King County
Department of
Natural Resources and Parks
Director's Office
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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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July 17, 2018

Ms. Sheryl Bilbrey
Office of Environmental Cleanup
U.S. EPA, Region 10
1200 6th Ave #900
Seattle, WA 98101

RE: King County and Ecology Request for Assistance to Remove Hazardous Materials

Dear Ms. Bilbrey:

King County and Department of Ecology (Ecology) are requesting assistance from the Environmental Protection Agency (EPA) to perform an emergency removal action and remove hazardous materials, pollutants, and contaminants from the illegal landfill previously operated by Charles Pillon in Renton, Washington (15753 SE Renton-Issaquah Road). An emergency removal action is necessary to mitigate an immediate threat to public health, welfare, and the environment posed by the presence of uncontrolled hazardous materials left on the property.

Risk associated with the property are related to the property location, the amount and type of containers which pose a threat of release, conditions at the property which are likely to cause the hazardous substances or pollutants or contaminants to migrate or be release, and threats of fire and/or explosion.

Mr. Pillon was recently found guilty in King County Superior Court of two felony counts of illegal auto wrecking and hazardous materials storage and one misdemeanor for solid waste handling. Despite decades of civil prosecution and fines, Mr. Pillon has continued to accept all manner of materials on his property for "disposal and recycling", including unknown amounts of hazardous wastes.

Mr. Pillon has resisted all efforts from local and state agencies to help him achieve compliance and does not appear to have the financial ability to clean up and remediate the property should he choose to do so.

Open dumping has occurred at the property, which is approximately 10-acres in size, for more than two decades. While the property is located in a fairly rural area, the property (and associated trash piles) are approximately 2000 feet from the Apollo Elementary School. The property lies up gradient

from private wells and a critical aquifer recharge area, and water quality samples taken from Mr. Pillon's property exceeded groundwater standards for arsenic, iron and manganese.

During a search of the property conducted by the Washington State Patrol on February 16, 2016, EPA and the Department of Ecology conducted sampling on site, and determined there was an imminent risk to the public and environment. Due to safety concerns and the extent of materials onsite, EPA personnel could only sample a few areas, but those samples show the materials include dangerous waste characteristics of ignitability, corrosivity, and toxicity. It is estimated there are hundreds, if not thousands of open, leaking and buried containers on site. Prior randomized testing of eight containers by EPA technicians revealed that three did in fact hold hazardous waste. Extrapolating those findings out to the more than 1,000 containers estimated to be on the property reveals the true extent of the emergent situation – potentially 375 or more containers of hazardous waste being stored under conditions that the trial court found pose an imminent threat to health and safety of citizens and the environment.

In addition to the public health risk, the property and associated hazardous substances, pollutants and contaminants are a risk to animals and the food chain, as contaminated stormwater runoff flows through the May Creek spawning grounds of Puget Sound Chinook salmon and steelhead (both listed as threatened species). Stormwater from the site discharges to the state's stormwater system along SR 900 before it discharges to a tributary of May Creek and ultimately into Lake Washington. Water quality samples exceeded acute and/or chronic surface water quality standards for several parameters including copper, lead and zinc.

King County and Ecology will work with liable parties on a long-term clean-up of the site. However, Mr. Pillon is the only potentially liable person currently identified for the site, and by all indication he does not have the ability to finance an immediate removal action. King County and Ecology lack the funding and personnel to recover, identify, remove and dispose of waste of this volume. We request the assistance of EPA's Emergency Response Program to address the identification and removal of the hazardous substances for off-site disposal. Conditions at the property constitute a threat to public health and welfare and the environment, and justify a removal action being conducted by EPA at the property. With the court's supervision over Mr. Pillon for the next two years, this is a good time to access the property to remove hazardous materials.

Please let us know if we can provide additional information and thank you for your consideration.

Sincerely,

Christie True
Director
King County Department of Natural Resources and Parks

Tom Buroker
Regional Director
Washington Department of Ecology

cc: Calvin Terada, Emergency Response Program Manager, U.S. EPA
Wally Moon, Emergency Response Program Supervisor, U.S. EPA
Jeffrey Fowlow, Federal On-Scene Coordinator, U.S. EPA