



**Responsiveness Summary
for the
Skagit County Port –
Taxiway F Site
Skagit County, Washington**

**Public Comment Period
April 10 – May 11, 2009**

May 18, 2009

**Washington State Department of Ecology
Northwest Regional Office
3190 – 160th Avenue SE
Bellevue, Washington 98008**

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Introduction

A public comment period was held April 10 – May 11, 2009 on the Skagit County Port – Taxiway F Site for the Agreed Order for Remedial Investigation/Feasibility Study. Details of the site and documents are available at the Washington State Department of Ecology (Ecology) website:

http://www.ecy.wa.gov/programs/tcp/sites/skagitCountyPort/skagitCountyPort_hp.html

Ecology received three comments regarding the Agreed Order between Ecology and the Port of Skagit County. The Agreed Order covers conducting a remedial investigation and feasibility study of contamination associated with historic crop-dusting operations at the Skagit Regional Airport.

Linda Bishop Comment

Dear Mr. South,

I am pleased that Ecology and the Port of Skagit County have entered an Agreed Order to conduct a feasibility study regarding the Taxiway F site. However, I do have a non-technical question which you perhaps can answer. Is the crop-dusting company which caused the contamination still in business? If so, is this company legally or financially responsible for sharing the cost of the cleanup? Obviously I believe that polluters should bear some of the financial burden for cleaning up their pollution.

Thank you.

Sincerely,

Linda S. Bishop

rbkarr@juno.com Comment

David L. South, site manager
Department of Ecology
Toxics Cleanup Program

I appreciate the opportunity to comment on the proposed cleanup by the Port of Skagit County at the Skagit Regional Airport.

I am pleased to see that more study is to be done to determine the extent of any contamination that may remain today at this secure, isolated site. It seems that the Port's "ongoing cleanup" has consisted of a set of test holes analyzed shortly after the pesticide applicator moved out nine years ago. Now, according to the Skagit Valley Herald, port personnel are proposing astounding amounts of money in the hundreds of thousands of dollars to study and clean up the approximately one-acre site.

It is my understanding that this is not a toxic waste dump site. There are no PCBs or heavy metals of industrial waste at the site. Any contaminates would most likely be residues of agricultural chemicals washed onto the surface by flushing of parked crop spraying equipment. I have been told that modern agricultural chemicals have been engineered to break down rapidly in the soil when exposed to the elements of sun and weather. Could it be that any perceived problem has already been taken care of by the elements of time over the past nine years?

I am hoping that any action taken in this cleanup effort is based on current, valid data and that any remedy is reasonable for the extent of the problem.

Thank you,

rbkarr@juno.com

Roger E. Pederson Comment

David L. South, Site Manager
Department of Ecology, Northwest Region
Office of Toxics Cleanup Program
3190 160th Ave, S.E.
Bellevue, WA 98009

May 11, 2009

RECEIVED

Re: Alleged Hanger cleanup, Skagit Regional Airport

MAY 12 2009

Dear Mr. South:

DEPT. OF ECOLOGY
TCP-NWRO

The specifics and nature of the allegation and/or need for cleanup of an "old crop-dusting hanger" at Skagit Regional Airport, Skagit County are unknown by this writer: Please appreciate the following comments/*views come from a tractor seat*, by a former Port of Skagit Commissioner, with that proviso.

It is accepted that the DOE is entrusted to protect the public health of our citizens, through "ecology". However, it is difficult for me to understand how legitimate pesticides, etc., legally used in agricultural application are a hazard to public health, and/or the environment; unless they are concentrated, and prompt public harm.

The alleged hazardous site on the Skagit Regional Airport is rather remote, and not frequented by the general public. I believe it is zoned Heavy Industrial. Further, it is understood a relatively small area, and not causing any off-site or down stream drainage issues. In fact, the agricultural spraying operation was sited, *in the first instance.*

It is presumed, the airport taxiway will remain a taxiway, and continue to be industrial. Therefore, unless there is some emergent public health issue, it does not make sense to expend public dollars to excavate and remove the alleged hazardous material to some other site.

It is presumed the toxics, *whatever they may be*, or the levels present, have been and are abating, or otherwise deteriorating "on site", and may in fact so deteriorate "on site" at a greater rate than if relocated.

Intend to keep this short: Is the public health endangered by the level of concentration at Skagit Regional Airport?

Or, as Shakespeare said: Is this "Much ado over nothing" situation?

Edifyingly,



Roger E. Pederson, Citizen
P.O. Box 245, Mount Vernon, WA 98273-0245

360 / 757-4906

Ecology's Response

Ms. Bishop wondered if the crop-dusting companies that caused the contamination were still in business, and if they were legally or financially responsible for sharing the cost of the cleanup.

Mr. Karr was pleased to see more study is to be done, but also noted that nine years had passed and wondered if the problem has been taken care of by the elements of time. The commenter hoped that any action taken in this cleanup effort is based on current, valid data and that any remedy is reasonable for the extent of the problem.

Mr. Pederson had similar concerns about whether the hazardous substance concentrations at the site were naturally declining with time. The commenter indicated it was difficult to understand how legitimate pesticides, legally used in agricultural application are a hazard to public health and the environment unless they are concentrated and prompt public harm. The commenter voiced the opinion that unless there is some emergent public health issue, it does not make sense to expend public dollars to excavate and remove the alleged hazardous material to some other site.

The law governing legal liability is the *Model Toxics Control Act* (Ch. 70.105D RCW). Under this law, companies that caused contamination and current owners of contaminated land are legally liable for cleaning up the contamination. Ecology has broad discretion in deciding which party or parties to work with. In this instance, Ecology and the Port of Skagit County are working collaboratively to address historic contamination at the Airport. Ecology does not plan to pursue additional parties at this time, although we may do so at any time. The law provides that the Port of Skagit County may pursue additional parties if they choose. This is a matter for the Port to consider. In general, one consideration in deciding whether to pursue additional parties is whether those parties have sufficient resources to make a significant contribution to the cleanup effort, and hence whether the expense of engaging other parties may be worthwhile.

Many of the agricultural chemicals of concern at this site are persistent in the environment for long periods of time and are known to endanger human health and the environment if present in sufficient concentrations. The regulation governing investigation and cleanup of hazardous substance, the *Model Toxics Control Act Cleanup Regulation*, (Ch. 173-340 WAC). The regulation prescribes an investigation and cleanup process that ensures the nature and extent of the contamination is thoroughly defined and that cleanup actions provide cost-effective protection of human health and the environment.

The purpose of the investigations being undertaken are to answer the questions raised by the second and third commenter's. The site under investigation was an area where pesticides were delivered, stored, and loaded into aircraft. These are the sort of activities that leads to the accumulation of pesticides. Pesticide concentrations measured at the site to date show pesticides are present in excess of safe levels. This endangers human health

and the environment. The investigations will evaluate the extent of this endangerment and assess the best means of addressing the conditions found.

Should you have any questions, please contact me at 425-649-7200 or dsou461@ecy.wa.gov