



Snohomish County Council

Legislation Details (With Text)

File #: 2023-0693 **Version:** 1

Type: Motion **Status:** Approved

File created: 6/13/2023 **In control:** General Legislative Session

On agenda: 8/23/2023 **Final action:** 8/23/2023

Title: Motion 23-312, authorizing the County Executive to sign an Agreed Order with the Washington State Department of Ecology for the Former Tect Lease Area on Paine Field Airport

Sponsors: Airport, Nickolis Landgraff

Indexes:

Code sections: Charter 2.20(7) - To approve contracts or establish by ordinance methods by which any type of contract shall be approved

Attachments: 1. Motion 23-312, 2. Staff Report, 3. Contract - SIGNED, 4. Fiscal Worksheet, 5. Motion Assignment Slip

Date	Ver.	Action By	Action	Result
8/23/2023	1	General Legislative Session	Approved	Pass
8/15/2023	1	Planning and Community Development Committee	Moved to the GLS Consent Agenda	
8/8/2023	1	Administrative Session	Assigned	

Executive/Council Action Form (ECAF)

ITEM TITLE:

Motion 23-312, authorizing the County Executive to sign an Agreed Order with the Washington State Department of Ecology for the Former Tect Lease Area on Paine Field Airport

DEPARTMENT: Airport

ORIGINATOR: Andrew Rardin

EXECUTIVE RECOMMENDATION: Approved by A Bounjaktha 7/21/23

PURPOSE: Agreed Order Contract between Department of Ecology and Snohomish County for remedial action at Airport.

BACKGROUND:

- Snohomish County Airport has been investigating environmental contamination at the Former Tect Lease Area since the early 1990’s with Remedial Investigation (RI) reports submitted to the Department of Ecology.
- On December 13, 2018, Ecology sent the Airport an Early Notice Letter which stated that cleanup would need to occur on the property pursuant to the Model Toxics Control Act (MTCA).
- On November 23, 2021, the Airport submitted a request to enter the Department of Ecology Voluntary Cleanup Program (VCP). The VCP program provides oversight of straight forward typical cleanup actions.
- On March 17, 2022, Ecology provided written notice that the Airport was a Potentially Liable Party

(PLP) for the environmental contamination at the former Tect lease area.

- On February 1, 2023, Ecology formally terminated Airport’s enrollment in the VCP and deemed the site too complex and an Agreed Order (AO) would be required.
- The Airport, with assistance of its attorneys, has negotiated an Agreed Order with the Department of Ecology that requires the County to undertake all actions for remedial work.
- The Airport is responsible to reimburse Ecology staff hours worked on the AO which is estimated to be approximately \$150,000 per year until completion.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	2023	2024	1ST 3 YRS
API49-20-6301 - Other Improvements	\$150,000	\$150,000	\$450,000
TOTAL	\$150,000	\$150,000	\$450,000

REVENUE: FUND, AGY, ORG, REV, SOURCE	2023	2024	1ST 3 YRS
410-3216800800 - Fund Balance	\$150,000	\$150,000	\$450,000
TOTAL	\$150,000	\$150,000	\$450,000

DEPARTMENT FISCAL IMPACT NOTES: The Airport Enterprise Fund has sufficient funds for this project and shall budget accordingly in future years.

CONTRACT INFORMATION:

ORIGINAL	X	CONTRACT#	AO	AMOUNT	\$150,000 Per Year Estimate
AMENDMENT	_____	CONTRACT#	_____	AMOUNT	_____

Contract Period

ORIGINAL	START	Upon Execution	END	Until Completion
AMENDMENT	START	_____	END	_____

OTHER DEPARTMENTAL REVIEW/COMMENTS: Reviewed/approved by Risk - Shelia Barker 7/21/23 and Finance - Nathan Kennedy 7/21/23