

Diana Erickson, MDiv. JD

Mr. Sixkiller,

Thank you for your commitment to protecting our lands, waterways and larger environment. I recognize you have many claims on your attention and have to balance sometimes competing demands and responsibilities. Yours is a difficult job.

The cleanup of the old Rayonier is one of the challenges the Department of Ecology faces. I and my community are very dismayed that the Department of Ecology is not requiring a full clean up of the old Rayonier Mill in Port Angeles. This negotiation has been going on since 2001. It seems to be an enormous waste of resources and time given the millions of dollars which have been spent to restore fish passages, improve the economy of our area through tourism, business and locally sourced food--to name a few, because of an incomplete cleanup leaving forever toxins in the ground, rather than removing them. Yes, we are a smaller city, however, climate maps show that we will be a preferred destination for those relocating because of climate change. Below is my statement to DOE. Please protect the interest of our communities, local, tribal, county and visitors, in advocating for the full cleanup of the Rayonier site in Port Angeles.

DOE Submitted Public Comment:

The cleanup of this site has been under negotiation since 2001 by the Department of Ecology and Rayonier. This area has not only grown in population, but has also become a major tourist destination nationally and internationally—resulting in an increased use of the Olympic Discovery Trail which goes through the contaminated Rayonier site. Major changes have occurred in the understanding of pollution and the impact of chemicals on the environment and our food supply. Federal, State, County and local governments have invested a great deal of time and money to improve and restore the environment, correcting mistakes (in part due to limited scientific understanding of the impacts) which damaged the environment and harmed human, aquatic and animal health.

Below are a few examples of recent actions and investments in the local area relating to environmental restoration and protection, as well as increased use by the community and visitors alike—impacting the local economy and quality of life.

- DOE fined two oil companies on August 5th over \$1.3 Million each for sludge and dangerous waste on their properties and which is still being investigated for their impact.
- The July 20th tanker spill into the Elwah shut down drinking water for the City of Port Angeles and has unknown impact to protect newly restored salmon runs.
- Cost of repair to fish culverts on Ennis and Lee's Creek \$136,000,000
- Olympic Discovery Trail Cost of Spruce Road Trail improvements \$4,758,075.

Department of Ecology's stated requirements-- "The cleanup action objectives include protection of the following: • Humans who could be exposed to contaminated sediment or exposed indirectly through the consumption of seafood. • The benthic invertebrate community and higher-trophic-level organisms that could be exposed to contaminated sediment. • Aquatic life and humans that could potentially be exposed to contaminated groundwater via the discharge of groundwater to fresh and marine surface water and sediment, and direct contact during construction. • Humans and terrestrial wildlife that could potentially come into contact with contaminated soil in the Upland Study Area."

These requirements clearly state that potential exposure must be considered. Given the Olympic Discovery Trail is used daily and travels through the contaminated area to be addressed, the exposure risk is high.

In the report it states. “Only one of the evaluated alternatives can satisfy the requirement to use permanent solutions to the maximum extent practicable” Requirements for determining the appropriate method are Protectiveness, Permanence, Cost, Effectiveness over the long term, Management of short-term risks, Technical and administrative implementability, and Consideration of public concerns.”

Of the 7 requirements, only “management of short term-risks” can potentially be seen to meet the requirements in the Department of Ecology’s proposed clean up.

The proposed approach does not “protect, provide permanence or assure effectiveness over the long term” for the area. Capping provides no guarantee that it will remain safe. Climate change will likely have both short and long-term impacts. We are already seeing a change in sea and groundwater levels, an increase in the severity of storms, and experienced a recent tsunami risk. There is no guarantee that the capped area will not be impacted. In addition, a fence and occasional monitoring do not ensure access or exposure to animals or humans will not occur—the fence or cap can be damaged and expose the public to toxins. The only way to provide those assurances is to remove all known contaminants.

“Cost” must include the impact on the economy and community. Failing to remove the contamination, completely, places an additional burden on the state, county and local governments, non-profits, communities and local tribes who have invested in restoring salmon runs and the local ecosystem. It will have an impact on fishery and aquaculture—the harbor of Port Angeles and Salish Sea will not be safe with capped forever chemicals, given the uncertainty of rapid environmental changes which cannot be controlled or anticipated.

“Technical and administrative implementability.” The complete removal of toxins is as available as with the current proposal by DOE. What is not assured with the proposed plan, is future implementability given the environmental changes we cannot necessarily anticipate over the next 30 years. In addition, the possible impact of the toxins involved are not fully understood scientifically. The current proposal is insufficient, given the ability to completely mitigate the toxins by removing them.

“Consideration of Public concerns.” The public does not just include the local community. It includes the Tribes, the local community, businesses, visitors to the area (including those coming from out of state and internationally) and organizations invested in the health and well-being of the area. In addition, prehistoric indigenous sites, which have yet to be accessed cannot be accessed in such a contaminated environment.

The quality of life here is impacted by the presence of known toxins, no matter how well fenced and buried. The site is on the highly used Olympic Discovery Trail, and damage to the minimally fenced area with only 30 years of monitoring is a very real risk. It is the definition of an attractive nuisance. There is no way to assure the community that the toxins won’t impact our economy, our food, our environment or our enjoyment of this area. That is why the overwhelming public response to the DOE’s proposal is negative.

The only legitimate option, based on the Department of Ecology's own requirements, is the complete removal of toxins from the former Rayonier site. Rayonier is financially capable of correcting its damage. Its current reported value is \$3.76 billion and it recently sold a property for \$699,000,000. Partial removal is insufficient and unwarranted for the people of this community and this state.

Thank you for taking the time to read and consider my comments.

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Sent from my iPad