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POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

AIRPORT COMMUNITIES COALITION,)	No. 01-133
)	No. 01-160
Appellant,)	
)	DECLARATION OF DR. PETER
v.)	WILLING IN SUPPORT OF ACC'S
)	SUR-REPLY ON MOTION FOR STAY
STATE OF WASHINGTON,)	
DEPARTMENT OF ECOLOGY; and)	(Section 401 Certification No.
THE PORT OF SEATTLE,)	1996-4-02325 and CZMA concurrency
)	statement, Issued August 10, 2001,
Respondents.)	Reissued September 21, 2001, under No.
)	1996-4-02325 (Amended-1))

Dr. Peter Willing declares as follows:

1. I declare the following from personal knowledge and am competent to testify thereto before the Board if necessary.

2. My qualifications and previous review of the issues in this matter are set out in the two declarations which I have already submitted in support of ACC's Motion for Stay in this matter.

3. Paul Fendt's Sur-reply Declaration (at 5) claims that the Port has committed to retrofitting the existing stormwater system at SeaTac for water quality best management practices "to the extent practicable." The Port has not defined this standard, which leaves it up for future definition at the Port's convenience. The word "maximum" is left out in this instance, but

DECLARATION OF DR. PETER WILLING IN
SUPPORT OF ACC'S SUR-REPLY ON MOTION
FOR STAY - 1

HELSELL FETTERMAN LLP
1500 Puget Sound Plaza
1325 Fourth Avenue
Seattle, WA 98101-2509

Rachael Paschal Osborn
Attorney at Law
2421 West Mission Avenue
Spokane, WA 99201

COPY


Exhibit	556
Date	2/15/02
Witness	Willing
Diagrams Court Reporter	

1 included elsewhere (Comprehensive Stormwater Plan pp. 7-9, included as Fendt Exhibit B).
2 "Extent practicable" is not the same thing as AKART, nor does it go beyond the bare minimum
3 of the King County Basic Water Quality Menu, nor does it provide reasonable assurance that
4 water quality standards will not be violated.
5

6 4. Fendt (at 8) refers to Table 7-8 of the Stormwater Master Plan for a list of water
7 quality BMP's "that are practicable for implementation." There are four BMP's shown in Table
8 7-8: filter strips, bioswales, wetvaults, and diversion to the industrial waste system(TWS).
9 Diversion to the industrial waste system is the only one of the four that goes beyond the King
10 County Basic Water Quality Menu, which is designed for sediment control and not for other
11 pollutants. Again, the Port has not defined the meaning of the term "practicable for
12 implementation."
13

14 I declare under penalty of perjury under the laws of the State of Washington that the
15 foregoing is true and correct.

16 DATED this 10th day of October, 2001, at Bellingham, Washington.

17
18 
19 Peter Willing, Ph.D.
20

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24
25 DECLARATION OF DR. PETER WILLING IN
SUPPORT OF ACC'S SUR-REPLY ON MOTION
FOR STAY - 2

HELSELL FETTERMAN LLP
1500 Puget Sound Plaza
1325 Fourth Avenue
Seattle, WA 98101-2309

Rebecka Paschal Ostrom
Attorney at Law
2421 West Mission Avenue
Spokane, WA 99201