



**City of Seattle**  
Mayor Jenny A. Durkan



**King County**

September 22, 2021

Michelle Pirzadeh, Acting Regional Administrator, Region 10  
U.S. Environmental Protection Agency  
1200 Sixth Avenue, Suite 155  
Seattle, WA 98101

RE: Lower Duwamish Waterway and East Waterway Cleanup Plans

Dear Ms. Pirzadeh,

Thank you for the U.S. Environmental Protection Agency's work on the Lower Duwamish Waterway and East Waterway cleanup plans. We appreciate EPA's effective leadership and partnership, and we strongly support an effective public engagement process moving forward.

We all agree the local community deserves health justice, especially those who are historically burdened with legacy pollution. Community representatives, such as the Duwamish River Cleanup Coalition (DRCC), have been and continue to be strong advocates for the needs of the community. We value and respect the important role the community plays in this process. Their voices deserve to be heard.

As local governments fully engaged in the cleanup of the Lower Duwamish Waterway and the East Waterway, we are dedicated to reducing unacceptable risks to human health and the environment. We believe actions speak louder than words, which is why we initiated cleanup of several "Early Action Areas." We also initiated a source control and pollution prevention effort in the watershed that has served as an effective example for other communities.

We support EPA's commitment to applying the latest science regarding cPAHs to its decision making. EPA's 2014 Record of Decision for the Lower Duwamish Waterway included cPAH remedial action levels that were based on the best available data at the time and that would protect the community and the environment. We have anticipated implementing those remedies and in fact, have already started design of this work. The community has also expected these remedies to be fully implemented.

We support EPA's national adoption of an updated cPAH standard. While the scientific understanding of cPAH toxicity has evolved, we are committed to working with EPA to ensure that community concerns are addressed, including working to complete the cleanup of cPAHs in the

Lower Duwamish as defined in the Record of Decision or exploring other effective means of addressing this concern.

Regarding Jorgensen Forge, we understand that its cleanup did not meet the approved plan's objectives. We believe Jorgensen Forge needs to live up to its commitment. As EPA considers a range of alternatives, we ask that you prioritize environmental justice and community input in your remedy selection.

We have two comments in anticipation of EPA's forthcoming cleanup plan for the East Waterway. First, we continue to seek a Record of Decision for the East Waterway that reflects a commitment that we can make and keep. We support cleaning up the East Waterway to the most protective standard that is technically and scientifically feasible, sustainable over time, and transparent to the public. We have been consistent in this position throughout this process.

Second, we believe there needs to be enhanced public participation for the East Waterway cleanup process. We note that EPA's Technical Assistance Grants have enhanced the DRCC's ability to meaningfully participate in the complex decision-making process for the Lower Duwamish cleanup. We encourage that same opportunity be provided for the East Waterway plan, to enhance community groups' participation in decision-making associated with the East Waterway Proposed Plan, which we hope can be available for public comment soon. We also request you host a virtual community meeting with adequate time and accessibility before the plan release to enable the public's concerns to be heard directly by EPA.

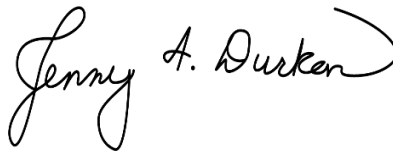
We remain committed to cleanup actions that will produce better results sooner for people, fish, and wildlife. EPA's release of its Proposed Plan for the East Waterway will be an important milestone in our ongoing cleanup efforts, and we want to be certain that the voice and needs of the community help guide this important work.

We look forward to continued collaborative efforts to protect the environment and the health of the community.

Sincerely,



Fred Felleman, Commission President  
Port of Seattle



Jenny A. Durkan  
Mayor, City of Seattle



Dow Constantine, Executive  
King County

Cc: Muckleshoot Tribal Chair Jaison Elkins  
Suquamish Tribal Chair Leonard Forsman  
Department of Ecology Director Laura Watson  
DRCC Executive Director Paulina Lopez