

**INDUSTRIAL WASTE AREA GROUP III (“IWAG”)  
FOR THE PASCO SANITARY LANDFILL NPL SITE**

**COMPRISED OF: 3M Company; Blount, Inc.; The Boeing Company; Crown Beverage Packaging, LLC; Daimler Trucks North America LLC; Georgia-Pacific LLC; Goodrich Corporation; Intalco Aluminum Corporation; PACCAR Inc.; PCC Structural, Inc.; Pharmacia LLC; PPG Architectural Coatings Canada, Inc.; Simpson Timber Company; Union Oil Company of California; and Weyerhaeuser NR Company**

**BY IWAG STEERING COMMITTEE CO-CHAIRS:**

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October 26, 2018

**VIA EMAIL (PDF) AND FIRST-CLASS MAIL**

Mr. Chuck Gruenenfelder, LG, LHG  
Project Manager, Toxics Cleanup Program  
Washington Department of Ecology  
Eastern Regional Office  
4601 North Monroe Street  
Spokane, WA 99205-1295

**Re: Pasco Sanitary Landfill NPL Site  
IWAG Comments on Focused Feasibility Study and Related Documents**

Dear Mr. Gruenenfelder:

This letter provides the Industrial Waste Area Generator Group III (“IWAG”) response to the Washington Department of Ecology (“Ecology”) invitation for public comment on documents prepared under Agreed Order DE 9240 for the Pasco Sanitary Landfill NPL Site (the “Site”) that describe final remedial action alternatives for the Site. Those documents consist of the Pasco Landfill Draft Final Focused Feasibility Study, dated August 2017, prepared by Anchor QEA for the IWAG and Bayer CropScience (“BCS”) (the “IWAG/BCS FFS”), the

Revised Draft Focused Feasibility Study Report [for the] MSW Disposal Areas, dated August 2017, prepared by Aspect Consulting, Inc. for the Landfill Group (“LFG”) (the “LFG FFS”), the Ecology September 2018 Pasco Landfill Cleanup fact sheet (“FFS Fact Sheet”), and other relevant correspondence. On behalf of the IWAG, we provide the following comments on those documents and pertinent matters.

**I. IWAG Response to Washington State Department of Health (“WDOH”) Comments**

**Comment 1. The IWAG disagrees with the recommendation presented in the WDOH’s statements that alternatives E-2 and E-3 for Industrial Waste Area Zone E are the most protective of future groundwater contamination.**

The wastes located in Zone E, which have been under a RCRA cover since 2002, achieve the most stringent cleanup levels for VOCs in soil in the State of Washington. With the installation of the Municipal Solid Waste cover and gas collection system in 2002, VOC’s measured in the groundwater monitoring wells adjacent to Zone E decreased to below draft cleanup levels. There have been no exceedances of any draft cleanup level in the groundwater associated with Zone E since 2004. Alternative E-1, the preferred remedy for Zone E, which maintains the RCRA cover over the waste coupled with ongoing monitoring, provides the necessary protection to human health and the environment.

**II. IWAG Comments on LFG FFS**

**Comment 2. The IWAG is concerned about many topics within the LFG FFS, some of which are not in full alignment with Site data, do not take into account omitted Site data, or are in conflict with IWAG conclusions presented in the IWAG/BCS FFS.**

Additionally, the IWAG does not accept many of the opinions of the LFG FFS authors concerning differences between the two FFS documents offered in a November 14, 2017 Aspect Consulting memorandum (among other LFG-sponsored correspondence) and, in particular, those differences that relate to the Industrial Waste Areas of the Site. The IWAG has decided to forego providing a full set of detailed comments on the LFG FFS and other materials in order to focus on advancing the overall goal of Site cleanup. This decision should not be construed as IWAG’s concurrence with or acceptance of the LFG FFS (or other LFG-sponsored correspondence) or a waiver related to any of these issues. The IWAG reserves its rights and positions to be asserted in any context in the future.

**III. IWAG Comments on IWAG/BCS FFS**

**Comment 3. The IWAG has achieved significant milestones in site cleanup over the past 26 years.**

Since its creation in 1992, IWAG has worked closely with Ecology Eastern Regional Office (“ERO”) staff, within the MTCA framework, to investigate, characterize and remediate the Site. Through interim action agreed orders, the IWAG installed the soil vapor extraction

(“SVE”) system, which, since 2001, has extracted over one million pounds of VOCs and significantly improved groundwater conditions at and downgradient of the Site. The IWAG, in conjunction with some other Site PLPs, also undertook steps in the 1990s to protect downgradient property owners including provision of bottled water and subsequent extension of the municipal water system along “A” Street in East Pasco, and implementation of institutional controls, which include annual beneficial user surveys performed by the City of Pasco. Most importantly, the interim actions at the Site have resulted in the draft cleanup levels established by Ecology for groundwater being achieved at wells a short distance downgradient from the edge of the buried drums in Zone A since 2012.

In the IWAG/BCS FFS, the IWAG concluded, through its application of the remedy selection criteria in the MTCA regulations, that all of the interim actions implemented to date – the SVE system, a robust geomembrane cover system, institutional controls, and extensive monitoring – in combination with proposed enhancements to the SVE system would, taken together, be a suitable final remedy at the Site. Ecology, in turn, has more recently concluded SVE alone is no longer a valid remedy for Zone A. Ecology has expressed the intent to require removal of drums from Zone A as part of the final remedy to address Ecology’s concerns that the drums might catch fire or explode and, if left contained in place, could require continued SVE operation for an uncertain period of time. To avoid the cost and delay of a protracted process with Ecology to resolve technical differences, and to quickly get the Site remedy finally decided and implemented, the IWAG informed Ecology in June 2018 that it is willing and ready to institute a drum removal in Zone A as a key component of the final remedy provided the IWAG can reach agreement with Ecology on the scope of work and schedule. The IWAG has agreed to, and is pursuing in collaboration with Ecology, an expedited process to define the scope of work for the final remedy for Zone A, and all other areas of the Site, to be captured in a consent decree.

**Comment 4. The Site investigations and interim actions by the IWAG are supported by high quality technical documents authored by qualified and experienced environmental consultants.**

Over the years, the Site has presented technical challenges in terms of site-characterization and management. For instance, the 2013 combustion event with the MSW Balefill Area raised questions regarding the combustion’s origin and extent and required a significant effort to extinguish<sup>1</sup>. Additionally, the IWAG and its expert team conducted comprehensive investigations of subsurface conditions within Zone A. The IWAG team and Ecology considered the resulting information and reached different conclusions about conceptual site models for Zone A and perceptions of risk associated with the elevated subsurface temperatures in Zone A.<sup>2</sup> The IWAG recognizes there have been alternative technical opinions and conclusions put forward by Ecology regarding those and other investigations at the Site including most recently in an October 22, 2018 letter from Assistant Attorney General John Level to Franklin County (“October 22 Letter”).

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<sup>1</sup> See Section 2.3.2.7 IWAG/BCS FFS

<sup>2</sup> See Appendix K *Zone A Heating Evaluation Memorandum*, IWAG/BCS FFS.

Throughout the IWAG's involvement at the Site, the IWAG has retained top level consultants to assist in investigating and monitoring Site conditions and implementing and maintaining the interim remedial actions at the Industrial Waste Areas of the Site. The IWAG has invested tremendous resources to address Site conditions. Over its 26-year history at the Site, the IWAG has participated in good faith and stands behind the work performed by its technical consultants, including the IWAG/BCS FFS, its appendices, and Zone A studies, as providing complete and accurate characterizations of the Site conditions. The IWAG will devote that same high-quality work and commitment to the development and implementation of the final remedial actions for the Site. Protection of human health and the environment, and worker and community safety, have been and will continue to be the IWAG's paramount objectives at the Site.

**Comment 5. Recent Site data confirm Zone A conditions are stable and do not require immediate action.**

Ecology's September 2018 FFS Fact Sheet states "the conditions in Zone A...have become more unstable since the draft FFS." Site data in fact confirm that Site conditions remain stable and temperatures have been reduced to below 160°F. Thus, the data do not support the Fact Sheet's characterization of these conditions and the implication that they require an immediate drum removal action. Further, the IWAG disagrees with many of the statements in the October 22 Letter that similarly characterize site conditions and comment on the operations of the SVE system.

The IWAG has previously expressed its views to Ecology about the draft/final FFS Fact Sheet and related Ecology public presentation materials and will further address those views below. When the technical issues alluded to in the FFS Fact Sheet were initially identified, the IWAG responded promptly with Site sampling, retention of experts, work plans, and reports to address the issues on a number of fronts with Ecology in an orderly, rigorous process. Over the last several months, Site data demonstrates that subsurface temperatures at Zone A have stabilized and are slowly decreasing. And when NAPL was identified at the Site, the IWAG presented Ecology with a proposed work plan to investigate its extent, which was subsequently deferred by Ecology. We understand this deferral was primarily based upon Ecology's view that a drum removal will address the NAPL. While the IWAG does recognize that waste incompatibility will be an issue when the drums are removed and managed, the IWAG does not find it reasonable to believe that drums buried deep in the landfill for over 40 years without a single known incident related to waste incompatibility now pose a present and serious risk of explosion or fire.

Despite the disagreements stemming from respective interpretations of technical data, the IWAG remains ready with Ecology to plan and implement a safe drum removal. The IWAG understands that it will be critical to carefully expose, characterize and manage drums and other excavated materials in a safe manner to avoid creating a waste incompatibility problem during the drum removal activities. In correspondence to Ecology dated September 24, 2018 the IWAG submitted draft work plans prepared by drum removal experts over the last several months for

such a removal.<sup>3</sup> With those drafts as a starting point, the IWAG looks forward to working with Ecology and other PLPs to develop a drum removal scope of work, to be included in the Cleanup Action Plan and Consent Decree, that provides for proper waste characterization and handling and all other elements of a safe and effective resolution of Zone A as part of the Pasco Site final remedy.

**Comment 6. While the IWAG respectfully disagrees with Ecology's current assessment of Site conditions, the IWAG shares the same clean up goals with Ecology and is committed to working diligently with Ecology to achieve an expeditious final remedial action for all areas of the Site.**

On June 25, 2018, Ecology provided a draft of its FFS Fact Sheet to the IWAG, the LFG and BCS, requesting feedback on the document. The IWAG provided the following comments on the draft, which are excerpted below and incorporated by this reference into these comments:

The IWAG will not be providing suggestions for specific Fact Sheet text revisions because to do so would require very substantial revisions that likely would not be adopted by Ecology. For the record, the IWAG fundamentally disagrees with the Fact Sheet's description of Site conditions and circumstances, and especially disagrees with the Fact Sheet's conclusions about Zone A and the FFS alternatives for Zone A remedies. The IWAG's decision to forego providing suggestions about specific text revisions should not be interpreted by Ecology or others as IWAG's agreement with any of the Fact Sheet's contents. Among many issues raised by the Fact Sheet's contents, the IWAG particularly objects to the inclusion in the Fact Sheet of the last two sentences of the fourth paragraph of the first section, stating: "Our [Ecology's] plan is to remove drums and contamination from Zone A. In addition to making site conditions safer and more stable, this interim action will simplify the identification of a future, final cleanup remedy for Zone A."....

Accordingly, without waiver of its general objection to the Fact Sheet's contents, the IWAG requests that the two sentences quoted above be deleted.

The IWAG remains committed to cooperate and collaborate with Ecology in addressing Pasco Landfill Site conditions, and in framing a path forward to implement appropriate Site remedies consistent with Site conditions and the requirements of MTCA.<sup>4</sup>

The final FFS Fact Sheet issued by Ecology removed the statement cited above, but included other references to an interim action drum removal at Zone A. Since issuance of the final FFS Fact Sheet, Ecology and the IWAG have begun working toward completion of the Zone A drum removal as a final remedial action pursuant to MTCA's Cleanup Action Plan and Consent Decree provisions. The IWAG reiterates its ongoing commitment to working collaboratively with Ecology and other PLPs in an expedited process to develop the documents necessary to

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<sup>3</sup> Letter from the IWAG (J. Sanscrainte and R. Bakemeier) to Ecology (M. Bellon, J. Pendowski, K. Falconer, and J. Level), September 24, 2018.

<sup>4</sup> Email communication from R. Bakemeier to E. Bronson, July 2, 2018. See also Email communication from R. Bakemeier to C. Gruenenfelder and E. Bronson, September 25, 2018, regarding the final FFS Fact Sheet and related Ecology public presentation materials.

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support an Agency final remedy decision for the Site, to include a drum removal remedy for Zone A.<sup>5</sup>

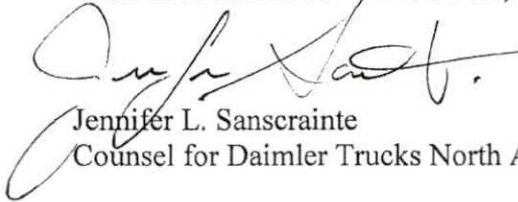
Last, the IWAG notes that the October 22 Letter was distributed to many, but not all, the PLPs for the Site. In an email to Assistant Attorney John Level sent on October 2, 2018, Robb Bakemeier provided the IWAG's updates and corrections to Mr. Level's PLP Contact List. We request that all correspondence related to the FFS and the ongoing discussions Ecology and the Assistant Attorney General are conducting with some of the PLPs regarding the final remedial actions for Zone A and all other areas of the Site be provided to all the parties on the PLP Contact List to afford them opportunity to participate in such discussions.

Thank you for consideration of these comments.

Sincerely,

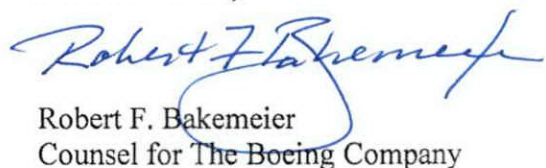
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<sup>5</sup> Letter from the IWAG (J. Sanscrainte and R. Bakemeier) to Ecology (M. Bellon, J. Pendowski, K. Falconer, and J. Level), September 24, 2018.