



King County

Dow Constantine

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June 13, 2013

Allison Hiltner
United States Environmental Protection Agency
Suite 900, ELC-111
1200 Sixth Avenue
Seattle, WA 98101

Dear Ms. Hiltner:

Thank you for providing an opportunity for King County to submit its comments on the proposed Lower Duwamish Waterway Superfund cleanup plan to the United States Environmental Protection Agency (EPA).

King County is the second-largest government in the state of Washington and the nation's 13th most populous county. Our responsibilities entail overseeing a wide range of regional services to protect the health, safety and quality of life for all of our 2 million residents.

I appreciate all the work your agency has done to get us to this point of having a Proposed Plan for cleanup of the lower Duwamish waterway. As you refine the plan, I ask you to consider King County's vision for a clean Duwamish and the outcomes I think we can achieve. King County is seeking a plan that:

- Gets us quickly and cost-effectively to the best outcomes for public health, habitat, and economic development.
- Reflects the best available science and learns from similar clean-ups across the country.
- Prevents recontamination of the river by controlling pollution at its source.
- Begins immediately and avoids the delays we have seen in other Superfund clean-ups.

King County supports many elements of the EPA proposed plan, and is recommending further refinements to focus on the mix of actions that will most quickly and cost-effectively reduce risks to the public and minimize disruption to the surrounding community. With these modifications, we believe that the cleanup can be completed with the same risk reduction outcome two years earlier than the EPA proposed plan, and decades sooner than the most

extensive dredging proposals costing hundreds of millions of dollars more. King County's detailed technical recommendations for modifications to the proposed cleanup plan are being submitted under joint letter from King County agency directors for the Departments of Natural Resources and Parks and Public Health – Seattle & King County.

Even before this next step of Superfund work begins, we've made significant progress with our partners to clean up pollution hot-spots. When all of the early cleanup actions are complete, we will have reduced PCBs in the sediment by half. Since 1990, King County has cut historic, uncontrolled sewer and stormwater overflows into the Lower Duwamish River by 80 percent, and we've made a binding commitment to spend an additional \$175 million to fix the last 20 percent over the next nine years.

EPA has examined a wide range of options for the cleanup through the Feasibility Study. This study, based on 12 years of analysis, indicates that all of the alternatives considered – including those with extensive dredging – arrive at the same outcome in terms of reducing risk to people and wildlife. The differences are in the time, cost, and impacts to people who live and work nearby.

Our focus should be on work that provides value and brings the best outcomes for our health and environment. At the end of the day, county residents, ratepayers, and local businesses along the waterway will make the investment in river cleanup and broader actions that improve water quality and habitat. Let's reach the best outcomes by investing our finite resources in actions that are prioritized and well-integrated – including cleanup of sediment, control of stormwater and pollution at the source, toxics reduction, and restoration of habitat.

The area surrounding the Lower Duwamish hosts 100,000 jobs – eight percent of all the jobs in King County. Having a clear finish line for the cleanup – one that can be attained based on the proposed cleanup and source control actions within this urban watershed – will encourage dozens or even hundreds of responsible parties to make their commitments so we can get moving as quickly as possible and create greater certainty for economic investment in this area. In setting formal goals for the cleanup plan, we request that EPA establish goals that reflect the watershed context for the Duwamish River and provide as much certainty as possible about the scope, duration, and cost of the cleanup. Setting realistic goals will also provide more transparency for local residents, businesses, and ratepayers about what they can expect from the cleanup.

King County also recognizes that the design and construction of cleanup work will unfold over a period of years. We are committed to rigorous monitoring and future course corrections to ensure we meet the objectives of the cleanup. While we want certainty for the scope and “finish line” for the clean-up, I encourage EPA to develop a final plan that builds in flexibility for adaptive management as we get new information and learn from the results of early cleanup actions and improvements in source control.

Recent studies confirm that many in the Lower Duwamish live with disproportionate stressors in their lives and worse health outcomes when compared to other Seattle neighborhoods. Cleaning up historic pollution will significantly reduce a key health risk, but other disparities will not be directly addressed by cleaning up historic contamination. King County will continue to pursue broader initiatives for equity and social justice in this and all our communities. We will continue to collaborate with Lower Duwamish residents and businesses to improve public health outcomes, better manage stormwater, improve access to parks and trails, and restore habitat.

It is time to move forward with aggressive but wise investment that quickly achieves the cleanup and lowers health risks for our residents, particularly those who live and work in the Lower Duwamish.

Sincerely,



Dow Constantine
King County Executive

cc: Dennis McLerran, Region 10 Administrator, United States Environmental Protection Agency (EPA)
Mathy Stanislaw, Assistant Administrator, Office of Solid Waste and Emergency Response (OSWER), EPA
Jim Woolford, Director, Office of Superfund Remediation and Technology Innovation, OSWER, EPA
Maia Bellon, Director, Washington State Department of Ecology
The Honorable Larry Gossett, Chair, Metropolitan King County Council
The Honorable Larry Phillips, Chair, King County Regional Water Quality Committee
The Honorable Julia Patterson, District Five, Metropolitan King County Council
The Honorable Joe McDermott, District Eight, Metropolitan King County Council
Sung Yang, Chief of Staff, King County Executive's Office
Dr. David Fleming, Director and Health Officer, Public Health - Seattle & King County
Ngozi Oleru, Ph.D., Director, Environmental Health Division, Public Health – Seattle & King County
Harold Taniguchi, Director, King County Department of Transportation
Caroline Whalen, Director, King County Department of Executive Services
Christie True, Director, King County Department of Natural Resources and Parks (DNRP)
Pam Elardo, P.E., Division Director, Wastewater Treatment Division (WTD), DNRP

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