

# Friends of Rocky Top / CascadiaNow.org

Comments from Nancy Lust, representing Friends of Rocky Top, a CascadiaNow.org project, on Agreed Order 21624

4.2 – Parties – I think Macquarie Asset Management should be added as a Potentially Liable Party because they are the owner now. Also, I think Ron Anderson, the former owner of the landfill and its associated facilities should be added as a Potentially Liable Party. The landfill was listed by Ecology in 2015 as a Suspected contaminated site for soil. The chemical profile from the air emissions done in 2022 suggests petroleum chemical compounds. It seems likely that soils from the PCS site may be responsible, at least in part, for the harmful emissions.

## 7.2 Work to be Performed

Determination of underlying CAUSE for the contamination must be part of this investigation. The public has a right to know how these chemicals got into the soil. The Yakima Health District has an interest in understanding how this contamination was caused also, so that their regulatory efforts in the future might better prevent such contamination. When the folks from Ecology talk about the MTCA process and investigation, they have referred to looking for the cause, but I didn't see any reference to that effect in the Agreed Order. Am I missing something?

Can additional contaminants be added to this investigation if there is reason to believe they are present and harmful to human or environmental health? Specifically, we are learning more and more about PFAS and its presence at the facility.

What are the consequences to the PLP if they do not notify Ecology of any change in condition for the chemical contaminants? DTG has not always been prompt about sharing information with the regulators. For example, it took them several weeks to share the Freestone Air and Soil Gas sampling report, and when they did share, the report had been altered.

7.3.2 Will the list of "required tasks" be made public? I would like to know what these tasks are. Is this described in the Work Plan document?

7.7 This sections deals with remedial actions, and stipulates DTG can only perform remedial actions approved by Ecology. Is putting more cover soil on the cracks where the harmful gases are venting an approved remedial action? I understand that covering the cracks reduces the odor, but it also may push the gases into the groundwater, and Ecology has expressed this same concern.

## 8.4 Access

It is entirely plausible that the harmful fumes coming from the landfill are impacted by the landfill fire. Friends of Rocky Top obtained thermal imaging data suggesting that the landfill fire (or at least the heat from underground) has migrated onto two neighboring properties. If remedial action is necessary to deal with this fire on their property, will DTG ensure that native habitat is restored if this vegetation ends up being harmed as part of a remediation effort?

Exhibit B – Scope of Work, C. Sampling and Analysis Plan

I found it unfortunate, but perhaps understandable, that the public was only given the opportunity to comment on the Agreed Order, and not the Work Plan. The Agreed Order provides the big picture for this project, but as they say, 'the devil is in the details,' and the details are in the Work Plan. That said, I was fortunate to obtain a copy of the "Landfill Fire and Emission Assessment Work Plan – Revised," dated March 10 2023, put together for DTG by Michael Brady of Parametrix.

In the section on Ambient Air Monitoring, I would urge Ecology to require the ambient air monitoring be conducted in the early morning (sunrise) and late evening (sunset). This is usually when neighbors find the odors to be most noticeable. It took almost two years of complaining to the Yakima Health District before a regulator agreed to come out to look for odor outside of business hours. If the ambient air monitoring is done in the middle of the day, I think those results would be worthless. James Rivard has mentioned landfills have a tendency to sort of inhale and exhale. Ecology needs to time the ambient air monitoring when the landfill is exhaling.

In this instance, I am sure landfill neighbors will not object if DTG personnel and local regulators need to be onsite outside of normal operating hours, especially if the schedule is made public on the Ecology website.