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HEALTH DISTRICT

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Environmental Health Division

February 12, 2016

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DEPARTMENT OF ECOLOGY

Georgia Baxter, Chief Executive Officer
JH Baxter & Company
PO Box 5902
San Mateo, CA 94402

Subject: Review of Groundwater Monitoring Plan
Site Name: Baxter North and Baxter South Woodwaste Landfills
Located in Arlington, Washington

Dear Ms. Baxter:

We have reviewed your letter of December 1, 2015, and the attached Groundwater Sampling and Analysis Plan: North and South Woodwaste Landfills Arlington, Washington, along with the two attachments that include a revised sample reduction rationale with statistical testing. These documents addressed the issues in our original response letter of August 28, 2015, and include new rational as statistical evidence, which shows that the current monitoring program can be reduced while still maintaining relevance. Therefore, we support your plan as it moves through the required approval process as described below:

Elimination of certain chemicals from monitoring: Given the statistical evidence you provided, we agree with the list of chemical constituent that are proposed for elimination. According to WAC 173-304-490 (2)(d)(ii) Snohomish Health District can specify fewer constituents for testing in consultation with the Washington State Department of Ecology (DOE). Therefore, we will send this proposal to DOE for their concurrence.

Reduced frequency of testing: You showed that there no significant difference between 1st and 3rd quarter data, and 2nd and 4th quarter data, suggesting that you could just test in 1st and 3rd quarters and get the same information. This seems like a reasonable request, but WAC 173-304 does not specifically say Jurisdictions Health Departments can reduce sample frequency. However, we noted the Addendum to "Preparing for Termination of Post-Closure Activities at Landfills Closed Under Chapter 173-304 WAC" suggests that semi-annual would be acceptable as a minimum. In addition, it was noted that the new solid waste regulation WAC 173-350 also allows semi-annual testing as a minimum. We will consult with DOE if semiannual testing will be allowed without a variance.

Elimination of some monitoring wells: We agree with the rational used to request the elimination of certain wells from the monitoring program. With over seven years of data, it should be clear which monitoring wells are most down-gradient and which wells are most impacted by leachate. For example, BXS-1 had lower mean concentrations of leachate indicator chemical parameters compared to other down-gradient wells. Continuing to sample side-gradient wells appears to be a waste of resources. However, it appears eliminating these wells would require a variance because WAC 173-304 does not specifically say Jurisdictions Health Departments can eliminate wells.

Off-site contamination: In Section 5 (reporting) of the new draft Groundwater Sampling and Analysis Plan, it is stated that a report will be submitted by April 15th 2016, that estimates the extent of arsenic in relationship to neighboring wells. This report must include content that will allow us to address WAC 173-304-490 (2)(j), which requires Jurisdictions Health Departments to consider corrective actions, given the groundwater impacts that have been reported. In our letter of August 28, 2015 we pointed to the elevated arsenic found in the landfill down-gradient wells. Nonetheless, if there are other contaminants of concern that threaten to degrade groundwater quality, they must also be included in this report. If you show corrective action is not warranted, or even feasible, the argument should follow the same reasoning required for a variance from the rules in WAC 173-304-700 (1).

If DOE requires a variance for your proposal, a report will be submitted to Snohomish Health District showing this situation will not endanger public health, safety or the environment and that continued compliance would produce hardship without equal or greater benefits to the public. Once we receive an adequate report we will distribute the information using our SEPA determination process.

If you have any questions about this matter, please contact me at 425.339.8765.

Sincerely,



Mike Young, RS
Environmental Health Specialist

MY:jg

cc. WA State Department of Ecology