

# Protect the Peninsula's Future Newsletter

October 1, 2019

## OUR ANNUAL MEETING—THURSDAY, NOVEMBER 14

The meeting will be preceded by a no-host dinner at 5:45 pm at Baja Cantina Restaurant, 531 W. Washington St, Sequim, corner of WA & 5<sup>th</sup>. Award-winning Peninsula wilderness filmmaker/photographer, John Gussman will be our featured speaker. The Annual Meeting begins at 7:00 p.m. Please RSVP to Judy Larson, phone: 360. 683-3265, or email: larjdyng@olyphen.com (put "PPF Annual Meeting" in the subject line)—thank you!

### **PPF's 46th Year—Steve Koehler**

For the past four decades Dr. Eloise Kailin's name has been essentially synonymous with the words, "Protect the Peninsula's Future." We lost her this past June 1 at the age of 100 years. The organization is committed to building upon and continuing its successes in protecting our local environment. We welcome participation at whatever level and capacity individuals and families can contribute. All PPF work is undertaken by volunteers. It is a privilege for me to work with such committed and capable folks. We thank all members, as well as the greater community, for continued support.

### **Follow up on Clallam County Code Enforcement—Janis Butler, PPF Treasurer**

At present, Code enforcement has one full time position, which is job shared by two officers. There is one part time position (20 hours per week). The County is considering ways to gain funding to expand this part time position to 24-26 hours and adding benefits.

Mary Ellen Winborn, Director of Community Development, is maintaining an administrative assistant for Code Enforcement. Weekly staff meetings have been established in an effort to stay on top of enforcement issues. The County continues to employ an independent hearing examiner. It appears efforts are being made to refine and improve the county code enforcement system. It is a work in progress.

### **Rayonier—Darlene Schanfald**

In 1994, the Olympic Environmental Council formed a statewide Coalition which included Protect the Peninsula's Future. The purpose was to stop the Rayonier Pulp Mill in Port Angeles from dumping its mill infrastructure at their Mount Pleasant Landfill, which was permitted only for mill waste; not mill infrastructure. At that time Rayonier denied it was closing the Port Angeles Mill, but we knew differently. In 1996, the USEPA National Ombudsman agreed to take our request to investigate the mill, Port Angeles Harbor and around town properties for Rayonier hazardous waste. In 1997, Region 10 EPA did these investigations and all properties—the mill and Rayonier's two landfills (Mt Pleasant and 13<sup>th</sup> & M St) met Superfund level status. EPA would list the mill site on the Superfund priority cleanup list. At that time, national, state and local politicians stepped in to save Rayonier and not let the site be listed on the Superfund national priority list. In 2000, the cleanup authority was turned over to

WA State Ecology's Industrial Division, an agency and division that was a big part of the problem for allowing all the pollution and lax oversight of Rayonier. But Rayonier had to first sign many agreements with the Lower Elwha Tribe and a list of federal government agencies. Between 2000—2007, State Department of Ecology could not flex muscle to get Rayonier to do anything. The OEC coalition pressed EPA and Ecology to turn the site over to Ecology's Toxic Cleanup Program (TCP), which occurred in 2007.

In 2008, Ecology's TCP took it upon itself to do another investigation of the harbor and properties around Port Angeles; then determined which pollutants were from Rayonier and from other harbor sources. Over the years, the other sources have been working with Ecology on how and what they would clean up. That process is ongoing and we should see several documents in for public review in 2020.

Port Angeles Rayonier Mill: Upland and Marine Data Summary Reports and Cleanup Alternatives Evaluation Report that were available for Public Review and Comment August 29—October 28, 2019. Unfortunately, the Coalition comments will not be ready when the PPF newsletter goes to print, but you may receive the newsletter in time for you to look at Ecology's information online.

<http://www.ecology.wa.gov/Rayonier>

- **Upland Data Summary Report (Volume I)** is a remedial study of the upland portion of the Study Area. The report describes what the contaminants are and where they are located in soil and groundwater.
- **Marine Data Summary Report (Volume II)** is a remedial study of the marine portion of the Study Area. The report describes what the contaminants are and where they are located in sediments.
- **Cleanup Alternatives Evaluation Report (Volume III)** is a feasibility study. The report describes and evaluates options for cleanup of soil and groundwater and marine sediments in the Study Area.

Comments can be submitted here: <http://cs.ecology.commentinput.com/?id=dH5jU>

Facility Site ID: 19 Site Cleanup ID: 2270

For more information, contact:

Marian Abbett, PE Cleanup Project Manager Southwest Regional Office WA Department of Ecology PO Box 47775 Olympia, WA 98504-7775 360-407-6257 MABB461@ECY.WA.GOV

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The Upland Study Area is the 75-acre former mill property. The Marine Study Area is about 1,300 acres of marine environment adjacent to the mill property on the southern shore of Port Angeles Harbor.

Ennis Creek flows through the Upland Study Area into the harbor and divides the upland into the west mill and east mill areas. There are known cultural sites on the RayonierAM property, which was once home to the Klallam l'e'nis village and the Puget Sound Cooperative Colony.

Rayonier leased the northern portion of the property from the Washington State Department of Natural Resources (DNR), which includes a dock and jetty.



Figure 1: The Rayonier Mill Study Area is located along the shoreline and in the eastern portion of Port Angeles Harbor.

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### Update for the Proposed Countywide Fireworks Ban—Janis Butler

I met with Clallam County Commissioner Randy Johnson the first week of August regarding the fireworks issue. He reported that hearings are in process. Ideas and suggestions are being considered. The top three ideas being looked at are:

- Fire Marshals would be given authority to call for a complete ban if fire danger is too high. They expect this will be a growing problem with climate change.
- Voting by individual areas/neighborhoods to have or not to have fireworks discharging.
- Limiting discharging to one day and only during certain hours. This would reduce the amount of time to tranquilize pets and live stock. It would also reduce the stress on wildlife and humans who have PTSD or other neurological health issue.

I am not sure that the County will be able to make all people happy around the use of fireworks. Fireworks enter this country and are registered as “toys.” How sad their use causes so much death, injury, fire, property loss, untold misery to wildlife, livestock, pets and the pollution to an already challenged environment. It will always be my hope that personal fireworks use ends. In my opinion, fireworks are explosives and should only be in the hands of licensed, insured professionals.

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**Protecting Streams and Wetlands Adjacent To Agricultural Activities**—Chris Byrnes  
Protect Peninsula’s Future (PPF) continued efforts in 2019 to ensure adequate protection and buffers for streams and wetlands adjacent to ongoing agriculture activities.

After seventeen years of legal effort by PPF and attorney Gerald Steel, including a petition to the Growth Management Hearings Board and four court appeals, PPF and Clallam County agreed in 2017, to a Clallam County Critical Areas Ordinance (CAO) that requires vegetative buffers on streams

and wetlands adjacent to agricultural activities.

Unfortunately, in the two years the ordinance has been in effect, Clallam County has made no progress in implementing the ordinance, or in notifying agricultural property owners that buffers are required on their streams and wetlands.

With the lack of compliance with the CAO by agricultural property owners and the failure of Clallam County to notify any property owners of their responsibility to protect these water bodies, PPF through attorney Gerald Steel, contacted Clallam County in 2019 with a request that the county begin to enforce the agricultural CAO.

The request included a simple method to use county information to remotely identify agricultural properties not in compliance with the CAO, an initial list of property owners appearing based on the method, to not be in compliance with the CAO and the recommendation that Clallam County begin to send explanatory letters to agricultural property owners. The recommended letter would identify for property owners how their streams are impaired for water quality parameters, the benefits of improving water quality and the relevant CAO regulations intended to improve and protect water quality within these streams and wetlands.

Subsequent meetings with PPF's attorney and Clallam County and another with PPF board members and Clallam County, have resulted in Clallam County agreeing to send a one-page mailer to a limited number of agricultural property owners. Additional PPF time and effort will be required to provide review and feedback to the county on the form and content of the mailer. In discussions to date, the county is unwilling to include in the mailer that the CAO requires buffers on these streams and wetlands.

In discussions with Clallam County there was strong resistance to contacting or informing agricultural property owners that they are out of compliance with the CAO. Clallam County is only willing to notify property owners that their agricultural activities are out of compliance with the CAO in response to specific complaints.

Future steps include working with the county to finalize the form and content of an informational mailer, identifying additional agricultural properties out of compliance with the CAO, requesting that the mailer be sent to an expanded list of agricultural property owners and the filing of specific complaints for agricultural properties clearly out of compliance with the CAO.

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### **What Goes Down Your Drain May End in Your Plate—Darlene Schanfald**

Over the years we have learned that there is no such thing as wastewater “treatment” plants. Rather, they process but treat little. Indeed, municipalities do not know all that flows into these plants on a daily basis, nor the synergistic chemicals that are reformed from combinations of toxins in the waste.

Since the USEPA has allowed states to treat, then dispose of the sewage solids by landfilling, incineration and land spreading, almost three decades of academic and government scientific studies have determined that neither option is optimal. Landfill space is in short supply and the leachate can penetrate aquifers. Incineration releases harmful chemicals into the air, which are widely dispersed. Land spreading the toxic sewage brew, which can contain 90,000 contaminants and a range of pathogens, ruins soils, air, water and the health of wildlife and humans. Plants can uptake the toxins and pathogens. Commercial compost containing processed sewage solids does not specify this waste on labels.

In 2018 EPA's OIG published its audit of the agency's "Biosolids" Program and found that the EPA was unable to assess the impact of hundreds of unregulated pollutants in land-applied "biosolids" on human health and the environment. To date, the EPA alone identified 352 pollutants in biosolids, out of an unknown and incalculable total that frustrates any meaningful risk assessments; 61 of these pollutants have been categorized as hazardous by other federal programs. These pollutants currently are not considered for further regulation because the agency lacks the data and tools necessary to assess the health and environmental risks.

[https://www.epa.gov/sites/production/files/2018-11/documents/epaig\\_20181115-19-p-0002.pdf](https://www.epa.gov/sites/production/files/2018-11/documents/epaig_20181115-19-p-0002.pdf)

On April 8 2019 the OIG issued a management alert informing the US EPA that its Toxic Release Inventory data pertaining to releases of hazardous substances from publicly owned wastewater processing plants are inaccurate. As a result, the public and researchers are not receiving complete and timely information about environmental conditions affecting human health.

<https://www.epa.gov/office-inspector-general/report-management-alert-certain-toxic-release-inventory-data-disclosed>

In 2018 and 2019 I focused on sewage effluent—the liquid released into water bodies from these plants. Thought to be much cleaner than the solids, we find this is not necessarily so. In WA State, the combined point source effluent releases and the sewage solids runoff with rain are known to be 60% of Puget Sound pollution. Marine life, including the southern resident ORCAs and their feed, are condemned to live in this filth.

Earlier, in 2014, the USEPA Office of Inspector General (OIG) determined that management controls put in place by the EPA to regulate and control hazardous chemical discharges from sewage treatment plants to water resources have limited effectiveness. The regulations are ineffective in controlling discharges of hundreds of hazardous chemicals to surface waters. These chemicals then travel up the sea life food chain and humans and wildlife that feed on them.

[https://www.epa.gov/sites/production/files/2015-09/documents/20140929-14-p-0363\\_glance.pdf](https://www.epa.gov/sites/production/files/2015-09/documents/20140929-14-p-0363_glance.pdf)

There are options for the solids. One is pyrolysis and another plasma arc. Europe, Asia and U.S. municipalities (e.g. Edmonds WA) are turning to pyrolysis. Australia is piloting plasma arc. The heat from the sewage solids drives an internal high heat process, which then can be turned into an energy source or ground and used for building blocks, road paving and for other uses. For the effluent, some nations have built floating islands of plants able to absorb an array of toxins. Certain mushrooms can decontaminate certain toxins.

We will continue to track alternative methods and encourage their use in WA State.

My extensive piece on this issue was just published in the San Francisco CA-based journal, National Equal Justice Association. Please email me at: [sewagesludge@olympus.net](mailto:sewagesludge@olympus.net) if interested. Unfortunately, it is not online. I will try to convert a hard copy into an electronic source.

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### Summary Report—Judy Larson

In 2019, my activities as a Board member again have primarily been attending **Dungeness River Management Team** (DRMT) meetings as PPF's delegate. PPF is also allowed to have an alternate DRMT delegate, so consider volunteering.

DRMT meetings are typically scheduled for 2-5 pm on the 2<sup>nd</sup> Wednesday of each month, and are usually held at the Audubon River Center in Sequim. At PPF Board meetings, I often report on presentation topics, which seem most germane to PPF's mission, and at DRMT meetings I continue

to ask questions to reveal details pertinent to PPF concerns. Indeed, when a recent Clallam County presentation indicated possible deficiencies in implementation efforts for the Ag-CAO issue, our PPF Board decided that I should join Chris Byrnes to discuss PPF concerns with the DCD Director. (Chris is our Ag-CAO lead for follow up and possible additional involvement with PPF's attorney.)

At every DRMT meeting, knowledgeable presenters share information about topics relevant to our WRIA 18 watershed. The DRMT also conducts special field trips to important restoration project areas. I have especially found interesting this year, the introduction of an education outreach program planned by the League of Women Voters Clallam County Water Study Group. Featured are a video, a monthly series of talks and panels addressing "future challenges we face regarding fresh consumable water." The video is available for a group viewing by contacting the Chair of the Water Group, Carrol Hull, at 360.683.5199 or [cahull@msn.com](mailto:cahull@msn.com). The first talk will be October 2019. More information may be available through Carrol or the League's website: [www.lwvcla.org](http://www.lwvcla.org).

For more information about DRMT—including detailed written meeting agendas and minutes, as well as valuable resource materials/reference links—visit DRMT website: <http://tinyurl.com/DRMTweb>. Shawn Hines, a JSKT Watershed Planner, may be able to answer questions about DRMT website materials; her contact information is: 360.681.4664 or [shines@jamestowntribe.org](mailto:shines@jamestowntribe.org)

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### **New Legislation on 5G**—Steve Koehler

U.S. Sen. Richard Blumenthal, D-CT, is asking the federal government for proof 5G does not pose health risks. Blumenthal, and Rep. Anna Eshoo, D-CA, wrote to FCC Commissioner Brendan Carr seeking information on how his agency has determined 5G technology is safe.

<https://ctmirror.org/2018/12/03/blumenthal-wants-fcc-prove-5g-wireless-technology-safe/>

Federal bill [HR 530](#) has been introduced by CA Congresswoman Anna Eshoo, to invalidate the FCC's ruling to accelerating deployment of 5G small cells throughout cities. Senator Dianne Feinstein introduced a Senate companion bill, [SB 2012](#), "Restoring Local Control Over Public Infrastructure Act of 2019," which would similarly repeal FCC rules limiting local government control over telecom infrastructure. <https://mdsafetech.org/new-legislation-small-cell-towers/>

