

AAA Simon Holding, LLC
d/b/a ETI Environmental Laboratory

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Joel R Kupferman, Esq,
ENVIRONMENTAL JUSTICE INITIATIVE
New York ENVIRONMENTAL LAW & JUSTICE PROJECT
National Lawyers Guild- Environmental Committees
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225 Broadway Suite 2625 New York NY 10007-3040

RE: Comments on the Potential Construction of a Youth Jail in Seattle, WA

Dear Mr. Kupferman:

You have asked me to review and make brief summary comments on the proposal in Seattle, WA to use a contaminated industrial site for the construction of a Youth Jail. My review of the documents provided and reviewed to date has indicated that this proposed site has numerous environmental red flags that would indicate that this is a very bad idea for this site under the guidelines proposed to date.

1. The approach taken for the construction of this site is more pertinent to an industrial Brownfield type project in which a contaminated site would be "cleaned up" so that another industrial type facility could be built at the site. The Youth Jail will in contrast house and maintain a young person population with visitors that would include families and young children, a sharp contrast to the activities at an industrial site.

2. The designation of this site under Method C, "Mitigated Determination of Non-Significance" (MCNS) has definitely placed the cart before the horse in the proposed EIS. The "demolition" statement on page 3 stated that asbestos, lead-based paint and PCBs (polychlorinated biphenyls) "may be present in the buildings". Where are the surveys of all the buildings to know if and how much of these three human carcinogens (asbestos, lead and PCBs) are actually present? Before performing demolition and preparation of demolition plans the identity and quantity of toxins, especially asbestos, lead paint and PCBs must be known. It is not enough and not acceptable professional conduct just to say "if we find it we shall deal with it". This is the worst type of environmental non-compliance and regulatory non-compliance which places this Seattle project in direct conflict with USEPA regulations, OSHA regulations and I suspect State of Washington regulations. Without knowing the presence, quantity and location of these three carcinogens, no plan can go forward, in my opinion.

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3. I strongly suggest that the proper procedure be used before a final determination is made for this project. Qualified, accredited inspection personnel and testing laboratories should be hired to perform a complete environmental survey of all the buildings and grounds, including soil borings, building materials, etc as needed, so that a comprehensive site contamination profile can be prepared. Once the full environmental hazard profile of this site has been determined, that a proper assessment of the site suitability for human residency can be determined. There seems to be too much rush to brush off the seriousness of the potential environmental contaminates without full knowledge of what they are, where they are and how much of them exists.

Sincerely,

Robert K. Simon

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