



City of Tacoma

Mayor Marilyn Strickland

June 7, 2017

Ms. Kerry Graber, Site Manager
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600
Kerry.Graber@ecy.wa.gov

Re: Occidental Chemical Corporation – Draft Feasibility Study

Dear Ms. Graber:

Thank you for providing the opportunity to review and comment on the draft Feasibility Study (FS) for the Occidental Chemical Corporation Superfund site in Tacoma, Washington.

I have been the Mayor of Tacoma since 2010 and live downtown near the Thea Foss Waterway of Commencement Bay. Part of what makes Tacoma so special is its history of overcoming a legacy of toxic contamination and polluted waterways to become a community re-establishing its vital connection to its waters. The health of Commencement Bay is a source of pride and identity for the greater Tacoma community, and it impacts our ability to maintain a thriving economy. Accordingly, it deserves a solid and thorough cleanup plan – for our environment, our economy and our community.

My concerns about the draft Feasibility Study (FS) are outlined below.

Background

The volume of contamination by the Occidental Chemical Corporation is monumental. Hundreds of thousands of pounds of toxic chemicals are spread beneath the site, the Hylebos Waterway, and potentially Commencement Bay. The pollution is the size of five football fields, as deep as the Tacoma Dome is tall, and with pH so high that it dissolves sand into jelly when the groundwater is extracted.

Comprehensive and Timely Cleanup

The Occidental Chemical Corporation has the responsibility to perform a thorough and comprehensive cleanup. The FS indicates that there is widespread contamination at the site and much of it will be very difficult and expensive to remove. Occidental's proposed plan will leave nearly two-thirds of their pollution in the ground – highly toxic pollution beneath a vulnerable aquatic ecosystem. Careful consideration must be given to options that require more aggressive removal. Ms.

Before any contamination is allowed to stay in place, all potential exposure pathways must be fully evaluated and understood. Cleanup decisions must be based on a thorough understanding of the effects of the decisions on human health and the aquatic ecosystem.

Anything less is unacceptable. Tacoma deserves better.

The cleanup plan must also require removal of the contaminant mass in the soil on the site that is near the surface. This will decrease the potential for additional costs and contaminant exposure during future development of the property.

The Model Toxics Control Act, the environmental regulation for this process, requires Ecology to consider treatment to the “maximum extent practicable,” but the FS does not sufficiently consider treatment alternatives, seemingly eliminating them from consideration based solely on the disproportionate cost analysis. A more comprehensive evaluation of the benefits of more aggressive treatment alternatives should be included in the final draft of the FS and in Ecology’s final cleanup decision. Local government staff and residents should be able to see exactly what such a treatment option would entail and the resultant benefits that would be realized.

Further, the FS fails to fully evaluate all alternatives to find the best combination of actions; instead, components of a complete remedy are examined separately. No remedial alternative presented in the FS provides for a comprehensive cleanup of the site and no alternative presented examines the removal of contaminants underneath the Hylebos Waterway. This does not help our community determine a course of action. We need to see and understand the costs and benefits of a comprehensive cleanup of this site.

Occidental must be held accountable for a timely cleanup which should take the form of two phases – during the first phase, Occidental should be required to remove as much contamination as practicable and be required to immediately research how to remove the high pH contamination plume.

The second phase of cleanup should include sampling under Commencement Bay to determine whether the site has impacted the Bay and to ensure the plume does not leak into the Bay. Phase two should also include further and ongoing research and development of technology of pH treatment to allow pump-and-treat where pH currently precludes groundwater extraction. The selected remedy should include the requirement that this is re-examined with reasonable frequency, and when possible, additional actions implemented as soon as possible.

Finally, Adaptive Management will be a critical component of any cleanup plan selected. Contingency plans should be established to provide for an aggressive response to changing conditions. A comprehensive monitoring plan and reporting schedule must be established and followed to track the progress of contaminant removal through the selected cleanup plan components. If critical milestones are not achieved when projected, then the contingency plan must be enacted and enforced to address the site conditions and achieve the required outcomes without further delay.

Ms. Kerry Graber
June 7, 2017
Page 3 of 3

Ensuring Adequate Cleanup Funds

Occidental Chemical Corporation cannot simply walk away from the pollution it created and must be held accountable for a comprehensive and timely cleanup. It is assumed that the enforceable order with Occidental will require that they create a performance bond, a reserve account or equivalent fund to ensure that cleanup costs as well as any required contingency actions will be covered regardless of the company's future financial status. Ecology must describe financial assurance for this cleanup site because Occidental will be required to operate their system far into the future.

In conclusion, the City of Tacoma has invested hundreds of millions of dollars, and a significant amount of time and energy into cleaning up our waters, and we know how important putting together an adequate cleanup plan for Superfund sites is for our environment, our economy and our community. Ecology must hold Occidental fully accountable for a comprehensive and timely cleanup to the "maximum extent practicable" as required by the Model Toxics Control Act. Anything less will be unacceptable.

Please contact me if there are questions regarding my comments. Thank you for the opportunity to provide feedback for the draft Feasibility Study. I look forward to a comprehensive and timely cleanup of the Occidental Chemical Superfund site.

Sincerely,



Marilyn Strickland
Mayor