

Responsiveness Summary
March 15 – April 30, 2012 Public Comment Period
Interim Action Plan and SEPA Determination of Non-Significance at the Apple
Valley Elementary School
7 N 88th Avenue
Yakima, WA

Site Manager: Norm Hepner

The following comments were received during the March 15 to April 30, 2012 public comment period for the Apple Valley Elementary School site. Ecology responded to all questions and concerns in the form of a public meeting which was held on April 16, 2012. No additional comments were received after the public meeting was held. The comments received have been added to the site file and are publicly available.

Comment 1: Yakima Regional Clean Air Agency (YRCAA); see attached letter.

Response: Ecology acknowledged the YRCAA's comment regarding dust control. Valerie Bound, Section Manager for the Toxics Cleanup Program, and Sue Billings, Section Manager for the Air Quality Program, met with the YRCAA to discuss dust control for the project. Stringent requirements for dust control are written into the construction specifications for the project. Requirements included in the specifications to address dust control are:

- 1) Soil shall be sufficiently damp to prevent dust when excavating or tilling.
- 2) Soil in stockpiles shall be kept damp at all times.
- 3) Stockpiles shall be kept covered and fenced from public access at all times when work is not in progress.
- 4) Soil shall be hauled in damp from the source.
- 5) A wheel wash shall be provided and used by all trucks exiting the site which have traversed unpaved areas.
- 6) A truck wash or other acceptable form of decontamination shall be used in accordance with the YRCAA.
- 7) At least one water truck shall be available on site at all times.
- 8) A vacuum or catchment type street sweeper shall be available on site at all times.
- 9) The contractor shall be able to readily employ an approved contingency dust control measure. The contractor shall promptly implement contingency measures as needed.
- 10) The contractor will file an approved dust control plan with the YRCAA prior to beginning construction.
- 11) The contractor will meet with Ecology and the YRCAA to discuss the dust control plan prior to beginning construction.

Comment 2: John and Candace Manfredi; see attached letter.

Response: Ecology responded to the Manfredis' letter by holding a public meeting as requested in the letter. The letter includes the signatures of residents living at 38 properties in the immediate vicinity of the school. A total of 44 signatures appear on the petition. Responses to the concerns raised in the letter are as follows:

- 1) Dust prevention – Dust prevention was addressed as stated in the response to Comment 1, above. In addition to the required dust control measures, the contractor is required to provide a public liaison available to answer the telephone at any time of the day, seven days per week, for the duration of the project.
- 2) Geotextile – The specified geotextile is rated to be 2 – 3 times more permeable than the native soil at the site, so any leaks in the pipes should show up at the surface quickly in the vicinity of the leak. Leaving gaps in the geotextile would defeat the purpose of the geotextile, which is to provide a visual and physical barrier between the clean soil of the cap and the contaminated soil beneath.
- 3) Construction traffic – Light construction traffic on public roads will be ongoing during the construction period of the project, but should pose no inconvenience to area residents. Heavy construction traffic will be limited to a relatively short period of time when soil is being hauled to or from the school. During previous projects this heavy truck traffic has typically lasted for less than two weeks during the 7 week construction period. Topsoil compacted by truck and equipment traffic will be ripped or scarified prior to installation of sod. Only properly licensed, bonded, and experienced contractors are hired by Ecology for these projects. Any incidental damage to new or existing underground utilities will be promptly repaired by the contractor.
- 4) Geotextile clogging – The geotextile specified for this project is the industry standard for drainage projects and is rated to be 2 – 3 times more permeable than the native soil. The project design includes a grading plan to ensure that proper drainage is maintained and runoff is contained on site. The grading plan is tied to survey points, and provides for wide, shallow swales along the south and east borders of the property to protect downslope neighbors from surface runoff. Catchment basins and infiltration galleries are located appropriately to collect and infiltrate runoff. While Ecology cannot write letters to protect individual property owners, Ecology will stand behind its work and will take care of any problems that occur as a result of construction of the cap. Upon completion of the cap, an Environmental Covenant will be attached to the property, and the site will be subject to inspection by Ecology every five years under the Uniform Environmental Covenants Act. The five year inspection cycle is designed to protect the integrity of the cap.

Comment 3: Ray Walker; see attached letter.

Response: The comment from Mr. Walker was presented in the form of an informational narrative describing his personal experience using horse manure to counteract the toxic effects of lead and arsenic in orchard soils. The narrative did not raise any questions or voice any concerns. The letter was added to the site file.

In closing, Ecology sincerely appreciates all comments from the community.



329 North First Street, Yakima WA 98901
Phone: (509) 834-2050 Fax: (509) 834-2060
Website: <http://www.yakimacleanair.org>

March 20, 2012

Gwen Clear
Department of Ecology
15 W. Yakima Avenue, Suite 200
Yakima, WA 98902

RE: Apple Valley Elementary School

Dear Ms. Clear:

Thank you for providing the Yakima Regional Clean Air Agency (YRCAA) the opportunity to review and comment on the Interim Remedial Action at Apple Valley Elementary School to be conducted between June 1 and September 1, 2012.

Following review YRCAA has the following comment(s):

1. As arsenic and lead contaminated are present in the soil, a truck washout or other method of control must be implemented and be part of the Dust Control Plan during construction;
2. No soil trail shall be allowed beyond the disturbed soil site;
3. No dust transport shall be allowed beyond the boundary site which may be detrimental to persons or property pursuant to WAC 173-400-040 (6) and (3);
4. Contractors/Owners must contact YRCAA prior to the start of any work; and
5. Contractors doing demolition, excavation, clearing, construction, or landscaping work must file a Dust Control Plan with YRCAA and get approval prior to the start of any work.

Thank you for the opportunity to connect with the county's continued support-in-protecting the air quality in Yakima County.

Best regards,

Hasan M. Tahat, Ph.D.
Engineering and Planning Division Supervisor

Cc: Proponent and File

March 20, 2012

To: Mr. Mark Dunbar
From: John and Candace Manfredi
Subject: Comments, Apple Valley Elementary School, Toxic Cleanup Program,
DOE Publication Number 12-09-002



We recently received Publication 12-09-002, and have comments and questions.

December 2, 2011, we wrote the West Valley School District, DOE and the governor objecting to this project. We later spoke with yourself and Valerie Bound. Below are several issues we remain concerned about. Issues you did not answer, or did not answer with any specificity, in previous communication. We hope you will answer all issues this time. Also, please forward a copy of this letter to your Contract Engineer, in Olympia. February 22, 2012, Ms. Bound said we could contact your Contract Engineer to discuss technical issues. But she would not provide an address or phone at that time, and still has not.

1. Dust prevention – We, and neighborhood residents all around Apple Valley School, are concerned about dust from your project. Very strong northwest winds blow across the school grounds most days and nights in June through Sept. Sometimes we get strong south and east winds. Wet dirt can dry in a few hours, and blow. Residents in neighborhoods around Apple Valley School have observed heavy dust blows during construction of homes in our areas, during construction of the Cross Church soccer field, and even during construction of the new West Valley High School which can be seen in the distance from our neighborhood. So we know that dust control is often ignored by owners, construction contractors and government agencies. The neighbors around Apple Valley School don't want to eat school dust this summer. Your Apple Valley School construction contract, statutory enforcement, contractor plans and work must prevent dust from blowing off school property, 24 hours a day, 7 days a week.

May we suggest:

- DOE, School, Clean Air and the contractor host a neighborhood meeting to discuss the project schedule, work activities, dust prevention, and dust health hazards. A face to face meeting will increase understanding and make parties more accountable for dust prevention.
- People often forget or cannot attend meetings. So the meeting notice should include project information for neighborhood property owners not able to attend. Most important, provide phone numbers that will be answered 24/7, and names of the persons that will take immediate action if there is dust. Please, no voice mail systems.

2. Geotextile – Do not place geotextile over buried waterlines, or sprinkler lines. If waterlines are covered, breaks and leaks will spread and saturate large areas under the geotextile before emerging at seams or property boundaries. This could be very muddy, messy and transport toxic soil onto adjacent properties. School maintenance staff, who have worked on buried pipelines, will understand how much harder it would be to quickly notice, locate and fix waterline leaks under continuous geotextile.

May we suggest you provide 2-foot gaps in the geotextile at all buried waterlines. This will allow water from line breaks and leaks to surface at the leak immediately. Noticing a leak and finding and fixing the line will be quicker, cleaner and easier. Toxic soils will not be washed onto adjacent properties.

3. Construction traffic – We estimate your 8" soil cap will require import of 4500 cubic yards of clean fill material, and removal of about 500 cubic yards of toxic soil, to match grade, along existing structures. About 500 dump truck loads in all. Heavy haul traffic routed along the school yard

boundaries will be a nuisance to adjacent properties. Assuming the clay soil profile will be wet to prevent dust, haul traffic will cause deep soil compaction, blocking normal groundwater flow. Soil compaction, where haul routes cross pipelines, may stress and weaken buried pipelines resulting in future breaks.

May we suggest you:

- route haul traffic on the interior areas of the school grounds, staying at least 50' away from boundaries.
- limit haul routes over buried pipelines, and/or use heavy pipe at such locations.
- rip or scarify subsoil at haul routes, after major haul is completed.

4. Geotextile clogging – There is engineering literature that addresses geotextile clogging over time due to fine soil, minerals, roots and biological agents. Being a down slope neighbor, this worries us. If your geotextile clogs, surface runoff to neighboring properties may increase. Have your engineers determined that the geotextile will never clog, and never increase runoff from school grounds onto adjacent residential properties? Will DOE write adjacent down slope property owners a letter stating that this project will not adversely impact our properties, now or in the future?

We are glad to see that your plans include cleanup of the existing pea gravel play areas. These are the only school areas we have ever witnessed kids actually getting dirty / dusty. We appreciate that your project will collect school parking lot runoff. This will reduce future runoff and sediment transport into the Woodwinds West neighborhood.

Thank you for the opportunity to comment on this project. We hope our comments will improve the project, and that the project will “not have a significant adverse impact” on the neighborhood.

Please advise us what action, or no action, you decide for each of our comments.

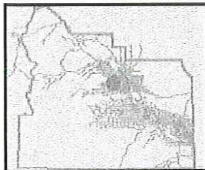
Sincerely,



John and Candace Manfredi

Attachment: Neighborhood map and petition, 6 pages, 38 properties. We collected the attached signatures in a couple hours walking neighborhoods around the school. All neighbors that were at home, were concerned about dust. All but one, were glad to sign the petition. Almost every signer had wind and dust stories. Several have family members with respiratory problems. One signer believed toxic dust caused three cases of cancer on her block; two died. The one neighbor who would not sign, said DOE will do what they want, so his signature was irrelevant. Missed homes on 86, 87, 88 Avenues, and Woodwinds Way, were not home.

Copy to: Dr. Michael Brophy, West Valley Schools, with attachment
Dr. Hasan Tahat, Yakima Clean Air Authority, with attachment
Christine Gregoire, Governor, w/o attachment



Map Center: Range:18 Township:13 Section:19

City Limits
Sections

WWW.YAKIMAP.COM
Yakima County GIS
128 N 2nd Street
Yakima, WA 98901
(509)574-2992



One Inch = 300 Feet
Feet 200 400

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED, THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

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signatures

Mr. Mark Dunbar, Site Manager, Department of Ecology, Yakima, WA

Subject: Apple Valley Elementary School, Toxic Soil Cleanup, Publication Number 12-09-002

We live in the neighborhoods near Apple Valley Elementary School and have comments on your Toxic Soil Cleanup work.

- All construction work must be performed in a clean way. There should never be blowing dust from the school yard into our properties and homes. Dirt tracked onto city streets should be cleaned up immediately.
- If we see any problems with the work, there must be a person we can call, 24 hours a day. The person should be able to respond to the problem quickly. Problems like blowing dust, broken sprinkler lines, erosion from thunderstorms, off hour mischief, vandalism, etc.
- Please conduct a neighborhood meeting, at Apple Valley School, before the site work begins. We would like to meet School District, Ecology, Clean Air and City staff responsible for this project. We would also like to meet the contractor's staff. The meeting should address the construction schedule, activities, contact information, questions/answers.

<u>Name/Signature</u>	<u>Date</u>	<u>Address</u>
Comdace Manfredi	3/16/12	8615 Woodwinds Way 98908
John Manfredi	3/16/12	"
KEAT AHOUE	3/16/12	8561 WOODWINDS WAY
Terrel Swenning	3/16/12	8531 Woodwinds Way
Lonna P Cameron	3/16/12	8511 WOODWINDS WAY
Derrick Waggoner	3/16/12	201 S 85 th pl.
Dave Brown	3/16/12	8520 Woodwinds Way
Becy Warren	3/17/12	8711 Woodwinds Way
	3/17/12	8741 Woodwinds Way
Margy Grestler	3-17-12	8741 Woodwinds Way
Jane Sossley	3.17.12	109 S. 85 th Ave

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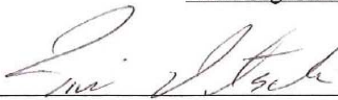
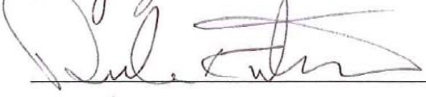
<u>Name/Signature</u>	<u>Date</u>	<u>Address</u>
Shelly Gilmore	3/17/12	23 N. 86 th Ave.
Lesi Lemus	3/17/12	2 N. 86 th Ave.
R	3/17/12	1 N. 86 th Ave
Luis Nelson	3/17/12	102 N 87 th Ave.
Tom Vander Sp	3/17/12	104 N 87 th Ave.
Josh Woodcock	3-17-12	108 N. 87 th Ave.
Oscar Rodriguez	3-17-12	101 N 87 th Ave
John Braydon	3-17-12	8801 West Yakima Ave
Jan Suter	3-17-12	4-B NORTH 88 th AVE
Pat D. Z	3-17-12	101 S. 88 th Ave.
Carol Gas	3-17-12	105 S. 88 th Ave

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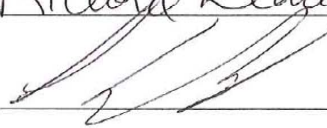
<u>Name/Signature</u>	<u>Date</u>	<u>Address</u>
<u></u>	<u>3-17-12</u>	<u>24 N 86th AVE</u>
<u>Virginia Medina</u>	<u>3/17/12</u>	<u>207 N. 86th Ave</u>
<u>Patty J Walker</u>	<u>3/17/12</u>	<u>471 86th Ave, Yakima</u>
<u></u>	<u>3/17/12</u>	<u>3 N. 86th Ave</u>
<u>Lloyd Polka</u>	<u>3/17/12</u>	<u>716 86 AVE</u>
<u>Bice Nicholson</u>	<u>3-17-12</u>	<u>17 N 86th AVE</u>
<u>Virginia Nicholson</u>	<u>3-17-12</u>	<u>17 N 86th AVE</u>
<u>Anneth Dawson</u>	<u>3-17-12</u>	<u>21 N 86th Ave</u>
<u>Cristina Mendoza</u>	<u>3/17/12</u>	<u>8521 Woodwinds Way</u>
<u>Jim & Joy Mayney</u>	<u>3/17/12</u>	<u>15 N. 86th Ave</u>

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<u>Name/Signature</u>	<u>Date</u>	<u>Address</u>
<u>Harold Wayenberg</u>	<u>17 Mar '12</u>	<u>102 N 88th Ave</u>
<u>Rosella E Wayenberg</u>	<u>17 Mar 12</u>	<u>102 N 88th ave</u>
<u>ROD FARABEE</u> 	<u>17 MAR 12</u>	<u>8530 WOODWINDS WAY</u>
<u>Kenneth B. Johnson</u>	<u>17 MAR 12</u>	<u>8802 W. CHESTNUT</u>
<u>Shela M. Johnson</u>	<u>17 Mar 12</u>	<u>8802 W. Chestnut</u>
<u>Bruce M. Stroh</u>	<u>17 MAR 12</u>	<u>2 N 88th AVE # A</u>
<u>Richard L. Cameron</u>	<u>18 Apr 12</u> <u>10/1 MAR 12</u>	<u>22 N. 86th AVE</u>
	<u>10/1 MAR 12</u>	<u>2 N 86th AVE</u>



Ray Walker
101 - N. 79th AVE
YAKIMA, WN 98908
Ph 969-0817

Hello Roger

I'm writing concerning lead arsenic in orchard soil. Our orchard was planted in 1920 with standard apple trees and survived 45 years 1965 many sprays of lead arsenic was applied from 1915 to 1965.

From 1965 to 1990 new trees were placed in the old orchard planting. The first two years 1965 to 1967 didn't grow. So from 1967 to 1970 horse manure was applied to old leaded arsenic soil and disced into soil. The horse manure broke up or done away with the lead arsenic problem.

The new trees in the old orchard started to grow. From 1975 to 1992 our orchard produced bountiful crops till we sold it for house building lots.

Sincerely Your fellow citizen
Ray Walker