



King County

Department of Local Services

Permitting Division

919 SW Grady Way, Suite 300

Renton, WA 98057

206-296-6600

<https://kingcounty.gov/depts/local-services/permits>

August 22, 2023

Emergency Authorization: Reserve Silica Fill Site at Ravensdale Sand Pitt

Location: 28130 Black Diamond-Ravensdale Rd SE, Ravensdale, WA 98051 (Tax Parcels # 3622069065, 0121069010)

**Version 2: Updated emergency authorization letter to include minor revisions to condition number 2 on page 2.*

Reserve Silica Corporation,

Emergency: This letter is an emergency authorization to allow for the removal of fill contaminated with lead arsenic at the Reserve Silica Corporation Ravensdale Sand Pitt site located at 28130 Black Diamond-Ravensdale Rd SE, Ravensdale, WA, 98051 (Tax Parcels # 3622069138, 3622069065, 0121069010).

Background: Reserve Silica Corporation is authorized to place fill at the Ravensdale Sand Pitt as part of a reclamation project to restore the retired mining trenches to open space or recreational use. Material extraction operations at the site ceased in 2007 and the site has been undergoing reclamation since that time through King County Permitting Division. The fill activity is being tracked, monitored, and inspected under grading permit record # GRDE15-0011. On May 30, 2023, thirty-three (33) truckloads of fill contaminated with lead arsenic was unintentionally allowed to be imported onto the site. In August of 2023, it came to King County's Permitting Division's attention that Reserve Silica had both exceeded the authorized area for placing fill under GRDE15-0011 and unintentionally added fill contaminated with lead arsenic from the ASARCO Tacoma Smelter soil. This was brought to the attention of King County Permitting Division management, the Environmental Protection Agency (EPA), and Washington State Department of Ecology (DOE) to determine how to rectify this issue.

Imminent Risk: Due to the potential risk of the contaminated soils, an emergency authorization was triggered to remove any potential fill that could lead to both environmental and public health risks prior to obtaining a permit. Based on the presence of lead arsenic and due to the upcoming rainy season, it has been demonstrated that:

1. The existing emergency is a threat that presents imminent danger to the public health, safety, and welfare.
2. The action must be undertaken immediately, or within a time too short to allow full compliance with King County code standards, to avoid imminent threat of serious environmental degradation.

3. The proposed emergency scope of work is reasonable and necessary in response to the imminent threat presented.
4. The emergency action is in direct response to and does not exceed the dangers and risks posed by the emergency.

Emergency Action Scope: This emergency authorization is to allow for the immediate removal of any and all fill on the site that is contaminated with lead arsenic. The scope of this emergency authorization is limited actions directly related to the removal and safe disposal of any such fill material.

Conclusion & Conditions: Based on a review of the materials provided, you have demonstrated that this request is consistent with the emergency criteria outlined in WAC 197-11-880, King County Code (KCC) 16.82.065, and KCC 21A.06.392. This request to proceed with emergency work prior to issuance of the requisite permits, subject to the following conditions:

1. This emergency authorization is limited to the minimum work necessary to resolve the emergency and remove the contaminated soils from the subject site.
2. An Action Plan shall be prepared prior to fill removal for review and approval to King County Permitting, to include at a minimum:
 - Nature & Extent Investigation
 - Soil Remedial Action & Disposal Plan
 - Staging Plan, to include:
 - Planned piles for both clean and contaminate soils. Contaminated soils should be loaded on a truck and removed the same day (if feasible)
 - Location of final approved disposal site including any intermediate staging or storage that may be proposed prior to final disposal
 - Pile location as far as possible from any ecological critical areas
 - Dampened soil to ensure it doesn't spread in the elements
 - Wheel wash area to ensure contaminated soils are not tracked or carried along haul routes
 - Haul Route Plan
 - Pre-and Post-Testing Plan
 - Site Stabilization Plan for once fill removal is complete
 - Ensure workers carrying out the remediation are in compliance with related worker safety rules administered by the Washington State Department of Labor and Industries.
3. Additional conditions and requirements may be imposed upon review of the Action Plan (noted in # 2). King County Permitting Division Engineer, Teddy Taddese (206-477-5612, teddy.taddese@kingcounty.gov) will require an on-site meeting prior to start of emergency action work.
4. All emergency action should obtain any required permits and/or authorization from the Environmental Protection Agency (EPA) and Washington State Department of Ecology Toxics Cleanup Program.
5. The emergency action operations shall comply with any requirements imposed by Diana Ison with the Washington State DOE Toxics Cleanup Program (diso461@ecy.wa.gov). A copy of the Action Plan shall also be transmitted to Diana Ison.

6. Disposal of the contaminated fill shall comply with any requirements imposed by Kristine Koch (Koch.kristine@epa.gov) of the US EPA, Region 10. A copy of the Action Plan shall also be transmitted to Kristine Koch.
7. Temporary sedimentation and erosion control measures shall be implemented as in conformance with best management practices detailed in the King County Surface Water Design Manual. Specific erosion control measures shall be required including conveyance and detention holding pond designed and implemented through a certified engineer (P.E.). This must be in place prior to any soil removal and verified with King County Permitting Division Engineer, Teddy Taddese (206-477-5612, teddy.taddese@kingcounty.gov). A copy of the proposed conveyance and detentions holding pond design shall be transmitted to both Kristine Koch (Koch.kristine@epa.gov) of the US EPA, Region 10 and Diana Ison with the Washington State DOE Toxics Cleanup Program (diso461@ecy.wa.gov) and shall adhere to any feedback from these parties.
8. All work shall be conducted in accordance with relevant development standards and appropriate best management practices to protect water quality and minimize aquatic area impacts. Mitigation measures in conformance with King County Critical Areas (KCC 21A.24) code standards will be determined during the Permitting Division's review of the subsequent permits.
9. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, or any other toxic or deleterious materials are allowed to enter or leach into surface waters. The permittee shall report all spills immediately to the Washington Department of Ecology (425-649-7000).
10. All equipment that is used near or for any in-water work shall be cleaned to remove external oil, grease, dirt, and mud prior to placing the equipment in the water. Accumulation of soils or debris shall be removed from the vehicle prior to working below the ordinary high-water line. Construction materials shall not be staged or stockpiled below the ordinary high-water line.
11. All work completed on the subject site should be clearly documented during construction. Documentation should include daily logs that are available upon request to document all work completed on the site. In addition, all such daily logs shall be compiled into one comprehensive report at project completion.
12. Within two days of the completion of emergency work, please contact Teddy Taddese (206-477-5612, teddy.taddese@kingcounty.gov) and Warren Clauss (206-263-3377, wclauss@kingcounty.gov) to coordinate an on-site meeting to review the completed emergency work.
13. Following construction, a mitigation plan shall be developed and submitted with the subsequent permit application for review and approval. The mitigation plan should include restoration of critical area buffers to compensate for the removal of significant trees and native vegetation.
14. A pre-application meeting shall be held within 30 days of the completed emergency action construction. Pre-application (record number PREA23-0199) has been created to track this request. Once the work is completed, the applicant will be responsible to provide updated documentation conveying the emergency action work completed on the property.

Failure to comply with any of the conditions of this emergency authorization will constitute a violation of King County Code (KCC) 16.82 and may be cause for initiation of enforcement actions and/or fines pursuant to KCC Titles 16, 21A and 23.

If you have any questions or would like to discuss this emergency authorization, you can contact Warren Clauss (206-263-3377, wclauss@kingcounty.gov) or Teddy Taddese (206-477-5612, teddy.taddese@kingcounty.gov).

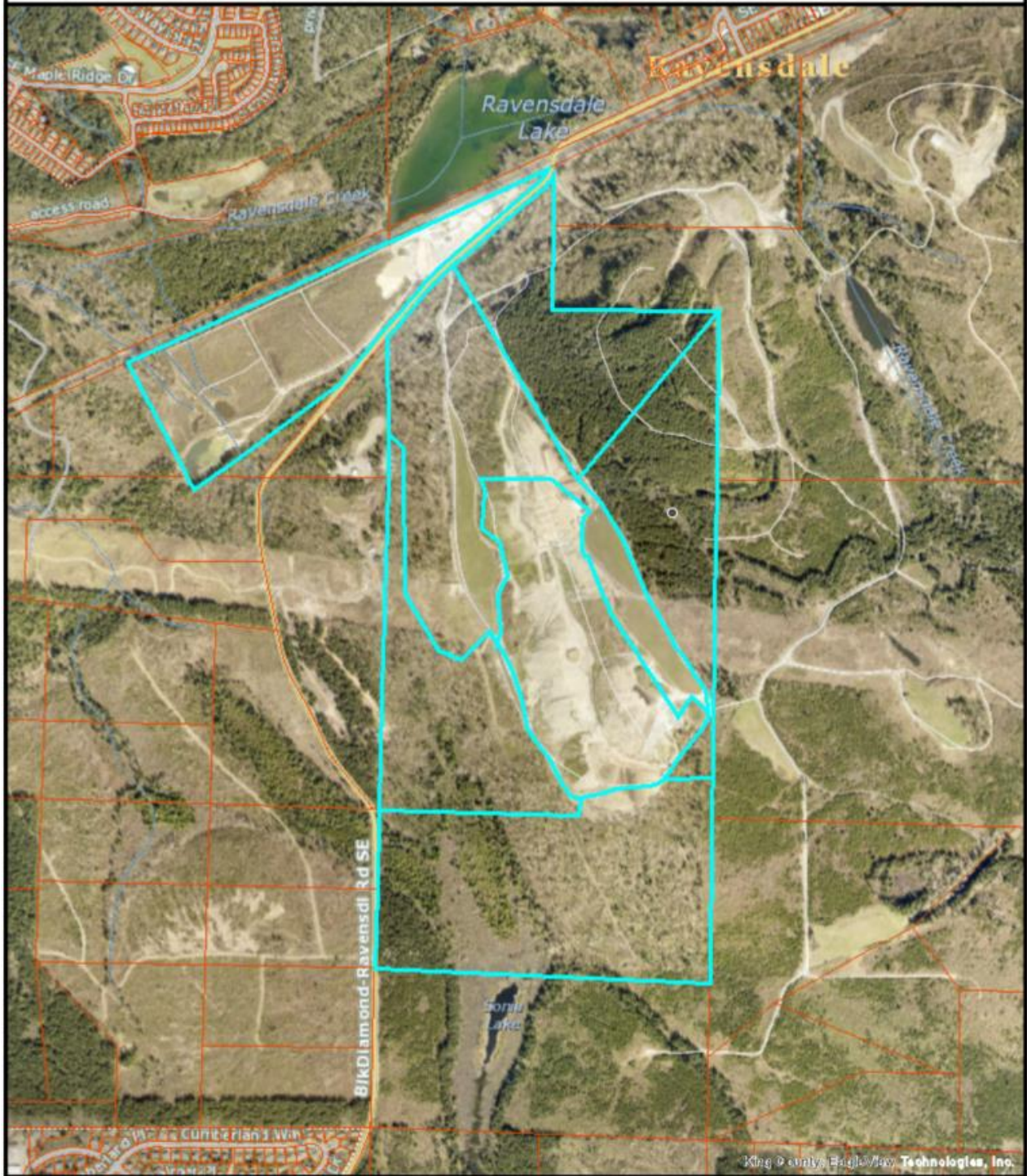
Sincerely,

Ty Peterson
Resource/Commercial Product Line Manager
King County Permitting Division
Department of Local Services

Enclosures: Aerial Image Maps of Reserve Silica Ravensdale Sand Pitt Site & Area of Contaminated Fill

Cc: PREA23-0199 King County File Record
Reserve Silica Corporation: Vice President Marisa Floyd (mlfloyd@swcp.com), Owner Frank Melfi Jr. (melfif@swcp.com), General Manager Fred White (fwhite@seanet.com)
Douglas Steding, Northwest Resource Law PLLC (dsteding@nwresourceclaw.com)
Carla Brock, Aspect Consulting, LLC (cbrock@aspectconsulting.com)
Kristine Koch, EPA Cleanup Section #3 (Koch.kristine@epa.gov)
Monika Kannadaguli, Water Quality PM (mkan461@ecy.wa.gov)
Jay Fennel, Water Quality PM (jfen461@ecy.wa.gov)
Chris Martin, Water Quality PM (cmar461@ecy.wa.gov)
Donna Kirkman, DOE Toxics Cleanup Program (dmus461@ecy.wa.gov)
Dawn Maurer, DOE Toxics Cleanup Program (dmau461@ecy.wa.gov)
Marian Abbett, DOE Toxics Cleanup Program (mabb461@ecy.wa.gov)
Diana Ison, DOE Toxics Cleanup Program (diso461@ecy.wa.gov)
Alan Noell, DOE Solid Waste Management PM (anoe461@ecy.wa.gov)
Tim O'Connor, DOE Solid Waste Management PM (tioc461@ecy.wa.gov)
Steven Williams, DOE Solid Waste Management PM (stwi461@ecy.wa.gov)
Yolanda Pon, King County Health & Env. Investigator IV (yolanda.pon@kingcounty.gov)
Jeromeo Cruz, King County Environmental Scientist III (jercruz@kingcounty.gov)
Warren Clauss, King County Permitting Planner/PPM III (wclauss@kingcounty.gov)
Teddy Taddese, King County Permitting Engineer II (teddy.taddese@kingcounty.gov)
Jeri Breazeal, King County DLS Code Enforcement Off. III (jeri.breazeal@kingcounty.gov)
Tom Campbell, King County DLS Code Enforcement Mgr, (tcampbell@kingcounty.gov)
Mark Rowe, KC Permitting Deputy Division Director (mrowe@kingcounty.gov)

King County iMap: Reserve Silica Site (2021 Aerial Image)



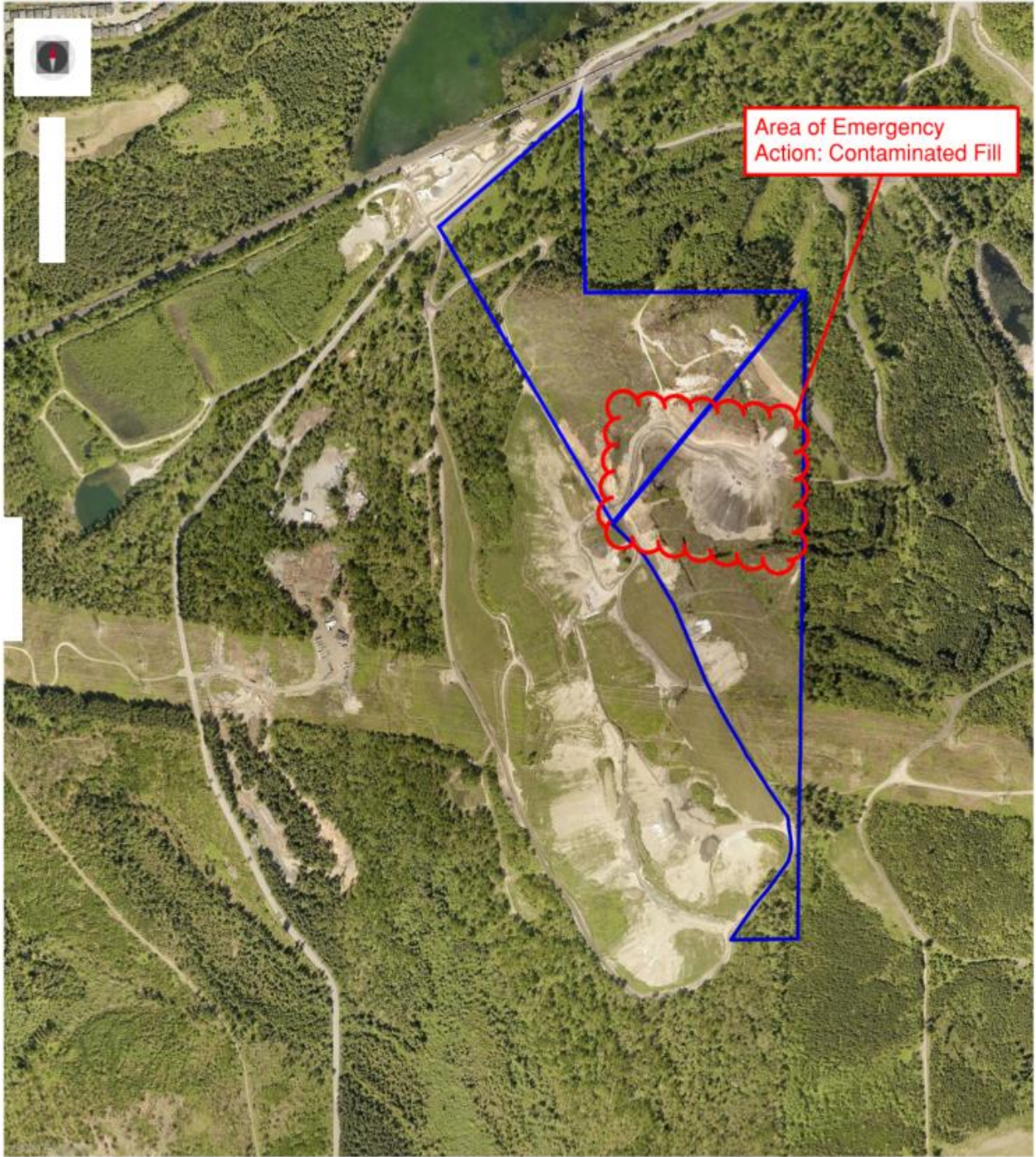
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Date: 8/18/2023

Notes:



CONNECTEXPLORER® : 2023 Aerial Image



map: Auto (Mosaic) Apr 2023 - Jun 2023 04/14/2023 - 06/12/2023