



Responsiveness Summary

Marshall Landfill

CSID No. 1022

FSID No. 648

February 23 – March 25, 2015 Public Comment Period

Remedial Investigation and Feasibility Study Work Plan

Sampling and Analysis Plan

Public Participation Plan

**Prepared by
Washington State Department of Ecology
Eastern Regional Office
Toxics Cleanup Program
Spokane, WA**

March 24, 2015

The Washington Department of Ecology (Ecology) held a 30-day public comment period from February 23 through March 25, 2015 for the Marshall Landfill proposed Remedial Investigation and Feasibility Study Work Plan, Sampling and Analysis Plan, and Public Participation Plan. Ecology would like to thank all those who provided comments.

The Site is owned by Marshall Landfill, Inc (MLI). Due to a lack of available funding from MLI, Ecology is performing the Remedial Investigation/Feasibility (RI/FS) study at this site. The purpose of the RI is to identify the nature and extent of contamination in soil and groundwater and their impacts. The FS will identify and evaluate cleanup options.

The purpose of this Responsiveness Summary is to provide Ecology's responses to comments submitted by the public during the public comment period.

Based on the comment received, no changes will be required to the draft Interim Action Work Plan, Sampling and Analysis Plan, or Public Participation Plan.

The Responsiveness Summary is organized as follows:

- Comment from Doug Ladwig
- Response to comment
- Comments from MW Smith, representing the Southwest Community Coalition
- Responses to comments

Comment from Doug Ladwig on (received via telephone, February 24, 2015):

February 24, 2015

Telephone conversation with Mr. Ladwig:

I noticed that in the work plan, the investigation stops at the property line of the Spokane County Landfill. Why isn't the RI investigating on the Spokane County Landfill property?

Responses to comment:

There has not been evidence to date that suggests the former Spokane County Landfill has contributed to groundwater contamination. The Remedial Investigation will install soil-gas boreholes and groundwater monitoring wells adjacent to the boundary between the former Spokane County Landfill and the Marshall Landfill. The information from these monitoring points will be evaluated to assess whether the Spokane County Landfill is a source of contamination. If the data suggest contamination is sourced from the Spokane County Landfill, the Remedial Investigation may be expanded to include this area.

Comments from MW Smith, representing the Southwest Community Coalition on (received via letter, March 26, 2015), numbered below:

RECEIVED

MAR 26 2015

**Department of Ecology
Eastern Washington Office**

Southwest County Coalition

P.O. Box 128
Marshall, Washington 99020
Phone: (509) 999-8513
patience5907@hotmail.com

▶ **Marshall Landfill Site**

- **Work Plan and Public Participation Plan**
- **Remedial Investigation and proposed Feasibility Study.**

RE: Marshall Landfill Site

Washington State Department of Ecology
4601 North Monroe
Spokane, Washington 99205-1295

To whom it may concern,

Thank you for the opportunity to submit comments regarding the Marshall Landfill Site including:

The Southwest County Coalition (SWCC) is a diverse alliance of Spokane County families and individuals organized to address public concern. SWCC is committed to bringing to light the concerns of our Southwest County neighbors, family, and friends when the actions, or inaction, of public or private sector individuals adversely affect county residences.

OVERVIEW

History

The history of federal, state, and local government in and around the greater Marshall Community is abysmal at best. Public concern is routinely ignored as business and economic development is given precedence over the health, safety, and welfare of local citizens. Local residences have experienced a decline in quality of life in a few short decades overseen by agencies that fail to communicate one with another, allowing environmental degradation to continue virtually unchecked due to government compartmentalization. The bigger picture often ignored in favor of the much simpler "treat the symptom" approach. The cumulative environmental degradation and erosion of our quality of life experienced by local residents has been accomplished under the watchfulness of public officials

burdened with the responsibility to protect our local community. SWCC views the Washington State Department of Ecology as one of the worst offenders.¹

#1

While most of the community is simply glad for once that something may be done concerning The Marshall Landfill Site, SWCC will take a wait and see approach. The issues DOE recently elaborated on concerning the Marshall Landfill Site were brought up "twenty five" years ago. Nothing was said at the recent public meeting that was not revealed previously, then simply ignored by responsible government officials. Given SWCC and the local community's prior experience with DOE is this just another scheme to allow contaminants to continue leaching into the groundwater, jeopardizing the health and safety of the community?

#2

The Marshall Landfill Site was previously ranked 4 on a Hazardous Sites List then subsequently ignored. Even more disconcerting was learning groundwater monitoring of the Marshall Landfill prepared for the Spokane Regional Health District may have been flawed, virtually useless as a result of damaged or inoperable monitoring wells – another agency just going through the motions, "appearing" to be doing something positive for the community.

COMMENTS

Interagency Communication

#3

As stated in the overview interagency cooperation and communication should be of paramount concern. Just as the public requires accurate and truthful information, "every" government agency and responsible public official needs accurate and truthful information to assure "good" decisions are made with regard to the Greater Marshall Community. The SWCC firmly believes the local community is being injured by poor decisions hastily made by responsible public officials as result of poor communications, including interdepartmental communications within DOE. The SWCC desires that "everyone" be sent information regarding DOE's findings and proposals to mitigate potential adverse environmental effects now and in the foreseeable future at the Marshall Landfill Site.

#4

At least two other dumps appear to be in the near vicinity, The Former Spokane County Landfill and Queen Lucas Lake that was used by the City of Cheney to dispose of virtually untreated sewage effluent for decades. Again communication is necessary between monitoring agencies to ensure water quality for Minnie and Marshall Creek are not irreparably harmed through the actions or inactions of responsible public officials functioning in compartmental ignorance.

#5

The SWCC remains extremely concerned by DOE comments that the public's concerns beyond DOE's scope of expertise. Stating, "These questions should be direct to experts in those particular fields." (P6 Public Participation Problem) Shouldn't every public official, business, or private individual adversely affected by the Marshall Landfill be notified? Toxic cleanup and monitoring is everyone's business, please do not force the public to do your job, keep everyone informed.

Public Participation and Communications

#6

DOE's public participation proposal did not begin well with the introduction of a "Community Interview Process." Who and how those interviews were determined is of great concern, not every member of the public were offered an opportunity to be interviewed. Conversations that took place without public knowledge or oversight.

¹ Of note is SWCC recent involvement in water issues related to industrial sand and gravel mining in the Marshall Valley.

#7

What was the rationale used to determine who was interviewed and who was not? SWCC believes this is just another example of previous efforts to undermine public participation as it appears those involved were not provided opportunity prepare, or allow - THE PUBLIC TO PROVIDED INFORMATION OR EVEN SUGGEST – who might retain insightful or knowledgeable information beneficial to DOE with regards to The Marshall Landfill.

#8

Simply this is a misstep that deserves to be eliminated along with every comment received that were part of this hap hazard approach to Public Participation. Compounding the problem is public notification concerning DOE's proposals were hit and miss. Not everyone that should have been notified received reliable and accurate information, another mistake acknowledged by DOE at the public meeting in Marshall.

#9

Intentional communications is important, SWCC does not believe random and arbitrary conversations are appropriate and question their purpose other than undermine the entire process by excluding some individuals. SWCC also believes immediate corrective measures be taken to restore public confidence in the public participation process. Patronizing local citizenry in a specious display of concern is not beneficial, leaving the SWCC questioning DOE's ultimate purpose?

Cumulative Effects

The Southwest County Coalition is greatly concerned by the adverse cumulative effects to the environment, including.

- Water quality of Minnie and Marshall Creek...
- Queen Lucas Lake...
- The aquifer(s) lying underneath the Marshall Landfill our community depends on...
- Fish and wildlife populations...
- Safety and health of local residents...

#10

The erosion of public trust is also of concern given prior history with Federal, State, and Local governments working individually and cooperatively with business concerns that appear to be adversely and cumulatively degrading the greater Marshall Community. The SWCC believes the following entities could be contributing to problems associated with the Marshall Landfill, including altering the hydrology of the aquifer underneath the Landfill.

- The City of Cheney – for decades discharging effluent into Mini Creek that flows into Queen Lucas Lake. Even today the volumes of water discharge by Cheney and flowing into Queen Lucas Lake prevents owners from farming their property. Of particular concern is water lost to the aquifer(s) underneath the landfill, causing toxins to move more rapidly, possibly contaminating local water supplies before there is an opportunity to contain those contaminants.
- The Washington State Department of Ecology - permitting the City of Cheney to turn Queen Lucas Lake into a virtual sewage lagoon for years, adding significant amounts of water to the aquifer(s) lying under the Marshall Landfill. SWCC is very concerned about “industrial” water use that was and is being permitted through DOE without consideration for resulting changes in Hydrology that potentially move toxins more rapidly toward public water supplies.²

² The SWCC was involved in the questionable transfer of water rights from agricultural to industrial near the town of Marshall. The entire community's concerns appear to have been ignored by DOE and the Spokane County Water Conservancy Board.

- The Railroad – A number of railroads have operated in the vicinity of the Marshall Landfill through the years. The SWCC remains concerned for cumulative effects of any pollutants discharged onto RR property potentially harming Queen Lucas Lake, Mini & Marshall Creek, and the aquifer(s) underneath.³ Dangerous chemicals such as Tordon 101 a strong carcinogen are believed to have been employed in the past by the RR for vegetation management. DOE should compile a “complete” list of herbicides and pesticides, past and present, used on or near the Landfill.
- There appears to be a lack of concern by RR officials as a large bucket loader was observed digging up the Mini Creek stream bed just last year. Longtime residents reported seeing the RR disposing of a large quantity of unwanted RR-ties by burying them underneath Mini Creek stream channel.
- Local Mining Operations – The Marshall Area has exploded with industrial style Sand and Gravel (S&G) operations. Again our concern is changes to the hydrology and using their sites to dispose of waste. Really, was it wise to issue a permit to allow a Sand and Gravel mining right next to the Marshall Landfill Site – in what ways are S&G operations cumulatively affecting water quality and hydrology near the Marshall Landfill site. SWCC’s experience with these mining operations is an Environmental Checklist is prepared that nobody sees until it is too late. Cumulative effects are glaringly ignored by DOE despite the fact that these S&G operations are irrevocably and irreversibly altering the environment – the community we love. When considered in conjunction with past operations such as the Landfill the results are appalling.
- Spokane County – The SWCC does not believe any studies or actions should be considered separately from the former Spokane County Landfill. Both parties must be held accountable and responsible to protect local aquifer(s) from the cumulative effects of pollutants.
- The City of Spokane – Using herbicides on their trail adjacent the Marshall Landfill. Applicators recently applied herbicides strong enough to kill trees.

Pseudoscience

#11

During the public meeting for DOE’s Marshall Landfill presenters mentioned past “scientific” studies and documentation to formulate their work plan. This is of grave concern to the SWCC coalition as we believe much of the science and documentation is little more than pseudoscience - a claim or practice which is falsely presented as scientific but does not follow valid scientific methods. Simply stated those preparing the material had an agenda, they began with a concept then arranged the structure to support it. A good example is a hydrological study prepared by the Water & Natural Resource Group used to “abduct” agricultural water rights for industrial purposes near the town of Marshall, The SWCC discovered gaping holes and apparent misrepresentations that raised concerns as to the validity of the document. A water right transfer that adversely impacted local farmers and we believe the aquifer(s) underneath the Marshall Landfill and Town of Marshall.

#12

Additionally, water monitoring near the Marshall Landfill appear to have been simply a ploy to pacify local activist. SWCC advises DOE to consider carefully any and all science and documentation it uses. Science and documentation designed to advocate a predetermined outcome must not be used.

Public Health

³ DOE might note the dead and dying trees near Scribner directly adjacent the Marshall Landfill.

#13

Local Citizens desire to know the truth, in laymen's terms, concerning real and potential threats to public health and safety. Public health threats not just from the Marshall Landfill, but adverse cumulative effects to our local community's health, safety, and wellbeing.

Fish and Wildlife.

#14

Yesterday the 22th of March a dead Blue Heron was found at Queen Lukas Lake. Through the years a number of dead animals have been discovered, including migratory waterfowl, fish, and other wildlife. Our concern that fish and wildlife are being adversely impacted by activity associated by the landfill sites, directly and cumulatively. SWCC would note that there does not appear to be a healthy working relationship between DOE and the Washington State Department of Fish and Wildlife.⁴

Commerce

#15

The SWCC believes every organization contributing to the environmental degradation of our local community, knowingly, unknowingly, or cumulatively should be held accountable for their actions. Ultimately contributing to the cost of unbiased scientific studies and necessary cleanup to protect the health, safety, and wellbeing of local citizens and their families.

CONCLUSION

#16

It is the hope and desire of the Southwest County Coalition that the State of Washington Department of Ecology has the means available to "turn the page" on past practices that have allowed the environmental degradation and decline of quality of life in the greater Marshall Community. SWCC sincerely hopes that all agencies will cooperate as "one" in protecting the greater Marshall Community; its citizen's health, safety, and wellbeing – their quality of life.

Thank You for the opportunity to comment.



Southwest County Coalition
MW Smith, Lead Organizer
3/26/2015

⁴ A direct observation while SWCC was trying to address water quality/quantity concerns for Marshall Creek with DOE & F&W – there appeared to be little, if any, cooperation between the departments

(Note: Quoted comments are provided exactly as submitted.)

Responses to comments and questions submitted by MW Smith on behalf of the Southwest County Coalition in letter dated March 26, 2015. Numbered comments are noted in the left margin of the above letter.

1. *WHILE MOST OF THE COMMUNITY IS SIMPLY GLAD FOR ONCE THAT SOMETHING MAY BE DONE CONCERNING THE MARSHALL LANDFILL SITE, SWCC WILL TAKE A WAIT, AND SEE APPROACH. THE ISSUES DOE RECENTLY ELABORATED ON CONCERNING THE MARSHALL LANDFILL SITE WERE BROUGHT UP “TWENTY FIVE” YEARS AGO. NOTHING WAS SAID AT THE RECENT PUBLIC MEETING THAT WAS NOT REVEALED PREVIOUSLY, THEN SIMPLY IGNORED BY RESPONSIBLE GOVERNMENT OFFICIALS. GIVEN SWCC AND THE LOCAL COMMUNITY’S PRIOR EXPERIENCE WITH DOE IS THIS JUST ANOTHER SCHEME TO ALLOW CONTAMINANTS TO CONTINUE LEACHING INTO THE GROUNDWATER, JEOPARDIZING THE HEALTH AND SAFETY OF THE COMMUNITY?*

Ecology Response: The Department of Ecology (Ecology) appreciates your comments. Ecology recognizes that progress at this site has been halting. Ecology disagrees, however, with the statement that nothing was shared which has not been “revealed previously, then simply ignored...” The purpose of the recent public meeting was multi-faceted; 1) to summarize work which has already been performed at the site over the last 25 years, 2) to provide information on what work Ecology intends to perform through the Remedial Investigation and Feasibility Study process, and 3) to continue Ecology’s outreach to the local community, and to foster community involvement in the formal site cleanup process.

2. *THE MARSHALL LANDFILL SITE WAS PREVIOUSLY RANKED 4 ON THE HAZARDOUS SITES LIST THEN SUBSEQUENTLY IGNORED. EVEN MORE DISCONCERTING WAS LEARNING GROUNDWATER MONITORING OF THE MARSHALL LANDFILL PREPARED FOR THE SPOKANE REGIONAL HEALTH DISTRICT MAY HAVE BEEN FLAWED, VIRTUALLY USELESS AS A RESULT OF DAMAGED OR INOPERABLE MONITORING WELLS – ANOTHER AGENCY JUST GOING THROUGH THE MOTIONS, “APPEARING” TO BE DOING SOMETHING POSITIVE FOR THE COMMUNITY.*

Ecology Response: The Model Toxics Control Act (MTCA) requires that sites be ranked according to the relative health and environmental risk at each site. Sites are ranked on a scale of 1 to 5. A score of 1 represents the highest level of health and environmental risk and 5 represents the lowest risk; sites are ranked relative to other sites on the list. Ranked sites are placed on the state Hazardous Sites List. In 1990 Ecology conducted the site hazard assessment at Marshall Landfill, and ranked it a 4. A rank of 4 does not indicate very low or no risk, but instead indicates a lower risk relative to the other sites on the list. After the landfill stopped operating, one of the closure requirements was for the owner to perform 20 years of groundwater monitoring. This was overseen by the Spokane Regional Health District. Initially, the groundwater monitoring program was most likely appropriate for the site. Over the 20 years that sampling occurred, some of the wells became unusable or damaged or destroyed. These wells were not repaired or replaced. The current groundwater

monitoring network is not appropriate for the site, and will be addressed as part of the Remedial Investigation.

3. *AS STATED IN THE OVERVIEW INTERAGENCY COOPERATION AND COMMUNICATION SHOULD BE OF PARAMOUNT CONCERN. JUST AS THE PUBLIC REQUIRES ACCURATE AND TRUTHFUL INFORMATION, "EVERY" GOVERNMENT AGENCY AND RESPONSIBLE PUBLIC OFFICIAL NEEDS ACCURATE AND TRUTHFUL INFORMATION TO ASSURE "GOOD" DECISIONS ARE MADE WITH REGARD TO THE GREATER MARSHALL COMMUNITY. THE SWCC FIRMLY BELIEVES THE LOCAL COMMUNITY IS BEING INJURED BY POOR DECISIONS HASTILY MADE BY RESPONSIBLE PUBLIC OFFICIALS AS RESULT OF POOR COMMUNICATIONS, INCLUDING INTERDEPARTMENTAL COMMUNICATIONS WITHIN DOE. THE SWCC DESIRES THAT "EVERYONE" BE SENT INFORMATION REGARDING DOE'S FINDINGS AND PROPOSALS TO MITIGATE POTENTIAL ADVERSE EFFECTS NOW AND IN THE FORESEEABLE FUTURE AT THE MARSHALL LANDFILL SITE.*

Ecology Response: The MTCA cleanup process that Ecology is implementing at this site is intended to ensure the protection of human health and the environment. Ecology has a proven track record of working well with other local and state government entities. Ecology regularly interacts with other agencies while conducting cleanup. Ecology will disseminate necessary information to the appropriate government entities, both inside and outside of Ecology.

4. *AT LEAST TWO OTHER DUMPS APPEAR TO BE IN THE NEAR VICINITY, THE FORMER SPOKANE COUNTY LANDFILL AND QUEEN LUCAS LAKE THAT WAS USED BY THE CITY OF CHENEY TO DISPOSE OF VIRTUALLY UNTREATED SEWAGE EFFLUENT FOR DECADES. AGAIN COMMUNICATION IS NECESSARY BETWEEN MONITORING AGENCIES TO ENSURE WATER QUALITY FOR MINNIE AND MARSHALL CREEK ARE NOT IRREPARABLY HARMED THROUGH THE ACTIONS OR INACTIONS OF RESPONSIBLE PUBLIC OFFICIALS FUNCTIONING IN COMPARTMENTAL IGNORANCE.*

Ecology Response: The former Spokane County Landfill is adjacent to the Marshall Landfill to the south. There has not been evidence to date that suggests the former Spokane County Landfill has contributed to groundwater contamination. The Remedial Investigation will install soil-gas boreholes and groundwater monitoring wells adjacent to the boundary between the former Spokane County Landfill and the Marshall Landfill. The information from these monitoring points will be evaluated to assess whether the Spokane County Landfill is a source of contamination. If the data suggest contamination is sourced from the Spokane County Landfill, the Remedial Investigation may be expanded to include this area. Ecology does not agree that Queen Lucas Lake is a dump. Ecology agrees that communication between agencies is important to protecting the natural resources of the greater Marshall area.

5. *THE SWCC REMAINS EXTREMELY CONCERNED BY DOE COMMENTS THAT THE PUBLIC'S CONCERNS BEYOND DOE'S SCOPE OF EXPERTISE. STATING, "THESE QUESTIONS SHOULD BE DIRECTED TO EXPERTS IN THOSE PARTICULAR FIELDS." (P6 PUBLIC PARTICIPATION PROBLEM) SHOULDN'T*

EVERY PUBLIC OFFICIAL, BUSINESS, OR PRIVATE INDIVIDUAL ADVERSELY AFFECTED BY THE MARSHALL LANDFILL BE NOTIFIED? TOXIC CLEANUP AND MONITORING IS EVERYONE'S BUSINESS, PLEASE DO NOT FORCE THE PUBLIC TO DO YOUR JOB, KEEP EVERYONE INFORMED.

Ecology Response: Ecology's Public Participation Plan states on page six: "Ecology recognizes the residents' frustrations that Ecology cannot address real estate values, sales disclosure issues, tax assessments, and other property value questions. These questions should be directed to experts in those particular fields." Ecology's expertise at the Marshall Landfill Site is specific to cleanup of toxic contaminants. The Model Toxics Control Act (MTCA), which guides the cleanup process, does not cover real estate assessments or valuations.

6. *DOE'S PUBLIC PARTICIPATION PROPOSAL DID NOT BEGIN WELL WITH THE INTRODUCTION OF A "COMMUNITY INTERVIEW PROCESS." WHO AND HOW THOSE INTERVIEWS WERE DETERMINED IS OF GREAT CONCERN, NOT EVERY MEMBER OF THE PUBLIC WERE OFFERED AN OPPORTUNITY TO BE INTERVIEWED. CONVERSATIONS THAT TOOK PLACE WITHOUT PUBLIC KNOWLEDGE OR OVERSIGHT.*

Ecology Response: Ecology conducts community interviews at sites as part of the development of the Public Participation Plan. Interviews are sought with people who live closest to a site. These are randomly selected interviews. Ecology welcomes anyone who wants to be interviewed to participate in that process. Ecology receives information from the public in many ways. The interviews are one way Ecology receives information about how the public wants to be involved with site cleanup. Unfortunately, the Toxics Cleanup Program in Spokane has one staff member who covers thirteen counties and multiple cleanup sites which limits to some extent the physical ability to interview everyone in a community. Additionally, a public meeting was held on March 5, 2015 to hear more about public concerns. A fact sheet was mailed to residents living near the site. Contact information is provided so people may contact the site manager or public involvement coordinator with questions or concerns. Ecology is open to talking with anyone who has an interest in the site.

7. *WHAT WAS THE RATIONALE USED TO DETERMINE WHO WAS INTERVIEWED AND WHO WAS NOT? SWCC BELIEVES THIS IS JUST ANOTHER EXAMPLE OF PREVIOUS EFFORTS TO UNDERMINE PUBLIC PARTICIPATION AS IT APPEARS THOSE INVOLVED WERE NOT PROVIDED OPPORTUNITY TO PREPARE, OR ALLOW – THE PUBLIC TO PROVIDED INFORMATION OR EVEN SUGGEST – WHO MIGHT RETAIN INSIGHTFUL OR KNOWLEDGEABLE INFORMATION BENEFICIAL TO DOE WITH REGARDS TO THE MARSHALL LANDFILL.*

Ecology Response: See response to #6.

8. *SIMPLY THIS IS A MISSTEP THAT DESERVES TO BE ELIMINATED ALONG WITH EVERY COMMENT RECEIVED THAT WERE PART OF THIS HAP HAZARD APPROACH TO PUBLIC PARTICIPATION. COMPOUNDING THE PROBLEM IS PUBLIC NOTIFICATION CONCERNING DOE'S PROPOSALS WERE HIT AND MISS. NOT EVERYONE THAT SHOULD HAVE BEEN NOTIFIED RECEIVED RELIABLE AND ACCURATE INFORMATION, ANOTHER MISTAKE ACKNOWLEDGED BY DOE AT THE PUBLIC MEETING IN MARSHALL.*

Ecology Response: Public participation takes place on many levels. Ecology believes the comments of those individuals interviewed are valuable and is unwilling to suppress those comments. Ecology again extends the invitation to participate in an interview or discussion to all those who are interested. Ecology hires companies to develop mailing lists for communities. Ecology relies on those companies to provide up-to-date lists and for the U.S. Postal Office to properly deliver them. Ecology makes multiple efforts to notify people about public meetings (see response to No. 6, above). Ecology acknowledged that there was a typographical error on the back side of the mailer for the fact sheet about the meeting date. Ecology also indicated that the correct meeting date was on the main page of the fact sheet and advertized properly in the newspaper and on-line. We apologize for human error.

9. *INTENTIONAL COMMUNICATIONS IS IMPORTANT, SWCC DOES NOT BELIEVE RANDOM AND ARBITRARY CONVERSATIONS ARE APPROPRIATE AND QUESTION THERE PURPOSE OTHER THAN UNDERMINE THE ENTIRE PROCESS BY EXCLUDING SOME INDIVIDUALS. SWCC ALSO BELIEVES IMMEDIATE CORRECTIVE MEASURES BE TAKEN TO RESTORE PUBLIC CONFIDENCE IN THE PUBLIC PARTICIPATION PROCESS. PATRONIZING LOCAL CITIZENRY IN A SPECIOUS DISPLAY OF CONCERN IS NOT BENEFICIAL, LEAVING THE SWCC QUESTIONING DOE'S ULTIMATE PURPOSE.*

Ecology Response: See response to #8. Ecology again extends the invitation to participate in an interview or discussion to all those who are interested.

10. *THE EROSION OF PUBLIC TRUST IS ALSO OF CONCERN GIVEN PRIOR HISTORY WITH FEDERAL, STATE, AND LOCAL GOVERNMENTS WORKING INDIVIDUALLY AND COOPERATIVELY WITH BUSINESS CONCERNS THAT APPEAR TO BE ADVERSELY AND CUMULATIVELY DEGRADING THE GREATER MARSHALL COMMUNITY. THE SWCC BELIEVES THE FOLLOWING ENTITIES COULD BE CONTRIBUTING TO PROBLEMS ASSOCIATED WITH MARSHALL LANDFILL, INCLUDING ALTERING THE HYDROLOGY OF THE AQUIFER UNDERNEATH THE LANDFILL*

Ecology Response: Ecology's goals which guide cleanup at the Marshall Landfill site are to protect human health and the environment. The commenter expresses concerns that past and current practices in the area have/are affecting the hydrology of the area. We have a basic understanding of the hydrogeologic conditions at the site from earlier characterization efforts. The Remedial Investigation is planned to help us better understand the current hydrogeologic conditions. We have a limited understanding of the current hydrogeologic conditions at the site. The Remedial Investigation will enhance our understanding of the hydrogeology underlying the Marshall Landfill site. This will include collecting groundwater samples from upgradient wells on the south, west, southwest, and northwest boundaries of the site (interpreted upgradient directions of groundwater flow); these upgradient samples will allow us to understand if other sources of ongoing contamination exist.

11. *DURING THE PUBLIC MEETING FOR DOE'S MARSHALL LANDFILL PRESENTERS MENTIONED PAST "SCIENTIFIC" STUDIES AND DOCUMENTATION TO FORMULATE THEIR WORK PLAN. THIS IS OF GRAVE CONCERN TO THE SWCC COALITION AS WE BELIEVE MUCH OF THE SCIENCE AND DOCUMENTATION IS LITTLE MORE THAN PSEUDOSCIENCE – A CLAIM OR PRACTICE WHICH IS FALSELY PRESENTED AS SCIENTIFIC BUT DOES NOT FOLLOW VALID SCIENTIFIC METHODS. SIMPLY STATED THOSE PREPARING THE MATERIAL HAD AN AGENDA, THEY BEGAN WITH A CONCEPT THEN ARRANGED THE STRUCTURE TO SUPPORT IT.*

Ecology Response: Ecology intends to conduct a meaningful Remedial Investigation at the Marshall Landfill Site. Part of the Remedial Investigation process is compiling work that has previously been conducted at the site. This creates a starting point for further investigations. This does not indicate a complete endorsement of findings from earlier scientific efforts, nor does it indicate a complete dismissal of earlier work. Ecology disagrees that past work has consisted of pseudoscience. Ecology believes that early attempts at site characterization will be beneficial to creating a thorough conceptual site model, and will aid our efforts to develop a solid understanding of the current conditions at the site.

12. *ADDITIONALLY, WATER AND MONITORING NEAR THE MARSHALL LANDFILL APPEAR TO HAVE BEEN SIMPLY A PLOY TO PACIFY LOCAL ACTIVIST. SWCC ADVISES DOE TO CONSIDER CAREFULLY ANY AND ALL SCIENCE AND DOCUMENTATION IT USES. SCIENCE AND DOCUMENTATION DESIGNED TO ADVOCATE A PREDETERMINED OUTCOME MUST NOT BE USED.*

Ecology Response: Your comment is noted. A sound and defensible scientific study must not reach its conclusion prior to the investigation occurring. The purpose of the Remedial Investigation is to develop a good understanding of if/where contamination may still be present at the Marshall Landfill Site.

13. *LOCAL CITIZENS DESIRE TO KNOW THE TRUTH, IN LAYMEN'S TERMS, CONCERNING REAL AND POTENTIAL THREATS TO PUBLIC HEALTH AND SAFETY. PUBLIC HEALTH THREATS NOT JUST FROM THE MARSHALL LANDFILL, BUT ADVERSE CUMULATIVE EFFECTS TO OUR LOCAL COMMUNITY'S HEALTH, SAFETY, AND WELLBEING.*

Ecology Response: Your comment is noted. The focus of this Remedial Investigation is the Marshall Landfill Site. Ecology understands that there may be additional sources of contamination beyond the Marshall Landfill. This Remedial Investigation will not explore all potential sources of contamination in and around the town of Marshall; this investigation will focus on the Marshall Landfill Site.

14. *YESTERDAY THE 22ND OF MARCH A DEAD BLUE HERON WAS FOUND AT QUEEN LUCAS LAKE. THROUGH THE YEARS A NUMBER OF DEAD ANIMALS HAVE BEEN DISCOVERED, INCLUDING MIGRATORY WATERFOWL, FISH, AND OTHER WILDLIFE. OUR CONCERN THAT FISH AND WILDLIFE ARE BEING ADVERSELY IMPACTED BY ACTIVITY ASSOCIATED BY THE LANDFILL SITES, DIRECTLY AND*

CUMULATIVELY. SWCC WOULD NOTE THAT THERE DOES NOT APPEAR TO BE A HEALTHY WORKING RELATIONSHIP BETWEEN DOE AND THE WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE (FOOTNOTE 4: A DIRECT OBSERVATION WHILE SWCC WAS TRYING TO ADDRESS WATER QUALITY/QUANTITY CONCERNS FOR MARSHALL CREEK WITH DOE AND F&W – THERE APPEARED TO BE LITTLE, IF ANY, COOPERATION BETWEEN THE DEPARTMENTS).

Ecology Response: Ecology cannot comment on the reasons why a dead blue heron was found at Queen Lucas Lake. Ecology does not agree with the labeling of Queen Lucas Lake as a landfill (see response to comment #4). Ecology seeks to maintain open, working relationships with other local, state, and federal government agencies, including the Washington State Department of Fish and Wildlife.

15. *THE SWCC BELIEVES EVERY ORGANIZATION CONTRIBUTING TO THE ENVIRONMENTAL DEGRADATION OF OUR LOCAL COMMUNITY, KNOWINGLY, UNKNOWINGLY, OR CUMULATIVELY SHOULD BE HELD ACCOUNTABLE FOR THEIR ACTIONS. ULTIMATELY CONTRIBUTING TO THE COST OF UNBIASED SCIENTIFIC STUDIES AND NECESSARY CLEANUP TO PROTECT THE HEALTH, SAFETY, AND WELLBEING OF LOCAL CITIZENS AND THEIR FAMILIES.*

Ecology Response: Ecology appreciates your comment. Ecology has identified past owners/operators of the landfill as potentially liable persons (PLPs). To identify a PLP, Ecology must have credible evidence that they were parties who contributed to the contamination in some form. The evidence must be able to hold up in a court of law. Many records containing information about what was dumped at Marshall and who dumped it were lost in a fire. The sampling data Ecology has reviewed does not contain contaminants associated with jet fuel. If Ecology finds credible evidence to support naming additional PLPs we will pursue that avenue.

16. *IT IS THE HOPE AND DESIRE OF THE SOUTHWEST COUNTY COALITION THAT THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY HAS THE MEANS AVAILABLE TO “TURN THE PAGE” ON PAST PRACTICES THAT HAVE ALLOWED THE ENVIRONMENTAL DEGRADATION AND DECLINE OF QUALITY OF LIFE IN THE GREATER MARSHALL COMMUNITY. SWCC SINCERELY HOPES THAT ALL AGENCIES WILL COOPERATE AS “ONE” IN PROTECTING THE GREATER MARSHALL COMMUNITY; ITS CITIZEN’S HEALTH, SAFETY, AND WELLBEING – THEIR QUALITY OF LIFE.*

Ecology Response: Ecology intends to see this site through the entire MTCA cleanup process. Ecology places high value on the protection of human health and the cleanup and protection of the environment. Ecology continues to welcome community and interagency cooperation throughout the cleanup process