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Subject: SMS rule making SEPA
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This is in response to the request for comments on the SMS rule making SEPA.

No change is a bad solution because it doesn't address human health directly and doesn't address bio accumulative chemicals, which are current the driving chemicals at many cleanup sites.

Beyond this any solution that is less protective than MTCA would be inappropriate and create a conflict at many sites which have both upland and sediment cleanups.

The use of a PQL as a standard is very problematic particularly when Ecology is pressing to use a less than optimal number, as it currently is proposing to by internal policy, PQL's should be based upon the best available science not the most commonly preformed test limits. The standard for PQL should always be more exacting as technology improves. Unfortunately if there is not motivation to continually improve the technology, by a requirement of using the best available PQL standard, labs are not rewarded for continually investing in more advanced technology. Under the currently proposed method there is no motivation for improvement in fact there is a penalty for investing in the more advanced technology to get lower detection limits, that penalty being, overlooked by Ecology in favor of those labs that may charge less but can only meet a lesser common standard. Therefore PQL should be struck as a standard in sediments.

Background as a standard is appropriate and reasonable only if it's use leads to a reduction in chemicals in the sedments, therefore it makes no sense to include anthropogenic sources in the background. Natural background in it's most prestine form has some degree of global deposition included, and should be the standard.

SMS should protect human health, aquatic species and higher predators from negative health effects, environmental degradation and the negative effects of bio- accumulative chemicals; not just protect some benthic species which is unaffected by bio-accumulative chemicals as is the current SMS rule.

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