

Lower Duwamish Waterway (LDW) Roundtable Draft Meeting Summary
Wednesday, October 30, 2019 | 6-8 PM
Youngstown Cultural Arts Center: 4408 Delridge Way SW, Seattle, WA 98106
Draft v. 12-4-19

Task	Entity Responsible
Connect Alberto Rodriguez and Elly Hale to finalize language for Operating Procedures	Triangle Associates
Send final version of Operating Procedures, with updated language, to Roundtable members for final approval.	Triangle Associates
Send Sophie Glass information about the post-Roundtable meeting	DRCC/TAG
Send final Steering Committee membership to the Roundtable	Triangle Associates
Send Doodle poll to Roundtable members to schedule additional training about Chapter 13 of the Record of Decision that describes the Selected Remedy.	Triangle Associates
Add definitions and explanations to the Remedial Design timeline handout.	EPA
Communicate with Doug Osterman about WRIA 9 being its own standing caucus.	Triangle Associates
Send the draft Quality Assurance Project Plan (QAPP) and comment table to Roundtable members in late November when it is released.	Triangle Associates
Provide feedback on the QAPP using the public comment table provided within two weeks of receiving the document.	Roundtable members

Welcome and Overview

The meeting facilitator, Sophie Glass (Triangle Associates), welcomed the Roundtable participants and asked each member to share their name and caucus. She thanked the Lower Duwamish Waterway Group (LDGW) for providing refreshments for the meeting. See Attachment A for a list of participants.

Sophie provided an overview of the meeting agenda and explained that it was developed in partnership with the Steering Committee. Roundtable members then reviewed and approved the 5/29/2019 Roundtable meeting summary to be posted on the [Lower Duwamish Waterway Roundtable website](#).

May 29th Meeting Follow-Ups

May 29 Meeting Debrief: Sophie provided a brief review of feedback received about the May 29th Roundtable meeting, which included suggestions about how to improve the meeting process. Details can be found on the Roundtable website at the following link: [May 29th Roundtable Meeting Feedback](#).

Remedial Project Manager Updates: Elly Hale, EPA, recapped the recommendation made by Roundtable members at their last meeting to hold a public comment period when an Explanation of Significant Difference (ESD) is released in response to changes in the toxicity value of carcinogenic polyaromatic hydrocarbons (CPAHs). The EPA will inform Roundtable members as soon as they have updates regarding the ESD.

Roundtable Foundations

Updates to Roundtable Operating Procedures: Sophie summarized updates to the Roundtable Operating Procedures. She invited Roundtable members to share questions or concerns about the updates before requesting a consensus approval of the updated Operating Procedures.

Questions and Comments

- **Consensus decision:** Elly clarified that a consensus by the Roundtable serves as a recommendation to the EPA. While EPA is the decisionmaker, it decides based on Roundtable recommendations.
- **Clarified language about compensation and childcare for Roundtable participants:** A member of the non-Potentially Responsible Party (PRP) Government caucus voiced a concern about the wording around stipends for community members, food, and childcare on pages 5 and 10 of the Operating Procedures. Language was suggested to clarify that EPA would participate in discussions with the Roundtable to find solutions if external funding sources were not available to provide participation stipends for community members, food at meetings, and childcare during meetings. Elly pointed out that while EPA is limited by federal law in its ability to actively seek out funding to compensate Roundtable members and provide food at meetings, they would be able to participate in conversations about funding options.
- **Timing of agenda distribution to Steering Committee:** A member of the Community Advisory Group (Duwamish River Cleanup Coalition/Technical Advisory Group) asked that the Operating Procedures include clarification that the Steering Committee should receive the preliminary meeting agenda at least one week ahead of Steering Committee meetings.

Action: Roundtable members recommended preliminary approval of the Operating Procedures, pending language updates. A new draft will be sent to Roundtable members for a final vote.

Approve Steering Committee Appointments:

Sophie requested approval of the following Steering Committee appointments:

- Business: Patrick Jablonski, with Jonathan Hall as an alternate
- Fishers: rotating membership between Sophorn Sim, Emma Maceda, and Quan Phan to represent the Cambodian, Latinx, and Vietnamese fishing communities, respectively.
- Community: James Rasmussen, with Edwin Hernandez as an alternate

Questions and Comments

- In response to a question about why government caucuses are not part of the Steering Committee, Sophie clarified that the committee is intended to center groups most directly impacted by the cleanup (business, fishers, community).
- A member of the Community Advisory Group caucus spoke in favor of including the Water Resource Inventory Area (WRIA) 9 in the Roundtable as a stand-alone caucus. Triangle Associates will follow up with WRIA 9 regarding adding them to the Roundtable.

Update on compensation for community members:

Sophie informed Roundtable members that the Duwamish River Opportunity Fund (DROF) ends in November, and Triangle Associates has submitted a proposal for the City of Seattle Environmental Justice Grant to compensate Roundtable members. If Triangle does not get the Environmental Justice

grant, they will pursue a Neighborhood Matching Fund grant. This second option would require a match from community members in the form of volunteer time, in-kind donations, or financial contributions.

Remedial Design (RD) Process

Elly provided an overview of the Remedial Design (RD) process, which is the process of designing the “Remedy” to the contamination in the LDW. She then asked Roundtable members to discuss whether the process is clear enough that members know what to expect and at what points Roundtable input is most critical.

Questions and Suggestions

- Suggestion: For the final period of the RD process, it will be important that the timing of the Superfund Jobs Training Initiative (Super JTI) program be synced with the timing of active cleanup.
- Suggestion: The visual handout that outlines the RD process is helpful, but explanations of each phase in the process should be included in the visual. EPA will follow up by adding this information by the next meeting.
- Question: What is the chance that there will be a major change in the cleanup plan?
 - Answer: New data is being collected about the site to see if there will be changes.
- Question: What happens if the potentially responsible parties (PRPs) choose not to participate in the cleanup?
 - Answer: Elly responded that while the EPA prefers to negotiate with the PRPs around payment for the cleanup, if PRPs refuse to engage in the cleanup, EPA can use its enforcement authority to ensure the cleanup happens.

Pre-Design Investigation (PDI)

Elly gave a demonstration of the technical process of collecting samples and analyzing sample results in order to decide which clean-up actions are required. She also explained the reasoning behind the proposed sample locations in the upper reach Pre-Design Investigation (PDI) work plan and provided maps that illustrate the locations where data has already been collected. Key points from Elly’s presentation are provided below, and additional details can be found in the [Pre-Design Investigation Presentation](#) and [proposed sampling location maps](#) posted on the Roundtable website.

- Why sampling locations matter in the cleanup process:
 - The sampling process helps to determine where active clean-up is needed in the clean-up plan.
 - The Remedial Action Level (RAL) for each “contaminant of concern” is the level of contamination that would require “active” cleanup measures like dredging and capping. Non-active cleanup options like Monitored Natural Recovery (MNR) or Enhanced Natural Recovery (ENR) take place if contamination levels are below the RAL thresholds.
- How the sampling process works:
 - Step 1: Consider the health and safety of workers, how deep to dig, where to sample, and how many samples to take. Step 2. Collect samples. Step 3. Analyze results in a lab.
- Goals for the sampling process:
 - Defining the area (size) of a contaminated location, based on sample data from the past.
 - Re-sampling sediment from a location that showed contamination close to the RAL threshold in the past, to see if contamination levels changed.
 - Sampling new areas to fill gaps in past sampling data.

Next Steps: Providing Feedback on the Quality Assurance Action Program (QAAP)

Elly explained that in response to the information she shared about the PDI process during the meeting, EPA is seeking input and recommendations about proposed sampling locations from Roundtable members. She clarified that the level of detail required to review all potential sampling sites is too complicated to accomplish during a single meeting. Instead, meeting time was used to receive training and information about the process and purpose of sediment sampling, so that Roundtable members have the information they need to provide detailed feedback offline. Roundtable members will be invited to provide comments and recommendations when the QAAP is released in mid to late November.

Questions and Comments

- Question: When is EPA looking for feedback on the sampling location maps?
 - Answer: Roundtable members can provide feedback now, or they can wait until after they review the QAPP, which Sophie will send in late November.
- Clarifications:
 - Details about providing feedback on sampling locations:
 - When Sophie sends out the Draft QAAP, EPA is interested in Roundtable member questions and suggestions about which locations EPA should sample, and why.
 - EPA will provide a table for Roundtable members to use to provide feedback on specific pages, sections, and map numbers.
 - Feedback should be submitted by email within two weeks from the date the QAPP is sent.
 - Comments can be provided either by individual members or an entire caucus.
 - Sampling impacts all levels of remediation, from inactive to active remediation.
 - EPA is currently asking for questions and suggestions from Roundtable members about PDI Phase 1, not the Remedial Design.
 - The EPA corps of engineers and technical staff will also be providing feedback on sampling locations.
 - EPA will consider all Roundtable suggestions and include those that are specific and technically supported.
- Question: How does continued pollution from various sources affect the cleanup process?
 - Answer: The Department of Ecology (Ecology) is responsible for controlling sources of pollution, while EPA, and the Roundtable, are focused on the cleanup process. The goal is for Ecology's source control work to be sufficient before EPA begins active cleanup.
- Question: What informed the standards for how deep in the river sediment EPA chooses to sample?
 - Answer: The previous EPA assessment considered the following data in decisions about sampling depth: a) how deep a person can dig (approximately 1.5 feet), b) the depth with the most biological activity (10 cm), and c) State of Washington standards.
- Question: Will resampling occur on areas that previously tested both above and below the RAL?
 - Answer: EPA will resample areas that tested within a certain distance from the RAL, either above or below.
- Question: What information does EPA base its RAL standards on?

- Answer: EPA developed RAL numbers for each contaminant in the Duwamish Waterway sediment based on scientific studies that show a) the effects of human exposure to the chemicals, and b) the impact of the chemicals on organisms living in the sediment.
- Question: How much variation is there in contamination between samples taken in similar locations?
 - Answer: Studies show that sometimes there are differences; EPA has detailed quality assurance methods to account for this, using research-backed statistics about the probability of differences between samples.
- Question: There are several plumes of pollution entering the Duwamish River from different groundwater sources. How might these pollution sources affect remedial design?
 - Answer: Remedial design will focus on areas where sediment contaminant levels exceed the sediment remedial action levels (RALs) in the ROD. Following design, remedial action will go forward in areas where source control is sufficient. Sufficiency is when sources are controlled such that, after cleanup, recontamination above the RALs is unlikely.
 - Ecology will consider all relevant pathways, including groundwater flow, when assessing source control sufficiency. Groundwater flows into the Lower Duwamish, but how much contamination the groundwater contributes to the sediment contamination depends on groundwater flow (velocity and volume) and contamination (chemical properties and contaminant levels) and other factors. Where current levels of contamination in sediments are not above the remedial action levels now, it is unlikely that groundwater will cause future contamination above RALs, particularly as groundwater controls and cleanups progress.
 - Sufficiency for sediment cleanup does not necessarily mean that cleanup at an upland site is not required. Ecology is overseeing work at listed sites as part of the formal cleanup process under state cleanup regulations. Ecology is ensuring that groundwater contamination at these sites is adequately characterized and remediated, regardless of whether it reaches or affects sediments in the Lower Duwamish Waterway. An upland site or area that has source control sufficient for in-waterway remedial action may still require additional measures to meet water quality or state cleanup requirements.
- Question: What became of the river mile 3.8 Early Action Area?
 - Answer: At the beginning of the cleanup process, there were plans for multiple Early Action Areas; river mile 3.8 did not end up being an Early Action Area.
- Question: Is there any portion of the river sediment where benthic creatures are not living?
 - Answer: The amount of biological activity reduces as you go deeper below the surface. EPA cleanup is prioritizing the first 10 cm of sediment.
- Question: Will there be a public comment period for the ESD, based on the recommendation from the Roundtable at the May 29 meeting?
 - Yes, EPA will hold a public process (including a comment period) to accompany the ESD for the Lower Duwamish Waterway.

Other News and Updates

Julie Congdon, EPA, gave a brief update about the Fish Consumption Institutional Controls Implementation and Assurance Plan (ICIAP). She informed Roundtable members that Public Health Seattle-King County and EPA, in partnership with a Community Steering Committee, finalized the ICIAP. The link to the full report was sent out in an email, along with a summary document. Julie clarified that

the Institutional Control program is not within the purview of the Roundtable, but she wanted the Roundtable to be aware of the document.

Julie also provided a resource to Roundtable members that described all of the various entities involved in the cleanup. She also provided a reference of whom to call to report different pollution and contamination issues on the Duwamish River.

Extra Roundtable Training

Sophie asked if Roundtable participants would be interested in an optional extra training about Chapter 13 of the Record of Decision (ROD), which describes the Selected Remedy. Several members were interested. Sophie informed the group that she will send a follow-up email with a Doodle poll to schedule the training.

Comments and Questions from Non-Members

Sophie invited non-member participants to share comments and questions, summarized below.

- Paulina Lopez (DRCC/TAG): requested that DRCC/TAG be invited to collaborate on providing the extra roundtable training about Chapter 13 of the ROD.
- Sophorn (Fisher Caucus): asked whether meeting attendees will receive a copy of the Powerpoint presented at the meeting. Meeting facilitators clarified that the presentation was sent out in an email.
- Maggie (DRCC/TAG): informed the group that DRCC/TAG will be hosting a post-Roundtable meeting and would like feedback on what to discuss at the meeting. DRCC/TAG will provide Sophie with the meeting date, once it is set.

Meeting Wrap Up

Sophie summarized follow-up items (located at the beginning of the meeting summary, above) and invited Roundtable members to submit anonymous feedback about the meeting using evaluation forms.

ATTACHMENT A: MEETING PARTICIPANTS

Roundtable Members in Attendance

First Name	Last Name	Affiliation	Caucus (Alphabetical)
James	Rasmussen	DRCC/TAG	Community Advisory Group (CAG)
Emma	Maceda	GAL Latino Rep	Fishers Caucus
Quan	Phan	Fishers Caucus	Fishers Caucus
Sophorn	Sim	Fishers Caucus	Fishers Caucus
Edwin	Hernandez	DROF, Juntos Podemos	Non-CAG Community
Deborah	Williams	Resident	Non-CAG Community
Penni	Cocking	Duwamish Valley Neighborhood Preservation Coalition	Non-CAG Community
Nadine	Morgan	Duwamish Valley Neighborhood Preservation Coalition	Non-CAG Community
Julie	West	Public Health Seattle King County	Non-PRP Government

Shirlee	Tan	Public Health Seattle King County	Non-PRP Government
Alberto	Rodriguez	City of Seattle	Non-PRP Government
Patrick	Jablonski	Nucor Steel Seattle, Inc.	PRP Business
Sabine	Datum	TIG Environmental South Park Marina	PRP Business
Ben	Wilkinson	WA State Department of Transportation (WSDOT)	PRP Government
Joanna	Florer	Port of Seattle	PRP Government
Angel	Grace	Duwamish Yacht Club	Recreational River Users/Liveaboard
Tessa	Kain	Duwamish Yacht Club	Recreational River Users/Liveaboard
BJ	Cummings	UW Superfund Research Program (SRP)	Resource Member

Roundtable Observers/Caucus Members in Attendance

First Name	Last Name	Affiliation	Caucus (Alphabetical)
Linn	Gould	Erda Environmental	Community Advisory Group (CAG)
Maggie	Angel	DRCC	CAG
Paulina	Lopez	DRCC	CAG
Rein	Attemann	WA Environmental Council	CAG
Roxana	Rivers	GAL	Fishers Caucus
Luz	Maria	GAL	Fishers Caucus
Paco	Ramos	GAL	Fishers Caucus
Sean	Phuong	CHA	Fishers Caucus
Sotheu	Theo	CHA	Fishers Caucus
Tatiana	Martinez-Interiano	GAL	Fishers Caucus
Samad	Aidame	Researcher	Observer
Doug	Osterman	WRIA 9	Observer
Jessica	Winter-Stottzman	Ridolfi/EcoChem	Observer
Kate	Younger	Seattle	Observer
Katie	Moxley	Boeing	PRP Business
Kevin	Burrell	City of Seattle	PRP Government
Trent	Ensminger	WSDOT	PRP Government
Tom	Burbacher	UW SRP	Resource Member
Erika	Shaffer	WA DNR	Resource Member
Kelsey	Ketcheson	Ecology	Resource Member

Staff

Name	Affiliation
Elly Hale	EPA

Julie Congdon	EPA
Sophie Glass	Triangle Associates
Rosa Ammon-Ciaglo	Triangle Associates
Carla Miranda	Interpreter
Tammy Dang	Interpreter
Visochaena M.	Interpreter

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