



City of Tacoma

Council Member Ryan Mello
At-Large Position 8

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MAY 02 2017

WA State Department
of Ecology (SWRO)

April 20, 2017

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 on the City of Tacoma Council since 2011 and live a short distance from Commencement Bay. I prioritize environmental protection and sustainability in my work for the people of Tacoma. Part of what makes Tacoma so special is its history of overcoming a legacy of toxic contamination and polluted waterways to becoming a community re-establishing its vital connection to its waters. Commencement Bay is a source of pride and identity for myself and the broader Tacoma community, and more importantly, it impacts our ability to develop 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 contamination left behind by the Occidental Chemical Corporation is truly staggering. Hundreds of thousands of pounds of toxic, cancer-causing chemicals are spread underneath the site, the Hylebos Waterway, and potentially Commencement Bay. The pollution is five times the size of the Seahawk's stadium, as deep as the Tacoma Dome is tall, and so potent that it dissolves rock into jelly.

Comprehensive and Timely Cleanup

Comprehensive Cleanup

The Occidental Chemical Corporation is setting the stage to walk away from this toxic mess without a comprehensive cleanup. In an apparent attempt to cut costs, Occidental is proposing a cleanup plan



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that would leave nearly two-thirds of their pollution in the ground – highly toxic pollution right underneath a vulnerable aquatic ecosystem that disproportionately affects Tacoma’s vulnerable communities.

This is unacceptable – this is not acceptable for me, for the Tacoma community, nor for our environment. Tacoma deserves better.

The FS acknowledges that there is widespread contamination at the site and that much of it would be very difficult and expensive to remove. The FS assumes that much of the contamination will not be removed, but it writes off contamination that is near the surface of land and could be removed. It seems the FS discounts the removal of tens of thousands of pounds of contaminants because it will not have an impact on the total amount there. 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 identify any such treatment. So, the FS is not in compliance with the Model Toxics Control Act’s “maximum extent practicable” treatment option requirements. This should be in the final draft of the FS and in Ecology’s final cleanup decision, and local government staff and residents should be able to see what such a treatment option would encompass.

Further, the FS fails to lay out separate and distinct options for cleanup. The FS did not combine alternatives trying to find the best combination of actions; instead, what could be 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 is not helpful for our community in determining a course of action – we need an understandable path to a comprehensive cleanup of this site.

Timely Cleanup

It is imperative that Occidental is held accountable for a timely cleanup. The cleanup should take the form of two phases – during the first phase, Occidental should remove as much contamination as possible 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 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 examined with reasonable frequency, and when possible, additional actions implemented as soon as possible.

Risk Concerns



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I am concerned about the risks associated with landslides, earthquakes, contamination entering the water, sediments and biota; and ignoring the plume of highly corrosive contamination at the Occidental Chemical site.

The Tacoma Tideflats are uniquely at risk for catastrophic geologic processes, such as landslides and earthquakes. The real potential for these events carry serious consequences for containment of the Occidental contamination plume. Further, while current studies indicate that contaminants do not release into the Hylebos, there is minimal information on whether they enter Commencement Bay. These contaminants are toxic to aquatic wildlife should they enter the water.

Lastly, the groundwater under the site is also contaminated with sodium hydroxide (caustic soda), which is so alkaline that it's stronger than drain cleaner. Due to the extent and complicated nature of the sodium hydroxide contamination, Occidental is essentially ignoring it completely in their cleanup options. They merely propose to build a wall to try to contain high pH chemicals. Containment alone cannot be the final solution for this highly toxic material.

Ensuring Adequate Cleanup Funds

We cannot afford to let the Occidental Chemical Corporation walk away from their toxic mess – they must be held accountable for a comprehensive and timely cleanup. Occidental should be required to create a performance bond, reserve account or equivalent fund to ensure that cleanup costs will be covered regardless of the company's future financial status. Ecology needs to explain what the financial assurance will be for this cleanup site as Occidental is required to operate their system far into the future.

Conclusion

As a councilmember in Tacoma, I know firsthand just how important our waters are to our community, and how much we are willing to invest in the health of those waters. The City of Tacoma has invested over half a billion dollars into cleaning up our waters, so we know how important putting together an adequate cleanup plan for Superfund sites is for our environment, our economy and our community. To let Occidental walk away from its contamination without an adequate cleanup with undermine the work we have done into Tacoma to cleanup contamination in our waterways. Please do not allow Occidental to insult our community this way.

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. Occidental's preferred remedy is unacceptable – we cannot allow polluters to walk away from so much toxic contamination. Doing so not only allows the contamination to pose a lasting threat to our community, but sets a precedent for other companies that cause contamination. Our environmental health and future



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economic development are too important to expose to these risks.

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,

Ryan Mello
City of Tacoma