

Written by MR. HENRY SLADEK

Wastewater Treatment System June 13, 2003

I thought it might be useful to outline my thoughts and perspective on the ongoing discussions that we're having with King County, Health Dept, BNSF and the system designers/consultants regarding the possibility of a system for the Town. I also want to tie this into the overall BNSF/DOE cleanup plan that is currently under discussion. I also want to emphasize that the following is simply my opinion on the matter; this in no way reflects any official thinking *or* viewpoint from my position as a Planning Commission member. I'm speaking here strictly as a citizen and business person in the community.

In summary, I see the overall settlement with BNSF as a fairly simple two-pronged, yet inter-related approach: 1) First and *foremost*, we need a reasonable and thorough clean-up of the contaminated area which meets both the technical and legal requirements as defined. These requirements and standards are fairly well defined through existing regulations and the implementing agencies. Clean up beyond that level is really subject to debate and negotiation surrounding personal viewpoints. Reasonable people will differ as to what "should" be the ultimate level of clean-up. 2) Beyond the community's required environmental clean-up, we have the opportunity to work with BNSF in negotiating some other settlement amounts to be used *for* other community purposes. For lack of any alternative ideas (*to date*) about what would benefit the community, the idea of a community wastewater treatment system seems to be a reasonably attractive objective. It's needed primarily to relieve the ongoing environmental damage that's done by the existing out-of-date and inadequate on-site septic systems in the area; it has the additional benefit of providing critical town infrastructure will allow the town to grow and prosper in a controlled and sustainable manner.

My personal opinion is that the minimum required level of clean-up is what we should strive for; anything beyond that would consume resources that could presumably be used for other purposes to benefit the community and its future sustainability. I want to be clear that there is no contemplated trade-off between what the railroad does to comply with environmental clean-up requirements and other "community help" that the railroad may be participating in, in an effort to help it's cause. The distinction that I'd like to draw is that there is likely some substantial *room for* negotiation and judgment between what BNSF is technically & legally required to do on the clean-up versus what the town/community might otherwise "push" the railroad to do in the way of getting the last "pound of flesh". In essence, I'd suggest that what BNSF ~ alternatively provide *for* the overall community in the way of infrastructure improvements would greatly help the area much more than any last incremental benefit derived by a more "perfect" clean-up. It's assumed that any reasonable interpretation (and supported by the town's legal/technical representation) of what is required under the existing laws/regs will suffice to ensure an adequate clean-up. To ultimately push *for* a more thorough, yet marginally better (but more expensive) clean-up, does in fact become a trade-off, in my opinion. The trade off is between what the railroad could otherwise provide in the way of other community help & support. Stated somewhat differently, I'd just reiterate that it's preferable to agree to some "reasonable" clean-up standard rather than to try to use the process to further "punish" the aggrieving party (BNSF). Certainly I'm not suggesting some compromised, inadequate level of clean-up, but one that's reasonable and which allows some of these otherwise miss-allocated resources to be put to better use. These additional resources could be directed to actually revitalize some of the community's commercial and outdoor recreational potential. That has been the thinking behind the discussions to date about the possible help and support for a town/community wastewater treatment system.

My purpose for bring up this discussion is because at the few community/DOE meetings I've attended so far, there does seem to be a contingent of people who will argue for the "perfect", most thorough clean-up possible, regardless of the cost. I do not mean to dismiss or denigrate that viewpoint; I do, however, want to clearly state my view that under this approach there will most likely be "real" tradeoffs in the way of other cooperation and support from the railroad. To me that's just basic common (and business) sense. So, in summary, although cost is truly no object in getting to the reasonable level of clean-up, going beyond that will result in a trade-off in the way of other "community benefits".

I also would hope the town is sensitive to this very real dynamic in its negotiations (through the mayor's office, select Council representatives, and its attorney) with the BNSF. Again, this is not intended to limit the town's interest, but rather to re-emphasize the inter-related nature of the overall/comprehensive solution that can be achieved through the process. I also need to reiterate that any discussions/negotiations with BNSF on this matter could become seriously compromised should any "surprise" dissenting official positions materialize. This essentially assumes that the railroad and community are working together in "good faith" toward a comprehensive and mutually satisfactory resolution.

I'd welcome any other views, feedback or opinions regarding this matter. Again, my intent is merely to put my views and rationale in writing for others to view critically. I can be reached at [hws@hvacrcontractor.com](mailto:hws@hvacrcontractor.com) or phone 425-216-1601.

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