

Julia Comments. Skyway Contamination near my house. 8/16/2022

I went to the nearby grocery store to purchase drinking water after the negative experience I had attending the WA Department of Ecology zoom public meeting on Wednesday, August 3, 2022.

Although Ecology and the Water/Sewer staff tried to comfort us at the public meeting that the drinking water is safe, I found this information on the Environmental Protection Agency (EPA)

“Contamination of groundwater **can result in poor drinking water quality**, loss of water supply, degraded surface water systems, high cleanup costs, high costs for alternative water supplies, and/or potential health problems.”

[EPA website:](#)

<https://www.epa.gov/sites/default/files/2015-08/documents/mgwc-gwc1.pdf>

?What are the health symptoms of contamination from the chemicals found at this site?

From the WA Ecology Department website: <https://apps.ecology.wa.gov/cleanupsearch/site/567>

“The Department of Ecology (Ecology) is overseeing a cleanup of the Boathouse Inc Renton Skyway Site in the Skyway neighborhood, being done by GardnerGlobal, Inc (GG). Ecology is providing funding for this cleanup through their new [Affordable Housing Cleanup Grant Program](#). This program ensures sites are “cleaned up properly while promoting community engagement and ensuring affordable housing in the process.”

The Boathouse Inc. Renton Skyway site (Site) is a former retail store and dry cleaning facility (Ken's Skyway Cleaners) located in Seattle, King County, Washington. A dry cleaning facility (Ken's Skyway Cleaners) was in operation at the Site from 1982 until 2002. Operations at this dry cleaning facility resulted in the release of hazardous chemicals to soil and groundwater. The 0.48-acre property is located approximately 5,700 feet from the Duwamish River, and zoned for community business (CBSO) use.

Municipal groundwater wells for the Skyway Water District (approximately 9,890 users) and the City of Renton (approximately 62,100 users) are located within 2 miles of the Site. Solvent-impacted groundwater has been confirmed at the Site, but has not been confirmed to affect municipal groundwater supplies.”

Taken from page 8 of the [Prospective Purchaser Consent Decree \(PPCD\)](#)

“Contamination at the Site is likely related to the former Ken's Skyway Cleaners. Additional sources and/or releases may be identified during further investigations. Sampling from previous environmental investigations at the Site demonstrate that

Tetrachloroethene (PCE) is present above MTCA Method A cleanup levels in soil and groundwater,
Trichloroethene (TCE), and Vinyl Chloride (VC) are present in groundwater above MTCA Method A cleanup levels in groundwater,
Cis- 1,2 dichloroethene (DCE) is present in groundwater above the MTCA Method B NonCarcinogen Standard Formula Value, and PCE, TCE and VC are likely present in soil gas above their MTCA Method B Screening Levels based on groundwater sampling results. These hazardous substances have been, and may continue to be, released at the Site into the environment including to soil, soil gas, and groundwater.”

My concerns:

1. Ecology staff indicated they are required to place an ad in the Seattle Times to publicize information. I expressed concern that doing this is inequitable since to view the Seattle Times usually requires a subscription that not everyone has nor can afford. The staff said it is in the MTCA - Model Toxics Control Act. When I searched the internet for this, it came up as a Washington state act. I also explained that ethnic media should be used also. Skyway is a very diverse community, the most diverse zip code in the state. The demographics of Skyway should be taken into consideration as to what media is used by Skyway residents.

Here is the WAC:<https://app.leg.wa.gov/wac/default.aspx?cite=173-340-600>

“(c) Newspaper publication. Notice of the proposed action shall be published in the newspaper of largest circulation in the city or county of the proposed action, by one or more of the following methods: Display ad; legal notice; or any other appropriate format, as determined by the department.

(d) Other news media. Notice of the proposed action shall be mailed to any other news media that the department determines to be appropriate. The department may consider how a medium compares with the newspaper of largest circulation in terms of: Audience reached; timeliness; adequacy in conveying the particular information in the notice; cost; or other relevant factors.”

Contradictions. Ecology staff said in the meeting that contamination was found in 2018. My question was not fully answered as to who was to monitor the dry cleaners use of chemicals?

Ecology indicated that a certain number of people need to be affected in the area, or something to that nature, before they clean up. I read parts of the MTCA - Model Toxics Control Act, Cleanup Regulation on page 37, <https://apps.ecology.wa.gov/publications/publications/9406.pdf>
In there it states:

“(4) Site assessment and ranking. For high priority sites, the department shall complete the site hazard assessment and hazard ranking within one hundred eighty days of the scheduled start date. These sites shall be identified in the department's Site Register.

Sites not designated as a high priority shall be scheduled for future investigations and listed in the biennial report to the legislature (WAC 173-340-340). The department shall conduct at least thirty-five site hazard assessments each fiscal year until the number of sites needing site hazard assessments are reduced below this number. “

My Questions:

? Was the Dry Cleaners business ever listed in the biennial report to the legislature?

According to the Ecology's web page with information about this contaminated site <https://apps.ecology.wa.gov/cleanupsearch/site/567> an investigation was completed in 1999.

? What was found at that time?

The webpage goes on to say “in 2002 The Site joined the Voluntary Cleanup Program (VCP) in 2002 and placed on the list with ID number NW0926, and was terminated from the program in 2007 due to inactivity.”

? Why was the site terminated from the Voluntary Cleanup Program in 2007 when the former dry cleaning facility (Ken's Skyway Cleaners) closed in 2002? That is 5 years.

The Voluntary Cleanup Program (VCP) helps property owners who are independently cleaning up their site. Webpage: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanups/Voluntary-Cleanup-Program>

? How often did ecology check in on this business to ensure compliance?

In 2015 Ecology conducted a Site Hazardous Assessment and added the Site to the Hazardous Sites List with a ranking of "3" moderate risk.

? Were people who live and work in the area notified of this in 2015? If so, how? If not, why not?

On January 17, 2019, a Limited Phase II screening was conducted. PCE, TCE and Vinyl Chloride (VC) were found above state cleanup level in groundwater. This report also documents the potential of the groundwater plume migrating to the south and under the adjacent southern property.

? So why has this site not been cleaned yet with us being in the year 2022 yet there was an investigation in 1999?

In 2020 Ecology is beginning negotiations with the liable persons to clean up the Site.

? How are the negotiations going? Who are the liable persons?

Questions on PROSPECTIVE PURCHASER CONSENT DECREE:

On page 3 it states: “so it may be redeveloped and reused as the Skyway Towncenter project, a mixed affordable rental and affordable condominium ownership housing project (Project). The Project will provide approximately 254 total units: 71 to 94 units of affordable rental housing, or 30 percent to 40 percent of the Project units, and approximately 142 to 165 units of affordable lease-to-own condominiums, or 60 percent to 70 percent of the Project units. 12536 Renton Ave LLC is continuing to assess unit numbers according to the King County Code, and anticipates that these unit counts may increase. The Project will also include commercial space.”

? Affordable for who exactly?

Based on community input, a new long-range plan for the area under consideration by the Metropolitan King County Council this year includes regulations that would require for-profit developers to reserve at least 15%-30% of the units they construct in Skyway’s commercial nodes for lower-income residents.

? Do you understand that low income housing is different from affordable housing?

? Do you know how to do development without displacement?

? In an area where two-thirds of the 18,000 Skyway residents are people of color and the per capita annual income is \$25,000 less than in Seattle, per U.S. census data. Do you know housing cost increases are boosting worries about displacement?

? Which area are you looking at when the term Area Median Income (AMI) is used?

? Can Skyway’s median income be used in determining rents?

? Can developers be provided with a subsidy as an incentive to provide low income housing?

? Can all developers be required to create a Community Benefits Agreement (CBA can include what kind of retail shops community members would like to see on the first floor of a housing complex, art by locals, hiring of locals, etc.) with a local community organization like Skyway Coalition so the developer can be informed on what the needs are at that specific time and how the community can partner with the developer in achieving a community vision together?

In The PROSPECTIVE PURCHASER CONSENT DECREE, section VIII Performance, page 16:

? How will testing done by geologists, hydrologists, engineers licensed by Washington State be verified? I’m concerned that the professional geologist, hydrologist, engineer, might get paid to

lie on the testing to protect the developer's interest in making money/profits on the housing, rather than protect the environment (land & air) and people, children, and pets.

On page 7 of the Exhibits document, it states the following: "As part of the project background, existing environmental data on site soil, groundwater, and soil vapor will be compiled and evaluated for data gaps."

Soil vapor is a term I had to look up online. The Environmental Protection Agency (EPA) website talks about "Migration of Soil Vapors to Indoor Air" Here is the EPA webpage on vapor intrusion. <https://www.epa.gov/vaporintrusion/what-vapor-intrusion>

? How is the air quality outside and inside? I assume it has been tested?

[Public Participation Plan](#) (PPP) input:

Given this info in the PPP: "tracts were researched for health risks to sensitive populations to better inform the outreach needs for the site. Tract 026001 has a risk rating of 2 (low) while track 026100, to the west, has a risk rating of 10 (highest)."

? Why does the area not have signs or is not closed off?

The Public Participation Plan states, "Based on federal guidance, any score greater than the 80th percentile should be considered significant."

? Since all but one is higher than the concerning 80, why are there no warning signs posted around the area? It is near a park that children frequent. Below is the image with the info I am referring to:

EJScreen Report (Version 2.0)
 .25 miles Ring Centered at 47.492037,-122.239895
 WASHINGTON, EPA Region 10
 Approximate Population: 1,615
 Input Area (sq. miles): 0.20

Selected Variables	Percentile in State
Environmental Justice Indexes	
EJ Index for Particulate Matter 2.5	84
EJ Index for Ozone	84
EJ Index for 2017 Diesel Particulate Matter*	89
EJ Index for 2017 Air Toxics Cancer Risk*	85
EJ Index for 2017 Air Toxics Respiratory HI*	85
EJ Index for Traffic Proximity	79
EJ Index for Lead Paint	93
EJ Index for Superfund Proximity	94
EJ Index for RMP Facility Proximity	88
EJ Index for Hazardous Waste Proximity	91
EJ Index for Underground Storage Tanks	93
EJ Index for Wastewater Discharge	98

Figure 7 Chart showing environmental justice rankings for a quarter-mile area around the site

Giving the developer the discretion to determine affordability as they see fit without regard to the area median income of this community specifically is alarming. This is a community facing rapid displacement and affordability should be defined based on the AMI of this community specifically. The community only benefits from affordability if that affordability is based on its economic realities.

I think what is alarming to Skyway residents is that this program can potentially provide public funds to developers to clean up contaminated sites in our community and develop property that is affordable for people outside of the community but not historic residents of the community while calling it "affordable housing". This could accelerate displacement. This can be easily addressed by tying affordability to the specific geography where the property is located. That ensures benefit to the specific residents of the community who are structurally disadvantaged.

This is cultural genocide what you are letting happen? The WA Department of Ecology, a public entity, who gets some funds from taxes, is giving a grant to a developer, who will get to choose the affordability level of the housing. By not including low income residents, you are creating segregation, a form of redlining. Many low income residents are Black and Brown. These chemicals are in the air. Letting this go on since 1999! Wow! People can get very sick, if they are sick already, with a low immune system, then they could die. Do you want this on your hands? To the developer, shame on you for giving your rudeness to an elder community member. You showed us that you are not friendly, and thus, not for our community. I hope you can find it in your heart to do the right humane, loving thing.

Concerned Resident,
 Julia Bobadilla-Melby