



Response to Comments

Agreed Order for

Eastern State Hospital Landfill

Public comment period held Oct. 14 – Nov. 14, 2024

Facility Site ID: 51358721, Cleanup Site ID: 16994

Toxics Cleanup Program

Washington State Department of Ecology
Spokane, Washington

November 2024

Document Information

This document is available on the Washington Department of Ecology's [Eastern State Hospital Landfill cleanup site page](#).¹

Related Information

- Facility site ID: 51358721
- Cleanup site ID: 16994

Contact Information

[Toxics Cleanup Program](#)²

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¹ <https://apps.ecology.wa.gov/cleanupsearch/site/16994>

² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites>

³ <https://ecology.wa.gov/About-us/Accessibility-equity/Accessibility>

Toxics Cleanup in Washington State

Accidental spills of dangerous materials and past business practices have contaminated land and water throughout the state. The Washington Department of Ecology (Ecology) Toxics Cleanup Program (TCP) works to remedy these situations through cleanup actions. TCP cleanup actions range from simple projects requiring removal of a few cubic yards of contaminated soil to large, complex projects requiring engineered solutions.

Contaminated sites in Washington are cleaned up under the [Model Toxics Control Act](#)⁴ (MTCA, Chapter 173-340 Washington Administrative Code [WAC]), 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.

Public Comment Period Summary

Ecology held a comment period October 14 through November 14, 2024, for the Agreed Order and Public Participation Plan for the Eastern State Hospital Landfill cleanup site. The order requires the Washington Department of Social and Health Services (DSHS) to:

- Complete an interim action to delineate and put out an underground fire ignited by the Gray Road Fire.
- Complete a remedial investigation and feasibility study to confirm whether the historic unpermitted landfill has contaminated soil and groundwater and evaluate cleanup options, as needed.

The plan describes how you will be informed and can comment during the cleanup process.

Ecology appreciates the comments we received from three people. We address them in the Response to Comments section that begins on Page 4. After considering the comments, we have finalized the documents without making changes to the drafts.

Site Background

In August 2023, the Gray Road Fire burned in and around the Medical Lake community, including parts of DSHS's Eastern State Hospital and Pine Lodge property and the area of the landfill. After the Gray Road Fire was out, DSHS staff discovered the landfill was burning underground.

Spokane County Fire District 3 attempted to put the fire out with water. After several months of failed attempts, Fire District 3 decided to leave the fire over the winter, hoping it would burn

⁴ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Rules-directing-our-cleanup-work/Model-Toxics-Control-Act>

out in the cooler weather and snow. They reported the fire to Ecology and requested assistance with concerns about air quality and the fire being near West Medical Lake.

In the spring, the fire was still burning despite Fire District 3’s continued efforts. DSHS removed trees, brush, and other ignitable material around the smoldering area.

DSHS put clean soil over the smoldering area. This action has been successful at controlling emissions and reducing the risks posed from open flames.

Fire District 3 continues to monitor the situation. We are working with our Air Quality Program to monitor air quality in the vicinity of the landfill. We are regularly monitoring surface temperatures with a drone. The Agreed Order requires DSHS to put the fire out, fully investigate the contents of the landfill, and take any necessary cleanup actions.

Response to Comments

The comment letters are printed verbatim. Ecology’s responses follow the comments. The letters are in alphabetical order based on the commenter’s last name. The first two comment letters raised similar concerns, so we provided one response to both.

Index of comments received

Everyone who submitted comments is listed in Table 1 in alphabetical order by their last name, followed by the date we received their comments and the page on which their comments are printed as received. Contact information (postal and email addresses and phone numbers) has been omitted.

Table 1. Index of comments received

Name	Organization	Date received	Page
G A	None	October 15	4
Chad Pritchard	None	November 14	5
Kimberly Segura	None	October 15	5

G A, received online October 15

Please stick to timeliness with ESH. The entity has delayed many projects in the past. Many of the buildings at ESH have fallen into disrepair and should be or have been condemned. ESH is good with patients but not construction or environmental cleanup. I live extremely close to ESH and would like to not live next to a burning landfill. If possible, add an independent monitor or agency to assist ESH so leadership takes the issue seriously and remedies it in a timely fashion.

Ecology's response

Thank you for your comment. Ecology has included a legally enforceable schedule in the Agreed Order. We will oversee all work to make sure it is done correctly, completely, and in a timely manner.

Chad Pritchard, received online November 14

Hello, I greatly appreciate that the underground fire was finally smothered with wet clay. I am still very concerned that Ecology and the Clean Air Board considered the smoke to be okay based solely on the particulate (PM) count. I visited the site with CSS folks and there were paint cans, plastic and likely a number of other types of materials that have vinyl chloride or other similar toxic materials. The smoke was toxic, regardless of the PM count. During the peak of burning the City was in an atmospheric inversion which pinned all of these toxins in the air that we breathed. Returning home from a City Council meeting, the entire city stank of burning plastic because the Fire District (who we all love!) had put over 10,000 gallons of water on the fire and forced air deeper into the underground burning dump.

A couple of requests:

- 1) Please do not spray copious amounts of water on the fire when you are cleaning it up, as this can produce runoff and take even more toxic material into West Medical Lake.
- 2) Please have DSHS cleanup all unregulated landfills and dumps on their property so that this doesn't happen again. There is also no need to keep dumps along a fishing lake to potentially continue to leach toxins into the lake.

We appreciate the efforts of CSS and Fire District 3 associated with capping the burning landfill that is in the City of Medical Lake to minimize toxic smoke from inundating the City.

Ecology's response

Thank you for sharing your concerns and requests. All cleanup steps will ensure that any water used to quench burning material will be containerized to protect surface water and groundwater. Ecology shares your concerns about unpermitted landfills and the risk to human health and the environment, and we continue to pursue cleanup at these sites across the state.

Kimberly Segura, received online October 15

Couldn't you use a backhoe or cat to dig up the underground fire to put it out? That seems to be the most logical thing to do is dig it up and run water to put it out.

Ecology's response

Thank you for your suggestion. The Agreed Order requires an immediate cleanup action that includes digging out and extinguishing all areas with elevated temperatures, as you suggest.