Snohomish County Council



Legislation Text

File #: 2023-0693, Version: 1

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 Boungjaktha 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 |
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| | | | |
| TOTAL | \$150,000 | \$150,000 | \$450,000 |

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|--------------------------------------|-----------|-----------|-----------|--|--|--|--|
| | T | 1 | Γ | | | | |
| REVENUE: FUND, AGY, ORG, REV, SOURCE | 2023 | 2024 | 1ST 3 YRS | | | | |
| 410-3216800800 - Fund Balance | \$150,000 | \$150,000 | \$450,000 | | | | |
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DEPARTMENT FISCAL IMPACT NOTES: The Airport Enterprise Fund has sufficient funds for this project and shall budget accordingly in future years.

\$150,000

\$450,000

\$150,000

TOTAL

| CONTRACTINE | -OKI | /IATION: | | | | | | |
|-----------------|------|----------|--------|-----------|-----|---------|--------------------------------|---|
| ORIGINAL | Χ | CONTR | ACT# | AO | Al | MOUNT | \$150,000 Per Year Estimate | |
| AMENDMENT | | CONTR | ACT# | | Al | MOUNT | | _ |
| Contract Period | i | | | | | | | |
| ORIGINAL | | START | Upon I | Execution | END | Until C | ompletion | |
| AMENDMENT | | START | | | END | | | |

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