

Judy Ferguson

Ms. Graber -

I attended the Open House and Public Hearing at the Centre at Norpoint and appreciate the opportunity to share my thoughts and concerns on the cleanup of the Hooker Chemical site. The Browns Point home I have lived in for the last 30 years was built in the 1930's and is directly across Commencement Bay from the Asarco Smelter site. My family watched the smokestack's implosion from our dining room window. Our acre lot is contaminated from the smelter's plume fallout and the arsenic in our soil is never far from my mind. I'm very certain that the Superfund Cleanup will never extend to the cleanup of my property.

The Asarco cleanup should never have been a federal responsibility. It's a travesty that the Asarco owner group was able to evade their environmental responsibility through bankruptcy. For this reason, I am more than concerned regarding the need for Occidental Chemical to be held to an extensive, thorough, 100% cleanup of the Hooker/Occidental site and surrounds. Anything less than a commitment from Occidental Chemical to a 100% cleanup goal is unacceptable !

As I drive back and forth on Marine View Drive, I am always flabbergasted and concerned when I see people and their families sandcastle building or fishing during low tides on the Hylebos waterway beach. Seeing dogs running in and out of the water as they chase and retrieve is equally alarming. The information regarding the contamination from Occidental is staggering in both its toxicity and the area it encompasses. It was disheartening to hear that very little of Commencement Bay itself has even been tested, much less monitored, for contamination. How can a cleanup plan begin when the area of contamination has not even been fully determined ? Occidental Chemical doesn't get to have a 'pass' on the full extent of the chemical 'soup' they have created.

Occidental Chemical must be held accountable for the cleanup of their poisoning and all necessary legal and fiduciary measures must be taken to ensure that they are unable to 'walk away.' At the Public Hearing, it was impressive to hear the comments of former City and State employees sharing their knowledge of the extent of the pollution and their passionate urging that a complete cleanup, including the study of toxicity into Commencement Bay, is the only option.

Additionally, the Occidental site's contamination and cleanup cannot be considered and managed in isolation. The affects that the construction and existence of the LNG plant will have on the Occidental 'goo' plumes must also be taken into account and be a part of the cleanup solution. While the LNG plant and Hooker/Occidental Chemical are two separate sites, the tidal movements of the contamination and the weight and 'stirring up' of water and sediments by the LNG construction know no site boundaries. Should a massive LNG structure with supports that are pile driven into what could be toxic, dissolving goo, be built? What was the nature of the LNG soil materials that were recently excavated and taken offsite for disposal? Were they analyzed for contamination and appropriately dealt with? I would hope that contaminated material was not dumped somewhere else to cause yet another problem down the road.

I urge the Department of Ecology to require a cleanup plan that deals with as much of the toxic pollution as possible - - hopefully 100%. Further, Occidental must create a performance bond, reserve account or an equivalent fund to ensure that cleanup costs will be covered regardless of the company's future financial status. Ecology has the authority to order this via a unilateral order. The Department of Ecology must hold Occidental fully accountable for a cleanup to the "maximum

extent practicable" as required by the Model Toxics Control Act.

I moved from Medford, Oregon to Tacoma in 1970 to attend PLU, married and stayed. I have shared with my sons how lucky they are to live in a place where in their immediate neighborhood they can see a volcano, a salt water Bay, ships from around the world, fighter jets training in the skies, a working railroad and all kinds of 'workerman trucks' that thrilled them when they were young. While the 11th Street drawbridges are now just a memory for them, the pair of nesting eagles just upslope from our home has been a delight for the last 10-ish years. All of this wonder should not be sullied by its polar opposite - - the potential of having not 1, but 2 Superfund Cleanup sites.

Please hold Occidental Chemical to the most severe cleanup option. They profited from their years of pollution, while their employees and the surrounding community suffered the sight, smells and negative health consequences of their industry. "We didn't know" is not an acceptable excuse to forego full responsibility for their actions.

Thank you for your consideration of my thoughts and concerns. And thank you, thank you for holding the Public Hearing at the Centre at Norpoint.

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