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PUBLIC COMMENT

Draft Fourth Periodic Review - Mica Landfill

I support continued protection and remediation of the Mica Landfill site, but I urge the Washington Department of Ecology to strengthen the Fourth Periodic Review so that long-term protection of groundwater, nearby drinking-water supplies, and the surrounding environment is an enforceable obligation rather than an assumption based upon the present condition of the landfill.

This landfill received municipal wastes as well as industrial materials including pesticides, herbicides,

solvents, petroleum products, industrial sludges, electronics-industry chemicals, and other potentially

persistent contaminants. Contamination remains in groundwater. The passage of time does not eliminate

the responsibility to determine where those contaminants are moving and whether new contaminants of

concern are present.

I therefore urge Ecology to incorporate the following requirements into its final review and continuing

oversight of the site:

1. Continue groundwater monitoring for as long as contamination remains above applicable cleanup standards. Monitoring should not be terminated merely because contaminant concentrations are stable. Stability is not remediation, and groundwater conditions can change with precipitation, groundwater levels, deterioration of containment systems, or other environmental conditions.

2. Require analytical methods capable of detecting vinyl chloride below the applicable state cleanup level. A laboratory reporting limit above the health-based cleanup standard creates an unacceptable monitoring blind spot. "Not detected" cannot be interpreted as safe when the analytical

method cannot reliably detect the contaminant at the concentration that defines safety.

3. Establish meaningful long-term PFAS monitoring. I support Ecology's proposed PFAS testing, but

limiting this investigation in advance to only three wells and one year risks creating an arbitrary endpoint before the extent and behavior of any contamination are understood. Initial testing should determine the appropriate future monitoring network and duration. If PFAS are detected, monitoring

should continue and expand as necessary to determine their source, concentration, direction of movement, and potential threat to drinking-water supplies.

4. Use monitoring results to trigger additional investigation and remediation. The program should contain explicit response criteria. Increasing contaminant concentrations, newly detected contaminants, migration toward the landfill boundary or drinking-water wells, failure of containment

systems, or other evidence of increased risk should automatically require further investigation and, where warranted, additional corrective action.

5. Maintain the landfill cap, leachate collection system, gas collection and treatment system, monitoring wells, access controls, and environmental covenants for as long as residual contamination requires them. Institutional controls must remain enforceable through changes in ownership, land use, personnel, or governmental priorities.

6. Do not allow administrative closure to substitute for environmental cleanup. Any future determination that monitoring, remediation, or institutional controls are no longer necessary should require affirmative evidence demonstrating that remaining contamination no longer presents an unacceptable risk to groundwater, surface water, drinking-water supplies, human health, or ecological resources.

7. Preserve the precautionary burden of proof. Where uncertainty exists concerning contaminant migration or long-term effectiveness of the remedy, the burden should not fall upon nearby residents or future generations to demonstrate that contamination has reached them. The responsible parties and regulatory agencies should demonstrate, with adequate monitoring data, that the remedy remains

protective.

This is particularly important for contaminants that can persist for decades and migrate through groundwater. A landfill closed in 1991 can continue to influence groundwater long afterward.

Long-term

stewardship must therefore be understood as an integral part of the cleanup remedy, not as a temporary

administrative program.

I support Ecology's continued oversight of the Mica Landfill and urge the Department to strengthen the

final Periodic Review accordingly: maintain monitoring and containment for as long as contamination

remains; eliminate analytical blind spots; expand PFAS investigation when the data warrant it; establish

clear triggers for additional remediation; and retain enforceable institutional controls until objective evidence demonstrates that they are no longer necessary.

The appropriate standard should be straightforward: protection must continue for as long as the contamination does.