



DEPARTMENT OF
ECOLOGY
State of Washington

Agreed Order for a Limited Remedial Investigation at the Anderson Landfill *Responsiveness Summary*

Facility Site ID: 79747294
Cleanup Site ID: 11537

Public comment period held:

March 1 – March 30, 2023

Ecology's response to public comments

Comment Period: March 1, 2023 through March 30, 2023

For the
Solid Waste Management Program

Washington State Department of Ecology
Olympia, Washington

April 2023, Publication 23-09-080

Publication Information

This document is available on the Department of Ecology's website at:
[Anderson Landfill cleanup site page](https://apps.ecology.wa.gov/cleanupsearch/site/11537)¹

Related Information

- Clean-up site ID: 11537
- Facility site ID: 79747294

Contact Information

Solid Waste Management Program

Central Regional Office
1250 W. Alder Street
Union Gap, WA 98903-0009
Phone: 509-575-2490

Website²: [Washington State Department of Ecology](http://www.ecology.wa.gov)

ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

¹ <https://apps.ecology.wa.gov/cleanupsearch/site/11537>

² www.ecology.wa.gov/contact

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
---	---	---------------------------------------	---------------------------------------

Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	P.O. Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	P.O. Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 West Alder Street Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 North Monroe Spokane, WA 99205	509-329-3400
Headquarters	Statewide	P.O. Box 46700 Olympia, WA 98504	360-407-6000

Response to Comments

Anderson Landfill

Agreed Order for a Limited Remedial Investigation

Solid Waste Management Program
Washington State Department of Ecology
Central Regional Office
Union Gap, WA

April 2023 | Publication 23-09-080



DEPARTMENT OF
ECOLOGY
State of Washington

Table of Contents

Toxics Cleanup in Washington State	5
Index of Comments Received.....	8
Public Comments and Responses.....	9
Comment 1 - Anonymous	9
Comment 2 - Anonymous	9
Comment 3 - Anonymous	10
Comment 4 – Quentin Padgett:.....	10
Comment 5 – Caroline Goyette:.....	11
Comment 6 – Tom Boyd:.....	11
Comment 7 – Todd Yost:.....	11
Comment 8 – Becky Lang-Boyd:	13
Comment 9 – Charles Chesney:.....	13
Comment 10 – Becky Lang-Boyd:	16
Comment 11 – Amicus Humanis Generis:.....	16
Comment 12 – Jeremy Wuitschick:.....	16
Comment 13 – Mark Koday:.....	17
Comment 14 – GS:	17
Comment 15 – Nancy Lust:	17
Comment 16 – Blythe Monoian:.....	17
Comment 17 – GS:	17
Comment 18 – Eric Anderson:.....	18
Comment 19 – Amicus Humanis Generis:.....	18
Comment 20 – Scott Cave:.....	18
Comment 21 – GS:	18
Comment 22 – Nancy Lust:	19
Comment 23 – Brenda:	19
Comment 24 – Mark Koday:.....	19
Comment 25 – Brenda:	19
Comment 26 – Eric Anderson:.....	20
Comment 27 – Anonymous:.....	20
Comment 28 – Shelly Byington:.....	20
Comment 29 – Scott Cave (FORT):.....	22
Comment 30 – Ed Shoenbach:.....	22
Comment 31 – Nancy Lust (FORT):	22

Comment 32 – Anonymous:.....	25
Comment 33 – William Norris:	26
Comment 34 – Carolyn Beams:	27
Comment 35 – Anonymous:.....	27
Comment 36 – Joseph Stolle (GeoEngineers, Inc.):	27
Comment 37 – Eric Anderson:.....	28
Comment 38 – Scott Cave (FORT):.....	30
Comment 39 – Anonymous:.....	39
Appendix A. Public Meeting Chat Transcript.....	41
Appendix B. Scott Cave Comment (March 30, 2023)	44

List of Tables

Tables	
Table 1: List of Commenters	8

Toxics Cleanup in Washington State

Accidental spills of dangerous materials and past business practices have contaminated land and water throughout the state. The Washington State Department of Ecology (Ecology) Toxics Cleanup Program works to remedy these situations, which range from cleaning up contamination from leaking underground storage tanks, to large, complex projects requiring engineered solutions.

Contaminated sites in Washington State are cleaned up under the Model Toxics Control Act³ (MTCA, Chapter 173-340 Washington Administrative Code),⁴ a citizen-mandated law passed in 1989. This law sets standards to ensure toxics cleanup protects human health and the environment and includes opportunities for public input.

Anderson Landfill Site Background

The Anderson Landfill began operation in 1997 as a construction and demolition debris landfill. The site was owned by Ron Anderson and was originally permitted under chapter 173-304⁵ of the Washington Administrative Code (WAC) by the Yakima Health District (YHD).

In 2007, following promulgation of Chapter 173-350 WAC⁶, the facility obtained a permit from YHD for the operation of a Limited Purpose Landfill (LPL). The original LPL permit was issued in 2007 and authorized a 61 acre landfill footprint. The landfill was designed and permitted as an unlined facility.

In 2015, YHD issued a permit modification that authorized expansion of the landfill footprint to 125 acres.

In 2019, the facility was purchased by DTG-Recycle, Inc., a subsidiary of DTG Enterprises Holdings, Inc. The landfill is now referred to as the DTG Landfill, the DTG-Anderson Landfill, and the Anderson Landfill.

Volatile organic compounds (VOCs) were detected in ambient air and in landfill gas at the facility in December 2021 and confirmed in July 2022. Benzene and naphthalene were detected in ambient air at concentrations exceeding outdoor air quality standards under the Model Toxics Control Act (MTCA).

³ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

⁴ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

⁵ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-304>

⁶ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-350>

Public Comment Period Summary

Ecology held a comment period from March 1 through March 30, 2023, for the Agreed Order for the Limited Remedial Investigation for the Anderson Landfill Site, located at 41 Rocky Top Road in Yakima. An Agreed Order is a legal document that outlines the expectations, process, and schedule for investigation and cleanup.

Index of Comments Received

Ecology received 39 comments which are listed below. Contact information (postal, email addresses, and phone numbers) have been omitted.

Name and organization (if applicable)	Format Comment Received	Date
Anonymous	SmartComment	March 1
Anonymous	SmartComment	March 1
Anonymous	SmartComment	March 3
Quentin Padgett	SmartComment	March 7
Caroline Goyette	SmartComment	March 8
Tom Boyd	Email	March 14
Todd Yost	Email	March 14
Becky Lang-Boyd	Email	March 15
Charles Chesney	Email	March 15
Becky Lang-Boyd	Public Meeting	March 15
Amicus Humanis Generis	Public Meeting	March 15
Jeremy Wuitschick	Public Meeting	March 15
Mark Koday	Public Meeting	March 15
Nancy Lust	Public Meeting	March 15
Blythe Monoian,	Public Meeting	March 15
GS	Public Meeting	March 15
Eric Anderson	Public Meeting	March 15
Amicus Humanis Generis	Public Meeting	March 15
Scott Cave	Public Meeting	March 15
GS	Public Meeting	March 15
Nancy Lust	Public Meeting	March 15
Brenda	Public Meeting	March 15
Mark Koday	Public Meeting	March 15
Brenda	Public Meeting	March 15
Eric Anderson	Public Meeting	March 15
Anonymous	SmartComment	March 24
Shelley Byington	SmartComment	March 27
Scott Cave (Friends of Rocky Top)	SmartComment	March 28
Ed Shoenback	SmartComment	March 29
Nancy Lust (Friends of Rocky Top)	SmartComment	March 29
Anonymous	SmartComment	March 30
William Morris	SmartComment	March 30
Carolyn Beams	SmartComment	March 30
Anonymous	SmartComment	March 30
Joseph Stolle (GeoEngineers)	SmartComment	March 30
Eric Anderson	SmartComment	March 30
Scott Cave (Friends of Rocky Top)	SmartComment	March 30
Anonymous	SmartComment	March 30

Public Comments and Responses

Public comments and Ecology's response to each comment are listed in the order received below. Public comments are printed in *italics* and indented. Due to the length and diversity of topics in some comments, Ecology has provided select responses in-line and others at the end of the comment. A number of comments were submitted via the chat feature in the March 15, 2023, online public meeting. The transcript of the chat for the online public meeting is provided in Appendix A. Ecology received a lengthy comment from Scott Cave on March 30, 2023, that included multiple attachments. In the interest of efficiency, only the text of Mr. Cave's comments are included in the summary below, but the comment is provided in its entirety in Appendix B.

Comment 1 - Anonymous

Thank you for taking my initial report and complaint seriously. As a former employee of DTG, I have infinite knowledge of their practices at that facility. They regularly dump, unsorted refuse into holes on-site at that landfill. They claim to recycle according to their permits however, they do not come even close to doing it. They will regularly load up gondola trailers, full of refuse from any one of their local dumpsites, and haul it to Yakima, and simply dump it in a hole. This is completely unacceptable given that they represent themselves as a recycling agency who is concerned about the planet. The reality is they are more concerned about their pocketbooks than they are the environment. Quite frankly, their actions towards their customers of lying and misrepresenting what they actually do is, in my opinion, a white-collar crime. Thank you for investigating this site. I suggest you investigate all of their local sites as well. You will find that they are probably in violation of numerous department of ecology standards and procedures.

Response: Waste screening is beyond the scope of this Agreed Order but is relevant to the solid waste permit for continued operation of the landfill. Ecology has provided your comment to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Comment 2 - Anonymous

As a former employee of DTG and specifically the Seattle facility, I have direct knowledge of DTG accumulation of contaminated soils onsite in Seattle by way of dumping for a fee and then after accumulating enough material to justify transport, DTG takes this contaminated soil to Yakima facility and uses this dirt to cover unsorted materials dumped from recycling facilities.

Response: Thank you for your comment. Contaminated soils are one suspected source of the chemicals documented in gas emanating from the landfill.

Comment 3 - Anonymous

While the anonymous comments about alleged DTG practices are not depositive, they do point to a need for DOE directly conducting its own independent investigation into what is buried at the landfill.

Allowing DTG to conduct its own investigation after these allegations and DOE's own monitoring results would be malfeasance by DOE.

The Agreed Order states, "The Agreed Order requires DTG-Recycle to complete an investigation to address air and drinking water concerns and perform cleanup actions based on investigation results."

That is simply irresponsible under these circumstances. If there is a reasonable basis for believing DTG has taken actions such as those alleged by the anonymous "former DTG employees," there can be no reasonable expectation that the company will conduct a credible investigation into its own actions.

DOE and the AG need to seriously weigh whether the monitoring results they already have support a reasonable suspicion that there are materials in the landfill that have not been properly handled and disposed of by DTG or previous owners.

Response: DTG will not be left to conduct any investigation without rigorous oversight by Ecology. All data collected during the investigation will meet stringent documentation and data quality requirements which will be verified by Ecology. This is standard practice for environmental investigations and is within the MTCA framework.

Regarding the contaminants already documented in gas samples collected at the site, Ecology does not have sufficient information to make a determination as to the source of these chemicals at this time. The goal of the Agreed Order is to determine the nature and extent of the contaminants in the subsurface, identify exposure pathways, and develop a cleanup plan to mitigate the identified exposure pathways. The identification of materials that may not have been handled or disposed correctly is not the primary objective of this Agreed Order. Evidence suggesting improper waste handling or disposal will be provided to the YHD who is responsible for enforcement of the landfill's operating permit if such evidence is obtained.

Comment 4 – Quentin Padgett:

Where is this picture taken this does not look like the DTG Yakima landfill at all?

Response: Ecology understands this comment to reference the landfill photo on the webpage announcing the public comment period. The photo was taken from the west side of the active fill area facing east in July 2022 by Ecology staff. The portion of the landfill visible from Summitview Road is outside the picture frame to the left.

Comment 5 – Caroline Goyette:

While hiking on the trails at Rocky Top for the past 10 years it was evident of the changes when DTG took over. The odors in the air and the trash that would blow onto the trails was a huge disappointment. I can't imagine the people that have to live out there and deal with it daily. This needs to be addressed and DTG needs to be held accountable. Thank you.

Response: Thank you for your comment. Odors and blowing trash are issues that are beyond the scope of the Agreed Order but are relevant to the solid waste permit for continued operation of the landfill. Ecology has provided your comment to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Comment 6 – Tom Boyd:

Benzene is used in manufacturing plastics, rubbers, pesticides, and other chemicals. Benzene evaporates when it comes in contact with oxygen. This makes it easy to breathe in the chemical. The harmful effects of benzene are well known. The link between benzene and cancer has been scientifically proven. Benzene is classified as a carcinogen by major health organizations:

- *U.S. Department of Health and Human Services Trusted Source*
- *World Health Organization (WHO) Trusted Source*
- *Environmental Protection Agency*

Benzene is documented to be leaking at unacceptable levels from the landfill. Should DTG have it's operations restricted or halted until there is resolution to the chemicals leaking from the Anderson landfill?

*Dr. Tom Boyd
Oncology Specialist*

Response: Thank you for your comment. Emissions of benzene is one of the criteria that Ecology used to initiate cleanup under MTCA and this Agreed Order. Closing the facility is beyond the scope of the Agreed Order. Facility permit compliance and enforcement is the jurisdiction of the permitting agencies, the Yakima Health District, and the Yakima Regional Clean Air Authority.

Comment 7 – Todd Yost:

Concerns:

1. Why was a "legal agreement " even necessary? They cracked the lining! If DTG had been operating legally none if this would have happened! What fines have been collected from DTG for all the years of illegal dumping? Why is DTG allowed to continue accepting hazardous waste when it has not cleaned up its hazardous

illegal dumping nor fixed the lining? DTG is allowed to "cover it up" and continue operating as if everything is okay. Why does the health department continue to put residential people at risk and allow this? If a restaurant had an infestation of kitchen rats would the health department not shut it down until the rat infestation was corrected for the safety of the public? Not so for a big corporation like DTG! The health department and the county gives DTG the green light to do as they please. I heard DTG needs education to deal with some of the waste. What?! Don't they have 15 plus sites? All legally licensed? Maybe they all need to be investigated. Who knows what illegal materials have been dumped in them all.

Response: A legal agreement is one mechanism outlined in MTCA for investigating and remediating contaminated sites. In cases where the site owner can be identified and is willing to cooperate, an Agreed Order is usually the most efficient way to facilitate cleanup. MTCA does not provide jurisdiction for Ecology to shut down this facility because the facility is operated under a permit issued by the Yakima Health District (YHD). Your comments related to regulatory oversight by the YHD have been passed on to the YHD.

2. Why is DTG accepting PFAS waste from the Training Center? This material has not been studied long enough to know it's long-term effects even in "small amounts". The Training Center made the mess and they should clean it up on their own property. They have thousands of acres away from residential areas which can be used for cleaning up their mess.

Response: Ecology has no information indicating that DTG is accepting any waste from the Yakima Training Center at this time. Soils contaminated with petroleum which very likely also contained PFAS were accepted at the Anderson Landfill in 2004. PFAS was not well understood for its toxicity and persistence in the environment at that time.

3. Why is DTG allowed to expand when it has not cleaned up it's current mess? This should be on hold as an incentive to clean up. The Health dept needs to do their job. DTG has no time frames for "clean-up " to be completed. Just dates on a "plan". Really?!

Response: The Agreed Order is not intended to resolve all concerns at the facility. Issues related to facility design, expansion, and operations are regulated by the YHD and the permit that has been issued to the facility for the operation of the landfill. The timeframe for completion of cleanup under the Agreed Order cannot be determined until the scope of contamination is well-understood. After the investigation is complete and cleanup options are evaluated and the best option selected, Ecology will set a timeline for cleanup.

4. Why has DTG not been monitoring it's own site with the Health dept and dept of Ecology also randomly monitoring? Another fine? DTG is making billions at the expense of it's neighbors. Please take the action necessary to protect our groundwater and air. Please do not wait.

Thank you!

Concerned neighbor.

Response: DTG has been monitoring groundwater at the site on a quarterly basis and reporting the results to YHD and Ecology on an annual basis. Methane has been monitored quarterly and reported annually as well. The sampling and reporting protocols are documented in a Sampling and Analysis Plan for the site as required by WAC 173-350-500. DTG has recently submitted an updated Sampling and Analysis Plan for the site that adds analysis of volatile organic compounds (VOCs) to groundwater sampling and requires quarterly data summary reports in addition to the annual report. The Sampling and Analysis Plan also requires inclusion of new monitoring wells as they are constructed.

Comment 8 – Becky Lang-Boyd:

As the focus of the March 15th meeting is "contaminants", I believe hydrogen sulfide gas should also be considered.

How did DTG handle the truckloads of gypsum hauled into Yakima County from Canada? Becky Lang-Boyd

Response: Hydrogen sulfide is a component of landfill gas is virtually all landfills, particularly those that accept construction and demolition debris. Hydrogen sulfide will be monitored in gas as part of the Agreed Order. Ecology is also working with the YHD to add hydrogen sulfide to routine gas monitoring under the facility's operating permit.

Comment 9 – Charles Chesney:

From evidence-based practice, please describe the WWWW (who, what, when, where, how-loosely listing Rudyard Kipling's elements of fine journalism) of the statement "the Vantage interbed has been penetrated, breached... associated with DTG | Anderson facility operations". (An answer to "when" may clarify DTG | Anderson ownership of facility operations.) The point-what valid, high quality datasets clearly indicate Vantage interbed (i.e., Vantage hydrologic unit) puncture, perturbation, change?

The hydrogeologic framework of Washington includes the Vantage interbed. This hydrologic unit is described as "consisting of clay, shale, sandstone, tuff with claystone, and clay with basalt, but also may contain small amounts of sand and sand-and-gravel. No surficial outcrops of this unit within the study area are present and its extent is assumed to be within the extent of the Wanapum unit. The Vantage unit might extend beyond the boundary of the Wanapum unit, but it is difficult to delineate between the basin-fill deposits and the Vantage deposits at depth by only using well-record information" (Jones Vaccaro 2008). See learning resources for more information.

For site visits to the area of interest (AOI) under consideration for remedial action (open to the public or not), what exposures of the Vantage interbed are clearly exposed and accessible for close up inspection (not buried by tons of ‘garbage’? Do m/any of these exposed soil horizons and soil parent material profiles (below the C horizon-lithified layer(s)) show evidence of basalt flows and the interbed (aquitarde)? What imagery (stills, movies) exist, past or recent that document soil horizons and stratigraphic units (basalt flow, interbed)? If these data exist, what actions have been taken and will be taken under chains of custody for data quality assurance and curation of evidence?

Is there any evidence of Wanapum basalt outcrops at the surface of the AOI? This might be useful in determining the thickness and status (i.e., intact, or not) of the Vantage hydrologic unit.

“Soil mapping units are not soil taxonomic units” (pers. comm., Dr. Herb Huddleston, Prof. Emeritus, Soil Science, Oregon State University). This maxim applies to stratigraphic units commonly used in geology (e.g., Grande Ronde basalt, Wanapum basalt, Vantage interbed). Given this, what datasets (field mapping, subsurface well logs and samples) from short and long term (1 to 100 years) bore holes | “monitoring and water wells” exist in the AOI that can be useful for dispute resolution? Within a 1000 foot radius? 1 mile radius? Other dimensions? Are relevant AOI data gleaned from modeling or monitoring efforts?

Is the groundwater hydraulic gradient trending northward, towards waterways Lateral L or Cowiche Creek? Is this gradient query a hypothetical condition? Extraordinary assumption? Are any data for decision support and evidence-based practice gleaned from regional or AOI-specific modeling or monitoring efforts?

What data sharing statements exist? MOUs? Are m/any AOI datasets FAIR-compliant (i.e., Findable, Accessible, Interoperable, Reusable digital assets)?

What are next steps in dispute resolution? Data sharing? Citizen science? What are expectations of all parties involved? What is the current gap between a real and ideal land use solution?

Thank you for your consideration. I look forward to discoveries providing solutions.

Learning Resources

Burns, E.R., Morgan, D.S., Peavler, R.S., and Kahle, S.C. 2011. Three-dimensional model of the geologic framework for the Columbia Plateau Regional Aquifer System, Idaho, Oregon, and Washington: U.S. Geological Survey.

Calkins, Frank C. 1905. Geology and Water Resources of a Portion of East-Central Washington. Water Supply and Irrigation Paper No. 118. Government Printing Office. Washington, D.C. 97 p.

Drost, B.W., and Whiteman, K.J. 1986. Surficial geology, structure, and thickness of selected geohydrologic units in the Columbia Plateau, Washington: U.S. Geological Survey Water-Resources Investigations Report 84-4326, 11 sheets.

Foxworthy, Bruce L. 1962. Geology and ground-water resources of the Ahtanum Valley, Yakima County, Washington. Government Printing Office. Washington, D.C. 108 p.

Jones, M.A., Vaccaro, J.J., and Watkins, A.M. 2006. Hydrogeologic framework of sedimentary deposits in six structural basins, Yakima River Basin, Washington: U.S. Geological Survey Scientific Investigations Report 2006-5116, 24 p.

Jones, M.A., and Vaccaro, J.J. 2008. Extent and depth to top of basalt and interbed hydrogeologic units, Yakima River Basin aquifer system, Washington: U.S. Geological Survey Scientific Investigations Report 2008-5045, 22 p., 5 pls.

Reidel, S.P., Johnson, V.G., and Spane, F.A. 2002. Natural gas storage in basalt aquifers of the Columbia Basin, Pacific Northwest USA--A guide to site characterization: Richland, Washington, Pacific Northwest National Laboratory.

Smith, George O. 1901. Geology and Water Resources of a Portion of Yakima County Wash. Water Supply and Irrigation Paper No. 55. Government Printing Office. Washington, D.C. 75 p.

Swanson, D.A., Wright, T.L., Hooper, P.R., and Bentley, R.D. 1979. Revision in the stratigraphic nomenclature of the Columbia River Basalt Group: U.S. Geological Survey Bulletin 1457-G, 59 p.

Waring, Gerald R. 1908. Geology and Water Resources of a Portion of South-Central Oregon. Water-Supply Paper 220. Government Printing Office. Washington, D.C. 105 p.

Waring, Gerald R. 1913. Geology and Water Resources of a Portion of South-Central Washington. Water-Supply Paper 316. Government Printing Office. Washington, D.C. 48 p.

Response: The Wanapum Basalt, Vantage member (aka Vantage Interbed) of the Ellensburg Formation, and Grande Ronde Basalt have been mapped in stratigraphic sequence at the site by the Washington State Department of Natural Resources, Division of Geology and Earth Resources (Bentley and Campbell, 1983). The Wanapum and Grande Ronde Basalts have been positively identified in the most recent boring at the site by geochemical comparison to published data (Hooper, 2000) and correlated to other borings completed at the site by

geologic description, stratigraphic position, and structural attitude. The Vantage Interbed lies between the Wanapum and Grande Ronde Basalts and has been identified in five separate borings, three quarry outcrops at the site, and in an undisturbed outcrop south of the landfill. Approximately 30 vertical feet of Vantage Interbed exposure outcropping in the wall of the disposal pit was observed by a licensed geologist employed by Ecology. Site observations correlate with mapped outcrops at, and near, the site (Bentley and Campbell, 1983). It's position and attitude are consistent with published strike and dip of the basalt flows in the area.

The hydraulic gradient within the shallow aquifer at the site has been estimated using depth to water measurements taken from monitoring wells on the site and water-supply wells to the north and east of the site. Groundwater within the shallow aquifer at the site generally flows to the north, toward Cowiche Creek. Calculation of groundwater flow direction and gradient will continue to be refined as additional wells are installed at the site and data is collected.

All data collected in conjunction with the Agreed Order will be submitted to Ecology for review and will be public record. Final reports will be posted to the site cleanup page: <https://apps.ecology.wa.gov/cleanupsearch/site/11537#site-documents>

Bentley, R.D. and Campbell, N. P., 1983. Geologic Map of the Yakima Quadrangle, Washington. Washington Division of Geology and Earth Resources Geologic Map GM-29.

Hooper, Peter R. 2000. Chemical discrimination of Columbia River Basalt Flows, Geochemistry Geophysics Geosystems, 1, 1024.

Comment 10 – Becky Lang-Boyd:

Please clarify. Isn't Macquarie the owner of DTG?

Response: Based on the information available to Ecology, Macquarie owns DTG. However, DTG is a legally distinct entity and has accepted its status as a Potential Liable Person responsible for cleanup under the Agreed Order. DTG has the right under MTCA to identify additional PLPs who may be financially liable for cleanup but has not yet exercised that right.

Comment 11 – Amicus Humanis Generis:

It is early in the process... and, what are Data Quality Objectives (precision, accuracy, representativeness, comparability, completeness are some elements) for achieving a solution?

Response: Data quality objectives will be defined in detail in the Quality Assurance Project Plan (QAPP) which is a required element of the Work Plan for the site. In general terms, data quality objectives will be to collect defensible, reproducible data that meets Ecology's quality standards so that informed cleanup decisions can be made.

Comment 12 – Jeremy Wuitschick:

Forgive me for my ignorance on the subject. Why does the DOE name DTG instead of Macquarie Asset Management (valued at \$14.5 Billion USD) in these documents? According to available information Macquarie completed acquisition of DTG in 2022 and owns them. So why not name Macquarie instead? They actually own it, right?

Response: Based on the information available to Ecology, Macquarie owns DTG. However, DTG is a legally distinct entity and has accepted its status as a Potential Liable Person responsible for cleanup under the Agreed Order. DTG has the right under MTCA to identify additional PLPs who may be financially liable for cleanup but has not yet exercised that right.

Comment 13 – Mark Koday:

Why is PFAS contaminated soil from the Firing Range allowed to be dumped at DTG when there are already known MTCA site?

Response: Ecology has no information indicating that DTG is accepting any waste from the Yakima Training Center at this time. Soils contaminated with petroleum which very likely also contained PFAS were accepted at the Anderson Landfill in 2004. PFAS was not well understood for its toxicity and persistence in the environment at that time.

Comment 14 – GS:

Is there any evidence of groundwater contamination at this point?

Response: There is currently no data indicating contamination of groundwater with organic compounds. Recent data from samples collected in October and December 2022 indicate elevated concentrations of nitrate in monitoring well MW-4. Nitrate is a common contaminant of groundwater related to human activities (septic drainfields), agriculture (livestock and fertilizer), as well as landfill leachate. MW-4 was installed in July 2022 and there is a limited amount of data available to identify water quality trends from this well. Nitrate analysis is part of the existing Sampling and Analysis Plan under the landfill's permit. Monitoring will continue and further data analysis will be completed as additional data becomes available.

Comment 15 – Nancy Lust:

Are the “days” listed in the Exhibit C - schedule calendar days or workdays?

Response: “Days” in the Agreed Order are calendar days.

Comment 16 – Blythe Monoian:

Will we be given an opportunity to speak rather than type a comment?

Response: Thank you for your comment and your statement during the public meeting.

Comment 17 – GS:

What kind of radius around the landfill would groundwater contamination be an issue?

Response: The length of groundwater contamination plumes are extremely variable and highly dependent on the aquifer characteristics, hydraulic gradient, the type of contaminant, and the nature of the contaminant source. It is premature to speculate regarding the extent of groundwater contamination at this site. As is routine for environmental investigations at all sites, work will start close to the presumed source area and will follow evidence of contamination until the extent is well understood.

Comment 18 – Eric Anderson:

Depending on the data results, etc., can the original permit be revisited to require the area to be lined? As I understandit is currently an unlined landfill that was permitted by the Health Dept.

Response: The YHD has required all expansion areas to be lined. DTG is currently developing plans for a lined landfill cell to be constructed to the south of the current landfill. In addition, YHD has required DTG to remove all waste placed in the area where the Vantage Interbed was excavated beginning approximately in March 2022 and place it within a lined cell. The portion of the landfill that is visible from Summitview Road predates March 2022 and portions of that area are the subject of the Agreed Order. Data collected during the investigation required by the Agreed Order will determine the appropriate actions needed for that area. No remedies have been selected yet.

Comment 19 – Amicus Humanis Generis:

What was/is the rationale for closing recreational uses of a trail network (Rocky Top) near the landfill site?

Response: Ecology had no role in closure of the recreational trails and is not aware of any regulatory requirement to close the trails. It is Ecology's understanding that DTG made that decision for their own purposes.

Comment 20 – Scott Cave:

8.15.3 Can someone explain the last sentence? I'm confused by the word "but" between "applicable" and "procedurally exempt..."

Response: This section refers to local requirements for permits that the PLPs may be exempt from under the Agreed Order. One example might be building permits for a groundwater treatment system. Under MTCA, PLPs are exempt from these types of permits and authorizations but must still comply with the substantive requirements for these types of permits.

Comment 21 – GS:

Is there defined hours that DTG is prohibited from working the gravel pit?

Response: The working hours of the gravel pit are the jurisdiction of Yakima County and are outside the scope of the Agreed Order. Gravel pit operations are regulated by the Conditional Use Permit for the property issued by the Yakima County Planning Division.

Comment 22 – Nancy Lust:

Is it possible to add PFAS type chemicals to the list of chemicals monitored, given what we are learning about PFAS from the training center and EPA's announcement yesterday lowering the threshold for what level of PFAS is safe? I am concerned about PFAS potentially contaminating the groundwater.

Response: Ecology has no information indicating a release of PFAS from the site, although records do indicate treatment and disposal of soil that likely contained PFAS at the landfill. Ecology has been in communication with YHD regarding the potential for PFAS at the site and has recommended the addition of PFAS to routine monitoring efforts at the site. Based on these communications, Ecology understands that YHD will require DTG to include PFAS analysis for samples collected from all existing and proposed wells at the site. This includes six recently proposed monitoring wells in addition to wells required by the Agreed Order. Therefore, Ecology does not intend to add PFAS to this Agreed Order at this time. However, please note that the Agreed Order can be amended if needed to include PFAS as new data is evaluated.

Comment 23 – Brenda:

Thank you for this meeting. How much...garbage can be dumped here?

Response: The amount of garbage that can be disposed at the landfill is dependent on the volume of the permitted landfill at its designed final geometry. The initial stages of waste placement at this landfill were within former mining pits and Ecology does not have records documenting the geometry of those pits. Therefore, Ecology is unable to determine the precise volume of waste that can be disposed at the landfill.

Comment 24 – Mark Koday:

We have lost faith in the Yakima Health District.

Response: Thank you for your comment. Regulatory oversight of landfill operations is beyond the scope of this Agreed Order but is relevant to the solid waste permit for continued operation of the landfill. Ecology has provided your comment to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Comment 25 – Brenda:

Shouldn't neighbors within a mile of DTG be notified of ANYTHING concerning DTG?

Response: Community members who received mailings from Ecology announcing the public comment period for this Agreed Order will continue to receive periodic mailings as major milestones in the project are met. Community members who are not currently on Ecology's mailing list for the site can request to be added to receive these periodic updates. Ecology also maintains a site cleanup page with documents relevant to this Agreed Order. The site cleanup page will be periodically updated as new developments at the site occur. The site cleanup page is located here: <https://apps.ecology.wa.gov/cleanupsearch/site/11537#site-documents>

Comment 26 – Eric Anderson:

Thank you for this opportunity to be heard & to be involved in this issue! Your presentation was very good! As you can see there are many that have major concerns about this! This is a very popular recreation area! Please keep that in the forefront of all your decisions!

Response: Thank you for your comment.

Comment 27 – Anonymous:

Ever since the letters were sent out and investigation started I noticed a significant drop in traffic flow of DTG trucks and trucks with garbage in general on Rocky Top. Their normal areas of employee parking dropped dramatically from full lots of cars to just a few. I feel like they are trying to skew the results of this investigation by doing hardly any dumping compared to what they normally do. That road is a non stop run of trucks normally to where they sometimes block the roads with how many trucks that there are. To now suddenly where I can drive this road and not see a single one.

Response: Thank you for your comment. Traffic flow and waste volume is beyond the scope of this Agreed Order. These issues are not relevant to the investigation of contamination in the subsurface and will not skew the results. Your concerns about traffic flow and waste volume are being forwarded to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Comment 28 – Shelly Byington:

Thank you for taking public comment on DTG LPL. I am submitting my concerns about Yakima County being a dumping ground for our state, and out of country, waste. Much of that waste is toxic and is questionable on how it is being handled. Caton LPL and DTG LPL began business about the same time, 1997. Currently, they have very similar issues, fires, smells, measurable VOC's and questionable business practices. YHD and DOE need to tighten up regulations to protect the public from greed and mismanagement of our environment. Both LPL's have the strong potential of being the next two superfund sites in WA State. We don't need more in our Evergreen State.

DTG, formerly Anderson, stopped taking Canadian waste. Caton LPL began taking Canadian semi loads at that time, officially. Caton has been receiving B.C. semi loads since 2020 during COVID restrictions, which is very concerning how this was allowed to happen as the border was "closed." I continue to witness topsoil being taken off Reclaim side of the slope, Saturday, March 25th, four Reclaim dump truck loads left the site, and they were "closed."

The deep extrication of soil is very alarming and a threat to our groundwater if the Vantage Interbed is breached, as it has been done at DTG and they are at a higher elevation than Caton LPL. Daily dump loads exceed Caton LPL's SEPA for 120 loads. They take 48-50 loads per day, Monday-Friday! Weekly total loads are at 250, and higher due to Saturday morning semi loads. This should be researched and considered for Caton's closure date, as it is reaching capacity much sooner based on waste tonnage being taken in and the amount of earth, they are moving to cover this trail.

DTG LPL and Caton LPL must be under stricter scrutiny for the safety of the public, wildlife and the environment and what we leave our children and grandchildren to deal with.

Both sites need investigated on their "recycling" practices. Are they really recycling or just dumping on their sites? NO recycled products are leaving either of their sites.

Save the environment for all of the local tax paying citizens. Please do not allow a business that only looks out for themselves and not what they are doing to our neighborhoods.

Do not allow more toxic waste to enter either LPL, they are fragile areas due to what they already have taken in. The magnitude of waste that is already under their noses, our noses, is shocking. Waste is almost nuclear, it needs 24/7 attention as it does not go anywhere for a very long time and changes form in various decomposition stages and, as proven, ignites and causes more issues, if not treated in a responsible manner.

There is a historical timeline just under the surface at both sites, if officials were to exhume debris...we are all afraid of what you would find.

Locals are speaking up and not happy about what is taking place in Yakima County. Local officials must pay attention and act as if it is happening in THEIR BACKYARDS.

Response: Thank you for your comment. Regulatory oversight of landfill operations, traffic flow, waste volume, recycling, and land use are beyond the scope of this Agreed Order. Your concerns about traffic flow and waste volume are being forwarded to the Yakima Health District

(YHD) who is responsible for enforcing compliance with the landfill permit and the Yakima County Planning Division who is responsible for land use permitting.

Comment 29 – Scott Cave (FORT):

Since no City is involved with the investigation, please replace the term "the City" on this page (see pasted below) and wherever the agency has used this term in reference to this project with the correct term: We would like your input on the following documents: Agreed Order: legal document that requires the City to investigate environmental conditions, complete a Remedial Investigation (RI), Feasibility Study (FS), and a draft Cleanup Action Plan (dCAP).

Response: Thank you for your comment. The term "City" was inadvertently included in the public comment period announcement. There is no city involved in the investigation.

Comment 30 – Ed Shoebach:

One of the serious problems affecting Anderson as well as Caton, there is no surveillance or checking of loads coming in to the landfills from your agency. When there was a serendipitous contact two trucks were sent back to our former friends in Canada. There was a reported incident involving an alleged trespass by a code enforcement specialist, who wound up at the dump after trying to find the truck that was carrying questionable material. He was told that if he didn't leave the owner of the dump was going to "blow his f444n brains out". I would think that would have been an excessive solution to an alleged trespasser. I believe both of the dumps have shown total disregard for the rules and any effort to enforce their behavior to be consistent with the regulations governing these dumps. I think you need more staff and someone should be on-site to monitor what is coming and going. I wish you guys well.

Response: Thank you for your comment. Regulatory oversight of landfill operation and waste screening are beyond the scope of this Agreed Order. Your concerns are being forwarded to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Comment 31 – Nancy Lust (FORT):

Comments from Nancy Lust, representing Friends of Rocky Top, a CascadiaNow.org project, on Agreed Order 21624

4.2 – Parties – I think Macquarie Asset Management should be added as a Potentially Liable Party because they are the owner now. Also, I think Ron Anderson, the former owner of the landfill and its associated facilities should be added as a Potentially Liable Party. The landfill was listed by Ecology in 2015 as a Suspected contaminated site for soil. The chemical profile from the air emissions

done in 2022 suggests petroleum chemical compounds. It seems likely that soils from the PCS site may be responsible, at least in part, for the harmful emissions.

Response: Based on the information available to Ecology, Macquarie owns DTG. However, DTG is a legally distinct entity and has accepted its status as a Potential Liable Person responsible for cleanup under the Agreed Order. DTG has the right under MTCA to identify additional PLPs who may be financially liable for cleanup but has not yet exercised that right.

Petroleum contaminated soil is a suspected source of the documented emissions at the landfill. However, the current data is insufficient to make a reliable determination as to the source of the emissions. The investigation completed under the Agreed Order will provide additional information to help identify potential sources of emissions.

7.2 Work to be Performed

Determination of underlying CAUSE for the contamination must be part of this investigation. The public has a right to know how these chemicals got into the soil. The Yakima Health District has an interest in understanding how this contamination was caused also, so that their regulatory efforts in the future might better prevent such contamination. When the folks from Ecology talk about the MTCA process and investigation, they have referred to looking for the cause, but I didn't see any reference to that effect in the Agreed Order. Am I missing something?

Response: The investigation will be designed to identify the area where contaminants occur, but the exact cause of contamination may be difficult or impossible to determine. Ecology will attempt to identify the cause of contamination at the landfill, but it may not be possible to do so with a high degree of confidence.

Can additional contaminants be added to this investigation if there is reason to believe they are present and harmful to human or environmental health? Specifically, we are learning more and more about PFAS and its presence at the facility.

Response: Yes, additional contaminants can be added. Ecology has no information indicating a release of PFAS from the site, although records do indicate treatment and disposal of soil the likely contained PFAS as the landfill. Ecology has been in communication with YHD regarding the potential for PFAS at the site and has recommended the addition of PFAS to routine monitoring efforts at the site. Based on these communications, Ecology understands that YHD will require DTG to include PFAS analysis for samples collected from all existing and proposed wells at the site. This includes six recently proposed monitoring wells in addition to wells required by the Agreed Order. Therefore, Ecology does not intend to add PFAS to this Agreed Order at this time. However, please note that the Agreed Order can be amended if needed to include PFAS as new data is evaluated.

What are the consequences to the PLP if they do not notify Ecology of any change in condition for the chemical contaminants? DTG has not always been prompt about sharing information with the regulators. For example, it took them several weeks to share the Freestone Air and Soil Gas sampling report, and when they did share, the report had been altered.

Response: If the PLP fails to proceed with the work required by the Agreed Order, Ecology may initiate enforcement actions. Enforcement is discussed in Section 10 of the Agreed Order.

7.3.2 Will the list of "required tasks" be made public? I would like to know what these tasks are. Is this described in the Work Plan document?

Response: Required tasks will be outlined in the Work Plan, which will be made public as soon as it has been finalized.

7.7 This section deals with remedial actions, and stipulates DTG can only perform remedial actions approved by Ecology. Is putting more cover soil on the cracks where the harmful gases are venting an approved remedial action? I understand that covering the cracks reduces the odor, but it also may push the gases into the groundwater, and Ecology has expressed this same concern.

Response: Ecology does not consider placing additional cover over surface cracks to be a remedial action. However, placing cover over a wider area would be considered a remedial action and would require Ecology's approval.

8.4 Access - It is entirely plausible that the harmful fumes coming from the landfill are impacted by the landfill fire. Friends of Rocky Top obtained thermal imaging data suggesting that the landfill fire (or at least the heat from underground) has migrated onto two neighboring properties. If remedial action is necessary to deal with this fire on their property, will DTG ensure that native habitat is restored if this vegetation ends up being harmed as part of a remediation effort?

Response: Ecology, YHD, and DTG have confirmed that a subsurface fire is present in the waste in the area of investigation. At this time, Ecology believes the fire to be located generally in the vicinity of the Agreed Order's area of investigation and not at or beyond the property boundary. Ecology has reviewed the thermal imaging report commissioned by the Friends of Rocky Top (FORT) and does not consider the report to be conclusive with regard to excess subsurface heat outside the landfill boundary. The overflights commissioned by FORT were conducted on sunny days at midday and Ecology believes there is significant solar radiation interference in the dataset. At this time, Ecology does not expect any fire-related mitigation activities to extend beyond DTG's property boundary. However, if work does need to cross the property line, DTG will be required to restore any areas affected.

Exhibit B – Scope of Work, C. Sampling and Analysis Plan

I found it unfortunate, but perhaps understandable, that the public was only given the opportunity to comment on the Agreed Order, and not the Work Plan. The Agreed Order provides the big picture for this project, but as they say, 'the devil is in the details,' and the details are in the Work Plan. That said, I was fortunate to obtain a copy of the "Landfill Fire and Emission Assessment Work Plan – Revised," dated March 10 2023, put together for DTG by Michael Brady of Parametrix.

In the section on Ambient Air Monitoring, I would urge Ecology to require the ambient air monitoring be conducted in the early morning (sunrise) and late evening (sunset). This is usually when neighbors find the odors to be most noticeable. It took almost two years of complaining to the Yakima Health District before a regulator agreed to come out to look for odor outside of business hours. If the ambient air monitoring is done in the middle of the day, I think those results would be worthless. James Rivard has mentioned landfills have a tendency to sort of inhale and exhale. Ecology needs to time the ambient air monitoring when the landfill is exhaling.

In this instance, I am sure landfill neighbors will not object if DTG personnel and local regulators need to be onsite outside of normal operating hours, especially if the schedule is made public on the Ecology website.

Response: Thank you for your comment. Ecology has observed an apparent pattern in the odor complaints from the community around the landfill, with most odors being reported in the morning or early evening. Ecology will require ambient air monitoring to include recurring sampling in the early morning and evening.

Comment 32 – Anonymous:

This in response to the ongoing issues at Anderson/DTG and Caton LPLs.

You can save yourselves, and taxpayers, a lot of time and money, replace Anderson/DTG with Caton LPL and you can apply everything to both sites for two Agreed Orders. This is due to years of noncompliance, zero rigorous oversight and attention from Yakima County officials.

The community eyes are now open, the responsibility is in your hands to make this right and prevent anymore issues from occurring.

1. *Liners MUST be installed. What does that look like? How does that impact the current cells at both sites? Won't disrupting the layers of waste create a volatile situation? Testing should be done prior to disturbing cell contents to see what has been taken illegally and decomposition is taking place.*

Response: The YHD has required all expansion areas to be lined. DTG is currently developing plans for a lined landfill cell to be constructed to the south of the current landfill. Disturbing the waste has the potential to temporarily increase emissions, so extensive testing will be conducted prior to developing a plan to address the source of the emissions. The goal will be to resolve the emissions in a safe and efficient manner.

2. Adequate well/groundwater must be tested with more testing wells installed. Testing should take place multiple times per year. More wells MUST be installed.

Response: YHD has recently approved a proposal by DTG to add six monitoring wells in addition to wells required by the Agreed Order. Each of these wells will be sampled on a quarterly basis.

PLEASE make necessary changes ASAP to save the environment from further destruction.

STOP out of county dumping, Yakima County LPLs are taking unchecked loads of hazardous matter. DTG is more than likely bringing material from their other sites to dump at Anderson/DTG in our county that cannot be accepted on the other side of our State. Do they have more onsite supervision of regulators on the westside?

There is now NO excuse for further contamination to take place in Yakima County with what we ALL know now.

Loads have decreased at DTG, but they have INCREASED at Caton LPL. This should be investigated ASAP.

Response: Thank you for your comment. Regulatory oversight of landfill operation and waste screening are beyond the scope of this Agreed Order. Your concerns are being forwarded to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Comment 33 – William Norris:

Anderson Landfill along with Caton Landfill are both suspected of accepting prohibited materials. Relying on them to self police is absolutely wrong. At least at the county landfill you have people that enforce the rules.

You have to ask yourself, how can Canadian waste company truck waste from B.C to Naches if it is only "WOOD WASTE", Your department needs to protect the public and require a third party inspector on site for all deliveries due to the documented violations both landfills have had. Its public record.

When I am building a building I have to have ongoing inspections to ensure I follow the requirements. Why are private landfills any different . Why doesn't the county or state just trust me to say I am doing it the right way. I have to pay inspection fees from the county or a third party and they should have the same requirement.

Sincerely William Morris

Response: Thank you for your comment. Regulatory oversight of landfill operation and waste screening are beyond the scope of this Agreed Order. Your concerns are being forwarded to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Comment 34 – Carolyn Beams:

DTG to do the complete investigation sounds like a terrible idea. The Dept of Ecology should be investigating along with DTG to correct these problems. As a land owner with a well for our household nearby, my concern now is whether or not the groundwater has been contaminated as a result of someone's negligence. This needs to be addressed as well.

Response: DTG will not be left to conduct any investigation without rigorous oversight by Ecology. All data collected during the investigation will meet stringent documentation and data quality requirements which will be verified by Ecology. This is standard practice for environmental investigations and is within the MTCA framework. Ecology shares your concerns regarding the risk of groundwater contamination. One of the primary goals of the Agreed Order is to determine whether or not groundwater is impacted.

Comment 35 – Anonymous:

I sincerely hope this invitation to share our input on this matter is not just a protocol DOE has to follow and our input is actually not going to be considered.

Can you tell I am a little jaded?

This has happened recently with Yakima County and their open input on their Waste Management Plan, only to be informed that due to inadequate funding, they are moving forward as planned. Please don't "waste" our time if this is only politically, or procedurally, generated.

Response: Thank you for your comment. Please be assured that Ecology takes community input seriously.

Comment 36 – Joseph Stolle (GeoEngineers, Inc.):

Joseph A. Stolle, PE (MO,KS), Senior Environmental Engineer GeoEngineers, Inc.

I reviewed the Agreed Order (AO) No. DE 21624 which is intended to provide for remedial action at the DTG/Anderson limited purpose landfill in Yakima, Washington. After reviewing the Agreed Order, the following comments were submitted to the State Department of Ecology website on behalf of Carole DeGrave and Friends of Rocky Top (FORT).

The sampling completed in December of 2021 and January of 2022, and documented in the February 17, 2022 Freestone Environmental Services report, confirms the existence significant quantities of toxic air pollutants (TAPs) within the Landfill Gas (LFG) at the DTG/Anderson limited purpose landfill. This sampling data was included as a Finding of Fact under Paragraph 5.C of the Agreed Order. Washington Administrative Code (WAC) 173-460-070 requires that new, or modified sources must complete a source impact analysis to demonstrate that the increase in emissions of toxic air pollutants from the new or modified emission units at the source are sufficiently low to protect human health and safety from potential carcinogenic and/or other toxic effects.

The results of the source impact analysis must be compared to the acceptable source impact levels provided in WAC 173-460-150. The acceptable source impact levels are much lower than the model toxics control act (MTCA) cleanup levels provided for comparison to the ambient sampling measurements contained in the February 17, 2022 Freestone Environmental Services report and also referenced in Paragraph 5 of the Agreed Order.

New and modified sources that are currently active and operating are held to a higher standard than cleanup activities at contaminated sites. An ambient impact analysis must be completed to ensure that human health and safety is protected from the carcinogenic and toxic effects of the pollutants within the landfill gases. The ambient impact analysis for toxic air pollutants is necessary and required by the regulations.

Response: Thank you for your comment. Regulatory oversight of routine air emissions from the landfill and source impact levels regulated under WAC 173-460-070 are the responsibility of the Yakima Regional Clean Air Authority (YRCAA) and is beyond the scope of the Agreed Order. Your concerns are being forwarded to the YRCAA.

Comment 37 – Eric Anderson:

Thank you for this opportunity to submit the following comments!

1. DTG should not be policing themselves in this matter. Dept of Ecology & The Dept of Health must be integrally involved with the monitoring & policing of all DTG activities at the landfill. Especially necessary now that there have been violations.

Response: DTG will not be left to conduct any investigation without rigorous oversight by Ecology. All data collected during the investigation will meet stringent documentation and data quality requirements which will be verified by Ecology. This is standard practice for environmental investigations and is within the MTCA framework.

2. Continued dumping at the landfill should cease until this matter is corrected. For any dumping to continue it needs to be under a new permit, with an installed liner for future dumping and adequate monitoring / policing per #1 above.

Response: The YHD has required all expansion areas to be lined. DTG is currently developing plans for a lined landfill cell to be constructed to the south of the current landfill.

Regulatory oversight of landfill operation and waste screening are beyond the scope of this Agreed Order. Your concerns are being forwarded to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

3. We should not be accepting out of county, or out of state waste at this site.

Response: Waste flow into and out of the county is beyond the scope of the Agreed Order. Ecology does not have any jurisdiction to regulate waste flow between counties.

4. Comprehensive ground water & air pollution monitoring needs to be incorporated into any future plans.

Response: YHD has recently approved a proposal by DTG to add six monitoring wells in addition to wells required by the Agreed Order. Each of these wells will be sampled on a quarterly basis. Modifications to the facility's ongoing air monitoring program will be informed by the data collected under the Agreed Order.

5. Is this just a dumping site or is there any recycling occurring? It sounds like it is a dump site for all kinds of waste! The regulatory agencies need to be stringently monitoring DTG activities!

Response: There are three permitted solid waste facilities on DTG's Rocky Top property. There is a petroleum contaminated soils treatment area to the east of the landfill, a material recovery facility (MRF) to the southwest of the landfill, and the landfill. Each of these facilities has its own permit. The only facility that is involved in recycling is the MRF. The majority of waste that enters the landfill does not pass through the MRF. Regulatory oversight of landfill and MRF operations is beyond the scope of this Agreed Order. Your concerns are being forwarded to the Yakima Health District (YHD) who is responsible for enforcing compliance with the solid waste permits.

6. The public needs to be kept informed and involved with any future "Work Plan" associated with this Agreed Order.

Response: Ecology will regularly update the site cleanup webpage (<https://apps.ecology.wa.gov/cleanupsearch/site/11537#site-documents>) as additional information is gathered and documents are produced. Ecology also maintains a blog where new information is periodically posted (<https://ecology.wa.gov/Blog/Search?category=1>).

7. Although this site is called the Anderson Landfill (previous owner), it should be made very clear that the site is now under the ownership of Macquarie Asset Management and that they could all be listed as potentially liable parties. New permits should be reissued with the requirement that any future operation areas or expansions require a substantial lining to prevent the leaching of contaminants into the soil and ground water.

Response: Based on the information available to Ecology, Macquarie owns DTG. However, DTG is a legally distinct entity and has accepted its status as a Potential Liable Person responsible for cleanup under the Agreed Order. DTG has the right under MTCA to identify additional PLPs who may be financially liable for cleanup but has not yet exercised that right.

The YHD has required all expansion areas to be lined. DTG is currently developing plans for a lined landfill cell to be constructed to the south of the current landfill.

Comment 38 – Scott Cave (FORT):

The following comments were submitted (copy & pasted) to the State Department of Ecology website on behalf of Carole DeGrave and Friends of Rocky Top (FORT), a CascadiaNOW! sponsored project, regarding the Agreed Order between Ecology and DTG/Anderson limited purpose landfill, 41 Rocky Top Road, Yakima, WA.

The background information on the DTG/Anderson site in the Agreed Order begins in 1997, yet disposal at Rocky Top is known to have occurred a decade earlier. To understand the scope of actual potential contamination threat from this location, the background section needs to be revised to reflect the site's complete disposal history.

Note: The Macquarie Asset Management purchase of all of DTG's assets, announced Dec. 1, 2022, requires acknowledgement in the AO and in all future documents. In these comments, for brevity and convenience, the term Anderson Site refers to all facilities and operations on Rocky Top owned and operated today by Macquarie/DTG.

Response: Based on the information available to Ecology, Macquarie owns DTG. However, DTG is a legally distinct entity and has accepted its status as a Potential Liable Person responsible for cleanup under the Agreed Order. DTG has the right under MTCA to identify additional PLPs who may be financially liable for cleanup but has not yet exercised that right.

Anderson Site History

A special property use permit was issued July 18, 1983, to Ron Anderson for surface mining permit (SPU-27-1983; Permit #675) for 10 acres, with expiration set for December 31, 2003.

A second special use permit was issued in 1987, allowing establishment of an asphalt plant and increasing the amount of material allowed to be mined (SPU-21-87; Permit #906).

In 1988, the Yakima Health District permitted disposal of demolition waste in the Anderson Site unlined surface mining pits located near the intersection of Summitview Rd and Rocky Top Road, as evidenced by multiple sources including:

a. Yakima County code enforcement officer complaints reporting demolition pit fires in July 1989 (see Swackhammer ERTS complaints),

b. Yakima County Planning Department approval of Anderson's Sanitary Landfill to Process Contaminated Soil (SPU-41-91), 4. Current Zoning and Use which states: There are three quarries operated by the applicant in the vicinity, and two additional quarries operated by others to east across Summitview Road. The applicant's pit located at the northwest corner of Summitview and Rocky Top Roads is being refilled with waste materials from the demolition of buildings. A solid waste permit was issued by the Yakima Health District for this purpose.

And under 5. Project Description Soil contaminated by petroleum products is brought to the site for treatment, where it is spread, aerated, and retested until it meets state clean-up standards for "problem wastes". The soils are then either used as a cover for the existing construction waste disposal pit on the site or crushed on site for use in making asphalt.

This site has been licensed since 1989 by the Washington State Dept. of Ecology. Originally DOE controlled operation of the site because the regulatory framework had not yet been established as to how to deal with this new activity. Now DOE is transferring control with respect to permitting the land use to the local jurisdiction, being Yakima County in this instance, and is also remanding control to the Yakima Health District with respect to monitoring the operation and issuing a solid waste permit. Accordingly, this permit is simply to replace the current regulatory framework.

Anderson Rock & Demolition Pits, Sanitary Landfill to Process Contaminated Soil Yakima County Special Permit Use SPU-41-91, Zoning Adjustor's Decision, Sept. 12, 1991.

As described above, the unlined demolition pits were originally "licensed" by Ecology and receiving waste in 1988, with permit authority transferred to Yakima

Health District that year. In 1991, the demolition pits were permitted to be covered with remediated PCS.

What makes the unlined demolition pits a growing concern is the fact that material disposed was marginally regulated and routinely reported on fire, requiring dousing with water and their proximity to Cowiche Creek. Putting landfill fires out with water increases the potential to drive contaminants into the subsurface and groundwater resources. The burned material may have included tires, which along with roadway tire dust, can leach a toxic chemical; 6PPD-quinone. According to Ecology, tires release this toxin that ends up in roadway dust, and via water, can enter stormwater systems, drainage areas, groundwater, and sources that feed creeks and streams (see Attachment #1 Ecology news release, Saving Washington's salmon from toxic tire dust, January 25, 2023).

As regulator's are aware, no groundwater monitoring wells were ever required or established for the pits which are closer to Cowiche Creek than the LPL MTCA site or the PCS facility. In recent years the Yakama Nation have re-introduced salmon into this stretch of the river.

In 1991 the County approved Anderson's unlined Petroleum Contaminated Soil (PCS) remediation facility that accepted contaminated soils from all over the state, including Puget Sound and the Yakima Training Center (YTC). As Ecology recently disclosed in a letter to the Yakima Health District, this included 743 cubic yards of PFAS contaminated soil in 2004 for remediation and landfill use and/or disposal (see Attachment #2, Rivard letter to YHD, Jan 19, 2023).

Consequently, the unlined demolition pits at/near the current office, and the unlined PCS remediation site have never been included in the Anderson Site groundwater monitoring system, which started in 2006 with two wells completed in separate water bearing zones. A third monitoring well was completed in a separate, third water bearing zone in July 2022. Drilling was halted in a fourth monitoring well by DTG because of 'budget' concerns, ending the company's field investigation and further delaying their chances to provide a plan that meets the requirements of WAC 173-350-500.

Facility regulators and the public should be aware that it was at this same time - July 2022 - that DTG was negotiating its acquisition by Macquarie Asset Management for all of the company's assets, including a landfill on fire and emanating toxic fumes, that would shortly be forced into the Model Toxic Control Act cleanup program.

Response: Thank you for your comments. This historic information you have provided is useful to understand the historic operations at the site. However, the Agreed Order is not intended to be a definitive resource on the site's history. The Findings of Fact within the Agreed

Order are only meant to demonstrate that Ecology has enough evidence to deem that there has been a release of hazardous compounds at the site and that a Potentially Liable Person (PLP) can be identified. DTG is the current owner and operator of the facility and has accepted Ecology's determination that it is a PLP and has been cooperative in this matter. DTG has the right to provide Ecology evidence that additional parties should be named as PLPs but has not yet exercised that right.

It should be recognized that five months prior the company claimed to Rivard and landfill regulators that it was "eager to develop a concrete action plan to work with Yakima Health to address the points in your February 11, 2022 letter" (see Attachment #3, John Martin email to James Rivard, re DTG Yakima LPL - Virtual Review Meeting, February 15, 2022 9:40:18 AM and Attachment #4 James Rivard letter to Shawn Magee, YHD, re DTG LPL New Cell Development - Hydrogeology Comments, February 11, 2022 letter).

Rivard's letter lays bare the wholly inadequate site characterization and groundwater interpretations, and that the existing monitoring network does not meet WAC 173-350-500 requirements, and recommends DTG conduct additional field work, including drilling multiple wells. While Martin committed to regulators that his company was eager to do just that, the reality is DTG was more committed to delay this work until now, Spring 2023, three months before a June 30, 2023 deadline to meet the regulator's concerns for landfill permit approval, per the YHD's letter to DTG outlining required tasks, and schedule for product development, March 24, 2022.

In July 2022 DTG ends their "concrete action plan" after drilling one well (50 feet) and stopping drilling of a second well due to budget implications. By not conducting the required field investigation DTG ignored regulator's timetable and requirements for field data it appears because of the potential revenue implications during negotiations with Macquarie. The company delayed drilling and field work until a timely and stern reprimand from the YHD (see Attachment #5, Steven Newchurch letter to John Martin, Additional Hydrogeologic Investigative Requirements for DTG LPL Permit Renewal and Southern Expansion, February 27, 2023).

The point is, the record is clear; it was 13 months after Martin told regulators the company was "eager to develop a concrete action plan" to address Ecology's list of hydrogeology concerns that the company actually provides regulators with a reasonable plan to do so that is only now being implemented.

Response: YHD has recently approved a proposal by DTG to complete a hydrogeologic investigation that includes the addition of six new monitoring wells in addition to wells required by the Agreed Order.

The Anderson Site history of unlined, unmonitored disposal operations married with operational mismanagement and a 300% increase in disposal under DTG's three-year ownership that generated hundreds of complaints and confirmed multiple facility violations (see ERTS Anderson Site complaints record, and YHD Quarterly Inspection reports; 2020-2023) complicate regulator's ability to understand the web of contributing factors to detection of groundwater contamination at this location.

Consequently, the background information should be revised to include the contamination threat posed by the multiple permitted facilities because of their known, or suspected potential to contribute to Anderson Site groundwater contamination, including:

- 1) unlined & unmonitored petroleum contaminated soil (PCS) remediation site,*
- 2) PFAS/PCS threat to groundwater not included,*
- 3) unlined demolition waste pits (and subsequent fires),*
- 4) unlined Material Recovery Facility (MRF) operating on unlined landfill working face,*
- 5) disposal of gypsum and gypsum by-products, and*
- 6) suspected disposal in the unlined surface mining area*

Combined, these multiple factors (discussed individually below) suggest a broader, more significant, and complicated threat to local drinking water supplies than represented in the limited scope of the initial MTCA investigation. An argument can be made that multiple unlined, overlapping disposal operations where remediated PCS is allowed for use and disposal throughout the facility raises complex and challenging questions for determining a specific source for detected contaminants.

Response: Thank you for your comments. The concerns you have outlined above can be broadly categorized as falling within facility permitting and operations. The Agreed Order is a mechanism which falls under the regulatory authority of MTCA. MTCA does not grant Ecology the authority to strip the YHD of its jurisdiction over the facility's permitting and operations as granted by WAC 173-350. Ecology has forwarded your concerns regarding permitting and operations to YHD.

How will regulators parse which facility and flow path detected sources of contamination originate? Is a detected contaminant the by-product of: a fire at one of the demolition pits that were doused with water?

Or from the MRF operating at the working face without a liner?

Or from the PFAS contaminated PCS soils from the Yakima Training Center disposed and spread around the site in 2004-06?

Or from other soils stored at the PCS site which may or may not have been contaminated, but which were moved to other parts of the facility in fall and winter of 2022/23?

Or maybe the contaminant's chemistry reflects the Elliot Bay seawall dredge spoils remediated and disposed, beginning in 2015?

Would the detection be from the PCS site or the LPL MTCA footprint?

How can the public have confidence in the ability of this company or regulators to determine the source of detected contamination when there are many known potential sources that could be, either alone or combined, responsible for the detection?

Response: Thank you for your comments. Ecology acknowledges that there are multiple potential sources of contamination that may be present across the broader facility in addition to the area targeted in the Agreed Order. However, based on the information currently available to Ecology, these additional potential sources are more appropriately handled through routine monitoring and Ecology is working closely with YHD to ensure that the necessary monitoring networks are developed.

As MTCA allows, the information generated during the investigation is added and if required, the scope can be reconsidered to reflect the new information and understanding of site conditions. While we understand why the initial MTCA footprint is limited, we think that the extent of contamination likely at this location makes it inevitable that regulators will be forced to require a broader investigation that includes all of these known potential sources of contamination and expanding the MTCA footprint accordingly.

Response: Thank you for your comment. Ecology will use data collected at the site to modify the scope of the Agreed Order as necessary.

Comments on each contamination source that should be included in the MTCA investigation:

- 1) Unlined and unmonitored PCS site
The 1990-91 Anderson PCS permit application proposed three - or more - monitoring wells. While the County approval required three (3) groundwater monitoring wells, to date, facility regulators have not required any groundwater monitoring wells for this unlined facility that has been in operation for over 30 years.*

Response: Thank you for your comment. The concern you have outlined above can be broadly categorized as falling within facility permitting and operations. The Agreed Order is a mechanism which falls under the regulatory authority of MTCA. MTCA does not grant Ecology the authority to strip the YHD of its jurisdiction over the facility's permitting and operations as granted by WAC 173-350. Ecology has forwarded your concerns regarding permitting and operations to YHD.

2) *PCS and PFAS threat to groundwater not included*

It was recently reported that a U.S. EPA survey of 200 municipal solid waste (MSW) landfills found PFAS in the leachate of 95% of them. Landfills and material recovery facilities (MRFs) are known "passive receivers" of PFAS- containing items. DTG has transferred material to Rocky Top for many years, primarily from MRFs in Puget Sound. Building materials permitted for disposal at Rocky Top have likely contained PFAS. DTG ramped up acquisition of Puget Sound MRFs from late 2020 to early 2023 (15 companies, multiple locations, transfer vehicles, collection containers, etc.) that allowed them to substantially increase waste flow to Yakima in 2021 and 2022. Consequently, it could be that PFAS contaminated materials and soils have been remediated, used and/or disposed on Rocky Top from demolition pits in the late 1980s, the permitted 1997 Demolition Waste landfill, and permitted LPLs in 2007 & 2015 (historical fill area).

This doesn't include the area YHD allowed DTG to fill just south of the historical fill, where DTG excavated the Vantage Interbed to gain airspace and eliminated the approved natural soil liner. This area has likely received over 500,000 cy of PFAS contaminated waste, covered by PCS soil that may or may not have been remediated.

Consequently, it is challenging to ascertain the PFAS threat and potential risk of future groundwater contamination at this location without new air and water quality data and continue technical review of site records. Why are PFAS called 'forever chemicals'? According to the Academy of Sciences:

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are a class of chemicals that includes more than 12,000 different compounds with various chemical properties. PFAS are commonly used in thousands of products, from nonstick cookware to firefighting foams and protective gear, because they have desirable chemical properties that impart oil and water repellency, friction reduction, and temperature resistance. PFAS as a class have a wide variety of distinct chemical properties and toxicities; for example, some PFAS can bioaccumulate and persist in the human body and the environment, while others transform relatively quickly. The PFAS

that do transform, however, will become one or more other PFAS because the carbon-fluorine bond they contain does not break naturally. It is for this reason that PFAS are termed "forever chemicals." Summary, National Academy of Sciences, 2022 Guidance on PFAS Exposure, Testing, and Clinical Follow-Up

Response: Ecology has no information indicating a release of PFAS from the site, although records do indicate treatment and disposal of soil that likely contained PFAS at the landfill. Ecology has been in communication with YHD regarding the potential for PFAS at the site and has recommended the addition of PFAS to routine monitoring efforts at the site. Based on these communications, Ecology understands that YHD will require DTG to include PFAS analysis for samples collected from all existing and proposed wells at the site. This includes six recently proposed monitoring wells in addition to wells required by the Agreed Order. Therefore, Ecology does not intend to add PFAS to this Agreed Order at this time. However, please note that the Agreed Order can be amended if needed to include PFAS as new data is evaluated.

3) Demolition Pits and recorded fires threat to groundwater not included

This long history of PCS and demolition, now construction waste that likely contain PFAS contaminated materials and soils remediated and used and/or disposed on Rocky Top at demolition pits in the late 1980s, in the permitted 1997 Demolition Waste landfill, and the permitted LPLs in 2007 & 2015 (including historical fill area).

Lastly, because the YHD allowed DTG to place waste south of the historical fill, where DTG excavated the Vantage Interbed to gain airspace and eliminated the YHD approved natural soil liner that protected groundwater from landfill leachate. This unlined area has likely received over 500,000 cy of material in 2022, including PFAS contaminated materials covered by PCS soil that may or may not have been remediated. Consequently, it will be challenging for regulators to ascertain the source of the two identified contaminants (Polycyclic Aromatic Hydrocarbons and Benzene) and suspected PCS contamination without expanding the site investigation to account for the existing potential sources of contamination: the demolition pits, PCS site and mining area.

4) MRF threat to groundwater not included

In addition, the background should include the permitted material recovery facility (MRF) operations because they were allowed to operate on the unlined landfill working face (not an impervious surface as standard) including in the MTCA area under investigation.

The MRF continues to operate on the unlined cell south of the historical cell, not an impervious surface, that constitutes an increased risk because

DTG excavated portions of the approved natural soil layer (Vantage Interbed), likely creating more direct pathways for contamination to reach local groundwater (drinking water supply) and nearby Cowiche Creek.

Response: Thank you for your comments. Ecology does not consider the MRF to be within the scope of this Agreed Order at this time. The issues you have raised can generally be categorized as compliance with the minimum functional standards for MRFs as set forth in WAC 173-350-210. Ecology shares your concerns over compliance with WAC 173-350-210 and has forwarded your comments to the YHD who is responsible for enforcing compliance with these regulations.

5) Disposal of gypsum and gypsum by-products

In recent years, disposal of drywall and gypsum in landfills has been banned in Canada and municipalities across our nation due to the highly toxic hydrogen sulfide gas that is generated from the combination of drywall waste (gypsum), organic material, and a landfill's anerobic (air free) environment.

Shortly after acquiring the Anderson operations, DTG began importing significant volumes of "drywall backing paper" from Canada, reporting 19,394 cy in 2020, and 164,400 cy in 2021. Neighbors provided regulators with photos of this material spread like a blanket across the LPL in 2021. As DTG acknowledges, in 2021, YHD received odor complaints and observed visual vapor plumes emanating from fissures within the landfill. The amount of gypsum disposed at this facility is far greater than the Canada waste stream, as new information has recently surfaced drawing regulatory scrutiny in Puget Sound regarding DTG's MRF operations, including suspect gypsum recycling and likely disposal in Yakima. The new information comes from a DTG whistleblower and leading gypsum industry recycler.

Response: Hydrogen sulfide is a component of landfill gas is virtually all landfills, particularly those that accept construction and demolition debris. Hydrogen sulfide will be monitored in gas as part of the Agreed Order. Ecology has also recommended that YHD include hydrogen sulfide in routine gas monitoring under the landfill operating permit.

6) Suspected disposal in the unlined surface mining area

In addition, suspected disposal in pre-dug holes in the mining area between 9:00 pm and 10:00 pm on April 15 & 16, 2020 was observed by multiple neighbors, and reported to facility regulators (see Cave ERTS complaint). This unexplained late night disposal deserves further

investigation and should prevent the planned LPL expansion over the top of this suspected disposal area.

Response: Thank you for your comments. Ecology staff and YHD staff conducted a joint site inspection of the facility on May 12, 2020 in response to the above referenced ERTS complaint but were unable to identify any signs of disposal in the mining area. It should be noted that the suspected dumping allegedly occurred after dark and the complainant did not have a clear line of sight of the activity in question. Therefore, it is difficult to identify a precise location or to verify what type of work was being conducted on April 15 and 16, 2020. At this time, Ecology does not intend to expand the investigation under this Agreed Order into the mining area.

Comments on the Draft Cleanup Action Plan will be submitted separately by Joseph Stolle, PE GeoEngineers.

Response: Acknowledged.

Comment 39 – Anonymous:

Yakima County is just getting a taste of the upcoming possible disasters with their limited purpose landfills. ..oh wait! It's already happening! Both landfills have had fires, toxic gases, take a large amount of waste from outside the county or country (2022 from Catons was more than 80% from Canada and who knows about DTG), lack liners, have the potential to dig through the Vantage Interbed Layer that protects our groundwater (need diligent monitoring to guarantee that this isn't happening...oh wait DTG has dug through it and unsure if Caton is being monitored). This is scary! It can't be undone!

Here are some suggestions.

If the LPLs in Yakima County are to remain open, a full time DOE and YHD employee needs to be hired at the LPLs expense to take care of the LPLs. These LPLs are taking up a big chunk of the regulators time. Both private LPLs have had major issues that impact neighbors and the environment. Do something!

Monitoring is key! Regulators need to have many unscheduled visits - at last 8 per quarter. Debris needs to be dug up, examined, and tested for various chemicals, toxics, gases, etc. Vehicle counters and/or cameras connected to a web based log (accessible 24-7 by regulators as needed) need to be installed on each limited purpose landfill to make sure that LPLs are only accepting the amount of waste that is within their SEPA to guarantee accountability. Gates close when they meet their weekly quota. No out of county or country waste should be accepted.

If a LPL is caught lying on a report, fails a water monitoring test, are late submitting required paperwork or testing, have toxic gases or substances...shut them down! ANY OTHER BUSINESS would be...

LPLs in Yakima County need to be closely monitored to be sure that they are accepting debris that is 100% within their SEPA. If not, then they need to lose their permit for a defined amount of time. A picture should be taken of every load and license plate number to upload onto the digital log book that should be accessible 24-7 by regulators (a definite must!). Accountability is a must do!

If gases, toxins, or fires (both underground and above ground) exist, then they also need to be closed for a defined amount of time. Any repeat issues should require being closed for a longer duration until all issues are completely remedied. The current lack of guarantee that all debris is acceptable at the LPLs should be considered a crime against humanity because all the neighbors pay (monetarily, health-wise, and ongoing for the never ending future) and for the lack of monitoring and problems caused by that lack.

All LPLs should have liners and water monitoring from at least 8 wells on site and also 8 various neighboring wells, monthly. The lack of monitoring is the root of all the problems.

Insert head smack...read the newspaper, watch the news, be informed. It is evident that our LPLs should be deemed as criminals for what they are doing to the environment while being given a red carpet by the regulators. Oh yes....you can self regulate....oh yes...you can do self testing at any time of day or year maybe yes or no....oh yes...you can do and accept whatever you want and you will be told when you will be inspected so that you can hide evidence...

Please do something before it's too late...fingers crossed that it isn't.

A Concerned Citizen

Response: Thank you for your comments. Ecology understands your comments to be related to the facility's compliance with its various solid waste permits issued by the YHD. Regulatory oversight of landfill operations is beyond the scope of this Agreed Order. Your concerns are being forwarded to the Yakima Health District (YHD) who is responsible for enforcing compliance with the landfill permit.

Appendix A. Public Meeting Chat Transcript

16:20:38 From Becky Lang-Boyd to Everyone:

Please clarify. Isn't Macquarie the owner of DTG?

16:21:37 From James Rivard to Everyone:

Yes, is the parent company. Liability extends upward beyond operating company (DTG).

16:23:22 From amicus humanis generis to Everyone:

It is early in the process... and, what are Data Quality Objectives (precision, accuracy, representativeness, comparability, completeness are some elements) for achieving a solution?

16:25:55 From amicus humanis generis to Everyone:

..for achieving a solution?

16:27:04 From Jeremy Wuitschick to Everyone:

Forgive me for my ignorance on the subject. Why does the DOE name DTG instead of Macquarie Asset Management (valued at \$14.5 Billion USD) in these documents? According to available information Macquarie completed acquisition of DTG in 2022 and owns them. So why not name Macquarie instead? They actually own it, right?

16:28:29 From Mark Koday DDS THCGME consultant to Everyone:

Why is PFAS contaminated soil from the Firing Range allowed to be dumped at DTG when there are already known MTCA site?

16:29:21 From gs to Everyone:

Is there any evidence of groundwater contamination at this point?

16:30:02 From Nancy Lust to Everyone:

Are the "days" listed in the Exhibit C - schedule calendar days or workdays?

16:31:06 From Blythe Monoian to Everyone:

Will we be given an opportunity to speak rather than type a comment?

16:31:53 From gs to Everyone:

What kind of radius around the landfill would groundwater contamination be an issue?

16:34:12 From James Rivard to Everyone:

That is a difficult question. However, monitoring wells for a landfill are generally close to the facility to provide 1st and early detection of potential issues. That way corrective actions can be taken before an issue grows.

16:36:19 From Eric Anderson to Everyone:

Depending on the data results, etc., can the original permit be revisited to require the area to be lined? As I understandit is currently an unlined landfill that was permitted by the Health Dept.

16:37:37 From amicus humanis generis to Everyone:

What was/is the rationale for closing recreational uses of a trail network (Rocky Top) near the landfill site?

16:38:08 From Scott Cave to Everyone:

8.15.3 Can someone explain the last sentence? I'm confused by the word "but" between "applicable" and "procedurally exempt..."

16:39:58 From James Rivard to Everyone:

To Eric: Difficult to move such a large amount of waste in place. More monitoring wells along northside for early detection and any corrective active to remediate. Long term the existing cell is likely to have a cap to reduce potential impacts.

16:42:38 From gs to Everyone:

Is there defined hours that DTG is prohibited from working the gravel pit?

16:42:40 From Nancy Lust to Everyone:

Is it possible to add PFAS type chemicals to the list of chemicals monitored, given what we are learning about PFAS from the training center and EPA's announcement yesterday lowering the threshold for what level of PFAS is safe? I am concerned about PFAS potentially contaminating the groundwater.

16:44:33 From Brenda to Everyone:

Thank you for this meeting. How much

16:44:47 From Mark Koday DDS THCGME consultant to Everyone:

We have lost faith in the Yakima Health District

16:45:07 From Brenda to Everyone:

...garbage can be dumped here?

16:48:17 From Brenda to Everyone:

Shouldn't neighbors within a mile of DTG be notified of ANYTHING concerning DTG?

16:49:33 From James Rivard to Everyone:

To GS: I don't know operating hours off the top of my head. Maybe 6 AM to 6 PM....? But that is outlined in CUP by county planning department.

16:52:12 From Eric Anderson to Everyone:

Thank you for this opportunity to be heard & to be involved in this issue! Your presentation was very good! As you can see there are many that have major concerns about this! This is a very popular recreation area! Please keep that in the forefront of all your decisions!

16:52:14 From James Rivard to Everyone:

Oh type-o * top of my head.

16:54:25 From Brenda to Everyone:

Shouldn't neighbors within a mile of DTG be notified of ANYTHING concerning DTG?

16:55:08 From James Rivard to Everyone:

Brenda, there isn't a regulatory requirement.

16:55:23 From James Rivard to Everyone:

Maybe we can talk about more with health district.

16:55:33 From James Rivard to Everyone:

If you want.

Appendix B. Scott Cave Comment (March 30, 2023)