second and

voted on our stance, but I believe that I still can speak, to a certain extent, on behalf of South Park. South Park supports Alternative Number 2 for the cleanup. I don't think that we need an official vote for that. All of our conversations have said so.

In addition, South Park is very thankful for the process that has allowed us to reach the Alternatives 1 and 2 as opposed to the considerations that were on the table three to four years ago.

And we also, however, are interested in having our T-117 site cleaned up in an expeditious manner. So although we are also very interested and do want the dioxin sampling and analysis -- being an atmospheric chemist and a scientist, an environmental scientist, the analysis is as important as the sampling -- we don't want that effort to slow down the cleanup of the site.

Because the dioxins may be in soil that would be removed in order to clean up to residential standards for PCBs, we know that certain of the dioxins are destined to be removed as part of this cleanup.

As an atmospheric scientist, now I need to speak as a person rather than as a representative of the Neighborhood Association. Typically, different kinds of pollutants are not always from the same sources and from -- and coexisting and going up and down together. So my expectation, or my own, personal, hypothesis is that we'll find that the dioxins are not entirely due to the T-117 site that caused the PCBs to be there.

So my own, personal, wish is that we be participants, as we expect to be and have been to date, in the processes of the sampling, the analysis -- the analysis of the samples, and then the analysis of what the data tell us about. And I'm personally optimistic that those issues, if they appeared as a result

of subsequent sampling, would be -- our agencies would be equally attentive to the need to clean those up.

Thank you very much.

(End of comment.)

MR. BETZ-ZALL: I'm Jonathan Betz-Zall; J-o-n-a-t-h-a-n, B-e-t-z, hyphen, Z-a-l-l.

I'd like to say thank you for letting me speak, because I'm not from South Park. I live in the Greenwood neighborhood of Seattle, but I'm here as a taxpayer.

I'm a homeowner and, in my home, I run three small businesses and also work three part-time jobs to support myself and my family, so taxes hurt when I have to pay them. But it's for that reason that I want to support Alternative Number 2, because I see it as an essential investment in prevention of more-expensive problems down the road.

If we spend a little more now to clean up these terrible poisons, we

will have to spend less in the future on treating people, trying to restore wildlife. It's basically going to be cheaper in the future if we spend a little bit more now.

It's called the "precautionary principle," and it applies both in science and in human relations as well. As has already been noted, South Park is considered an environmental justice community, a place where people have had more pollution loaded on them than people in other neighborhoods, just because of their socioeconomic status.

This is, to me, a social time bomb that eventually is going to blow up on us. We'll have a lot of social problems as a result of having this kind of discrimination. That's why the highest possible level of cleanup is almost like social insurance, to protect us in the future.

For the same reason, I'm also interested in the green-jobs aspect of the cleanup, to ensure that the people who need those jobs the most get them. I'm hoping the EPA takes that particular element of the testimony seriously. And I know it has to go through the Port and the City, so I'm definitely going to be talking with them as well. I happen -- Mayor McGinn lives in my neighborhood, so I may have a little more of his ear.

And finally, I'd like to thank the people of South Park for standing up on this issue and really coming together on this in such a cooperative manner. As someone else noted, this could be a national model. And I hope this will be publicized. In fact, I'll do my best to do so, since I have ways of doing that.

You really have stood up for us, the whole city, because I like to tell people there's really no such thing as "away." You talk about throwing

something "away." There is no such thing. Anything physical has to go somewhere. The first law of thermodynamics says matter cannot be created or destroyed; it can only be changed around. And so, you know, this particular pollution is going somewhere where it will be safer anyway, but it's not really going away.

By the same token, any pollution that's left is going to come back and get us somehow. It's eventually going to wash out into the Duwamish River. It will affect our fish. It will affect our water in ways we may not even know at this point. So it is important to clean it up as well as possible and do it now.

Finally, I was going to say I hope EPA is really listening to these comments, but the people from South Park have convinced me that you are doing that. So again, thank you very much for holding this hearing and for doing such effective public involvement.

Thank you.

(End of comment.)

MR. OWENS: Hi. My name is Bill Owens; B-i-l-l, O-w-e-n-s. I'm a resident of South Park and a business owner, and I live in the corner house, right next to Terminal 117. We're probably the closest local resident. We have a strong view that Proposition 2 is our better solution.

Piper, if I could speak personally for a moment, we have our respect and affection, but 13 years? We should have come up with this plan 10 years ago. Still think it's the best plan, and I think we should move forward on this as quickly as possible.

Once we're complete, I'd like to see this space used for the public good. I really would like to see a public access to the river at this particular point. We could have a water taxi now if we just had some way of getting aboard the vessel. We still have no real access to the river except the Duwamish River Park. It doesn't really work for someone like me, who has a little difficulty getting down there. So a thought; put it out there.

Thank you.

(End of comment.)

MR. GUEVARRA: Good evening, ladies and gentlemen, neighbors, and those who are elected and appointed officials. I'm very pleased to be here to offer some thoughts, with the idea that we are moving forward. There is

an old saying that says that no matter how hard you push the envelope, it's still stationary. But we are breaking that mold by this very meeting, moving forward.

And I have a few points to share with you, and I don't expect any answers now.

(The speaker was interrupted to request his name.)

MR. GUEVARRA: That's what happens to you when you get to be 81 years old. My birthday is on the 27th, if anyone is interested.

My name is John Guevarra; J-o-h-n. The last name is G-u-e-v-a-r-r-a. It used to be with one "R" and a little tilde over it. My father emigrated from Lima, Peru, as a young man, and they wanted him to have a name that sounded English or American. So that's how come we have two "R"s. Now I used up all my time talking about this stuff.

But I do have some points that we need to consider and keep in mind. When we try to get testing throughout South Park, earlier, there was the problem about indemnifying -- indemnifying? Is that how you say it? If contaminants were found on private property, that people may -- or could be sued to clean up the property, or fined. I'd like to think that the organizations will work together to avoid having small businesses or property owners being put in that position of allowing a test on their property and finding out that they are going to be suffering because of their good will to have that property tested. Please keep that in mind and work that out with the City and whoever else is in charge.

The second concern I have is stormwater draining. We should really try

to flush out all our sewer drainage, because I'm sure they're full of all kinds of crazy stuff, especially from car drains and brake materials that get into the water, get into the Duwamish and goes into the Elliott Bay. And we're trying to keep that Bay, that Sound, clean the best we can. And even when we clean up what we have planned, that doesn't change the fact that we still have pollutants lurking in our sewer systems, in the street gutters.

Another item of concern is that we need to be sure and test all our alleys. Some of them have been concreted over, with years of oil spraying in the alleys. I remember it well. Please keep that in mind as you go on with your testing.

There is also a need, I believe, to get the Washington State Healthcare Committee, or Organization, to do some studies to determine: Do we have any specific evidence, that can be currently recorded, about the health degradation of people who live in the Duwamish corridor? Because I believe that there would be some good, factual information to help encourage a real-thorough cleanup.

And I want to thank you all for the time to share these thoughts. Thank you very much.

(End of comment.)

MR. PEASE: My name is Bill Pease, B-i-l-l, P-e-a-s-e. I'm a resident of South Park. I'm involved with a couple groups here. I want to say thank you.

Are you guys from the University of Washington? Seattle University? Thank you for coming out tonight. It's really nice to see somebody that came to South Park to see what's going on. I saw you down at the Duwamish Waterway Park today, and it was good to see you here.

I'm going to do my comments in the form of a letter because I'm not a speaker by any means. But I do want to make -- I talked with Piper a little earlier about -- I believe it's 1410 South Cloverdale Street, which is kind of a special situation. The dioxins in that yard are slated to be cleaned up.

The logic is that they're going to clean them up after the major cleanup of the area so that it doesn't get recontaminated. But I know the owner of that house has small children. And as Peter was pointing out the other day, there are certain ages where a child's development can be affected severely by dioxins. So I would like to put it on public comment: Please try to clean that yard up now. And if it gets recontaminated, then we can readdress it in three to five years, when the cleanup is done.

Thank you.

(End of comment.)

MS. CRONN: I decided not to change my name, so I'm still Dagmar Cronn; D-a-g-m-a-r, C-r-o-n-n. I wanted to also, on behalf of South Park,

talk very briefly about the wishes of the community, that the habitat restoration be something that happens in our lifetime.

We have had a very dear friend and colleague who passed away about three years ago and, unfortunately, he made a comment publically once about the fact that he hoped that he would live to see the river cleaned up. Well, he didn't make it. The rest of us want to be here when that happens.

So we'd like to see this space become a public space for the good of not only this community, but Seattle, King County, the state of Washington; a place that people can come and access a river that is safe to be near.

So thank you.

(End of comment.)

MR. OWENS: My name is Bill Owens, B-i-l-l, O-w-e-n-s. Most of you know me as Bill and Honey.

I did want to make a brief statement as to the lack of participation today. Don't mistake that for one moment. This is the fifth meeting I've been to today, okay? Most of us are meetinged out, and most of us have strong opinions and have voiced them in the previous meetings. Please take them to heart. Just the fact that they're not here today -- cut them some slack.

I lost the first two partners to cancer. There's talk of a cancer cluster in our neighborhood. That has not been well-documented or well-studied. I'm terribly afraid that this one will have cancer. Three times, I couldn't handle it.

I would like someone to devote some resources, some time to assess the actual risks, not just to our children and ourselves, but to our canine partners and other pets as well. Just a thought.

Thank you.

(End of comment.)

MR. GUEVARRA: Thank you for the come-again invitation. Do I have to identify myself again? I'm John Guevarra; J-o-h-n, G-u-e-v-a-r-r-a. There are a few other concerns I have, and I'd like to mention them quickly if I may.

We have had a problem with the cement factories down the road in that they have continually worked on trying to find a way to burn tires and to make the concrete process work more inexpensively. But in doing that, we're very much concerned that the fine particulates come in the air and create another level of pollution. And we hope that you will take that into consideration under the issue of recontaminating the area.

Another concern is that the Port trucking over the years has created fine particulates, also, from the diesel burning. And I guess that would be called dioxins. We don't know the real extent of that particular pollution, but I hope that would be something that we can look at very carefully, to see if that's something that we can address in our environment so that we don't have to live with that contaminated air.

Another item is that -- let's see. I remember there was another -- okay, yes. In our health study, we should, somehow or another, try to address what we call the cumulative effect of all these various problems that we are facing and that we need to understand. I hope -- our government needs to understand that pollution is everywhere, and it should be just as important for us to address the Elliott Bay issue. It really is a very serious issue, and it's all part of the pollution problem. We all live in the same world, and we have real problems. We shouldn't be contributing to more

pollution, but finding ways to avoid that.

Thank you very much.

(End of comment.)

(End of public comments.)

CERTIFICATE

STATE OF WASHINGTON)

COUNTY OF KING)

I, LINDA M. GROTEFENDT, a Certified Shorthand Reporter and Notary Public in and for King County, Washington, do hereby certify that I reported in machine shorthand the above public comment; that the foregoing transcript was prepared under my personal supervision and constitutes a true record of the above public comments.

WITNESS my hand and seal in Renton, County of King, State of Washington, this 23rd day of June, 2010.

Notary public in and for the
State of Washington, residing
at Renton.

My commission expires 1-2-2012.