

Luster, Tom

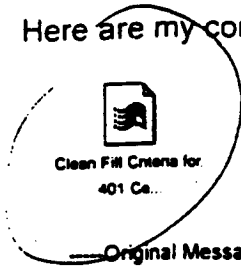
From: Fitzpatrick, Kevin
Sent: Monday, September 11, 2000 2:36 PM
To: Yee, Chung K.; Marchioro, Joan (ATG); Luster, Tom
Subject: FW: Clean Fill Criteria Language for the 401 Water Quality Certification on the Sea Tac Third Runway

To all: Pete Kmet has provided some very sound recommendations for the final language on clean fill criteria in the 401 Certification (when and if we issue a 401 Certification for the project). His recommended changes appear in the attached document below.
Kevin

-----Original Message-----

From: Kmet, Peter
Sent: Monday, September 11, 2000 11:51 AM
To: Fitzpatrick, Kevin
Subject: RE: Clean Fill Criteria Language for the 401 Water Quality Certification on the Sea Tac Third Runway

Here are my comments. Make sure you open the attachment.



Yee
EXHIBIT NO. 16
12-17-01
M. Green

-----Original Message-----

From: Fitzpatrick, Kevin
Sent: Friday, September 08, 2000 12:52 PM
To: Kmet, Peter
Subject: Clean Fill Criteria Language for the 401 Water Quality Certification on the Sea Tac Third Runway

DELIBERATIVE DOCUMENT CURRENTLY EXEMPT FROM PUBLIC DISCLOSURE

Pete: The following are additions that have been made to the 401 Certification language which are not reflected in the attached Word document below.

E6. It sounds like we are allowing the Port to use problem fill as long as the Port notify Ecology. I think the second sentence should exclude the use of inappropriate fill that may result in any potential impacts to waters of the state.

E7c.2.(b) Should include appropriate EPA databases and the first list should read as "Confirmed & Suspected Contaminated Sites Report"

E7c.2.(e) "The fill material shall be analyzed for the potential contaminant(s) identified in the environmental site assessment. At a minimum, fill material from all sites shall be analyzed for TPH and Priority Pollutants metals for comp"
with MTCA method A soil cleanup levels
of MTCA method A soil cleanup levels, the potential contaminants shall comply with MTCA method B
soil cleanup levels."
The sampling frequency...

...method B than the...
...method B than the...
...method B than the...

AR 017282

See if you want to add E7c.2.(f) after the sampling requirement table. This is a repeat of a sort since the term "environmental professional" is already used in couple of places.

(f) All work shall be performed by an environmental professional, with appropriate training, experience and expertise in environmental site assessment.

E7c.3. I don't think they know where the placement location yet. The location should be included in the as-builts to be submitted quarterly.

<< File: Clean Fill Criteria for 401 Certification.doc >>

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AR 017283

E6. Borrow sites:

The use of fill from Port of Seattle borrow sites or other sources may result in impacts to wetlands or other waters of the state requiring additional review and approval by Ecology. The Port shall notify Ecology when the use of borrow sites on their property or from other sources may result in any potential impacts to waters of the state.

E7. Clean Fill Criteria, Certification, and Monitoring: The Port shall ensure that fill placed for the proposed project does not contain toxic materials in toxic amounts. The Port of Seattle is prohibited from using any soils or fill materials on this project that are contaminated as defined under Washington State's Model Toxics Control Act (MTCOA) or any soils or fill materials which are being removed

from the project site. The Port shall adhere to the following conditions for fill used for this project:

E7a. Fill material shall be derived from the following sources only:

- State-certified borrow pits
- Contractor-certified construction sites

E7b. Documentation: For materials derived from the three sources listed above, the Port and/or its contractors shall provide documentation to Ecology that a source has been certified to contain materials that are considered as clean fill. This documentation shall provide sufficient information to Ecology to evaluate whether or not the fill sources contain toxic materials in toxic amounts.

This documentation of a source's clean fill certification shall at a minimum contain the information described in E7c and shall be provided to Ecology's Water Quality Program at its Northwest Regional Office in Bellevue, WA no later than two business days prior to the acceptance of any of the source materials at a Sea-Tac International Airport construction site.

E7c. The information requirements on a source's certification shall contain at a minimum the following elements:

1. site description with the site name and address, site plan indicating the extent of excavation, project schedule and estimated quantity of fill to be removed from the site.

AR 017284

2. Site investigation report which will contain at a minimum the following:

(a) Observation of the source area and adjacent areas by an environmental professional which includes reports of any known probability of environmental impact from historical use on site or on adjacent areas.

(b) Due diligence review of whether the source locations or adjacent areas are listed on the most current editions of the following Ecology databases:

- (1). The _____ suspected Contaminated Sites list;
- (2). The Underground Storage Tank listings;
- (3). The Leaking Underground Storage Tank listings.

There is at least one other list of suspected sites maintained by _____

(c) Due diligence review of source area geologic conditions and use or operational history of the site and adjacent areas sufficient to identify potential environmental contaminants.

(d) If no existing documentation exists for review on the site's history, then a review of site aerial photos, person or persons familiar with the site and adjacent areas and other due diligence methods will be employed to provide a site history.

(e) At a minimum, fill material from all sites shall be analyzed for TTH and priority pollutant metals and compared with MTCA Method A cleanup standards. _____ MTCA Method A cleanup standards _____ industrial sources. _____ which is _____ with the _____ in that Method A does not have standards for all _____ being changed.

Based on the site investigation and review of its operational history, an environmental professional will determine whether any additional analyses are appropriate, including but not limited to, analyses by MTCA Method B cleanup standards. _____ Method B _____ specific _____ here I would say _____ based on

AR 017285

The sampling frequency for sites where the investigation indicates no suspected contamination will be in accordance with Table 1. Sites with suspected contamination or with complex conditions will require consultation with the Department of Ecology, Water Quality Program, NWRO to determine the appropriate sampling frequency.

USE CATEGORY	MINIMUM NUMBER OF SAMPLES
Residential	1
Commercial	1
Industrial	1
Public Utility	1
Other	In this category, the minimum number of samples is determined by the user.

USE CATEGORY	MINIMUM NUMBER OF SAMPLES
Residential	1
Commercial	1
Industrial	1

AR 017286

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VOLUME OF SOIL (cubic yards)	MINIMUM NUMBER OF SAMPLES
<1,000	2
1,000 – 10,000	3
10,000 – 50,000	4
50,000 – 100,000	5
>100,000	6

3. Every source certification will list the initial placement of fill location and its grade elevation. The Port of Seattle will also provide quarterly summaries of each certified source of fill which lists the certified sources employed in that quarter, quantities of fill material from those sources, and the locations and elevation grades for the placement of those fill sources on Port of Seattle property.

Additional conditions or corrective actions may be required based on Ecology's review of the documentation.

- E7d. Any changes to the criteria or process described in the above conditions is subject to review and written approval by Ecology.

AR 017287

DOE 8/13/01 **0870**