

## Grice, Joshua (ECY)

---

**From:** Sinclair, Jodi [Jodi.Sinclair@seattle.gov]  
**Sent:** Thursday, February 14, 2013 8:59 AM  
**To:** Kraege, Carol P. (ECY)  
**Cc:** Johnson, Dan (PKS)  
**Subject:** Comment on the draft ECY New Strategies Proposal, dated Feb 11, 2013

<http://www.ecy.wa.gov/news/2013/044.html>

Dear Ms. Kraege:

Thank you for the opportunity to comment on the Department of Ecology's New Strategies proposal. Please note my response below –

Although the City of Seattle Parks and Recreation agrees with the philosophy of the State DOE, it really is your daily practicum at issue. Below is a case in point where the State sabotaged its own intent. The result was the a] the opposite of the State goal, b] more release situations created, and, c] increased exposure risk to our staff.

Example:

Last year the State required we stop using a highly rated light bulb crusher with mercury containment capacity. The rationale for the DOE decision was that our facility was not a 'permitted treatment facility' and that the crushers emit mercury. Our contention remains that the 'treatment' designation of crushers is a literal reach of the regulatory definition in need of revision. The current over-simplified definition has no parameters for quantity or generator containment rather than 'treatment' functions. It has no reference to allowable exposure limits, training or facility design and housekeeping. In short, it is an unreasonable, impractical mandate being used out of context.

And, the data the State used, in judgment, was an apples and oranges comparison using antiquated, irrelevant studies. The State data to evaluate our crusher was ten years old, machines evaluated were not our model, and, their tests did not meet the much smaller parameters of our operational use. To add insult to injury, your inspector said the decision did not come from his site evaluation. It came from persons who had not seen our site. It was a vested, prejudicial and arbitrary decision; not a situational review. Our protest of the decision fell on deaf ears; it was not even answered.

Had our situation been properly evaluated by reasonable regulatory language and modern study it would be obvious that:

1. we are not treating the bulbs for recycling or disposal. We are a generator safely containing them to prevent mercury exposure to our staff and patrons. The crusher merely provides safe packaging so our bulbs can be picked up and recycled by a State permitted treatment handler.
2. we have manufacturer use protocols in place and our selected operator staff is well-trained in all facets of crusher operation.
3. the crusher actually reduced transport and storage breakage.
4. the current data on our model shows it as safe.
5. the federal government and other states are not banning its use.

Perhaps the New Strategy can provide more than lip service to the evaluation of new technologies. Can the State actually partner with generators seeking to upgrade their safe containment practices? Can the State provide safe practical protocols rather than inflexible, antiquated, unsafe mandates?

Sincerely,

Nina J. (Jodi) Sinclair  
Senior Environmental Analyst  
City of Seattle Parks and Recreation  
Stewardship and Sustainability  
Phone: 206.684-7292  
Cell: 206.423-0631

[jodi.sinclair@seattle.gov](mailto:jodi.sinclair@seattle.gov)

'We do not inherit the earth from our ancestors; we borrow it from our children.'



Explore More

Check us out on: [Parkways Blog](#)  | [Parks Facebook](#)  | [@SeattleParks](#)  | [Parks Flickr](#) 