

5 December 2002

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Subject: Maury Island Barging and Pier Comments relevant to Sea-Tac Third Runway 404 Permit Application 1996-4-02325

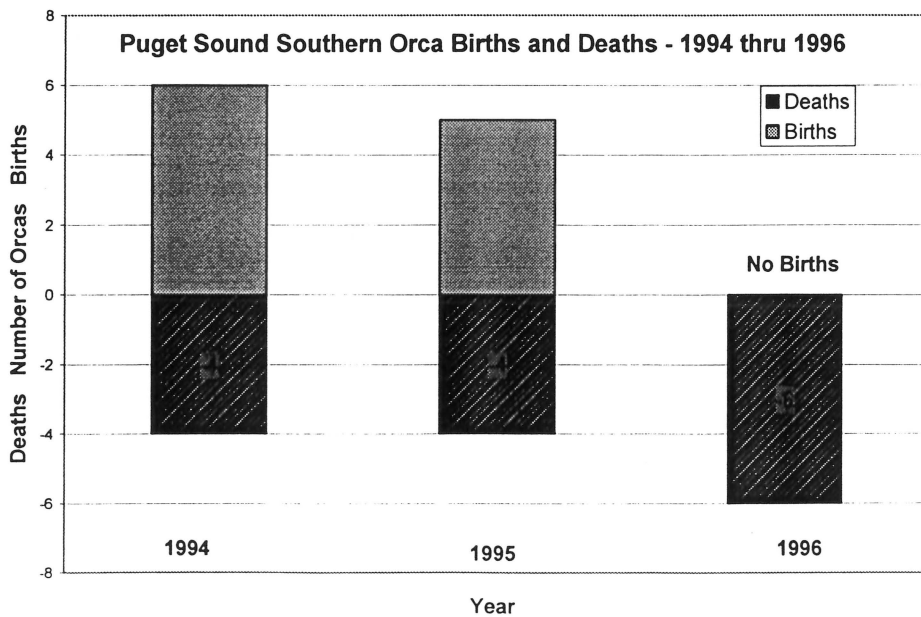
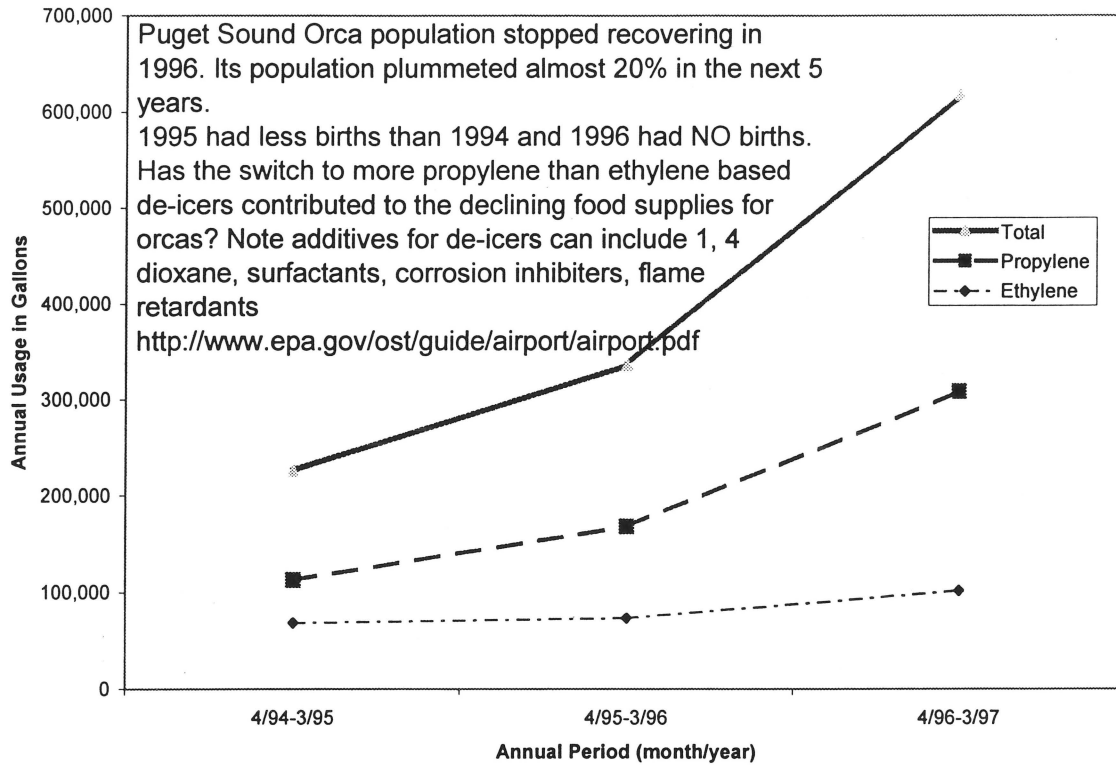
Enclosed you will find comments submitted to the Department of Development and Environmental Services regarding the new pier and barging related to the mining of ASARCO contaminated Maury Island. It's a potential source of fill for the Sea-Tac Third runway. It also has many of the same environmental issues since runway and construction pollution empty into the Puget Sound via the creeks and the sewer outfall by Des Moines creek.

The week of November 18 Seattle Post-Intelligencer (PI) series titled "Our Troubled Sound" further substantiated my attached comments regarding the existing toxics, declining marine life, and the inability to wash toxics out with the tide due to deep areas just north of Maury Island. It provided information on a tanker with 13.5 million gallons of crude that travels to Tacoma whose path would intersect with the barge path. There is an obvious risk of collision considering there would be 8 barge crossings per day cutting across the path used by the tanker as well as other large ships going to Tacoma.

The PI series showed graphs of declining fish populations that looked similar to the Southern Puget Sound whale population decline. The marine life declined at the same time that there was a dramatic increase in de-icer use as well as a shift to new types of de-icers as a result in a change in FAA protocols. The corresponding increase in the new propylene glycol based de-icer may be contributing to the decline in fish and marine mammal populations (see charts on the next page). Note, the whale population problem is more severe than the chart

implies since there are unexpected juvenile deaths but this chart below should be sufficient to get the point across (Ref. Martin, 2002).

Sea-Tac Airport Annual Deicing/Anti-icing Fluid Usage (gallons)
 Ref. Page 10 Fact Sheet attached to 1998 Permit WA-002465-1



My enclosed comments regarding barging being halted when the whales are present is not far-fetched when you recognize that in July 2002 the key subcommittee of the International Maritime Organization approved changing shipping lanes on the Bay of Fundy to avoid whales. There are only 374 remaining in the North Atlantic. This was in response to three whales being struck in the 1990's (Ref. World Wildlife, 2002). Ironically, we had three whales impaled on bows of ships in just the last few months in the northwest.

Another reason the enclosed comments are applicable is that the dirt at the proposed borrow sites south of the airport is known to be contaminated by ASARCO. Also, even if the fill was truly clean, in the quantities needed for the third runway, it would impair health because it would be combined with the existing airport and construction pollution. It will cause illness and premature death for sensitive individuals. The latest health study on 1.2 million people for over 16 years combined with the latest DNA tests on newborns make the health hazards of pollution conclusive.

Since you are primarily concerned with wetlands, rather than public health, I'd like to point out that what is in the air, falls to the earth (studies of mercury in the Great Lakes are an example of this). The Tub Lake frogs are even more susceptible to this pollution than people are. What falls into the creeks, washes into Puget Sound. The Sound is less than 10,000 feet from the airport.

The fact that there has NEVER been a cumulative air pollution or health hazard analysis for the third runway should be sufficient in today's economic environment (both marine cargo and air traffic down, highways unable to handle the construction traffic) to justify denial of the third runway. The promised Clean Air Act assessment using the **known** sources of fill has never happened.

Providing terrorists a 155 foot wall (cliff from aircraft perspective) that if blown up would take out at least one runway and possibly an elementary school that has been in use for more than century is simply not necessary. The many years of construction schedule slides have completely invalidated the original argument

that the third runway could be built before technology matured. It's time to stop wasting so many of the DOE and Army Corps of Engineers valuable resources on an idea whose time has come and gone. Please deny the 404 permit.


If you are inclined to approve it, instead require a Revised Supplementary Environmental Impact Statement that includes evaluating impacts from sources of fill. The reviews, promised by the original SEIS, have never happened. How can you assess wetland impacts if you don't know where the fill will come from for this huge earth moving project that is uncharacteristic of normal construction?

The Revised SEIS should also address the disconnect between the Port's claimed benefits and United Airlines analysis that the runway would save less than 30 seconds per aircraft that was submitted to the FAA after the SEIS was published. Presumably the savings would be even less now considering the 30 seconds maximum savings was provided to the FAA BEFORE the Sept. 11, 2001 downturn in air traffic.

In addition, the revised SEIS should address the disconnect between the existing SEIS that claims bad weather is causing excessive delays with the more recent FAA and NASA reports that claim that weather is NOT a significant delay issue at Sea-Tac. Do you really want to cause construction related deaths and permanent wetland destruction to solve a fog problem at 2 AM in December?

These comments are in addition to my previously submitted comments.

Please contact me if you have any questions. Thank you for your time.


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Attachments: Comments to DDES
References List (updated since last comment submittal)

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November 16, 2002

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Subject: Comments on Glacier Northwest's applications to King County for a Shoreline Substantial Development Permit (SSDP) and a Shoreline Conditional Use Permit - Permit numbers #L02 SH012 and #L02SH013

Vashon/Maury Island shoreline is designated a "conservancy environment" under King County's shoreline master program. The proposed Glacier barge loading facility is industrial development which is not permitted in a conservancy environment.

Likely barge activity level is astronomical compared to past practices

Once again in 2002, the City of Des Moines was given a conveyor proposal that assumed four barge deliveries per day, every day, for years to support the proposed Sea-Tac third runway. **Any environmental assessment for the Maury Island pier must assume this level of activity (4 filled barges departing daily – 8 sound crossings).** Even if the fill is not used for the third runway, it could be used for other airport projects or non-airport projects; The 20 million cubic yards needed for the extravagant, dependent, short third runway will create a fill shortage in Puget Sound.

Stretches crucial Coast Guard resources too thin

The most likely annual level of barge activity (2,900 cross Puget Sound trips per year) is close to the number of all the ships entering Puget Sound annually. I believe the Coast Guard was misled with regard to the level of activity when they made their safety assessment. Also, their safety assessment was BEFORE the Sept 11, 2001 terrorist attack. Since that time, **a critical shortage of Coast Guard resources have been identified and this barging proposal will stretch their resources even further.**

Air conformity analysis needed

A Clean Air Act **air conformity analysis** that assumes the Maury Island Pier is operating at peak capacity for at least four years is needed. It needs to assume 8 barge trips per day (four island departures and four main land arrivals). The pollution that occurs at the unloading pier and final destination also need to be included. Note, the Sea-Tac Third runway Environmental Impact Statement committed to doing the pollution analyses when sources of were determined. However, those analyses for 20 million cubic yards of fill have never been done.

By piece-mealing environmental assessments, Regulators are dooming King County to become **non-compliant under the Clean Air Act again**. Staying under Federal limits on individual chemicals does not guarantee compliance for areas that have mountains like Los Angeles and Seattle that trap pollutants and allow more time for ozone formation.

Note the new haze regulation that applies to Mount Rainier also needs to be addressed.

Barge accident impacts not considered adequately

The impact of barge accidents must be addressed including estimating impacts from possible pollutants. Only fill with the highest arsenic and lead are to be stored in the toxic berm (which an earthquake will then some day dump into the Puget Sound but that's another problem). The "clean" fill in the barges will still be toxic to living creatures and could be spilled into Puget Sound along with the oil used by the barge. Since Puget Sound has some of the most toxic sediment in the world, and by virtue of its unique topography plays a much larger role in the food chain due to its high plankton production, barge pollution could have global ramifications.

Using the clean fill definition proposed by Washington Dept. of Ecology (DOE) and the Port of Seattle for the proposed Sea-Tac Third runway, one 10,000 ton barge could contain over 60,000 pounds of contaminants if it were to be used within the upper six feet of the embankment (see Table 1 column for "extra clean"). Even more chrome, lead, nickel, and diesel is proposed for the rest of the project. For six feet or further from the embankment, the total of the MTCA **controlled toxics allowed is over 131,000 pounds**

per barge. Tests for dioxins and PCB's are NOT required so it is important to note that the real total pollutants could be greater than 131,000 pounds per barge.

Since the Washington Pollution Control Board did not approve the DOE/Port of Seattle definition of clean fill in Table 1, the Port is appealing the ruling. However, it is important to note that most projects **do not require any fill testing** which makes it easy to ignore regulations. In practice, projects can often get away with using even more polluted fill than what is proposed for the third runway (proposed third runway limit is over 131,000 pounds of MTCA toxics per barge excluding dioxins or PCBs). For example, prior to the 401 clean water permit criteria being revised by the Pollution Control Board in August 2002, over 200,000 cubic yards of contaminated fill from the Duwamish was dumped at Sea-Tac airport. Hauling was ceased only two weeks prior to the Duwamish being designated a Superfund site. If people will intentionally dump fill that is in the process of being designated as a Superfund site on the high point of a drinking water aquifer (Sea-Tac Airport) that's had years of ongoing court battles, imagine what they will do during a non-controversial project.

Health hazards not calculated

More conclusive data is being released regularly that now proves the link between health and pollution making legal liability a bigger concern. A 16 year study on 1.2 million people showed for each increase in 10 µg/m³ of sulfur-oxides or fine particulates pollution that mortality increased approximately by 4% for all-causes, 6% for cardiopulmonary and 8% for lung cancer (Ref. Pope 2002). Another study on infants shows increased mortality from respiratory illness and sudden death infant syndrome related to PM₁₀ pollution. DNA studies of newborns show the diesel pollutants their mothers were exposed to are already attached to the newborn's DNA as adducts. Medicare costs as a function of micrograms of pollution are now documented. The days of escaping legal liability by using claiming small population statistics are inconclusive are numbered now that DNA proves the link to specific chemicals.

Considering recent high level court decisions, it is no longer enough to just focus on the pollutants that are monitored by the Clean Air Act (NO₂, NO, ozone, etc.); Government is being forced to recognize and mitigate activities that expose people to pollutants that are known to impair health (Ref. Hogue 2000). Also, the EPA also has near-term plans in work to expand beyond the few pollutants currently monitored.

Table 1: Select Toxics per 10,000 Barge (excludes Dioxins, PCB's)

	Amount Allowed in mg/kg FI 1	lbs per Barge ("extra clean" within 6 feet)	lbs per Barge FI 2	
Antimony	16	320	320	
Arsenic	20	400	400	
Beryllium	0.6	12	12	
Cadmium	2	40	40	
Chromium	42	840	40,000	FI 2
Copper	36	720	720	
Lead	220	4,400	5,000	FI 2
Mercury	2	40	40	
Nickel	100	2,000	2,200	FI 2
Selenium	5	100	100	
Silver	5	100	100	
Thallium	2	40	40	
Zinc	85	1,700	1,700	
Gasoline	30	600	600	
Diesel	460	9,200	40,000	FI 2
Heavy Oils	2000	40,000	40,000	
Total		60,512	131,272	

FI 1 Toxic fill criteria Page 18-19 of Sea-Tac third runway 401 Water Permit at <http://www.ecy.wa.gov/programs/sea/SeaTac3rdRunway.pdf>

FI 2 For fill to be placed 6 feet or more from the runway embankment the amount of pollutants allowed is increased for chrome, lead, nickel and diesel.

Since King County's air is in the top 5 to 10% for many toxic chemicals (Table 2), and the population's health already at higher risk than many other areas in the country, disturbing the Maury Island toxics will have an even more devastating effect than if you

look at the risks for any one pollutant on a healthy person. We are already one of the leaders in diesel and lead air emissions (see Figure 1). Our arsenic air emissions are also higher than average (see Figure 2). The increased pollution from making the ASARCO toxics airborne once again will degrade the health not only of Maury Island residents, but those on the mainland downwind of Maury Island that are also subjected to airport and industrial pollution.

Construction at the Sea-Tac airport has already shown that “best practices” dust control is a joke. In reality, fill dirt gets all over everything within many miles and creates a haze in the air. When lead and arsenic combine with the other pollutants, they become more hazardous than if it were the only pollutants present. The testing for ASARCO contaminants did not include tests for all expected toxic contamination. Rather it was limited to some key metals to verify how far the plume had reached. No tests have been done to quantify ALL the toxics in the Maury Island fill that people will be exposed to!

Table 2: Summary of EPA 1996 NATA Air Emissions Modeling

King County, WA in Top 95-100% Air Emissions Compared to All other US Counties	
Acetaldehyde	Nickel
Benzene	Perchloroethylene
1,3 - Dichloropropene	PCBs (note did not vary much across counties)
Formaldehyde	Polycyclic Matter (POMs)
Lead	Polycyclic aromatic hydrocarbons, 7-PAH's
Methylene chloride	Trichloroethylene
King County, WA in Top 90-95% Air Emissions Compared to All other US Counties	
Acrolein	Carbon tetrachloride
Beryllium	Chromium compounds
1-3 butadiene	Diesel particulate matter

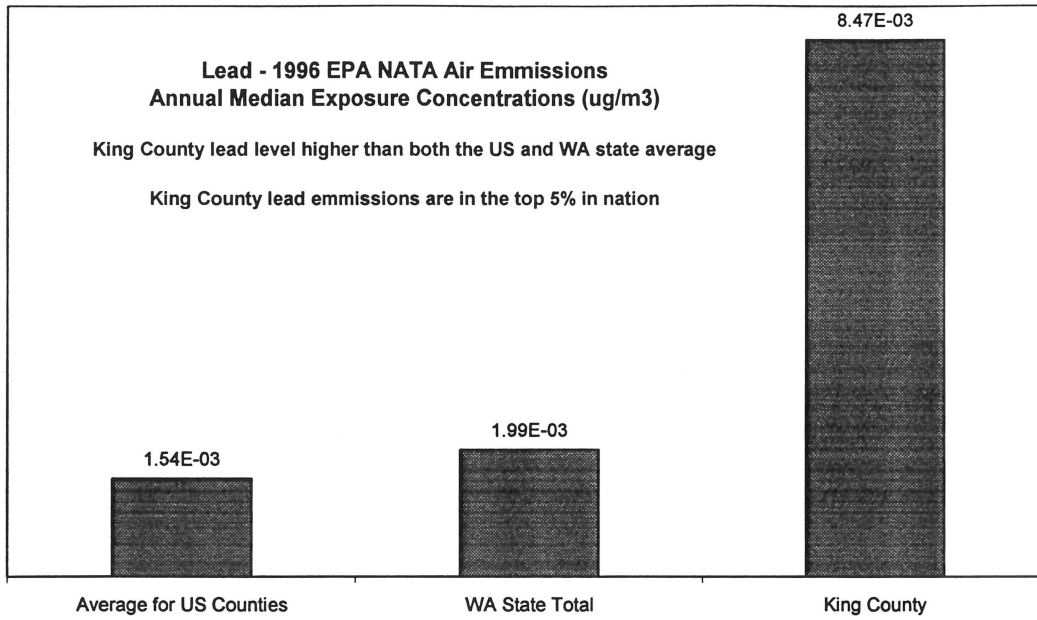


Figure 1: King County Lead Emissions Higher than US and Washington State Average

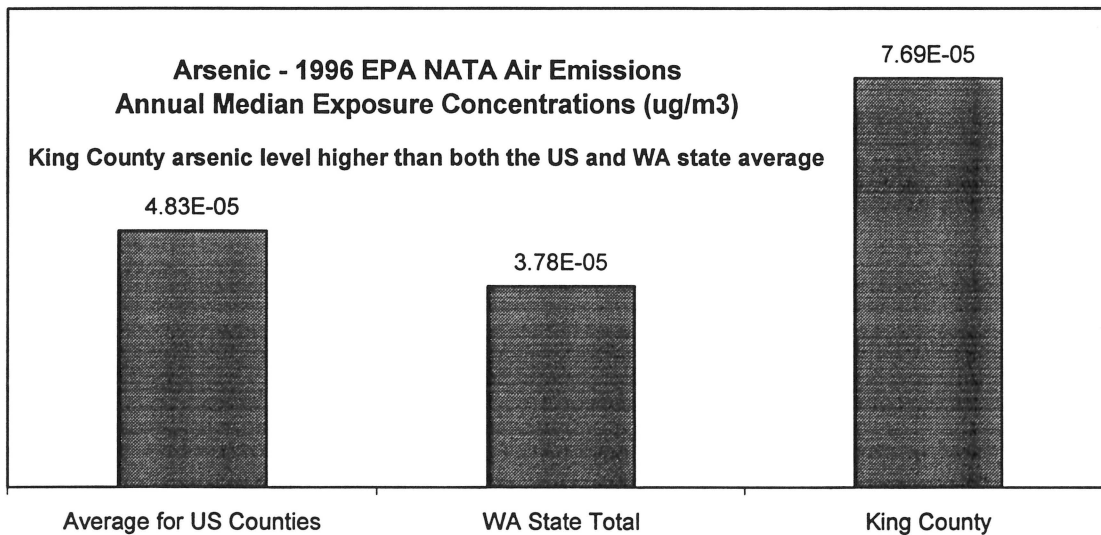


Figure 2: King County Arsenic Emissions Higher than US and Washington State Average

Endangers whales and marine eco-system

The baby whale A-23, better known as Springer, that spent months alone near the Vashon Ferry terminal in 2002 was a timely reminder that Puget Sound whales travel between Maury Island and the main land every year as they journey to Tacoma Narrows.

Allowing four barges a day to leave and return to this location almost every day of the year could literally be the straw that broke the camels back for this whale population. It could **guarantee the extinction of the southern Puget Sound whales within the next 25 years**. Barges create noise, air and water pollution even if they don't have an accident.

The southern Puget Sound orcas are on the brink of extinction already and politics is the primary thing keeping them off the endangered species list. It is only a matter of time before the whales will be added to the list. Will barging be required to cease when the whales are present with their babies?

Although the permit ignores the impacts of unloading the fill, it's obviously an integral feature of the project. Does it make sense to build piers endangering eel grass beds at both Maury Island and a main land unloading pier when the Army Corps of Engineers is suppose to be embarking on a major project to improve the nearshore environment called the "Puget Sound Nearshore Ecosystem Restoration Project" (PSNERP)? PSNERP is expected to cost billions and is beginning with a 12 million dollar feasibility study.

Other issues

In the interest of trying to keep this "short", this addressed issues less likely to be covered by others but it does not mean the other issues are any less critical. For instance, protecting a sole source drinking water aquifer is important. King County drinking water shortages are projected for this century. The terrorist threat has further increased the value of underground aquifers which can be protected easier than above ground sources.

Summary

Please ask yourself these questions:

Do we really want to dramatically increase the number of ships the Coast Guard is monitoring when they are already taxed by the terrorist threat workload?

Can we afford to make King County air worse and its citizens sicker?

Do you want King County saddled with health lawsuits since historically companies dodge their responsibilities?

Can we afford to risk the plankton, eel beds, salmon and orcas?

Can we risk irreplaceable drinking water?

Please do not destroy our environment so foreigners can profit. The total cost to King County outweighs any benefits even in this bad economic environment. The short, deadly Sea-Tac third runway would require landing beside a 155-foot cliff. There are other alternatives, including technology, that can be implemented safer and cheaper. The multi-billion dollar runway is not really needed so you do not need to go to drastic measures to address the mainland fill shortage the third runway would create.

Please take a lesson from the designated dead fish area off the west coast. Do you really want the same for Puget Sound?

Attached is a partial list of references. I literally have hundreds of references that I have not taken the space to include so please contact me if you require more supporting information or have any questions.

You are requested to include these comments as part of the official record.

Thank you,



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Maximum Lead concentrations map

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Site 62 on Figure 1 is near the Federal Detention Center just south of Sea-Tac airport. http://www.ecy.wa.gov/programs/tcp/sites/tacoma_smelter/executive_summary_020404/Fig1_TSP_Location_Cd.jpg

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