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**BEFORE THE POLLUTION CONTROL HEARINGS BOARD  
STATE OF WASHINGTON**

AIRPORT COMMUNITIES  
COALITION,  
  
Appellant,  
  
v.  
  
STATE OF WASHINGTON,  
DEPARTMENT OF ECOLOGY; and  
PORT OF SEATTLE,  
  
Respondents.

PCHB No. 01-133  
PCHB No. 01-160

RESPONDENT DEPARTMENT OF  
ECOLOGY'S OBJECTIONS TO  
ISSUES PROPOSED SEPARATELY  
BY ACC

Pursuant to the Board's Prehearing Order, the Department of Ecology (Ecology) submits the following objections to the issues proposed separately by the Airport Communities Coalition (ACC).

Ecology's objections are as follows:

Issue No. 2: Ecology objects to this issue as it relates to alleged activities outside of the 401 Certification and, in this appeal, the Board does not have jurisdiction over any such alleged activities.

Issue No. 3: This issue is duplicative, vague and circular. To the extent that the issue is directed to the question of whether Ecology had reasonable assurance that the Port of Seattle's proposed project would not violate state water quality standards, that issue is addressed in Stipulated Issue No. 4.

**AR 006193**

**ORIGINAL**

1 In light of those objections, Ecology requests that the Board strike the ACC's  
2 separately proposed Issues Nos. 2 and 3.

3 DATED this 15<sup>th</sup> day of November, 2001.

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26 **AR 006194**