

Exhibit 452  
Date 2-26-02  
Witness Lucia  
Kathy Hauck, Court Reporter

RECEIVED  
FEB - 4 2002  
MARTEN BROWN INC.

POLLUTION CONTROL HEARINGS BOARD  
FOR THE STATE OF WASHINGTON

AIRPORT COMMUNITIES COALITION,

Appellant,

v.

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY, and THE  
PORT OF SEATTLE,

Respondents.

PCHB No. 01-160

ACC'S FIRST SUPPLEMENTAL  
RESPONSE TO RESPONDENT PORT  
OF SEATTLE'S REQUEST FOR  
PRODUCTION NO. 2 AND  
INTERROGATORY NO. 5 DIRECTED  
TO APPELLANT AIRPORT  
COMMUNITIES COALITION

**FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO 2:**

Listed below are documents relied upon by ACC's expert witnesses. to the extent we have received such information from the experts to date. This Response will be supplemented further as we receive further responses.

**1. Northwest Hydraulic Consultants (Bill Rozeboom and Dr. Malcolm**

**Leytham): See Attachment A hereto.**

**2. Dr. John Strand, Columbia Biological Assessments:**

Angelovic, J.W., W.F. Sigler, and J.M. Neuhold. 1961. Temperature and fluorosis in rainbow trout. *Journal of the Water Pollution Control Federation* 33: 371-381.

ACC'S 1ST SUPPLEMENTAL RESPONSE TO  
PORT'S FIRST SET OF INTERROGATORIES AND  
REQUESTS FOR PRODUCTION - 1

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AR 022832

1 Seed, R.B. and Harder, L.F. (1990) "SPT-Based Analysis of Cyclic Pore Pressure Generation  
2 and Undrained Residual Strength." Proceedings of the H. Bolton Seed Memorial  
Symposium, Volume 2, BiTech Publishers Ltd.

3 "Geotechnical Summary Report. Third Runway Embankment and MSE Retaining Walls.  
4 Seattle Tacoma International Airport." Prepared by Hart Crowser for The Port of Seattle.  
5 November 2, 2001, Report No. 4978-06

6 "Recommended LRFD Guidelines for Seismic Design of Highway Bridges; based on NCHRP  
7 Project 12-49. FY '98 'Comprehensive Specification for the Seismic Design of Bridges'."  
prepared under MCEER Highway Project 094, Task F3-1, April 9, 2001

8 "Competing Against Time," report to Governor George Deukmejian from the Governor's  
9 Board of Inquiry on the 1989 Loma Prieta Earthquake, State of California Department of  
General Services Publications Services, May, 1990

10 Inel, S., W.H. Roth, and C. de Rubertis, 1993. "Nonlinear Dynamic Effective Stress Analysis  
11 of Two Case Histories," Proceedings of the Third International Conference on Case  
Histories in Geotechnical Engineering pp 1735-1741.

12 Makdisi, F.I., Z-L Wang, and W.D. Edwards, 2000. "Seismic Stability of New Exchequer  
13 Dam and Gated Spillway Structure," Proceedings of the Twentieth Annual USCOLD  
14 Lecture Series: Dam O&M Issues - The Challenge of the 21st Century, pp. 437-458.

15 Bathurst, R.J. and K. Hatami, 1998. "Seismic Response Analysis of a Geosynthetic-  
16 Reinforced Soil Retaining Wall", Geosynthetics International, V. 5 Nos. 1-2, pp. 127-166.

17 Bathurst, R. J., and K. Hatami, 1999. "Earthquake Response Analysis of Reinforced-soil  
18 Walls Using FLAC," Proceedings of the International FLAC Symposium on Numerical  
Modeling in Geomechanics, pp. 407-415.

19 Roth, W.H., et al. 1993. "Upper San Fernando Dam 1971 Revisited". Annual Conference  
20 Proceedings of the Association of State Dam Safety Officials. D.W. Darnton and S.C.  
Plathby eds. Lexington, KY. pp. 49-60.

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22 **FIRST SUPPLEMENTAL RESPONSE TO INTERROGATORY NO 5:**

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24 **1. Dr. Pat Lucia, GeoSyntec Consultants:**

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PORT'S FIRST SET OF INTERROGATORIES AND  
REQUESTS FOR PRODUCTION - 14

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**AR 022833**

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A. TESTIMONY IN TRIAL

Case: Park County, Montana v. Burlington Northern and Santa Fe (BNSF)  
Attorneys: Mayer Brown and Platt, Chicago, Illinois

Provided expert testimony in trial for BNSF in Montana on the causes, extent and cost of remediation of a contaminated groundwater plume at a landfill site in Park County Montana.

Case: Catellus Development Company v. NL industries  
Attorneys: Kirkland & Ellis, Chicago Illinois

Provided expert testimony in trial for NL Industries in federal court in San Francisco, California on the causes of lead contaminated soil at a site in Richmond, California.

Case: State of Illinois v. Kerr McGee  
Attorneys: Covington & Burling, Washington D.C.

Provided expert testimony in trial for Kerr McGee in West Chicago, Illinois, on the engineering aspects of the design of a landfill to close a low level radioactive waste site.

Case: Rancho Solano Homeowners Association v. Peter Kiewit Construction et. al.  
Attorneys: Sedwick, Detert, Moran & Arnold, San Francisco, California.

Provide expert testimony in trial for Kiewit in Fairfield, California on the stability of slopes and the cost of repair of landslides.

Case: Davest Construction Company v. Klienfelder Engineers and City of Santa Rosa  
Attorneys: J. Michael Pias, San Francisco California

Provided expert testimony in trial in Contra Costa County, California for Davest on design errors in construction of an earthworks project.

Case: Ferraris v. BART  
Attorneys: Aherne, Rosin & Leonidou, San Francisco, California

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1 Provided expert testimony in trial for Ferraris in San Mateo, California on causes of  
2 settlement of a building during the construction of railway extension.

3 Case: Discovery Bay Home Owners Association v. Klienfelder Engineers et.al.  
4 Attorneys: Severson & Werson, San Francisco, California

5 Provided expert testimony in trial on the causes of slope failures and the likely cost of repairs.

6 **Depositions in Cases that did not go to Trial**

7 Case: Underground Construction v Geysers Development Company  
8 Attorneys: McInerney & Dillon, Oakland California

9 Provided expert testimony in deposition and arbitration on the causes of failure of reinforced  
10 earth walls at the Geysers in Northern California.

11 Case: Developer (no record of parties name) v. NL Industries  
12 Attorneys: Kirkland & Ellis, Chicago Illinois

13 Provided expert testimony in deposition on the compliance with the National Contingency  
14 Plan for the remediation of a lead contaminated site in San Francisco, California.

15 Case: Landfill owner v. Previous Landfill Owner (no record of parties names)  
16 Attorneys: Price Postel & Parma, Santa Barbara, California

17 Provided expert testimony in deposition on causes, extent and cost of remediation of  
18 contaminated groundwater in Ventura California.

19 Case: Developer (no record of parties name) v. NL Industries  
20 Attorneys: Kirkland & Ellis, Chicago Illinois

21 Provided expert testimony in deposition and mediation on the potential sources and cost of  
22 remediation of lead contaminated soils at a site in Sacramento, California.

23 Case: Group (no record of parties name) v El Dorado County, California.  
24 Attorneys: Bruen & Gordon, Walnut Creek, California

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AR 022835

1 Provided expert testimony in deposition on groundwater contamination and potential impacts  
2 to a stream at a landfill site in El Dorado County.

3 Case: Developer (no record of parties name) v. Harding Lawson Associates  
4 Attorneys: Gordon & Rees, San Francisco, California.

5 Provided expert testimony in deposition on the cause of failure of a slope and the engineer's  
6 compliance with the standard of care.

7 Case: MJB Pipeline v. City of Pleasanton  
8 Attorneys: McInerney & Dillon, Oakland, California.

9 Provided expert testimony in deposition and arbitration and the causes of settlement of a  
10 pipeline.

11 Case: Ebert Construction v. Santa Clara Valley Water District  
12 Attorneys: Aherne, Rosin & Leonidou, San Francisco, California.

13 Provided expert testimony in deposition and arbitration on a changed condition claim for  
14 pipeline construction.

15 **2. Dr. Edward Kavazanjian, GeoSyntec Consultants:**

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17 In April 2000, Dr. Kavazanjian gave a declaration in the case of Montrose Chemical  
18 Company of California et al. vs. the U.S. Government. It was a Natural Resource Damage  
19 Assessment case regarding the Palos Verdes Superfund Site in the waters off of Los Angeles  
20 County, CA. The substance of declaration was that the underwater cap proposed by the  
21 government (EPA) to isolate contaminated sediments would not be seismically stable and that  
22 the government analyses that indicated it would be stable were flawed. He was retained by  
23 three law firms representing the defendants - Skadden, Arps, etc.; Ropes and Gray; and  
24 Latham and Watkins.

25 Sometime in or around 1994, Dr. Kavazanjian testified in a case in Reading,  
Pennsylvania regarding a construction claim over the rehabilitation of Trout Run Dam in  
Boyertown, Pennsylvania. The contractor, Ground Improvement Techniques, Inc., sued the  
owner, the City (or borough?) of Boyertown. He was the project engineer for the  
investigation, design, and remedial construction in the 1985-1987 period. He testified on  
issues regarding the condition of the dam before construction began and about the substance  
of several conversations with the contractor during construction.

ACC'S 1ST SUPPLEMENTAL RESPONSE TO  
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2 In Summer / Spring 1992, Dr. Kavazanjian gave a deposition in a breach of contract  
3 suit involving a piece of property called the Alamitos Bay Property in Long Beach, CA. He  
4 does not recall the names of the plaintiff or defendant. He worked for the law firm of  
5 Lichtman and Bruning representing the plaintiff. The defendant claimed that no harm was  
6 done when it reneged on a contract to sell the property to the plaintiff because there was an  
7 active earthquake fault running through the property that prevented it from being developed  
8 economically (i.e., at a profit). Dr. Kavazanjian's deposition stated that only a small portion  
9 of the property was excluded from development due to seismic constraints.

7 Sometime in the early 1980's (1982-1984), while he was a Professor at Stanford, Dr.  
8 Kavazanjian gave a deposition in a construction defect case involving some condominiums in  
9 the Crystal Springs area on the San Francisco peninsula. He can't recall any of the parties  
10 involved in the litigation. He does remember that Woodward-Clyde Consultants had been but  
11 was no longer involved, because his testimony pointed at their responsibility but the insurance  
12 company had already settled with them for a relatively small amount. The case involved large  
13 sink holes that were opening up in some deep fills beneath some condominiums and had to be  
14 grouted. His deposition indicated it was an engineering oversight by the designer that resulted  
15 in internal erosion of the fill soil into subdrains at the bottom of the fill.

13 He has also testified numerous times at public hearings and before regulatory  
14 agencies, including the California Coastal Commission, the California State Water Resources  
15 Control Board, and the California Integrated Waste Management Board. In some cases he has  
16 submitted written testimony to these agencies. In most cases, this testimony has concerned  
17 seismic design and performance of landfills and hazardous waste sites, including numerous  
18 Superfund sites.

17 3. Amanda Azous, Azous Environmental Sciences: See Attachment B hereto.  
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ACC'S 1ST SUPPLEMENTAL RESPONSE TO  
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