



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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June 7, 2016

The Honorable Gerry Pollet  
House of Representatives  
PO Box 40600  
Olympia, WA 98504

RE: SR 520 Demolition Activities

Dear Representative Pollet:

Thank you for your letter of May 24, 2016, expressing concerns over demolition activities associated with the SR 520 Bridge. I can assure you that the Washington State Department of Ecology (Ecology) is doing its part to ensure this complex transportation project is being completed in accordance with applicable environmental laws. Ecology, along with numerous local, state, and federal agencies have been working with the Washington State Department of Transportation (WSDOT) for more than five years to ensure that the environmental reviews and permits meet applicable laws.

In your letter, you asked a number of questions about Ecology's review, and associated environmental concerns. I have attached a document that responds specifically to your questions and our efforts to date. My letter is a general overview of our role in this project. I also want to acknowledge that Ecology is in receipt of your Public Records Act request related to the barge-based demolition activities. To provide our full assistance in responding to your request, I suggest that you meet with our SR 520 Bridge Team to answer the questions you have, and to explain how potentially responsive records will be located, assembled, and made available. A meeting would also help to identify specific items in your request that you can clarify, limit, or prioritize so we can provide you the information that you are most interested in as soon as possible.

Ecology is responsible for ensuring that water quality is protected, regardless of whether activities occur on land or over water. With regard to the construction and demolition element of the SR 520 Bridge project, we provided oversight through two provisions of the federal Clean Water Act: (1) a Section 401 Water Quality Certification, that regulates activities in the bridge construction and demolition zone, and (2) a Section 402 permit that regulates the land based activities such as staging, construction, and transfer of materials.

Ecology's 401 Water Quality Certification for the bridge construction and demolition allows for on-barge demolition, a common practice in bridge replacement or removal. It does not allow any discharges into Lake Washington. While the May 24, 2016, City of Kenmore and Kiewit/General/Manson (KGM) settlement agreement highlighted the practice of on-barge demolition, these requirements and practices had already been reviewed and permitted.

Since the Final Environmental Impact Statement for the SR 520 Bridge (construction and demolition) was published in 2011, there have been 10 additional National Environmental Policy Act/State Environmental Policy Act (NEPA/SEPA) reviews. The subsequent reviews are called "reevaluations," commonly used



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to assess the validity of – or if necessary, make adjustments to – earlier NEPA/SEPA findings. A NEPA/SEPA document is based on the scope of a project at the time it is approved. For design/build projects in particular, various factors and circumstances are likely to change throughout the development of the project. KGM's change from rubbilizing portions of the 520 bridge in Kenmore to rubbilizing them on barges is an example of such a change.

The public was given the opportunity to review and comment on both the bridge construction and deconstruction during WSDOT's original NEPA and SEPA review process in 2011. Additional opportunities to comment were also provided for specific permits, including permits from the City of Medina, the City of Seattle, Washington Department of Fish and Wildlife, Ecology, U.S. Coast Guard, and the U.S. Army Corps of Engineers. It is important to note that modifications to the work plans associated with the construction and demolition of the bridge, including the change of rubbilizing from land to barges, did not trigger additional public review given that the activities had been assessed earlier in the process.

Some over water activity is a necessary part of bridge demolition. Over, and on water demolition commonly involves using barges, and Ecology has dealt with this on many occasions, with similar no-discharge requirements. Normally, "coarse" breakdown occurs on the barge, then the material is taken on land for further breakdown into pieces that fit on trucks. Doing the further breakdown on a barge is unusual, but possible, and involves the same water quality practices already required in the permit.

Bottom line, the KGM settlement agreement did not change the types of demolition activities that were previously reviewed and permitted, nor did it change the no discharge condition. What it did change was the *amount* of such activities. While breaking down concrete is an activity better suited to be done on land, the best management practices previously required to be conducted over water (e.g., contained barges, dust control, and capture of water associated with breaking down concrete, water quality monitoring and reporting to ensure compliance, etc.) remain the same.

In regard to potential pollutants in the 1960s-vintage concrete, WSDOT has advised Ecology that there is no asbestos contained within the material being rubbilized. Testing has also shown that the concrete contains no actionable levels of heavy metals such as copper or arsenic. The only asbestos contained on the floating bridge is inside the pontoons, which are not being rubbilized, and the drawspan and accompanying tower. The pontoons, which make up 75% of the bridge will be repurposed and reused by a purchaser; the drawspan and tower have been sold. All other testing for metals and other contaminants were well within the limits approved by King County to be accepted at inert waste landfills.

Again, I encourage you to meet with my team in person to walk through your concerns and describe in detail any additional information you are seeking.

Sincerely,



Maia D. Bellon  
Director

Attachment

cc: Julie Meredith, SR 520 Program Administrator