



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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TO: Steven M. Alexander  
Section Head, Toxics Cleanup Program, NWRO

FROM: Roger Nye

SUBJECT: Requested Write Ups Regarding Sea-Tac Airport

You asked me to write up two items: (1) the Toxics Cleanup Program's historical involvement at Sea-Tac Airport, and (2) the current workload regarding Sea-Tac Airport. I have also included anticipated future workload.

(1) Historical Involvement:

There are several individual MTCA sites (currently 15) within Sea-Tac Airport. The sites are mostly widely scattered and physically not connected. Jet fuel and gasoline are the most abundant contaminants and deep groundwater (70- 90 ft. bgs.) is impacted at about 1/3 of the sites. Independent cleanup actions have been / are ongoing at the sites by various responsible parties under different timelines. Responsible parties include tenant airline and rental car companies, Olympic Pipeline Co., and the Port of Seattle (POS).

There are public water well fields both north and south of the airport, and three suburban streams head near the edges of the airport. Given known information at the individual MTCA sites, the current risk to the wells and streams appears to be minimal. The MTCA sites have always been tracked and dealt with individually. Sea-Tac Airport has never been treated as a single "facility" with the MTCA sites as "operable units". Sea-Tac Airport has never been ranked as a single facility, nor have any of the individual MTCA sites been ranked. A new jet fuel pipeline system for the airport owned and operated by Olympic Pipeline Company is in the planning stages.

The original Prepaid Position Policy (attached) came out in April 1991. In May 1991 Glynis Carrosino became a prepaid position for the POS. According to the scope of work in the attendant inter-agency agreement, her focus was primarily on formal actions for cleanup of marine sites. Glynis was also to provide technical assistance regarding the independent cleanups at Sea-Tac Airport. During 1992 the POS decided it wanted a second prepaid position dedicated to Sea-Tac Airport and an interagency agreement with a scope of work specific to Sea-Tac Airport (attached) was formulated. Sometime during 1992 (?) a second prepaid position dedicated to the airport (Linda Priddy) was retained.

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Linda came from the EPA and the POS paid for her move from Washington DC to Seattle. It took Linda some months to learn the regulations and become familiar with the MTCA sites at the airport. During the summer of 1993, Linda instigated the process to put three or four of the major MTCA sites at the airport under Agreed Orders. Because of its role as property owner, the POS was listed as a PLP at each site along with the responsible Airline Company. This action and/or the manner by which it was implemented greatly antagonized the Port and three Airline Companies. I heard that the POS told Linda that "this is not what we are paying you for". I believe the POS may have considered formally canceling (as per the Prepaid Position Policy) the airport prepaid position, which would have left Linda unemployed. During the fall of 1993, Linda found a job with EPA in Seattle and left Ecology.

I was selected as the POS's next prepaid position for Sea-Tac Airport during February 1994. During the interim after Linda left, Ecology management apparently agreed to back off from issuing Agreed Orders for the airport sites. The Airline Companies promised to be more aggressive regarding their independent cleanups (which they subsequently were). My prepaid position role as I understood it was to learn about and become involved in the independent cleanups at Sea-Tac Airport, render technical assistance, and proceed to a formal action only in the face of recalcitrance to accomplish cleanup independently. (As it turned out, much of my time as the Port's prepaid position for Sea-Tac Airport was actually spent working on two Port marine sites - Southwest Harbor Project, and the GATX terminal).

By the summer of 1995, I had become uncomfortable about what my role as a prepaid position had evolved to at the airport and that it was not in conformance with the Prepaid Position Policy. I was not only rendering technical assistance, but was rendering regulatory "arm twisting" towards airport tenants as well. Also, the expectation developed for me to "approve" the various independent cleanup actions, often in writing (there was no IRAP or VCP policy at this time). Furthermore, there was no signed Agreed Order at Sea-Tac Airport and little prospect for one. (There had been one good opportunity for an Agreed Order at a site where cleanup was stalled by finger pointing between multiple PLPs. The POS was adamant however, that all efforts be exhausted to resolve the situation independently first, and it was in the end).

I voiced my concerns to Mike Gallagher, and he, Mary Burg, Kathy Gerla, and myself, subsequently had a meeting regarding continuing the prepaid position at the airport. The decision that came out of the meeting was that the prepaid position could continue status quo, but that there had to be an Agreed Order "at least about something" at the airport. Also, we would reevaluate the situation after another year.

After becoming familiar with the MTCA sites, I had recognized the need to do a comprehensive risk assessment regarding the groundwater contamination at the airport

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(particularly in regards to possible unidentified solvent contamination). The POS had already tentatively agreed to do this project. Given the requirement for an Agreed Order to keep the airport prepaid position going, the POS agreed to do this groundwater project under an Agreed Order.

During the summer of 1996, Mike Gallagher, Mary Burg, Kathy Gerla, and myself met again to discuss the prepaid position at the airport. During the past year some progress had been made towards an Agreed Order, but it was far from complete. The Port was not enthusiastic about the project. The decision was made to temporarily discontinue my prepaid position effective August 1996. The prepaid position was not permanently "cancelled" as per the procedure in the Prepaid Position Policy; the interagency agreement was simply not renewed by Ecology. The interagency agreement is typically renewed (signed by both parties) each year. I believe Kathy Gerla told the POS they could have the prepaid position back when there was a signed Agreed Order in place.

Work did continue on the Agreed Order. By May 1997, an unsigned draft Agreed Order was completed and went out for public comment. I had thought the groundwater study for the airport was a benign, in-the-citizen's-interest, no-one-could-argue-with-it project. To my wonder, there were over 600 comments received (the citizen's say 1,000), all mostly opposing the Agreed Order. About two years later, the final Agreed Order was signed May 25<sup>th</sup>, 1999, and work on the project is now fully in progress.

Even though the prepaid position ended in August 1996, my involvement with Sea-Tac Airport in some form or another continued to dominate about 60% of my time. Post prepaid-position activities involving Sea-Tac Airport include the following:

1. Completed the final Agreed Order incorporating changes based on public comments.
2. Completed about 2/3 of the Responsiveness Summary (RS). The part of the RS completed includes repetitive comments and global issues sensitive to the Port. Much of the public comment concerned the applicability of Water Quality laws to the project. It was necessary to coordinate with the WQ section regarding its NPDES permit and the permit's attendant response summary. WQ and TCP AGs had to be involved. The Port wanted to establish language in the RS acceptable to it before signing the Agreed Order. The Port was comfortable with the 2/3 of the RS that was finished and signed the Order.

Actions (1) and (2) were wordsmithing marathons with a Port attorney and took much time. All that time was charged to and has been paid by the Port.

3. Answered extensive executive correspondence. The Agreed Order caused a flurry of letters from the public to the Governor, Tom Fitzsimmons, and Mike Rundlett. I drafted all the answers.

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4. Ongoing participation in and management of the groundwater project. This included review of submittals, assistance with data compilation, technical discussions, etc. The Port paid for this activity.
5. Ongoing technical assistance (if anything, my role in this regard increased given the many new issues and situations that seemed to constantly arise at Sea-Tac Airport). This technical assistance included reviewing the many independent cleanup reports submitted from sites at the airport. The Port no longer paid for this technical assistance, but most of it was UST or LUST related, and my time for this was charged to federal dollars. Also some of the technical assistance was somewhat related to the Agreed Order and charged to that.
6. In the fall of 1997, Representative Karen Kaiser from the 33<sup>rd</sup> District declared that an environmental catastrophe was in the making in the form of abandoned home heating oil tanks on Port property north and south of the airport and adjacent to it. She demanded that Ecology investigate the situation and I was handed the project. The Port had purchased and demolished hundreds of homes in the 70's and 80's to establish uninhabited clear aircraft approach and take off zones to the airport. The theory was that hundreds of abandoned oil-filled tanks were buried in these clear zones and would impact the Highline Aquifer and local streams. The north clear zone was adjacent to the City of Seattle's Highline Well Field. I investigated the risk posed by the heating oil tanks and also possible mitigation measures that could be taken. It took me about four months to complete a report that Director Fitzsimmons presented to Representative Kaiser.
7. Participated in the Governor's Certification process for the Third Runway as the TCP member of the "Sea-Tac Team". In order to qualify for federal money to build the runway, the Port had to obtain this certification from the state that the project was "environmentally okay". The Team established several environmental criteria and tasks the Port had to do as a condition for the certification. Completion of the MTCA Agreed Order for the groundwater study was one condition.
8. Ongoing participation in the 401/404 permitting process to build the Third Runway. A condition of the permit is that "toxic material in toxic amounts" cannot be used as fill. As a TCP member of the group, I was requested to provide technical assistance regarding that issue. I negotiated a "clean fill criteria" policy with the Port that provided contaminant screening level guidance for imported fill and a site specific process to insure the screening levels are met. The policy calls for ongoing monitoring by Ecology of the site-specific process. The policy does not preclude the use of contaminated material as fill, but Ecology's approval is required if the Port proposes to do so.

There was no billable time for activities (6), (7), and (8).

**(2) Current Workload:**

1. Complete the current Responsive Summary for the Agreed Order. The document must be completed at least before the Phase I report comes out (possibly by the end of the year). If I almost didn't work on anything else, I possibly could get it done myself by then. Finding a temporary person to work on the RS could be difficult and time consuming, and is there funding? The person would have to have knowledge of MTCA, Water Quality Regs., have appropriate technical expertise, and be a really quick learner.
2. Ongoing management of the groundwater project itself. This includes evaluation of and approval of various technical aspects of the work presented by the Port's consultants. The intent was for Ecology to get set up with the modeling software and do independent simulations. The use of SAIC or another consulting company could help with this work. The Port has agreed there needs to be a balance of expertise on Ecology's side of the table, but was not favorably disposed towards SAIC because of professional opinion and because SAIC has no local modeling expertise. The Port wanted to see if the company selected for the Legislatively-mandated Third Runway study would be acceptable and could be utilized by Ecology (particularly since that company would be utilizing data from the MTCA groundwater study). PGG was selected to do the Third Runway study and was the Port's particular pick. Unfortunately Ecology either has to use SAIC or put the work up for bid. As per John W., Ecology cannot just directly hire PGG. There is no guarantee that PGG would bid, particularly since they were selected to do both the Third Runway and Maurey Island studies, and may have a full plate.
3. Conduct UST inspections for all USTs at Sea-Tac Airport. This Agreed Order is unique (and commendable) because it mandates pollution prevention actions in the form of conducting UST inspections for all tanks at the airport. Results of these inspections are to be part of the Agreed Order Phase I report. The order also mandates working with unregulated USTs at the airport to establish voluntary leak detection and this work also has to be done.
4. Evaluate environmental implications and proposed closures of MTCA sites related to the South Terminal Expansion Project (STEP). The STEP project is a major expansion of Concourse A involving the demolition of three airline hangars (potential MTCA sites). There are also seven MTCA sites within the footprint of the STEP. Environmental assessments are being done regarding the hangar demolitions. The Port, Delta Airlines, and Northwest Airlines and their respective consultants have collaborated and are proposing basically a walk-away cleanup remedy for their respective sites via the Interim TPH Policy. Delta Airlines and Northwest Airlines have already submitted reports (the Port has yet to do so for its sites). At this point it is not known whether the airlines or the Port are requesting a formal VCP review by Ecology (Northwest Airlines has tentatively indicated it may). Regardless of whether these cleanup actions go through the VCP, it is

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important for Ecology to evaluate them because a walk-away cleanup scenario will not set well with the public. We need to make sure the Interim TPH Policy was followed and otherwise evaluate the information as we could be defending ourselves in front of a legislator on short notice.

5. Catch up on the backlog of independent cleanup reports (many as relate to item #5).
6. Catch up on backlog of Initial Investigations and listings of new MTCA sites at the airport.
7. Respond to the ongoing demand for technical assistance regarding airport issues.
8. Participate as member of the internal workgroup overseeing the Legislatively mandated study of the Third Runway. This project has taken significant time to date and has included helping prepare the initial scope of work and RFP; reviewing bid proposals, and participating in the final selection of a consulting company to do the work. This project will continue to take significant time during the life of the project (until next June) in terms of helping to manage the project (there are three of us on the internal workgroup). It is appropriate to participate in this project because it interfaces with the MTCA groundwater study.
9. Ongoing participation in the 401/404 permit process. Although the Clean Fill Criteria Policy is completed, I should help craft the specific language in the permit that implements the policy. This activity is not anticipated to take significant time unless TCP does the reviews and approvals that the policy specifies.
10. Conclude cleanup at the United - Continental cleanup site. I facilitated cleanup at this site while I was the prepaid position by getting multiple PLPs to work together. As a condition for not issuing an Order, the PLP group promised to accomplish specific cleanup actions. Some of these actions have not been accomplished, and there appears to be no intention of accomplishing them. The PLP group should be confronted to keep the promises they made (or provide rationale why they did otherwise.)

**(3) Anticipated Future Workload:**

After Phase I of the Agreed Order is completed (target date end of this year), the results of Phase I and a draft Addendum to the Agreed Order describing proposed actions based on the results of Phase I will go out for public comment. A public meeting / workshop will be held at that time. The public comment period will most likely generate another very large Responsiveness Summary. The Addendum will be finalized and the activities outlined will be carried out (Phase II of the Agreed Order). These activities will include drilling several monitoring wells, taking water level elevations and groundwater samples

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over time, additional modeling based on the new data, completing a report describing Phase II results, and holding a final public meeting / workshop. A very approximate time for completing Phase II of the Agreed Order is the summer / fall of 2001.

If this Agreed Order shows the need for significant additional cleanup actions at Sea-Tac Airport beyond the independent cleanups at the individual MTCA sites, it may be appropriate for Ecology to initiate another Agreed Order with the Port to accomplish these actions.

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