



Date: October 8, 2023

To: Mark Rowe, Deputy Director, King County, Department of Local Services-Permitting Division (KC DLS-P), mrowe@kingcounty.gov

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Subject: Reserve Silica Environmental Emergency

Refs: 1. April 17, 2023, GMVUAC Letter to KC DLS-P: [Reserve Silica 40-ac Clearcut](#)
2. April 30, 2023, GMVUAC Letter to KC DLS-P: [Questions on Reserve Silica](#)
3. August 22, 2023, KC DLS-P Letter to Reserve Silica: [Emergency Authorization](#)

We were extremely dismayed, but not surprised, by the recent activities at the Reserve Silica site in Ravensdale. Such activities included dumping of contaminated materials in an area that is not permitted for same, as explained in Mr. Campbell's September 17, 2023, e-mail to the "Touch-Base Meeting" group (which included Ref. 3.):

"A construction site within the area around the former Asarco smelter in Tacoma generated approximately 33 dump truck loads of dirt contaminated with arsenic and lead that was deposited at the Reserve Silica site between May 3, 2023 and May 18, 2023, covered over with 10+ feet of soil, and graded. The Reserve Silica site is not authorized to receive contaminated fill like that, which is required to be disposed of at a specific type of landfill area."

This is now in an initial investigation stage with no legal actions yet taken by the County or the State Department of Ecology (DOE). While we believe these *initial* actions are good, the dumping of contaminated materials in an area that clearly was not permitted for any dumping, is something that never should have gotten to this point. The Reserve Silica site has a *multi-decade* history of this type of disposal, on-going contamination of public resources, and egregious violations of permits. Yet, in spite of all, of that, we find ourselves in a position where 33 dump truck loads were dumped on the site this past Spring, and now it is a race to get the material removed before any serious rains hit (as they already have in the past couple of weeks). Further, to this day the site has a long history of doing a terrible job in managing its stormwater and a record of discharging contaminated water offsite.

Given our discussions from earlier this year regarding Reserve Silica and its on-site activities that precipitated our two letters to you (*Refs. 1. and 2.*) and later, the Environmental Emergency that resulted in *Ref. 3.*, we request the KC DLS take the following actions as part of its resolution of the on-site environmental emergency:

- 1. Ban Reserve Silica from accepting any *for-pay-disposal* materials and impose steep fines for its recent actions—small fines will be accepted as a “*cost of doing business.*”**
- 2. Ban Reserve Silica from using paid disposal of waste as part of required “*reclamation,*” as the end result has been various levels of blatant disposal of contaminated wastes.**
- 3. Require Reserve Silica to remove all fill (contaminated or not) from the 40-ac clearcut, once KC DLS-P concurs this site was not “*permitted*” for same or for clearcutting.**

We have yet to hear any resolution to Reserve Silica’s clearcutting without a WA Forest Practices Act (FPA) permit. Although Reserve Silica’s General Manager, Fred White, stated in December 2022 to the WA Department of Natural Resources (DNR) that King County Clearing and Grading Permit, GRDE15-0011 authorized it without an FPA permit, we do not believe the facts support that contention. If your search of the permit records has found the clearcut indeed is a violation, we call on you to work with DNR for a final resolution including suitable mitigation and penalties.

The local residents of Ravensdale, as well as those of the greater southeast King County area, should not be subjected to further environmental contaminants beyond the already *ongoing* State Model Toxics Control Act (MTCA) Agreed Order—Remedial Investigation, Feasibility Study, and Cleanup Action Plan—at the Reserve Silica site.

The repeated incidents of *unpermitted* actions including disposal of contaminated wastes and decades of discharging toxic wastes into the environment, at this site and other sites around the County, seriously undermines King County’s system of permitting for mine reclamation and code enforcement thereof.

A situation with this degree of environmental impact demands immediate attention to: (1) Hold the perpetrators accountable and (2) Ensure it does not happen again. We look forward to your response.

Steve Hiester

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Chair, Greater Maple Valley Unincorporated Area Council (GMVUAC)

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