

Lower Duwamish Waterway (LDW) Roundtable Draft Meeting Summary
Wednesday, March 31, 2021 | 5:30-7:30 PM
Virtual Meeting
Draft v. 4-26-21

Task	Entity Responsible
Follow up with Roundtable members after the meeting to find pathways toward workable Operating Procedures language.	Triangle Associates
Provide written feedback on the Quality Assurance Project Plan (QAPP) for Phase 2 Pre-Design Investigation Sampling for Upper Reach to Region10@epa.gov for EPA to consider by April 12. Note that this is not a formal public comment period.	Interested parties

Welcome, Introductions, and Where We Left Off

The meeting facilitator, Rachel Aronson (Triangle Associates), welcomed the Roundtable participants and identified the caucus leads present at the meeting. She noted that if participants are unsure of whether they are part of a caucus, the facilitation team is available to connect after the meeting and provide information about the Roundtable and connect them with a caucus that represents their interests. See Attachment A for a list of participants and observers.

Rachel reminded participants that Roundtable meeting agendas are developed in partnership with the Steering Committee, which has representation from the residential, business/industry, and fisher communities. Roundtable meetings are a forum for those affected by the cleanup of the Lower Duwamish Waterway Superfund Site to make recommendations to the US Environmental Protection Agency during the design and construction of the cleanup. At this Roundtable meeting, the objectives were to give participants an idea of what to expect from Roundtable meetings over the next two years as the cleanup moves forward, and to hear technical updates from EPA on the cleanup.

She recommended that participants review the three-part webinar series on how EPA designs the cleanup. The webinars and summaries, can be found on the [Roundtable website](#) under the Training Materials tab in English, Vietnamese, Khmer, and Spanish.

Elly Hale, EPA Remedial Project Manager, acknowledged the new Federal Administration and new Administrator of EPA. President Biden has selected Michael Reagan, who has had a robust career in environmental administration and previously worked for the EPA. Some changes at the agency may take place under his leadership but she does not expect any significant changes to alter the course of the Superfund cleanup.

Roundtable Administration

Review Draft 2021-2022 Roundtable Work Plan: Rachel reviewed the draft Roundtable work plan for the next two years. This year, the focus is on helping the Roundtable become Superfund experts through education and information. Next year, when the first design of the cleanup is released, the Roundtable will be space to give EPA feedback on that preliminary (30%) design. In the work plan, for every future meeting, there is space for additional Superfund-related topics suggested by the Steering Committee. Rachel noted that should Roundtable members have suggestions for agenda topics in the future, they are welcome to direct them to Triangle, EPA, or any member of the Steering Committee. If Roundtable

members have questions for other caucuses related to the Superfund site, Roundtable meetings are a good space to have that conversation.

Agenda topics for the Roundtable meeting in the Fall of 2021 include an update on the Year 3 Report of the Carbon Amendment Pilot project, a summary of Phase 2 Fieldwork, an update on EPA's sampling tiering decisions, and other topics as suggested by the Steering Committee. Caucus representatives had no questions regarding the work plan or initial suggestions for future agenda topics.

Roundtable Operating Procedures

Rachel summarized the two primary updates to the Roundtable Operating Procedures:

1. Compensation to Community Members for their Participation

The Operating Procedures clarify that EPA cannot provide compensation because of the rules that apply to the Federal government. EPA can neither require nor forbid other organizations from compensating community members. Compensation could be provided by another Roundtable member or outside group.

Roundtable members noted that they see compensating community members for their participation in the public process as a necessary step to address the inequities associated with meetings in which some participants are compensated for their time (through their employer or grant), while other invited participants such as affected communities are not. The intention of compensating community members is to leverage involvement and knowledge from Duwamish Valley communities, which include low- and no-income residents and residents of color who face disproportionate environmental and health burdens because of where they live.

The Roundtable facilitator clarified that any questions about compensation of community members does not affect the contracts held by Community Health Advocates (CHAs). CHAs are employees of PHSKC and are paid for their work, which can include coming to the Roundtable.

Previously Triangle Associates, independently from EPA, had a grant from the Duwamish River Opportunity Fund (DROF) to support community compensation. In 2019, that grant ended. Triangle applied to another grant but was not awarded funds. Triangle is open to collaborating with and supporting Roundtable members on grant opportunities and sharing grant application materials (not in association with EPA) but is not likely to lead further grant applications given that Triangle does not want to prevent other organizations applying for grants from receiving awards by competing for funds.

2. Role of the Steering Committee

The updated language in the Operating Procedures shows that the steering committee will be made up of a representative of the residential interests, the business/labor interests, and the fishing community, selected by the caucuses in each of those interest groups. Steering committee membership can be revisited as necessary, to make sure it is inclusive and balances community and responsible parties.

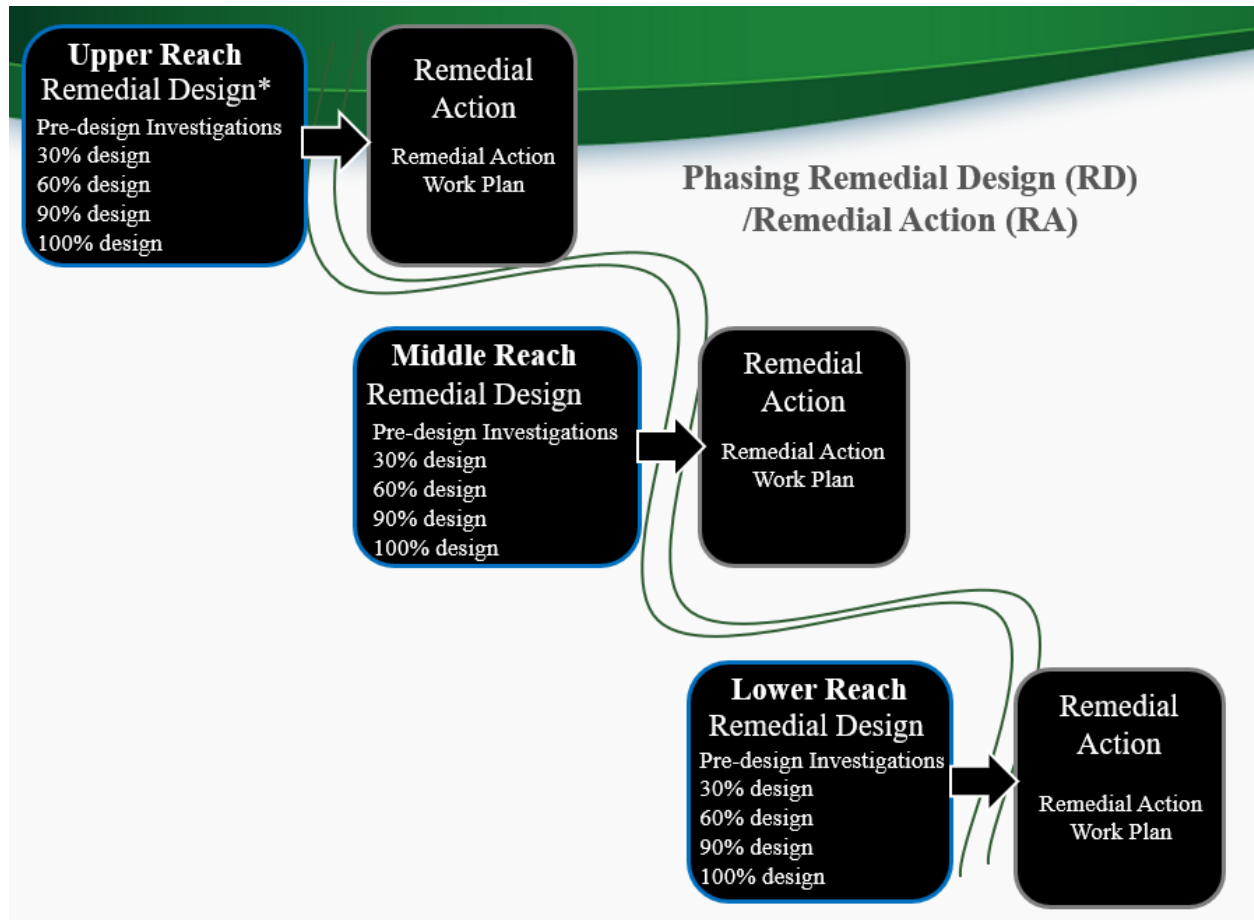
Rachel asked the Roundtable for feedback on the primary updates to the Operating Procedures and received the following comments:

- The Non-PRP Local Government Caucus shared concerns that the onus of compensating community Roundtable participants is on the Roundtable members. They would like to see EPA have more of a role in this process. They noted they were supportive of whatever the community’s perspective is on the level of importance of compensation.
- The Fisher caucus expressed support for finding solutions to compensate community member participation on the Roundtable.
- The Community Advisory Group (DRCC/TAG) Caucus expressed support for finding solutions to compensate community member participation on the Roundtable.
- There were no comments or concerns about the role of the Steering Committee.

Triangle will follow up with Roundtable members after the meeting to find pathways toward workable Operating Procedures language.

Technical Cleanup Site Updates from EPA

Elly Hale, EPA Remedial Project Manager, shared that the Lower Duwamish Waterway Superfund Cleanup is at the Pre-Design Investigation Phase 1 for the Upper Reach. She reminded the Roundtable that the cleanup of the river is divided into three sections: the Upper Reach, Middle Reach, and Lower Reach. Each section has the same phases of cleanup design: Pre-Design Investigation, 30% design, 60% design, 90% design, and 100% design. The cleanup design for each section is then turned into a Remedial Action Work Plan.



Informational Update: Phase I Pre-Design Investigation Data Evaluation Report for Upper Reach

This report is a summary of Phase 1 (2020) sampling results and other site data relative to Record of Decision (ROD) action levels. It provides an initial idea of remedial boundaries for the different cleanup methods. These initial boundaries will change based on more data analyzed in the future, but they help identify data gaps to be filled in Phase 2 (2021) sampling.

EPA will provide its own comments on the report to Lower Duwamish Waterway Group (LDWG). Other groups that are interested in reading the report should contact her to gain access since the report is a large, multi-part file. Elly shared examples of maps in the report, which show sample locations, contaminant levels relative to action levels, shoreline conditions, water depth, and preliminary cleanup boundaries based on the data collected. She noted that the data collected continues to show that the primary contaminant is polychlorinated biphenyls (PCBs).

Questions from Roundtable members by caucus and responses are as follows.

- The Fishers Caucus asked whether the Phase 1 Pre-Design sampling includes seafood samples.
 - The sampling evaluated in the report does not include seafood samples. The last seafood sampling conducted was in 2017/2018 and presented in the data evaluation report dated June 2020. The next planned seafood sampling is in 2023.

Quality Assurance Project Plan (QAPP) for Phase 2 Pre-Design Investigation Sampling for Upper Reach

This plan describes what sampling the Lower Duwamish Waterway Group (LDWG) proposes for 2021 sampling. Phase 2 sampling is likely to include the following:

- Samples in likely dredge areas to see how deep to dredge.
- Samples to make sure the shoreline is not a source of pollution.
- Additional sampling of top 10 cm, 45 cm, or 60 cm depths for site contaminants, to make more exact outlines of areas above remedial action levels (RALs).
- Sediment sampling near and under docks, piers, and other structures, if these areas can be accessed safely.
- Phase 2 sampling will collect information on the physical characteristics of areas that need remediation, such as slope stability, strength, ability to dredge, presence of riprap, and soil and rock information.

Combined chemical data from Phase 2 sampling will ultimately define areas where active cleanup is required and define actions to be taken (dredge, dredge and cap, cap, enhanced natural recovery) to make up the 30% design, the preliminary blueprint for the cleanup design. Elly shared examples of maps that are included in the plan that show proposed sediment sample locations, structure and outfall inspection locations, and geotechnical data collection locations. She noted that “tiering” is when you collect more samples than you think you’ll need, send those you know you need to lab for analysis (Tier 1), and save the rest (Tier 2) in a freezer. The Tier 1 lab results will determine which Tier 2 samples need lab analysis. Tiering is done because field work is expensive given the boats, equipment, and staff required to collect and analyze samples.

EPA is currently reviewing the plan, which they received from LDWG on March 12, 2021. Elly noted that interested Roundtable members could provide written feedback to Region10@epa.gov for EPA to consider including in the feedback to LDWG, by April 12, 2021. Elly noted that this is not a formal public comment period.

Elly suggested potential prompts for those interested in providing feedback to respond to:

- Are the samples in the right place?
- Are there enough samples?
- Is LDWG testing for the right chemicals?
- Are the sampling “cores” deep enough?
- Is the tiering approach reasonable?

Questions from Roundtable members by caucus and responses are as follows.

- The Fishers Caucus asked whether the sampling schedule affects people who are fishing on the river.
 - The sampling process will not disrupt or affect those that are fishing from the river.

Explanation of Significant Differences (ESD) for cPAHs Comment Period

Information about proposed changes to the ROD action levels for cPAHs was shared at a virtual community information session on February 17, 2021. Elly reiterated that the ESD will not change the targets for health-protection established in the ROD. ESD Information Session materials can be found on the Roundtable website under the Trainings tab. Interested Roundtable members can provide written comments to Region10@epa.gov for EPA to consider by April 21, 2021. The Roundtable meeting was not a substitute for emailed comments.

Comments from Roundtable members by caucus are as follows.

- The Community Advisory Group Caucus (DRCC/TAG) shared that the Duwamish River Cleanup Coalition (DRCC) put out a factsheet on what the ESD is that includes a comment letter that people can sign on to and/or add to.
- As a Resource Member, Tom Burbacher with the University of Washington Superfund Research Program (UWSRP) shared that he has been working with DRCC and other community groups to evaluate the updated health info for benzo(a)pyrene (BaP) by EPA’s Integrated Risk Information System (IRIS). EPA followed their guidance in selecting studies to set new cancer risk slope factors. His concern is that there is little weight of evidence, such as other studies that reach the same conclusion. Researchers in Oregon also found that other cPAHs are not well represented by BaP so he plans to coordinate with his Oregon colleagues on the issue.
- The Community Based Organizations caucus asked if there were studies conducted on the cumulative effects of the toxins in the river.
 - Elly responded that additive risks are evaluated, not potential synergistic effects.
 - As a Resource Member, Tom Burbacher with the UWSRP shared that there is an upcoming webinar on April 24 with a presenter from EPA to discuss synergistic effects. More information can be found at <https://nwtoxiccommunities.org/calendar/nwtcc-2021-summit-april-24/>.

Community and resident representation at the Roundtable and in other LDW outreach

The Community Based Organizations caucus asked how residents were being engaged and brought to the Roundtable.

- Rachel shared that residents are represented at the Roundtable potentially through many of the caucuses, but particularly the Community Advisory Group, Community Based Organizations, Fishers and Recreational River Users. She welcomed recommendations on how to broaden communications to residents, whether through the caucus system or in other ways.
- The Community Advisory Group (DRCC/TAG) Caucus shared that they are supportive of any community organization that wants to be part of the Roundtable, either through their caucus, through the Community Based Organizations Caucus, or through a new caucus. They offered support in helping community groups or individuals decide which avenue to participate makes sense.
- Some meeting participants expressed concerns that information about the cleanup, Explanation of Significant Difference (ESD), and Roundtable meetings are not reaching affected community members, particularly community members without access to internet. They recommended conducting non-digital outreach.
- As a Resource Member, BJ Cummings with the University of Washington Superfund Research Program (UWSRP), shared that DRCC has hosted masked info tables and conducted door to door outreach in the past year.
- Rachel noted that prior to COVID-19, EPA outreach included coffee chat office hours in South Park and Georgetown and in-person outreach at community events. She shared information about physical locations to review copies of technical documents, fact sheets, and other documents related to the site:

Seattle Public Library, South Park Branch: Address: 8604 Eighth Avenue South, at South Cloverdale Street Seattle, WA 98108 Phone: 206-615-1688	EPA Region 10 Superfund Record Center: Address: 1200 6th Avenue, Suite 155 Mail Stop OMP-161 Seattle, WA 98101 Phone: 206-553-4494 Toll-free: 800-424-4372 x 4494 (please call for assistance) Email: R10_SF_Records_Center@epa.gov	Washington State Department of Ecology Northwest Regional Office Address: 3190 160th Avenue S.E. Bellevue, WA 98008 Phone: (425-649-7190 (please call for an appointment)
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Other discussion: Garbage piles near the river

A Fishers Caucus member asked who to call if there are garbage piles near the river that need to be cleaned up. EPA replied that it depends on where the garbage piles are, given that the river is covered by multiple jurisdictions, including the City of Seattle, King County, and City of Tukwila.

- City of Seattle (Non-PRP Local Government Caucus): Using the Find it Fix it app may be helpful to report garbage near the river. You can learn more about the app here: <https://www.seattle.gov/customer-service-bureau/find-it-fix-it-mobile-app>. You can also call (206) 684-7587 to report problems on public property.
- King County (PRP Local Government Caucus): you can report illegal dumping in unincorporated (not under a City’s jurisdiction) King County to the Illegal Dumping Hotline at 206-296-7483.
- The City of Tukwila (PRP Local Government Caucus) noted that the City is cautious about throwing away “garbage” because the content may be personal belongings of the houseless populations.

Other Site News and Updates

Rachel opened the meeting up to Roundtable members to share other site news and updates:

- Kevin Duong, a Community Health Advocate (CHA) lead with the Fishers Caucus shared that the CHA program, which promotes healthy seafood consumption in the Duwamish Valley, recently had a kick-off meeting for this year's cohort. Their current projects are convening a Fishing Club for Duwamish fishers and a Moms' Workshop both to build community and share information about healthy seafood consumption, as well as training new CHA members. They are also creating a video demonstrating how to safely grow food in the Duwamish Valley, given the contaminants that exist in the soil. Lastly, the CHA program partnered with the Port of Seattle to develop new seafood advisory signs for T-105 to ensure the health message is clear, particularly to crabbers.

Comments and Questions from Non-Roundtable Members and Observers

Rachel invited non-member participants to share comments and questions, summarized below:

- A meeting observer expressed concern about the accessibility of the meeting for community members, residents and the Duwamish Tribe. ¹ She felt that the Roundtable process is upholding white supremacy and institutionalized racism and that more effort should be made to reach community members, particularly regarding the Explanation of Significant Differences (ESD). She requested that EPA extend the comment period on the ESD.
- A meeting observer expressed concern related to the ESD leading to five fewer acres of the LDW being included in the cleanup.
 - EPA responded that the five acres that the ESD says may no longer need cleanup only have cPAHs. The cleanup targets to protect human health will still be reached for the site. In addition, cPAHs in areas with other contaminants of concern will be cleaned up, further reducing cPAH levels in the waterway.

Meeting Wrap Up

Rachel thanked meeting attendees for their time and participation. She reminded participants that directly after the meeting, Triangle will hold an optional debrief, without EPA, for participants to share their feedback on how the meeting experience can be improved. Some participants joined an unfacilitated breakout room for post-meeting discussion.

¹ James Rasmussen representing the Community Advisory Group (DRCC/TAG) later shared that the Duwamish Tribe is a member of the Duwamish River Cleanup Coalition and participates in the Roundtable through DRCC, and that he is a member of the Duwamish Tribe.

ATTACHMENT A: MEETING PARTICIPANTS

Roundtable Caucus Leads in Attendance

First Name	Last Name	Caucus, Affiliation
BJ	Cummings	Resource Member, UW Superfund Research Program
Tom	Burbacher	Resource Member, UW Superfund Research Program
Lisa	Hayward	Resource Member, UW Superfund Research Program
Emma	Maceda	Fishers Caucus, CHA
James	Rasmussen	Community Advisory Group Caucus (DRCC/TAG)
Joanna	Florer	PRP Local Government, Port of Seattle
Julie	West	Non-PRP Local Government, Public Health Seattle King County
Shirlee	Tan	Non-PRP Local Government, Public Health Seattle King County
Tom	Burbacher	Resource Member, UW SRP
Alberto J.	Rodriguez	Non-PRP Local Government, City of Seattle Office of Sustainability & Environment
Kevin	Duong	Fishers Caucus, CHA
Nadine	Morgan	Community Based Organizations Caucus, Duwamish Valley Neighborhood Preservation Coalition
Jen	Scarlett	Community Based Organizations Caucus, Duwamish Valley Neighborhood Preservation Coalition
Edwin	Hernandez	Community Based Organizations Caucus, Duwamish Valley Sustainability Association
Deborah	Williams	Recreational River Users, Resident
Patrick	Jablonski	PRP Business, Nucor
Jonathan	Hall	PRP Business, La Farge

Roundtable Caucus Members in Attendance

First Name	Last Name	Caucus, Affiliation
Khanh	Ho	Non-PRP Local Government Caucus, Public Health Seattle King County
Jeff	Stern	PRP Local Government Caucus, King County
Erika	Shaffer	Non-PRP Local Government Caucus, WA Department of Natural Resources
Katie	Moxley	PRP Business Caucus, Boeing
Kelsey	Ketcheson	Resource Member, Department of Ecology
Luz	Maria	Fishers Caucus
Paulina	Lopez	Community Advisory Group Caucus (DRCC/TAG)
Itzchel Bazan	Bazan	Community Advisory Group Caucus (DRCC/TAG)
Betsy	Wing	PRP Business Caucus, TIG Environmental
Sean	Phuong	Fishers Caucus
Russel	Betteridge	PRP Local Government Caucus, City of Tukwila
Van	Vo	Fishers Caucus
Marie	Thu Le	Fishers Caucus
Veda	Ting	Fishers Caucus
Roxana	Urias	Fishers Caucus

Roundtable Observers

Name	Affiliation
Linn Gould	Erda Environmental
Harshitha Sai Viswanathan	University of Washington
James Lee	University of Washington Graduate student
Jacquelyn Shaff	University of Washington Graduate student
Maxwell Petersen	EPA
Piper Peterson	EPA
Cedar Bushue	South Park Resident
Fern	Duwamish Valley Resident
Chayo Rosario Maria Medina	Georgetown Resident
QoQo CM Weber	DSA antiracist caucus, D4 for Black Lives, Duwamish River Accountability Group
Samad Aidame	Researcher
Melissa Banales Mejia	Ross Strategic
Shirly Leung	No affiliation provided
Robinson Low	No affiliation provided
Lay	No affiliation provided
Matty Lauder	No affiliation provided
Maria Barriga	No affiliation provided
Norman Sigler	No affiliation provided

Staff

Name	Affiliation
Elly Hale	EPA
Kay Morrison	EPA
Julie Congdon	EPA
Rachel Aronson	Triangle Associates
Mishu Pham-Whipple	Triangle Associates
Annalise Ritter	Triangle Associates
James Heng	Interpreter
Phung Nguyen	Interpreter
Carla Miranda	Interpreter