

January 19, 2006

To: EPA Coordinator Martha Lentz
Office of Environmental Assessment
EPA, Region 10 (OEA-095)
1200 Sixth Avenue
Seattle, Washington 98101

Re: Sole source petition to the EPA for the Troutdale and Unconsolidated Alluvium Aquifer System

Dear Ms. Lentz:

I am writing in support of the above petition, at the request of a community activist/leader. My interaction with this particular community goes back over several years. They would regularly attend Environmental Justice conferences or the Environmental Justice panel of Environmental conferences when they were there. In my appointment to NEJAC, a Federal Advisory Committee to the EPA, we became aware of some of the Title VI community concerns as well as their concerns regarding disproportionate impacts on water supplies. Some of the grassroots activity was vigorous. Various community members and organizations have since collaborated over several months to perform extensive research about the groundwater supply in Clark County and then used scientific data to prepare the petition.

I have read the petition and do think it meets the criteria set forth by the rules. To qualify for Sole Source Aquifer designation, the proposed aquifer service area must prove to be at least 50% dependent on groundwater for the potable water supply. Factual analysis shows that 99.4% of the potable water currently used in the proposed Sole Source Aquifer service area in Clark County is obtained from groundwater, confirming that the Troutdale Aquifer System qualifies as a Sole Source Aquifer.

However, this petition has more to offer than that. They have embarked on a collaborative, multi stakeholder process inclusive of community. They have struggled through confrontational times and still come to the table. As they seek control over their water quality, they meet the Environmental Justice maxim of "Speaking for Themselves". They also open the policy research and development door to sustainability via healthy communities and smart growth the EPA way; and Community Based Environmental Planning. The recent memorandum of Administrator Johnson on EJ underscored collaboration. The Intergovernmental Working Group has a model base of 15 collaborative, real projects available via the web. Both water and community control are important parts of the sustainability puzzle, and we seldom have an opportunity where collaboration presents itself as part of the solution to that puzzle. It also opens up a variety of revenue streams for collaborative, water, brownfields, or sustainability projects at EPA, the Department of Ecology, and with regional municipalities. So lastly, it has the potential for intergovernmental cooperation in an applied, environmental approach.

The aquifer below Clark County is named the "Troutdale Aquifer System" and is used by over 297,380 Clark County residents as their sole source of drinking water. Designation as a SSA

would be an important step towards protecting the drinking water used by the Cities of Vancouver, Battle Ground, Ridgefield and La Center, as well as, many streams and rivers in the area.

The Washington Department of Ecology (Ecology) currently lists 216 active cleanups and 12 federal Superfund sites in the proposed SSA designation area. Ecology also lists over 620 hazardous waste generators and nearly 280 hazardous materials storage facilities in this area. In the City of Vancouver alone, there are on the order of 7,000 septic systems, many of which are more than 30 years old and are likely failing and/or contributing to ground and surface water contamination. It is unknown how many years back it's been since these wastes began their accumulation in this watershed. The airsheds above the watershed catch much of the industrially contaminated air from points South and West. There are probably a large number of Underground Storage Tanks, some perhaps leaking into the watershed. As there is no Ecosystem Risk Assessment we can only speculate. However, we do know they may be there and that these risks accumulate over time, to more and more people.

Sole Source Aquifer designation protects an area's groundwater resources by requiring the EPA to review any proposed projects within the designated area that are receiving federal financial assistance. This is an excellent leverage point for sustainability and brownfield initiatives. All proposed projects receiving federal funds are subject to review to ensure they do not endanger the water source. Sole Source designation is also a positive tool used to help educate the public about protecting the community's vulnerable groundwater supply. The increased capacity of the community to engage in these decisions also supports other policy initiatives as discussed.

Please contact me if you have any questions. Thank you for your time and consideration.

Yours Truly

Robert W. Collin

Senior Research Scholar/Law Professor